

MEMORANDUM

Business Item A

From: Administrator/Staff
To: Plan Commission
Re: Plan Commission review & discussion on proposed changes to Division 3 (Allowable Land Uses) of Article 8 of the Town of Clayton Zoning Code of Ordinances.

The Zoning Ordinance has several standards of review requirements for different types of land use. This memo serves to outline the requirements of each, so that as the Matrix is reviewed, the Plan Commission members have an easy-to-reference short list of what each review entails. This is to provoke questions for the Plan Commission as to if the existing matrix best serves the Town residents, the financial resources needed to meet each requirement, and staff time to evaluate submitted materials for adherence to the existing standards. This is meant to accompany the list within Appendix A, Map Requirements section of the zoning ordinance. The Land Use Matrix lists these indicators/acronyms:

“P” : Permitted in the respective zoning district by right, provided all other ordinance provisions are met. No public review, administrative staff level. Form on website, 2 pages. *Exceptions: permitted uses determined to be offensive in odor, sound, air contaminants, etc. do require a Conditional Use permit even if listed as “P” in matrix.

“C” : Conditional Use. Requires public review through the conditional use permit process.

“S” : Special Use (Clayton uses this only for intensive livestock operations). Public review is similar to conditional use process but incorporates standards required by state statute relevant to livestock operations and overseen by the Department of Agriculture, Trade, and Consumer Protection.

“-” : In zoning district columns, means use not allowed in that district. In the Review column, means there are no requirements to have that use in the referenced districts.
e.g. crop agriculture does not require any reviews, permits, plans in the indicated districts.

“ZP” : Zoning permit required. Encompasses the meaning of zoning permit as in the one-page application; a special use permit as listed in Division 5 of Article 7, specifically starting at 9.07-71; and a conditional use permit as in Division 4 of Article 7, specifically starting at 9.07-51. The uses referenced shorthand in the matrix have further elaborations in Article 8 text.

“SP” : Site Plan required.

Site Plan:

- Ground contours of the site and project locations.
- Environmental areas (wetlands, woodlands, rivers/ponds, floodplain boundaries, etc.).
- Buildings and all existing and proposed outdoor storage and activity areas.
- All setbacks, including from road rights-of-way, lot lines, easements, septic systems, and wells, with labeled dimensions.
- Existing and proposed landscaping features including fences, buffers, berms, impervious and pervious surfaces by type, existing trees and prominent vegetation, and trees/shrubs to be planted including a plant list with specifications. The landscaping plan should meet or exceed standards required in Attachment E.
- Outdoor lighting, including location and fixture specifications, which must meet standards from Division 8 of Article 8 of the Town Zoning Ordinance.

- Stormwater facilities with location and specifications, including hydrants, overflow pipes, etc., and calculations showing sufficient capacity for area being routed.
- Utilities, including location, type, and manner of installation or proposed installation (buried, overhead). To include public or private water, public sewer or private septic system, electric, gas, etc.
- Transportation facilities with dimensions listed, including driveways, parking areas, sidewalks and trails, fire lanes with turnaround diagrams, and visibility triangles based on the subject site road classification. These must each meet ordinance standard specifications.
- Parking areas including drive aisles, parking stalls with sizes, location of accessible parking stalls and signage, specifications/dimensions for accessibility ramps, surface materials of the parking area, snow storage areas, designated areas for pedestrian walks, loading lands/docks, stormwater drainage of the parking area, and distance between the parking area and adjoining properties; these shall meet all applicable provisions of Article 11.
- Signage including location, type, height, dimensions, lighting, and other factors as considered in Article 12.
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With a Site Plan, conditions may be imposed as contingencies of approval. All aspects that impact public health, safety, morals, comfort, or general welfare may be considered, as that is the intent of a zoning ordinance and this level of local review and approval.

Conditional Uses: Requires Public Hearing.

- Pre-submittal conference required with Zoning Administrator before submitting CUP application
- Application materials:
 - Application form, as supplied by Town (2-page form, available on website)
 - Project map (as outlined in Appendix A under Project Maps: Conditional Use)
 - Building plan (engineered plans for all structures part of application)
 - Site plan (whole parcel or at minimum the subject area of parcel)
 - Ground contours of the site and project locations.
 - Environmental areas (wetlands, woodlands, rivers/ponds, floodplain boundaries, etc.).
 - Buildings and all existing and proposed outdoor storage and activity areas.
 - All setbacks, including from road rights-of-way, lot lines, easements, septic systems, and wells, with labeled dimensions.
 - Existing and proposed landscaping features including fences, buffers, berms, impervious and pervious surfaces by type, existing trees and prominent vegetation, and trees/shrubs to be planted including a plant list with specifications. The landscaping plan should meet or exceed standards required in Attachment E.
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- Signage including location, type, height, dimensions, lighting, and other factors as considered in Article 12.
- Plan of operation (A narrative of the business: include anticipated days and hours of operation, nature of business and scope of activities to be provided on the site, history and evolution of the need for this use in Clayton, measures to mitigate potential negative impacts to the surrounding community as usually discussed in the pre-submittal conference, estimated number of employees, if this is a phased-approach project and the future potential phases of development on the site, and other relevant details for the proposed use of the subject site).

DISCUSSION ITEM ONLY – NO ACTION TO BE TAKEN

Respectfully Submitted,
Kelsey