

MEMORANDUM

Date: November 8, 2018
To: Planning Board: November 26 Meeting
From: Robyn Byers, Ph.D.
Planning and Zoning Administrator
RE: Land Use Plan & Map Amendment Process: 3rd Draft

Background

Revisions made from comments at the August 27th meeting – current working draft.

Proposed Text Amendment: in BOLD.

§153.01 LAND USE PLAN (new section to be added)

Amendments:

There may be the occasion where this document requires revision to accommodate changing conditions and situations or updates required by State Law. Therefore, any amendments to either or both the Future Land Use Plan and the Future Land Use Map shall include the following:

- 1. A request to amend the Future Land Use Plan and/or Map may be initiated by Village Council, the Planning Board, or a property owner or applicant with the written consent of the property owner. A request to amend the Future Land Use Plan and/or Map must be considered when an amendment to the official Zoning Ordinance or Zoning Map is proposed.;**
- 2. The Plan/Map amendment process consists of the following:**
 - a. Submission of a completed application with all attachments and fees;**
 - b. Review by Staff;**
 - c. Completion of a community meeting;**
 - d. Placement on the Planning Board agenda;**
 - e. Review and recommendation by the Planning Board;**
 - f. Village Council public hearing with required notice, consideration, and decision.**

The Plan amendment process should follow established processes for review periods, agenda deadlines, and prescribed notifications including adjacent property owners; newspaper advertisement; and posting of the property.

3. **A community meeting, coordinated between the applicant and the Village, is required prior to Planning Board consideration. A copy of the written notice of the meeting; a list of the adjacent property owners with their most current mailing addresses and tax parcel numbers; and pre-addressed and stamped envelopes must be furnished to the Town Clerk three weeks prior to the scheduled community meeting. Additionally, notices must be sent to known tenant -occupied parcels.**

At a minimum, adjacent property owners within half (1/2) mile of the subject property(ies) must be notified by first-class USPS mail. Adjacent properties include properties in front, across public roads, behind, and on both sides of the subject property(ies). Property will be posted with the meeting notice.

Minutes of this meeting plus a list of participants must be submitted by the applicant.

4. **The applicant is responsible to provide the needed justification for any Plan amendment based on changing conditions. Criteria should be knowledge-based, factual information.**
 - **A color-coded land use map of the area must be provided by the applicant. This map will cover land parcels at a minimum of half (1/2) mile surrounding the subject property in all directions. The Zoning Administrator may require an expanded area. This map will indicate the classification of existing land use types such as residential, commercial, industrial, and institutional.**
 - **A written report must accompany the land use map and reference changing land uses from previous land use maps. Such changes should address significant approved development plans in adjacent jurisdictions; State, regional, and local transportation plans; the expansion of public water & sewer availability; changes to school attendance areas; planned recreational facilities; and any other identifiable changing situations in the area, such as an economic development or capital investment project.**
5. **Presentation of proposed land uses/development plans are not mandated to be disclosed, nor are they encouraged to be presented during the Land Use Plan amendment phase.**
6. **Upon favorable completion of the Land Plan amendment process, a request to amend the Official Zoning Map (Article 12.1 of the Zoning Ordinance) may be made.**
7. **Upon denial, re-application for the same parcel must wait one (1) year from the denial date.**