
Zoning Committee of the Planning Commission (ZOCO) Meeting Summary, February 3, 2015. PC

Members in Attendance: Ginger Brown; Rosemary Ciotti; Steve Cole; Chris Forinash; Erik Gutshall (chair); Nancy Iacomini; Jane Siegel; **Staff:** Deborah Albert, Arlova Vonhm.

Zoning Ordinance Update Phase IIC Use Classification System ZOCO reviewed changes in the proposed amendment since the Planning Commission reviewed the request to advertise for the Phase IIC amendments. The following are ZOCO comments. Comments from community members present are provided at the end of this summary.

Short term use standards

- **Pop-up Parks**
 - Could pop-up parks have a required administrative review during the three year period for which they are approved – this would create a check point for conditions to be reviewed, and would provide a higher threshold for compliance than would waiting for a complaint (two other members agreed). Is there a precedent for this type of review?
- **Storage pods**
 - How would the 90 day time frame be enforced if no certificate of occupancy were required?
 - There was a discussion about what time frame would be appropriate. Two members suggested 90 days seems sufficient; three others agreed that a longer time frame would be appropriate because renovations take longer than 90 days and this is the reason most people use storage containers.
 - Many people incorrectly believe that they can currently place storage containers on their driveways regardless of whether they meet setback requirements, and that codifying the provision would lead to more enforcement.

Nonconforming one- and two-family

- Please ensure that the definition of nonconforming building is clear
- Why enumerate the allowed R-districts for the proposed new provision, but not for the existing provisions? One member understood that the intent of the changes was to allow interior renovations by-right in all one-family dwellings regardless of zoning district. Another suggested that where a one-family dwelling is inconsistent with the land use plan or vision articulated in a plan, it would not make sense to extend the life of the nonconforming use in that location.

Off-site parking for day care uses

- Please clarify if off-site parking can use required parking spaces for another use if there is no temporal overlap in use, or if required parking spaces are never available to be used for off-site parking for another use.

Comments from community members present (short term use standards)

- What leeway does the zoning administrator have in defining a “community service” use. Any use sponsored by a BID should be considered a community service use regardless of the nature of the use.
- What happens on day 361 for a community service use (after the time period for which the short term use is allowed expires)?
- Could five separate community service uses be approved for a total of 360 days?
- A BID member expressed concern about ZOCO members’ suggestions that interim administrative review of a pop-up park would create an additional burden.