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DATE: January 25, 2025

TO: Windham Town Council Ordinance Committee  
FROM: Steve Puleo, Planning Director  
Cc: Bob Burns, Assistant Town Manager

RE: #25-02 Land Use Ordinance Amendments to Commercial I, II, WC, VR Districts to Remove New Private Street in the District Standards, and Outdoor Recreational Facilities in the Industrial District

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The staff is proposing various land use ordinance amendments to the omission of when the Council eliminated requiring prohibition of new private streets in the C-1 and C-2 zoning districts (see [22-064](#)), stating that “No New Private Roads will be permitted to have direct access to a Public Street.” The staff was made aware of that when the Council approved the removal from the Article 5 performance standards for streets (see [§ 120-555 Streets](#)), references to “No new Private Street are allowed.”

In an effort to improve the Windham Youth Soccer League (WYSL) soccer field off Gambo Road, the staff proposing to amend the Industrial (I) zoning district permitted uses to allow for Outdoor Recreational Facilities. The Town is in the process of acquiring land from Portland Water District in which a new soccer field will be constructed. This would relocate the field to the north side of the Mountain Division Trail and rebuild Cherry Lane for direct access to fields without using Soccer Drive.

### **Summary of the Proposed Chapter 120 Land Use Ordinance Amendment**

#### Article 4 Zoning Districts

- [§ 120-410F\(11\)](#): Remove from District Standards by striking the last sentence of this subsection. New streets are not required to be offered by the Town, hence allowing for private streets built in the C-1 district.
  - All new and reconstructed streets must be built to public street standards, commercial streets, curbed lanes, or residential street standards. No new private streets are allowed.
- [§ 120-411F\(9\)](#): Remove from District Standards by striking subsection. New streets are not required to be offered by the Town, hence allowing for private streets in the C-2 district.
  - All new and reconstructed streets must be built to public streets, commercial streets, curbed lanes, or residential street standards. No new private streets are allowed.
- [§ 120-415.1F\(h\)](#): Remove from District Standards by striking subsection. New streets are not required to be offered by the Town, hence allowing for private streets in the WC district.
- [§ 120-415.2F\(f\)](#): Remove from District Standards by striking subsection. New streets are not required to be offered by the Town, hence allowing for private streets in the VR district.

- [§ 120-413B](#): Industrial (I) Zoning District. Amending zoning district by adding outdoor recreational use as permitted uses.

**Zoning Amendment Process**

As required by [§ 120-107](#) of the Land Use Ordinance, the proposed amendment could be referred to the Planning Board for review and recommendation.