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PLANNING BOARD MEMO

DATE: March 8, 2023

TO: Windham Planning Board
FROM: Amanda Lessard, Planning Director
Cc: Steve Puleo, Town Planner
Long Range Planning Committee

RE: #23-09 – Amendment to Land Use Ordinance Chapter 120 Land Use Ordinance, Article 4 Zoning Districts, Article 5 Performance Standards, Article 8 Site Plan Review, and the Official Land Use Map - Windham Center and Village Residential Districts

Planning Board Meeting – March 13, 2023

Overview

Following their workshop with the Planning Board and Long Range Planning Committee on January 17, 2023 and additional discussion at their meeting on January 24, 2023, the Town Council requested that the proposed land use ordinance changes related to the Windham Center Growth Area be forwarded to the Board for review and recommendation as required by [§ 120-107](#) of the Land Use Ordinance.

The proposed amendments to the Land Use Ordinance, Article 4 Zoning Districts, Article 5 Performance Standards, and Article 8 Site Plan Review, creates two new zoning districts, Windham Center (WC) and Village Residential (VR), and proposes changes to curb cut, drive-through facility, medical office, and commercial district design performance standards related to the new districts.

Background

In the fall of 2021, the Town Council discussed the Planning Board's recommendations of the Long Range Planning Committee (LRPC)'s proposed rezoning of the Windham Center Growth Area (attached for reference). The Town Council expressed concern about increasing areas of Town to new types of residential development at higher densities before standards were in place to adequately address multifamily developments. Those proposed standards were recently reviewed separately by the Board. The LRPC revised the proposed Windham Center amendments based on the feedback from the public, Planning Board and Town Council and recommended increasing side and rear setback to 15 feet when building height is over 35 feet, exempt single-family dwellings from roof pitch requirements, limit size of fitness centers and theaters, and increase the net density in the VR District. The Town Council further recommended prohibiting assisted living facilities and nursing homes from the proposed WC and VR Districts. There are no changes to the proposed land use map from the original recommendation.

The proposed Land Use Map Amendment affects 843 properties, an area of approximately 2,400 acres. More specifically the properties proposed to be rezoned are:

- 256 properties from Farm Residential (FR) to Windham Center (WC)
- 12 properties from Farm (F) to Windham Center (WC)
- 25 properties from Commercial III (C3) to Windham Center (WC)
- 421 properties from Farm Residential (FR) to Village Residential (VR)
- 66 properties from Farm (F) to Village Residential (VR)

- 59 properties from Farm (F) to Farm Residential (FR)
- 4 properties from Farm Residential (FR) to Farm (F)

In addition to the proposed recommended ordinances and map, also enclosed is a map of the zoning changes, and tables comparing the proposed WC and VR dimensional standards and land uses to Windham's existing zoning districts.

Summary of the Proposed Changes

Article 4 District Standards

- § 120-401B - Add Windham Center District and Village Residential District
- Add Section ~~406-K~~ § 120-416 Windham Center District (WC)
- Add Section ~~406-L~~ § 120-416 Village Residential District (VR)
- Renumber following sections.

Article 5 Performance Standards

- § 120-522 Curb Cuts and Driveway Openings
 - Add VR and WC
- § 120-524 Drive-through Facility
 - Add prohibition to queuing vehicles on any public street.
- § 120-538 Medical Office
 - Add VR to limit size of medical office in residential district

Article 8 Site Plan Review

- § 120-813 Commercial District Design Standards
 - Add Windham Center District and specified Design Standards required in WC

Zoning Amendment Process

There are no specific standards in the Town ordinance by which to judge the proposed zoning change, but State statute requires all proposed zoning to be consistent with the goals and objectives of the municipal Comprehensive Plan. The proposed amendments were drafted specifically to implement the [2017 Comprehensive Plan](#) Future Land Use Plan Strategy 2, "To support the locations, types, scales, and intensities of land uses the community desires as stated in its vision," and Goal 2.a, "Using the descriptions provided in the Future Land Use Plan narrative, maintain, enact or amend local ordinances as appropriate to clearly define the desired scale, intensity and location of future development" for the Windham Center Growth Area.

The Planning Board must hold a public hearing prior to making a recommendation on this item to the Town Council. The Town Council will need to vote on the proposed changes to the Land Use Ordinance for the changes to be officially approved. A public hearing is scheduled for the March 27, 2023 Planning Board meeting.