

SUMMARY OF PLANNING BOARD MOTIONS FROM MARCH 24, 2009 PUBLIC HEARING

Chapter 20.85 Review and Approval Procedures

20.85.090 Lapse of Approval

- Revise to say a variance will lapse and have no further effect after two years unless an extension is granted.

Planning Board would like to maintain the substantive effect of existing proposed language and change the language to reflect a variance will lapse after two years instead of one year. (Specific wording to be provided by Duncan Assoc.)

20.85.110 B Applicability; Authorized Administrative Adjustments

- Duncan Assoc is to clarify this paragraph at their discretion. Do these items remain in this section, or should they be moved to their prospective chapters.
- Add one or two paragraphs to the end of this section to include language on “transferability” of parcels and amendments. It should be clear that administrative approval is not effected by changes of tenancy, ownership or management, and an amendments process is desired.

Planning Board requested Duncan Assoc. to review the chapter and revise any section regarding lapse of approval to reflect the previous motion regarding lapse of approval in section 20.85.090, and to alert the Board of any problems.

20.85.070 Conditional Use

- Adopted as amended regarding laps of approval. (noted paragraph above 20.85.110 B).
- Planning Board agrees that Conditional Use requests should go through the Planning Board and not the Design Review Board.

20.85.060 Planned Unit Developments

- Revise the criteria in section 20.85.060 d 2 b (1)-(5) to allow design flexibility but not to allow a larger envelope of building mass.

20.85.140 Final Zoning Compliance Approval

- Include two statements in this section:
 - 1) When zoning inspections occur and for what uses, and;
 - 2) Include some type of procedure for an applicant to request a zoning inspection for a project not listed as inspected.

The section must be clarified to say not all projects will be inspected. Be sure the section is consistent with paragraph B, and current practice.

Chapter 20.80 Nonconformities

Be sure to clarify “lot” and “parcel” throughout the chapter, particularly in section 20.80.020 Nonconforming Lots.

20.80.030 C Alterations and Expansions

- Define: structural alteration
- Add language from the Measurements and Exceptions chapter that refer to alterations and expansion to help with clarification

20.80.040 Nonconforming Uses

20.80.040 C Expansion of Use

- Uses are allowed to increase the size of the same building and expand into it. Clarify what “the same building” means and if you can enlarge that building and then expand into it.

20.80.040 E Moving

- Clarify that “moved in whole or in part to another location” refers strictly to a location on the same parcel, the building cannot be moved off site and considered nonconforming on another parcel.

Chapter 20.30 Historic Preservation

- Planning Board moved to table the Historic Preservation Chapter indefinitely. There is no language to be reviewed; the public still has the ability to comment at Planning Board hearings on this chapter if they wish.

General motion

- Duncan Assoc. have the authority from the Planning Board to make minor changes through out the document with clear designations between what have been Planning Board motions and what are minor changes by the firm, to provide periodic updates on those changes, and to bring one document back to Planning Board at the end.