

Summary of the Zoning Advisory Panel Subgroup Discussions

The most recent discussions with the ZAP subgroups were very productive for Staff and – we hope – the ZAP members. This outline presents highlights of the discussions and the questions Staff will be exploring in greater detail given the debates.

1. CR District

- a. To clarify, this version of the CR is being presented as the new mixed use zones for the next four master plans. A CR district is also being formulated with the entire zoning rewrite and will be more integrated into a new set of definitions, land use regulations, processes, etc.
- b. Several ZAP members were uncomfortable with the requirement to establish a “linkage” between non-residential uses and housing. This has been removed from this version and will be studied by economic advisors through the greater rewrite process.
- c. The question of required dwelling unit mixes and floor areas was also questioned. This has been removed from the general requirements of the district, but has been maintained as an incentive provision for the optional method.
- d. Both developers and citizen advocates questioned the strict percentages assigned to the incentive provisions and the coupling of these incentives to master plan priorities. This has been changed to create a range of incentive density that is open to negotiation during the approval process with input from Staff (relying on the master plan, design guidelines, and required findings), the Developer (relying on economic projections, etc), and the Community (relying on changing needs and desires). The direct tie to the master plan priorities has been removed, but all site plans are required to conform to the master plan as a general finding.
- e. In general, the structure of the zone seemed appropriate: direct mapping of maximum densities and heights (creating the box to ensure predictability), providing a standard method floor across all zones in the district, and then providing incentive provisions to “fill in the box”.
- f. We have detailed comments from two ZAP members that have not been entirely incorporated, but are under review for the version that will be presented to the planning Board on the 21st of May. The link to the latest version (#8b) will be sent via email.

2. Consolidation of Zones into Use Districts

- a. Two discussions helped focus the task on deciding a (tentative) general framework of a set of use districts that would regulate allowed land uses and general provisions for groupings of similar zones.
- b. Debate about the Agricultural District was a large part of the discussion and it was determined that any such district should focus simply on the agricultural uses. This entailed moving some current ag zones into other districts.

- c. In general, the districts were modified through these discussions (and discussions with specialists in various other divisions/agencies) and were established – for now – as the attached consolidation table shows.
 - d. There is further research to be done regarding the consolidation of the Residential Estate and Residential Low Density districts because they have such similar allowed uses.
 - e. There is also further research to be done on a new “Industrial Services” district and how the existing OM zone fits into the proposed CR or Mixed Campus district.
 - f. The Mixed Campus District was discussed briefly: it is similar in many respects to the CR District, but has very different development standards and is typically used in a different context. This and other details of the districts will be discussed as we move to more focused topics.
3. Use Table Simplification and Conditional Uses
- a. The discussion of the use tables began with general agreement that 13 subcategories is too many, but Staff’s recommendation of 6 subcategories (agricultural, residential, commercial, institutional and civic, industrial, other) was also questioned.
 - b. Research (possibly by testing focus groups) will be done on whether we can simply list uses a-z or if we should group them by 6 (or so) subcategories. Dissenting opinions suggested we keep our current structure or have more subcategories.
 - c. It was agreed that redundant, unused, and antiquated uses should be removed from the table. Also, there are many new uses that were not even conceived by the ordinance and need to be addressed.
 - d. Opinions on whether to make terminology more flexible or more strict (by expanding the list) were divergent. Some test cases will have to be floated to get better feedback on this question. It was agreed, however, that anyone should be able to pick up the code and quickly find out whether a use was permitted or not (and by what process).
 - e. Conditional uses were discussed and it was agreed that many of our “permitted” uses already contain many qualifiers beyond the standard development requirements/restrictions – in the form of footnotes or otherwise buried in the code.
 - f. A simple way to group those permitted uses that have conditions into a section of the code for ease of use and understanding was discussed. Since the discussion, an idea to simply list section references next to uses for such “conditions” or to the relevant special exception provisions has been brought up. This would allow for us to retain the Permitted/Special distinction without a new Conditional Use.
 - g. There were strong opinions over the appropriateness of a Board/Hearing Examiner process for such conditional uses (or in some cases DPS), but these need to be laid out in more detail to properly debate the merits of each process.
 - h. Summary: All but one member of the Uses group indicated support or at least expressed a willingness to give further consideration to simplifying the use tables with broader uses, reducing the sub-categories from 13 to six or fewer, and adding ‘conditional’ use provisions.