

Major changes 2020 Draft Zoning Code
Comparison to the Existing Zoning Code

Focus of Proposed Modification	2020 Draft zoning code section	Existing Zoning code section	Description	Comprehensive Plan
Format Change	Entire code	Entire code	Entire code re-formatted to make it more readable; regrouped related sections (e.g. section 148-5-4 Environmental standards in draft 2020 code versus Existing code sections 22,26,28,29,30,31,34). Dimensional & use tables incorporated in each district. Code format will allow for easier updating to accept any future modifications	Recommended action 4 c. <i>vi.</i>
Format Change	148-4-2	148-9E Dimensional Tables 1 and 2	Tables for each district reflect dimensional modifications and use modifications, provide a one stop method of finding requirements for each district	Recommended action 4 c. <i>vi.</i>
Format of Zoning Code	Table of Contents	None	provide Table of Content for quick reference of sections	Recommended action 4 c. <i>vi.</i>
Provide clarity of zoning requirements for lots in more than one district	148-3-5.B	148-6B	Lots in more than one district will allow district requirements of the less restricted portion to extend up to 50 feet in the more restricted district. This modification is to correct the wording in the existing code to reflect the practice in the town.	
Provide for growth in district north of Route 20	148-4-2	148-9E Dimensional Tables 1 and 2	<u>RF District</u> – the only dimensional change was that the maximum building footprint was increased from 6,000SF to 12,000SF for non-residential activity.	

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Provide for growth in district north of Route 20	148-4-3	148-9E Dimensional Tables 1 and 2	<u>RR District</u> - the only dimensional changes are: Road frontage requirement for state/county roads was changed from 300 to 200 feet; and that the maximum building footprint was increased from 4,000SF to 8,000SF for non-residential activity.	
Encourage development in the hamlets and gateways	148-4-4	148-9E Dimensional Tables 1 and 2 148-8	<u>HC District</u> -. Residential use is an allowed use in the district to align with smart growth principals for mixed use. Lot coverage in the LWOD is reduce by 1/3 instead of ½ in the existing code to align with comprehensive plan goal 4 to offset sidewalks, parking areas behind buildings, an incentive for revitalization, etc. The maximum building footprint was increased from 45,000SF to 90,000SF for non-residential activity. Allowed uses have been expanded	Goal 4 Encourage Village Gateway Enhancement
Encourage development in the hamlets	148-4-5	148-9E Dimensional Tables 1 and 2	<u>HM district</u> -. Lot coverage for residential lots has been increased to 70% from 50% and for non-residential lots 80% from 60%. Impermeable surface coverage increases from 50% to 60% for residential lots and to 70% from 50% for non-residential lots. The maximum building footprint was increased from 2,000SF to 5,000SF for non-residential activity.	Goal 3 Hamlets

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Encourage development in the gateways	148-4-6	148-9E Dimensional Tables 1 and 2	IRO district - Modified review of residential use to site plan review from special permit review process. Residential use change to site plan review instead of special permit. Lot coverage for residential lots has been increased to 30% from 20% and for non-residential lots 50% from 40%. Impermeable surface coverage increases from 10% to 15% and permeable coverage increases from 10% to 15% for residential lots, and to 40% from 30% for nonresidential lots. Lot coverage in the LWOD is reduce by 1/3 instead of 1/2 in the existing code to align with comprehensive plan goal 4 to offset sidewalks, parking areas behind buildings, an incentive for revitalization, etc. The maximum building footprint stayed the same at 300,000SF.	Goal 4 Encourage Village Gateway Enhancement
Provide clarity that an accessory use is secondary to a primary use	148-5-1.B.4.c.	148-8D	Whether or not on the same lot was deleted from this section as an accessory use cannot go on a lot if there is no principal use.	
Common Driveway standards	148-5-2.A.4.1.	148-11K(5)	Design standards for common driveway to be established by the Town Engineer rather than reference subdivision law.	
Clarify how lot area is calculated	148-5-2.A	148-9F	Calculation of lot area recast for all types of lots and broader with less exclusions such as wetlands, and floodplains. This was previously linked to open space subdivision and the change in code is now more applicable to other actions such as lot line adjustments, special permits, etc.	

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Relocation	Addendum	148-25	Rural siting principles moved as an addendum for reference as the principles were developed in the 1990s and need to be reviewed for relevancy.	
Provide a less confusing way allowed lot coverage is calculated	148-4-2	148-9E Dimensional Tables 1 and 2	Lot coverage defined as impermeable and permeable surface coverage replaces the measurement of open space and impermeable surface coverage. An easier way to look at the requirements with the substance unchanged in the RF and RR districts.(Maximum lot coverage at 20%, 10% impermeable surface coverage and 10% permeable coverage.)	
Redundancy removed from code regarding Hard Fill Dumping	148-5-4.G	148-37	Hard Fill Dumping deleted because no longer needed in code. Addressed in sections 148-5-4 and 148-10-8.	
Correct action needed for reduction in setbacks for Agriculture	148-5-4.K.1.b.	148-31A(2)	Provision for reduction of setbacks from watercourse by special permit deleted because of legal concerns. Proper remedy is a request for variance.	
Provide clarity in this section	148-5-5.A	148-11K(2)	Accessory Apartments have been clarified to determine when they are a detached accessory apartment versus a second dwelling on a lot. An accessory apartment cannot exceed 1000SF or 30% of the existing single-family dwelling floorspace.	

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Encourage growth in the northern hamlets and gateways	148-5-5	148-11K	Allow greater density flexibility where public water is available in the RR,HC,HM, and IRO districts	Goal 3 Hamlets Goal 4 Encourage Village Gateway Enhancement
Provide a transition of review when a home occupation is expanded	148-5-5.B	148-35A	Established two sizes of home occupations and required reviews. Home occupations that exceed 2 nonresident employees and/or 1000SF of dedicated space would require a special permit.	
Rename of open space subdivision due to confusion of term open space; simplify subdivision options	148-6	148-9	Subdivision options have been reduced to conventional, cluster, conservation, and flag lots to streamline options.	
Provide the ability for boards to use this analysis with site plan review, special permits, and subdivision to protect Important environmental resources	148-6-2	148-9G	Conservation Analysis renamed to Land Suitability analysis for more applicability for application types such as site plan review and special permit in addition to subdivision approvals	Goal 2.1.b.
Provide increase in housing availability	148-6-8	148-35J	Affordable Housing is now a consideration in all subdivision types; existing code limits it to open space subdivisions only.	Goal 3 Hamlets Goal 4 Encourage Village Gateway Enhancement Concern 3.iv.housing availability

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Provide quicker response to shoreline remediation to protect lake quality	148-7-1.K	148-36(1)	Shoreline improvements require site plan approval instead of special permit to provide simpler review for shoreline remediation	
Provide further controls to protect lake quality	148-7-1.K.3.a	148-36B(4) 148-56	Shared Lakefront Recreations has been modified to address the formal and informal variations of shared lakefront access and the impact to lake quality and the neighborhoods. The requirement for 10 feet of shoreline for each dwelling unit that shares the lake access has been increased to 15 feet. The definition for shared lakefront recreation has been modified to include providing access to the lake.	Goal 1.3.d stronger controls on shared lake rights
Floodplain regulations are in Chapter 72 of town code and this section directs to that section.	148-7-2	148-3(3)(b)	Floodplain overlay district removed as it was never an established section. Floodplains are regulated under chapter 72 of the town code.	
Provide more clarification for alterations and additions to nonconforming structures/lots	148-8-4	148-12C3 148-12C4	Nonconforming lots enlargement and additions section modified for easier understanding and use. It allows up to 25% expansion without a special permit (over 25% requires special permit). The existing code limitation are at 500SF including exterior improvements of decks and patios with greater than a 25% increase in floor space requiring a special permit.	

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Compliance with Supreme Court Ruling	148-9	148-33	Signs section has been re-written to comply with US Supreme court ruling Reed v Town of Gilbert AZ 2015, as we cannot regulate message.	
Modification to process to simplify procedure requirements	148-10-8	148-16 148-19	Review standards for Major special permits and site plan review have been merged to simplify procedures	Recommended action 4 c. i.
Relocation	148-10-12	148-9	HOAs are now referred to POAs- Property Owners Associations to provide broader applicability	
Streamline code	NA	148-48	Abandonment of Pending Applications Section deleted due to non-use.	
Provide clarity to word usage in code	148-12	148-56	<p>1. <u>Definitions Added:</u> accessory use as a principle use, Caliper, Codes Enforcement Officer, Contiguous, Dwelling-Attached, Heavy Industry, lot coverage, Nonresidential, Office, Open Space Development, Person, Place of public assembly, Principal use, Property Owners Association, Protected open space, required yard, Residential, Site plan, Site Plan Approval, Special Permit, Storage Building.</p> <p>2. <u>Definitions expanded/modified:</u> Accessory use, Buildable Land, Condominium, Dwelling, single family dwelling, two-family dwelling, Flood Hazard area (former</p>	

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			<p>floodplain), Home occupation, Open space, permeable surface, Shared Lakefront Recreation, Warehouse.</p> <p>3. <u>Definitions removed:</u> Boardinghouse, construction trailer, Development, lot-rear, plot plan, residential unit, residential use, reviewing board, strip commercial development, this local law, windmill (now WECS)</p>	