

Memorandum

TO: Honorable Mayor Lott and City Councilors

FROM: Eric Vorwald, AICP
Planning & Zoning Manager

RE: **Overview of Draft Interim Zoning Bylaws for the Downtown Core Zoning District**

DATE: June 15, 2020

The purpose of this memo is to provide information on the draft interim zoning bylaw that will be considered for adoption by the City Council following a public hearing on June 15, 2020. The intent of the interim zoning bylaw is to correct a discrepancy in the Unified Land Use and Development Regulations (ULUDR) specific to the Downtown Core Zoning District related to the location of the easterly district boundary. No other areas of the City will be impacted by the proposed interim zoning bylaw and no existing regulations will be changed or amended.

Overview

At the regular meeting on May 18, 2020, a draft interim zoning bylaw was presented to City Council. The purpose of this interim zoning bylaw is to correct a discrepancy between the zoning map and the zoning text as it relates to the easterly zoning district boundary for the Downtown Core Zoning District. At this meeting, City Council took action to set a public hearing on the draft interim zoning bylaw for June 15, 2020.

The use of interim zoning bylaws is not new to the City of Winooski. Specifically, interim zoning bylaws have been adopted by the City Council to establish alternative parking regulations for the Downtown Core, and to increase development density in the C-1 Zoning District. In both instances, the interim zoning bylaws were enacted to support economic development initiatives including the redevelopment of Downtown Winooski. The provisions that were established through these interim zoning bylaws were later formalized, made permanent, and are now part of the City's regulations.

Adopting interim zoning bylaws is a tool that is outlined in state statute and allows a municipality, through their elected body, to consider draft regulations without a recommendation from the Planning Commission. The use of interim zoning bylaws is intended to react quickly to an issue or challenge within a community and is valid for two years following adoption. The purpose of this time limitation is to allow the municipality, through the Planning Commission, to further study the circumstances that required the interim zoning bylaw and make recommendations for a permanent solution.



Specific Purpose

The purpose of the draft interim zoning bylaw under consideration is to correct a discrepancy in the ULUDR related to the boundaries of the Downtown Core (DC) Zoning District. With the plan for redevelopment of Winooski's Downtown in the early 2000's, specific zoning regulations were established to provide increased development density and a mix of land uses consistent with a vibrant, walkable, downtown. These regulations are outlined in Appendix C of the ULUDR. Included in these regulations is a very detailed and specific description of the boundaries for the DC Zoning District. This is the only zoning district in the City that has a specified description for its boundaries. Over time, as the ULUDR has been updated, the boundaries of the DC Zoning District have been changed on the zoning map to follow property boundaries, which is not consistent with the description included in Appendix C.

The description of the DC Zoning District defines the easterly boundary as being coterminous with a "Green Space Boundary" as shown on the Building Height and Location Map, that is also included in Appendix C. The "Green Space Boundary" is intended to follow the delineation of the wetland complex in the Casavant Natural Area. The current zoning boundary, as depicted on the zoning map, does not follow this intent, and instead, follows the property boundaries in the Downtown for the easterly boundary of the DC Zoning District.

This inconsistency between the zoning map and the description of the zoning district will adversely impact the development potential of Lot 7D, which the City is actively working to complete. Development of Lot 7D will allow the City to move one step closer to completing the master plan for the redevelopment of Downtown. The interim zoning bylaw will provide the support necessary for the Zoning Administrator to make an interpretation of the easterly boundary of the DC Zoning District, consistent with the authority outlined in Section 2.1.

Next Steps

Included with this memo is the draft interim zoning bylaw that was introduced by City Council at their meeting on May 18, 2020 when the public hearing was set. In addition, a draft interim zoning bylaw with alternative language is included to more directly specify the intent of the interim zoning bylaw regulations. The specific differences between the two versions are noted with underlined and italicized text in the alternative draft. Both options were provided to the Planning Commission as an informational item at their regular meeting on June 11, 2020. Following a public hearing, the City Council should consider adoption of an interim zoning bylaw to correct the discrepancy in the ULUDR related to the easterly zoning district boundary for the Downtown Core Zoning District.

