



Agenda Abstract

BOARD OF COMMISSIONERS

Meeting Date:	Feb. 12, 2024
Department:	Planning and Economic Development Division
Agenda Section:	Consent
Public hearing:	Yes
Date of public hearing:	Jan. 18, 2024

PRESENTER/INFORMATION CONTACT

Molly Boyle, Planner II
Shannan Campbell, Planning and Economic Development Manager

ITEM TO BE CONSIDERED

Subject: Unified Development Ordinance (UDO) text amendment (staff-initiated):

- Table 5.1.8 Use Table for Non-Residential Districts – Government Maintenance Yard
- Section 9.2 Definitions – Government Maintenance Yard

Attachments:

1. UDO Table 5.1.8 and Section 9.2, as proposed to be amended
2. Consistency statement
3. Ordinance amending the UDO

Summary:

Currently, the UDO requires a Special Use Permit for government maintenance yards in the Light Industrial (LI) zoning district. Staff is proposing to make the use permitted by right in the district. UDO Section 9.2 *Definitions* defines a government maintenance yard as follows:

Government Maintenance Yard: A facility owned and operated by a unit of government to park, storage (sic), repair, and stage service vehicles and repair equipment includes (sic) but not limited to transit vehicles, solid waste and street repair vehicles, utility system and park vehicles.

While a government maintenance yard requires a Special Use Permit in the Light Industrial district, comparable land uses are permitted by right, including the following as defined in Section 9.2:

- **Motor Vehicle Repair:** An establishment where automobile maintenance or service is rendered, with the addition of body work, straightening of body parts, painting, welding, temporary storage of motor vehicles not in operating condition, and major mechanical work, including engine overhaul and other major work requiring overnight storage.
- **Storage and Warehousing, Outdoor:** The keeping, in an unroofed area, of any goods, junk, material, merchandise, or vehicles in the same place for more than twenty-four (24) hours. This shall not include the display of vehicles for sale in a new or used car sales lot. Such activities may be the principal use of the land where located or an accessory use to a principal use.

The Light Industrial district is designed to support light manufacturing, research and development, and similar uses that are less intense compared to those in General Industrial (GI). A government maintenance yard is consistent

with this intent and comparable to other allowable uses in the district. Staff is proposing to amend Table 5.1.8 accordingly and correct minor typos in the “government maintenance yard” definition.

Comprehensive Sustainability Plan goals:

- Land Use and Development Goal 1:
Ensure that future growth and development, including infill and redevelopment, are aligned with smart growth principles and consider infrastructure constraints such as water and wastewater system capacity.
- Strategy:
Revise zoning and development regulations in accordance with the Future Land Use Plan and Future Land Use Map and water and sewer needs. Condense land use classifications.

Financial impacts:

None.

Staff recommendation and comments:

Staff recommends approval of the text amendment as written.

Planning Board Recommendation:

After the Joint Public Hearing on January 18, 2024, the Planning Board unanimously recommended approval of the proposed text amendment (8-0). An excerpt from the draft minutes for the Joint Public Hearing is included below:

Item 6D. Text amendment to various UDO sections on government maintenance yards (staff-initiated)

Boyle explained that town staff were recently surprised to discover that government maintenance yards were required to seek a special use permit in the light industrial district, unlike comparable uses in the district. The amendment would allow the use by right instead of requiring a special use permit. She explained the amendment doesn’t exempt a government maintenance yard from getting applicable development permits, such as for building or land disturbance. Campbell clarified the amendment would not apply to the state’s DOT, but only to the town and Orange County. Hughes asked if the change would apply to county school transportation yards. Campbell said most likely.

After the public hearing closed, Boyle explained the board was not required to make recommendations that evening but could recommend any amendments it was ready to recommend.

Motion: Schultz moved to recommend approval of the text amendments in sections 6 A, C, D, and E on the agenda as written. Schmidt seconded.

Vote: 8-0. Motion passed.

Action requested:

Approve attached amendments, consistency statement, and ordinance; approve with conditions/modifications; or table/continue the item.