

APPLICATION / PROJECT NAME

Proposed Zoning Amendments to Update Zoning Districts and Replace IP-II Zone with Industrial (I) Zone; Other Edits

APPLICANT / PROPERTY OWNER

Planning and Zoning Commission

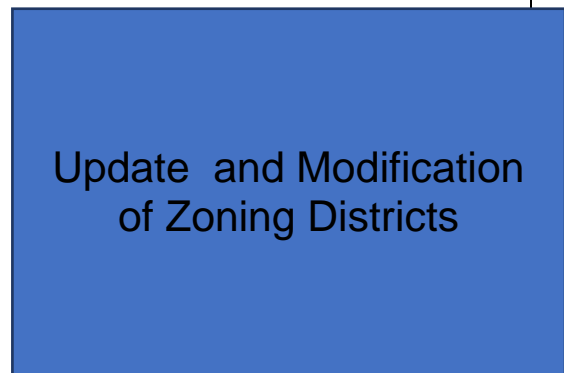
PUBLIC HEARING / DECISION TIMEFRAMES

No limits on decision deliberation times

PROPERTY ADDRESS / LOCATION INFORMATION

BRIEF SUMMARY OF REQUEST

These proposed regulation amendments are intended to simply update and include all the town's zoning districts in its zoning regulations and replace the IP-II with a new I designation to allow more appropriate siting of certain industrial uses within the town, particularly more intensive cannabis uses and auto dealer services. It is important to note that although the town has carried an IP-II zone in its regulations, it has never hard zoned (mapped) any areas as such.



WAIVER REQUESTS: N/A

MAP SOURCE: INTERNET

EXISTING ZONING	EXISTING LAND USE	SURROUNDING ZONING & LAND USE	SITE IMPROVEMENTS	SIZE OF PROPERTY
n/a	n/a	North: n/a South: n/a East: n/a West: n/a	n/a.	n/a

PLANNING STAFF ANALYSIS AND RECOMMENDATIONS

COMPATIBILITY / COMPLIANCE with the POCD-2016 and other appropriate plans, policies or studies:

The 2016 Plan of Conservation and Development recommends retaining industrial park like development on the western border of the town. That plan was adopted before recent cannabis legislation came about and prior to recent amendments allowing expanded auto related uses in the commercial zones.

PROJECT HISTORY AND BACKGROUND:

The current regulations are dated, addressing only some of the zoning districts located in the town. Also, the zoning map has incorrectly designated the western industrially zoned areas as I, for which there is no corresponding zoning district in the regulations. So, in light of recent text amendments and separate desire for new cannabis establishment regulations, the concept of replacing the IP-II zone in the regulations with a new I designation provided an opportunity to reconcile the mapping issue. **And remember, the current industrial areas are all regulated under the IP-1 zoning regulation standards.**

LAND USE/ DEVELOPMENT COMPATIBILITY with APPLICABLE REGULATIONS AND/OR DESIGN STANDARDS:

Administrative: The legal ad has been advertised and referred out as required by statute.

Comprehensive Plan of Zoning: This effort is part of an overall strategy to align the zoning districts and map, and tweak a few uses in the new zone. Along with the proposed change to the industrial classification name of the IP-II zone, the application proposes the following:

- 1) Keep all bulk and dimension standards of the new I zone consistent with current requirements of the IP-1 zone.
- 2) To allow waste to energy uses like the Wheelabrator facility to remain a conforming use at its present location in the new Industrial zone classification.
- 3) To permit auto dealer services (like Stilly Auto Repair along Paper Mill Road) to be permitted under certain

- conditions in the new I zone district class. That facility would have to apply for rezoning to be permitted.
- 4) To permit restaurants in the new I zone since they are permitted in the IP-1 zone along Route 12.
 - 5) Would make the sign regulations in the Industrial zones consistent with zoning uniformity standards.
 - 6) Would remove the requirement that development in the new Industrial zone be “ in an open and park like setting”.

The structure and format of the existing regulations has been followed to remain consistent with the comprehensive plan of zoning (the regulations themselves).

Analysis of Substantive Changes: Items 1, 2, 4, and 5 above maintain the status quo and current land use policy.

The use of free standing Auto Dealer Services/Use Car facilities in item 3 above was a recent amendment by the commission to allow these uses in BV-I zone under very specific conditions. While these uses may be problematic in the IP-1 zone that contains malls like Lisbon Landing and the Crossing at Lisbon, the concept of allowing these uses in the industrial zoned areas along the western border is not inconsistent with permissible uses in other industrial zones, in my opinion.

Restaurants (per item 4 above) are permitted in the IP-1 zone now, so this use is proposed to be included in the renamed I zone. Restaurants are normally standard uses permitted in industrial zone classifications.

The regulations now contain a provision that allows signs in only one portion of the industrial zoned areas but not in other portions of the zone. This is not permitted under state law. This will be corrected with this amendment.

Finally, the draft includes a reference to eliminating the provision about development “ in an open and park like setting” in the new Industrial (I) classification. Staff sees that this may be considered inconsistent with the current POCD and will recommend that this provision be withdrawn at the public hearing. Staff will elaborate in his presentation to the commission during the hearing.

RECOMMENDED ACTIONS, INCLUDING ANY MODIFICATIONS, CONDITIONS, REASONS FOR APPROVAL OR DENIAL, ETC.:

Staff will provide additional analysis and recommendations for action.

ATTACHMENTS (CIRCLE):	SUBMITTED PLANS	APPLICATION FORM(S)	LEGAL NOTICE	LEGAL DESCRIPTION
	PUBLIC COMMENT(S)	AGENCY COMMENTS	APPLICANT RESPONSE	STUDY EXCERPTS

OTHER (DESCRIBE):

