

The Planning and Zoning Commission of the Town of Avon held a **special meeting (virtual only GotoMeeting)** on Tuesday, March 5, 2024. Present were Lisa Levin (sat), Chair, Peter Mahoney (sat), Vice Chair, Joseph Gentile (sat), Robin Baran (sat), Chet Bukowski (sat), Jamie DiPace (sat), Chris White (sat), and Alternates Elaine Primeau (did not sit); Christine Graesser (did not sit) and Randall Bowers (did not sit). Also present was Hiram Peck, Director of Planning and Community Development.

Ms. Levin called the meeting to order at 7pm.

OTHER BUSINESS

Discussion with Consultant – Update to Zoning Regulations

Mr. Peck explained that Mr. Collins is present to bring everyone up to date on the format being used for the update to the Zoning Regulations and will review Section 4 in depth.

Robert Collins, AICP, SLR Consulting, displayed a presentation providing an overview of the seven (7) sections of the Regulations - a baseline review was done of the entire code (currently 10 sections) as well as the zoning map and POCD. The annotated outline clearly shows where all the existing regulations and text is located within the new reorganized and modernized zoning code. We have been moving the existing text to their new locations/sections and also starting to lay out the new sections. A draft of all seven (7) sections has been completed but they are all in various stages of Staff review – once Staff review is complete the Commission will be reviewing all the different sections. The seven (7) sections are as follows: 1) Introduction; 2) Definitions; 3) Zoning Districts; 4) Uses and Regulations and Consolidated Use Table; 5) Site Development Standards; 6) Special Developments and Additional Standards; 7) Administration, Procedures, and Enforcement.

In response to Ms. Levin, Mr. Collins explained that the layout (template) being used for the updated/reorganized Regulations is very traditional and modern and is used by many other communities that have recently updated their zoning regulations; this layout is also used by other communities that are within our portfolio of regulations that have been adjusted. The goal is to try to get the existing regulations condensed into six to eight sections such that it is not too cumbersome. There are some custom pieces (e.g. Use Tables) that we want to include in the Regulations based on our conversations with Town Staff to ensure that the final product meets the needs/desires of the Town and Commission. A use table is very widely used to make it easy for Staff to assist the public with questions about uses and zones. All uses included in the use table are currently embedded in each district separately.

Mr. Collins explained that for each section to be reviewed by the Commission final draft documents will be provided that include strikethrough text as well as underlined text such that it will be easy to determine what is being deleted and what is being added new; existing text will be shown in black. (i.e., red text that is underlined in red is NEW text proposed to be added; red text that is shown as ~~strikethrough~~ is proposed to be deleted).

Mr. Collins addressed Section 4 and displayed the draft Use Table noting that all existing uses in the existing Regulations are included in the Table. The Use Table is still currently under review with Staff to add new, modern uses that are not currently included in the existing Regulations. There are broad use categories in the Use Table: 1) residential; 2) community facilities and institutional; 3) commercial; 4) industrial; and 5) others.

Mr. Peck noted his agreement with Mr. Collins on the Use Table adding that Staff is still reviewing the Table to make sure that everything that is currently permitted in the Regulations is included in this Table. The term Special Exception will be updated/changed to the term Special Permit in the new Regulations. Staff also wants to make sure the Commission is comfortable with how the Use Table works.

In response to Ms. Levin, Mr. Collins explained that all permitted uses in all districts are included in the Use Table; the overlay zones/districts are also included in the Use Table. Along with the Use Table there will also be specific use regulations text included in Section 4 that contain criteria that must be met. Ms. Levin said there is a lot of cross referencing to other sections (site plan, architectural) which is very helpful.

Mr. Peck addressed the Use Table noting that the “other” category lists things like daycare, family daycare home, and group daycare home – these are new uses that State Statute requires Towns to include when updating Regulations to comply with a lot of new land use legislation that has been passed.

Mr. Mahoney said that he likes the Use Table as it will be very helpful. He asked if there will be a general cross reference between the old regulations and the new regulations – maybe an appendix of some sort.

Ms. Graesser said that a correlation table would be very helpful/useful – it can best be done via a spreadsheet showing the old and new regulations.

Ms. Levin asked that any new information and new uses to be included in the Use Table be shown in red and underlined as new additions.

Mr. Peck indicated that he is still working with Mr. Collins on ways to track changes in the Use Table but noted that it will be worked out and made clear once the Use Table is ready for review by the Commission.

Mr. Collins confirmed that all new information/text/uses added to the Use Table will be shown in red and underlined in red.

In response to Mr. Mahoney, Mr. Peck indicated that they will work on including info in the comments section of the Use Table to call out/note which additions are State mandated.

Mr. Collins said that information could also be added to the Definitions section noting items added in compliance with State Statutes.

Ms. Graesser suggested that the specific section of the Statute could be included as reference (e.g., 8-30g Affordable Housing).

Ms. Levin said that she noticed in Section 3 that the subheadings are not consistent for each district – maybe all the subheadings don’t apply to each district and if that’s the case maybe that could be noted by adding “not applicable” in some areas.

Mr. Collins noted his understanding adding that they tried to make everything as consistent as possible. Some of the overlay districts (e.g. AVC) are very cumbersome and it was hard to get them to mold into some of the more simplified districts. For example – if there is only one district that has those other categories I would not want to mention those other categories in all the districts. The unique districts will be listed after all the common districts have already been listed. Once all 7 sections are in the final draft we could look to see where this issue comes up and possibly make adjustments at that point. He explained that language is being added to Section 2 (Definitions – Interpretations) providing guidance on what to do – the process to follow if a use is not mentioned in the Code. He concluded by noting that he will continue to work with Mr. Peck to layout a full review and adoption process.

The meeting adjourned at 8pm.

Avon Planning and Community Development