

Meeting Minutes for 13 February 2006 – Town Hall Conference Room

Attendees

(Underline indicates attended meeting)

John West, Chair Richard Adams, Secretary Richard Cambra Jack Kane, Zoning Officer

Jack Maloney Claire Pimentel Geoff Regan Barbara Schuster

Robert Silva Ed Silveira, Council Liaison Thomas Silveira, ZBR Chair Ron Wolanski, Town Planner

Sam Hogan, Asst. Town Planner

The meeting was called to order at 6:05 PM. Attendees were as indicated above.

Previous Meeting Minutes

Minutes from the 23 January meeting were previously distributed by email. Approval of minutes was deferred.

Organizational Items and Authority

The committee resumed discussion of Section 13 Off-Street Parking and Loading and continued through Section 1604. Changes recommended by the committee are summarized below.

Review Approach and Schedule

Review of the Zoning Ordinance will proceed in sequence and return to Article 3 and Article 6 to consider commercial design standards changes. All committee review work must be complete by March 27 and recommended changes provided to the Town Council on 3 April.

Reference Materials

The Zoning Ordinance of 12-09-04 is the basis for review. Title 45-24,

Zoning, is available at

<http://www.rilin.state.ri.us/Statutes/TITLE45/45-24/INDEX.HTM>.

Meeting Schedule

Scheduled meetings are as follows: 27 February, 13 March, 27 March.

Recommended Changes

a) Zoning Ordinance Changes

Note: Recommended changes are shown in the current revised version of the ordinance. The file name is: Zoning Ordinance (12-09-04) Chap 1-26 Rev 2_13_06_CDSCChgs.doc and is the current working file distributed to committee members. Changes proposed to implement commercial design standards have been added o the baseline.

Global Changes. It was noted that the paragraph subordination of the Zoning Ordinance is inconsistent. That is, the designation of subordinate paragraphs varies among Sections, and levels of indenture are inconsistent. Recommended changes to paragraphing are shown in the current revision. Article and Sections will renumbered as necessary when all review is complete.

Article 1. Minor changes were made clarifying text and adding references to RI General Laws. In general, when RIGL text is quoted or a section is required to conform to RIGL, a footnote has been added to indicate the applicable reference. Section 101, item (16) was added indicate conformance with RIGL related to affordable housing.

Article 2. Notes were added to indicate the text needs to be modified to reflect a 3rd Zoning Board alternate member if approved by the Town Council. Global revisions were made to make the language

gender neutral. Zoning Board powers references were corrected.

Article 3. Minor readability clarifications were made. Section 304 Item M was changed to correct references. Clarification language was inserted in Section 304A. Sections should be renumbered to eliminate "A". All other corrections were grammatical or clarifications.

Article 4. Minor clarifications and misspellings corrected. Article 4 definitions were reviewed. Comments from Ron Wolanski and committee members were incorporated. To simplify the definitions, paragraph numbers were eliminated and definitions arranged in alphabetical order. An APA book of definitions was obtained and will be compared with Ordinance definitions. The committee will be advised of any recommended changes.

Article 5. Item K was modified to include a note explaining LI (Adjacent to Residential) modification to LI. Section 503 needs to be redrafted to provide guidance on how to divide lots with multiple zonings or simply authorize the Zoning Official to do so, which is current practice.

Article 6. Line by line review of the Section 602 and 603 tables continued through the end of the section. Recommended changes are shown in the current working revision.

Article 7. Modifications to Article 7 required to incorporate the Stormwater ordinance will be considered after the committee has an opportunity to review this amendment. Copies of the amendment were emailed to the committee.

Sect. 702 Number of Dwelling Units or Principal Building per Lot was

modified to allow more than one building per lot. Section 704 Height and Yard Modifications was modified to require a variance rather than special use permit. Section 714 Swimming Pools was changed to require 4 ft. vs 5 ft. fence. Section 716 Yard Regulations: missing illustration will be inserted. Section 722 Waste Pens title was changed to Receptacle Enclosures and a reference to Town ordinances on the subject will be incorporated. Section 723 Farm-Promotion Accessory Uses: Restriction of additional impervious surfaces was deleted. Section 725 Light Industrial District was inserted.

Article 8. Section 803 Extension or Alteration was clarified to include requirement to obtain variance relief from the Zoning Board. Section 805 Special Use clarified. Section 806 Effect of Enactment of Amendment of Ordinance on Building Permits Valid as of Time of Such Enactment or Amendment: expiration was changed from 90 days to six months.

Article 9. Section 904 Basis for approval of a variance was relaxed by including "...primarily [due] to a physical or economic hardship...". No other significant changes were proposed since the section is largely required by RIGL.

Article 10. No significant changes were proposed.

Article 11. No significant changes were proposed.

Article 12. Deferred pending report by the Signage Subcommittee.

Article 13. Discussion continued on parking requirements.

Section 1302 The requirement for all parking lots to be located behind and to the side of new buildings was modified to allow parking lots in

any location. Parking arrangements will be part of overall Development Plan Review. Section 1304 Minimum parking space requirements were reviewed. It was agreed that CDS recommendations to set maximum and well as current minimum parking space requirements was a reasonable approach. Shopping Center requirements were separated into large and small scale shopping centers. Parking space number requirements were not significantly changed.

Article 14. Section 1402 “Site Plan” was changed to “Development Plan Review” requirements to reflect the CDS review process. Section 1404 Minimum land area per hotel room or unit was modified to reflect amendment adopted on June 6, 2005. The table was deleted. Section 1408 Hotel kitchen facilities was modified to allow kitchen facilities in all extended stay hotel rooms.

Article 15. Section 1504 Office Business (OB) was deleted from table to be consistent with Article 6. Section 1509 Building façade blank walls shortened from 160 to 80 feet.

Article 15A. Allowed residents in accessory family units were expanded from parents and grandparents only, to include children and grandchildren. Section 15A01 Accessory family unit floor space percentage increased from 25% to 35% of the dwelling.

Article 16. Section 1601 Changed section to be consistent with Development Plan Review requirements. Article 1605 Began discussion of building setback requirements.

b) Other Related Changes

Relevant supporting Subdivision/Land Development Regulation

changes are shown in filename Subdiv. Regs. 1995-Revisions to Dec. 2004 Rev_Baseline_DSChgs_1.doc.

The meeting was adjourned at 8:50 PM.

Action Items

No. Item Responsibility Status Due

10 Letter to Geoff Regan informing him of his removal from the committee. Committee Chair Pending TBD

11 Section 1407. Text needed to reflect sewage holding tank requirements and role of Town Engineer in review and approval. Zoning Official Pending TBD

12 Section 1508. Parking diagram needed Planning Official Pending TBD

13 Section 15A02 Procedure –Text needed to implement specific procedures Planning & Zoning Officials Pending TBD

Respectfully Submitted,

/s/ R. P. Adams