

WESTERLY

- REZONING
- PUD AMENDMENT
- FILING 1, AMENDMENT 1 REPLAT

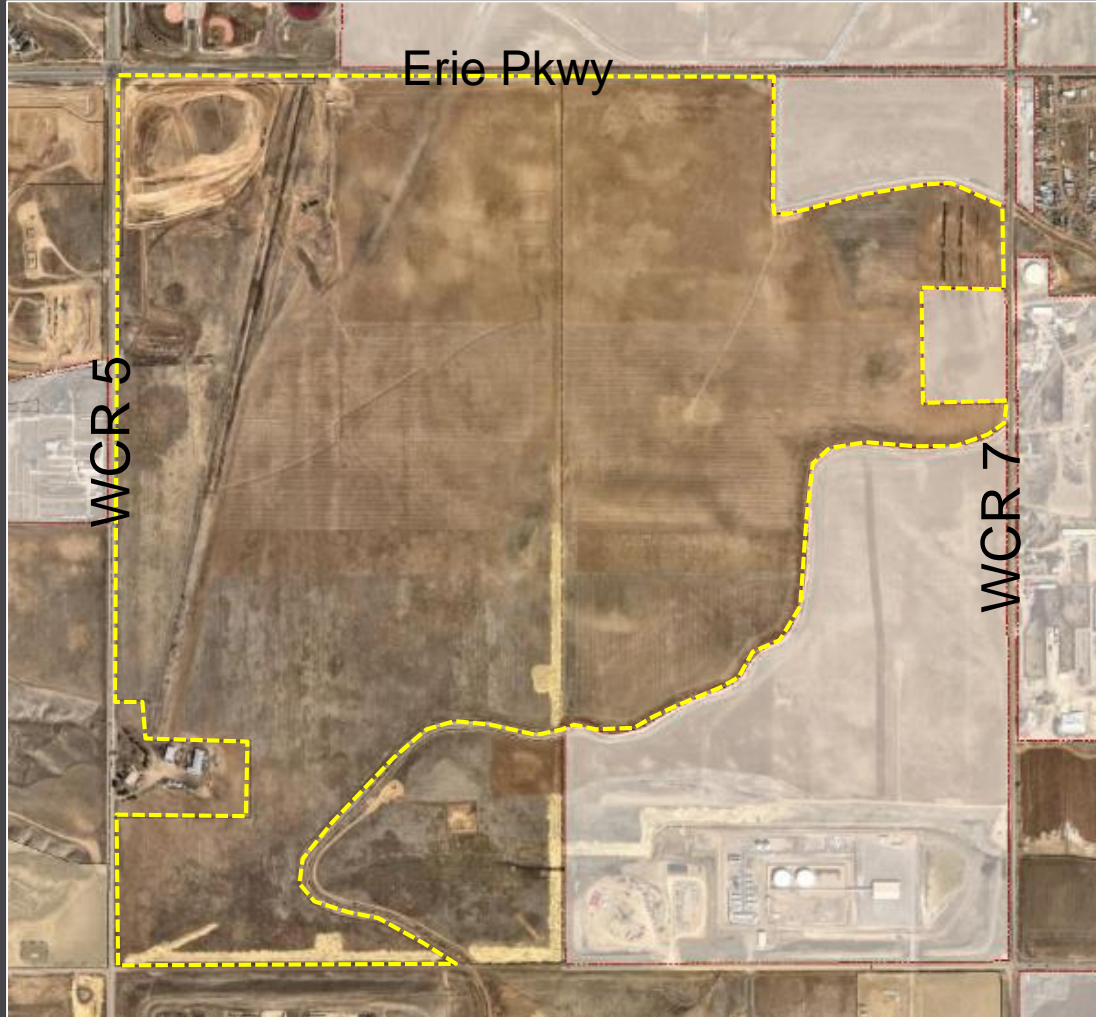
Board of Trustees – November 9, 2021

Staff Recommendations

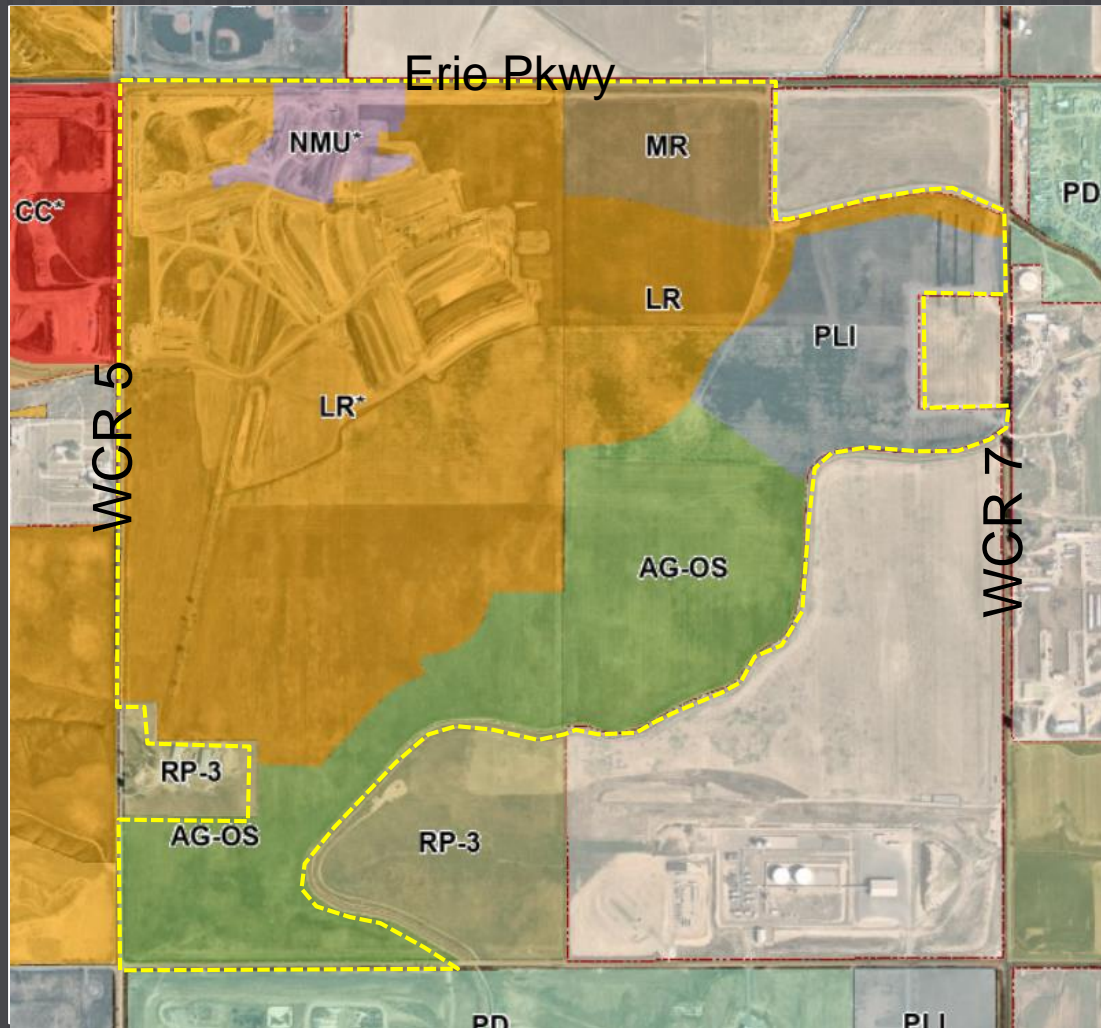
APPROVAL:

- **Rezoning** as shown on the Westerly Zoning Map Amendment No. 2
- **PUD Amendment** as shown on the Westerly PUD Overlay District
- **Replat** as shown on the Westerly Filing 1, Amendment 1 Final Plat

Location



Zoning



History

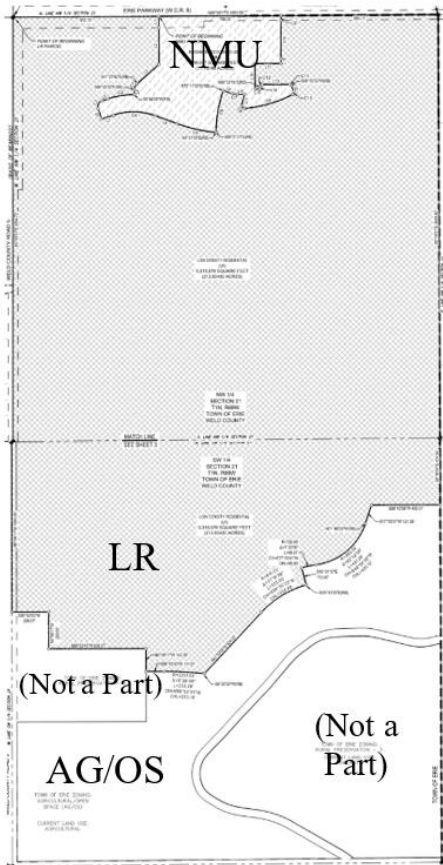


Rezoning

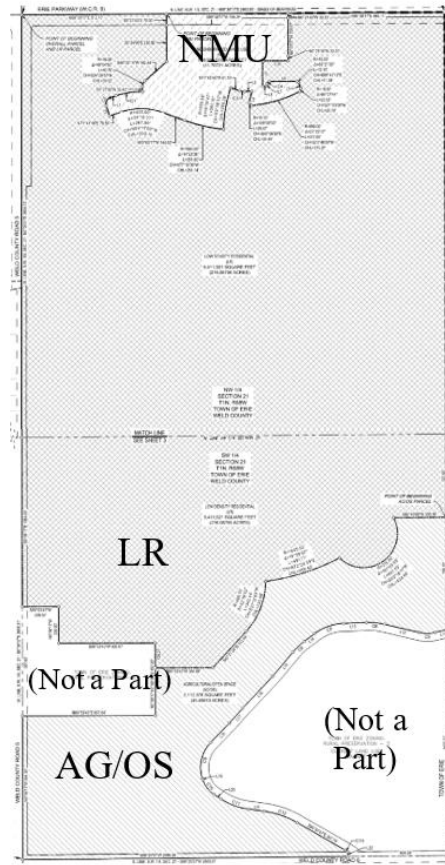


Rezoning

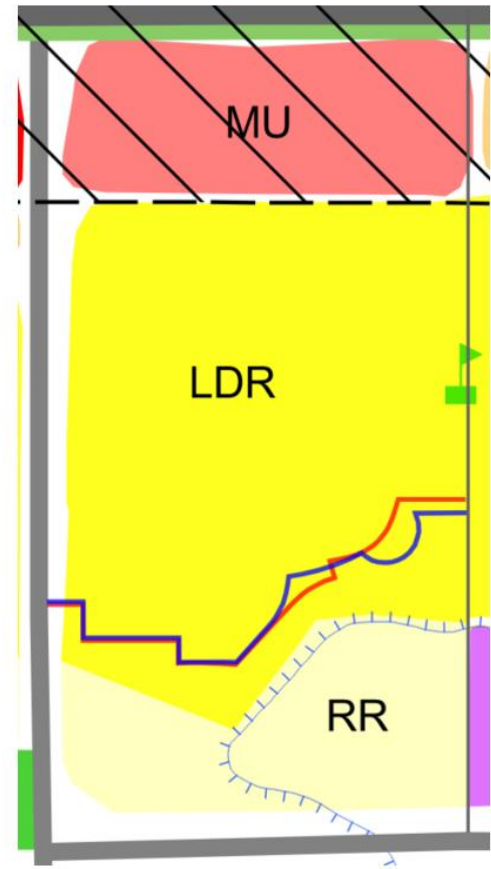
Zone District	Current Area (Acres)	Proposed Area (Acres)	Change (Acres)
LR	213.9	216.0	+2.1
AG/OS	50.6	48.5	-2.1



Current Zoning Map

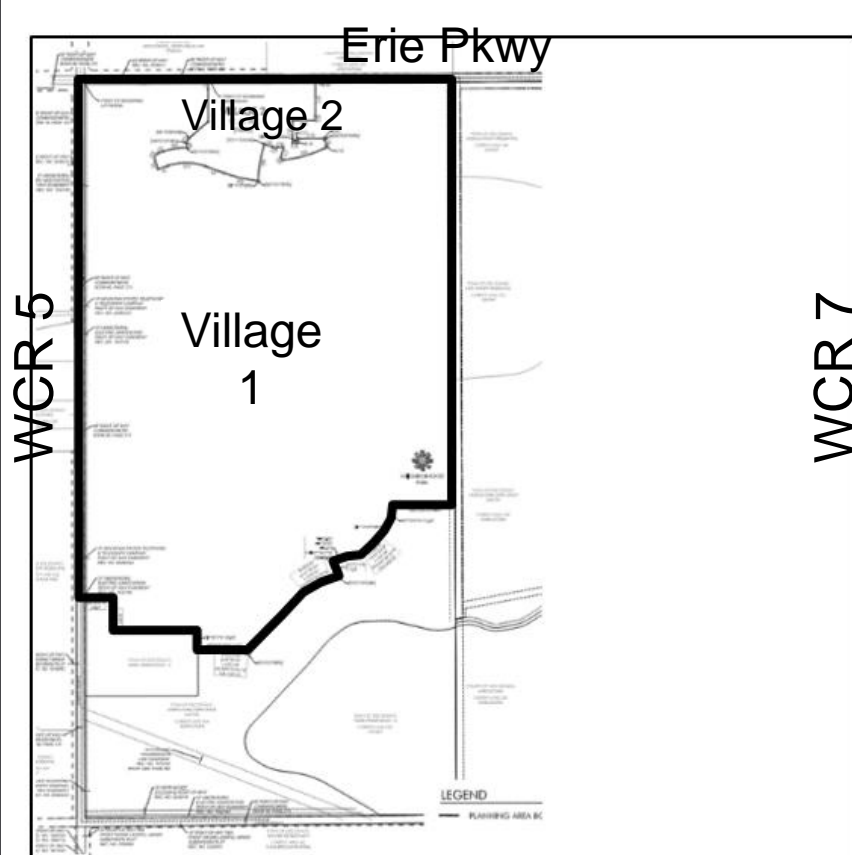


Proposed Zoning Map

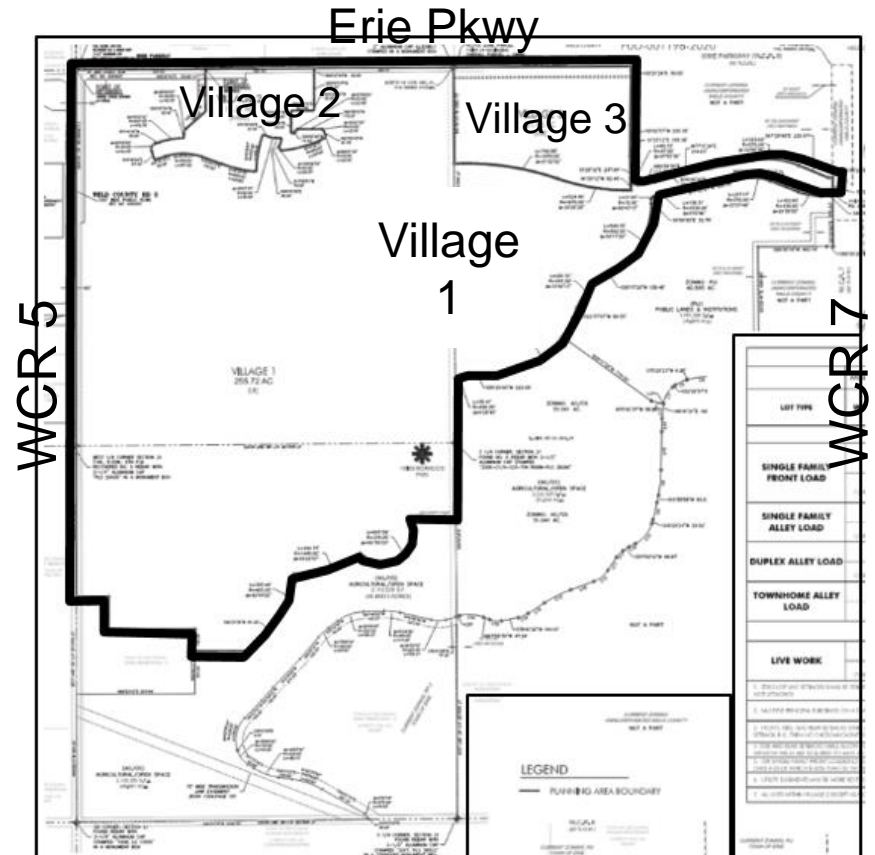


Comprehensive Plan
Land Use Plan Map

PUD Amendment



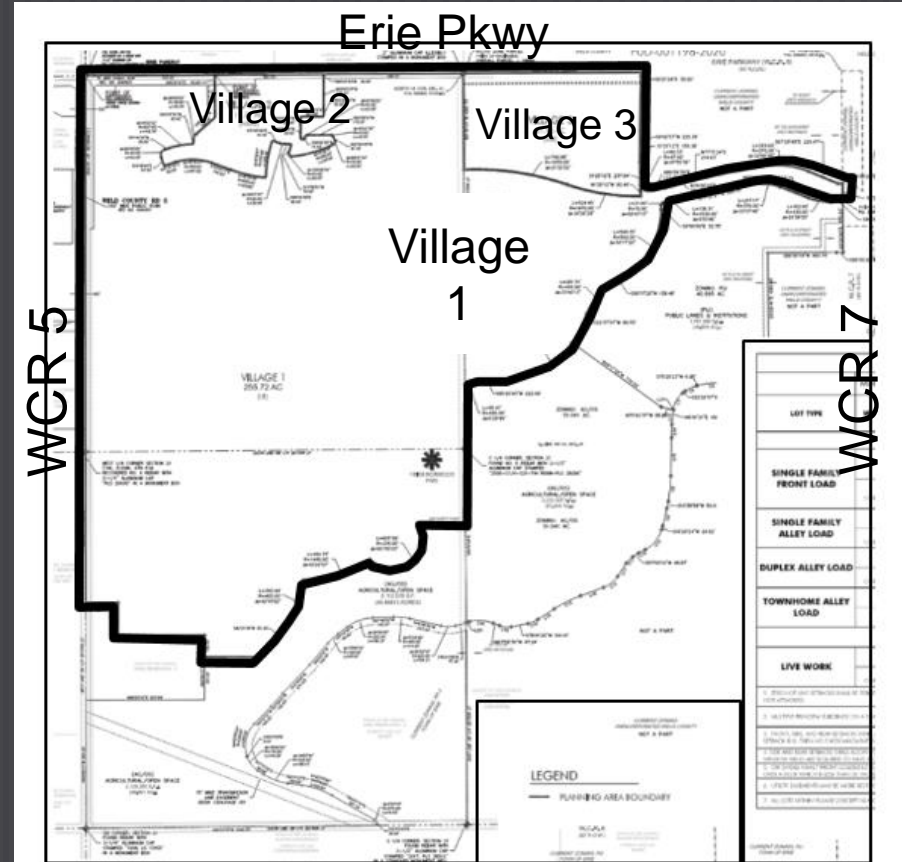
Existing PUD Overlay Extents



Proposed PUD Overlay Extents

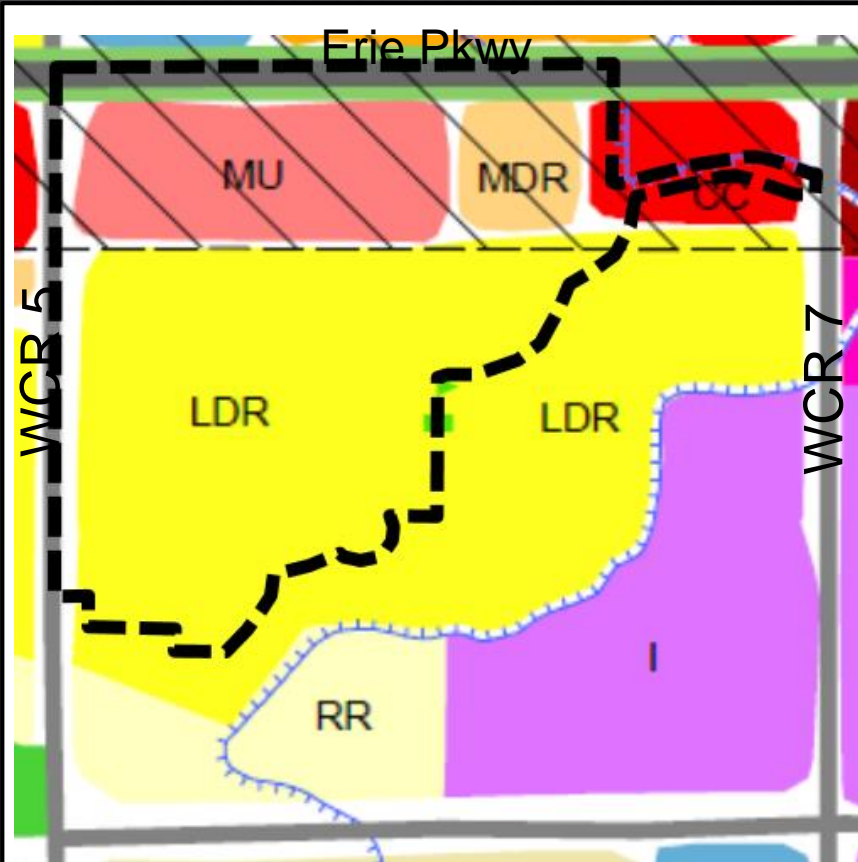
PUD Amendment

- Village 1 – Extend over LR zone
- Village 3 – Establish over MR zone
- Village 2 – No change (NMU zone)
- Adjust southern boundary with concurrent rezoning
- Update garage standards to add additional standards for side-loading garages

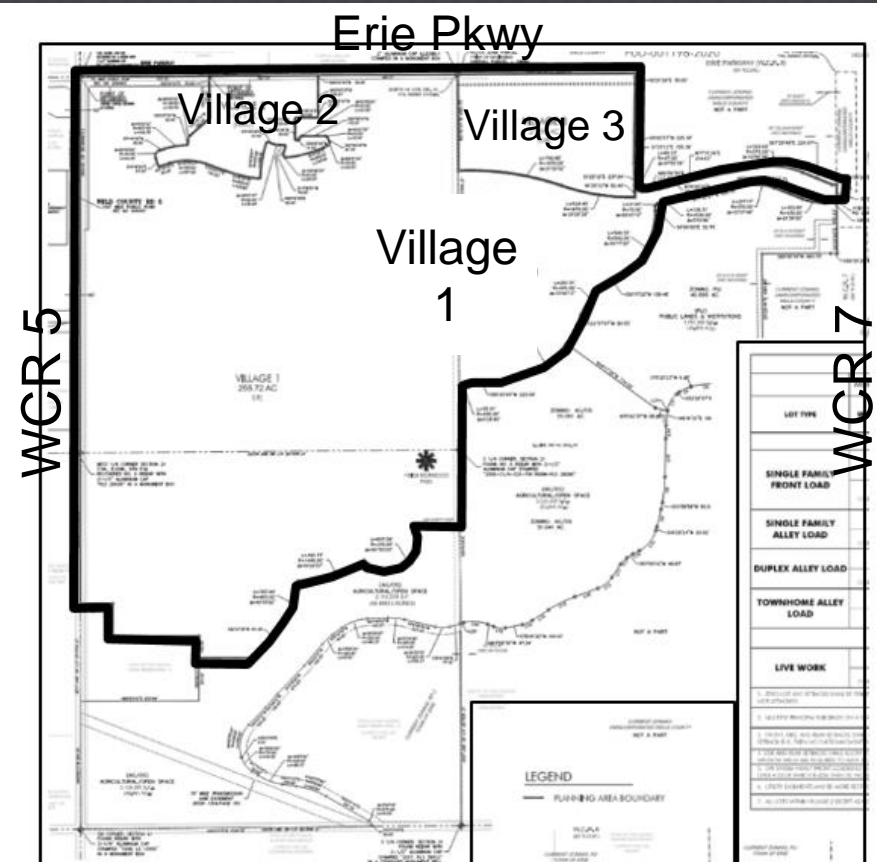


Proposed PUD Overlay Extents

PUD Amendment

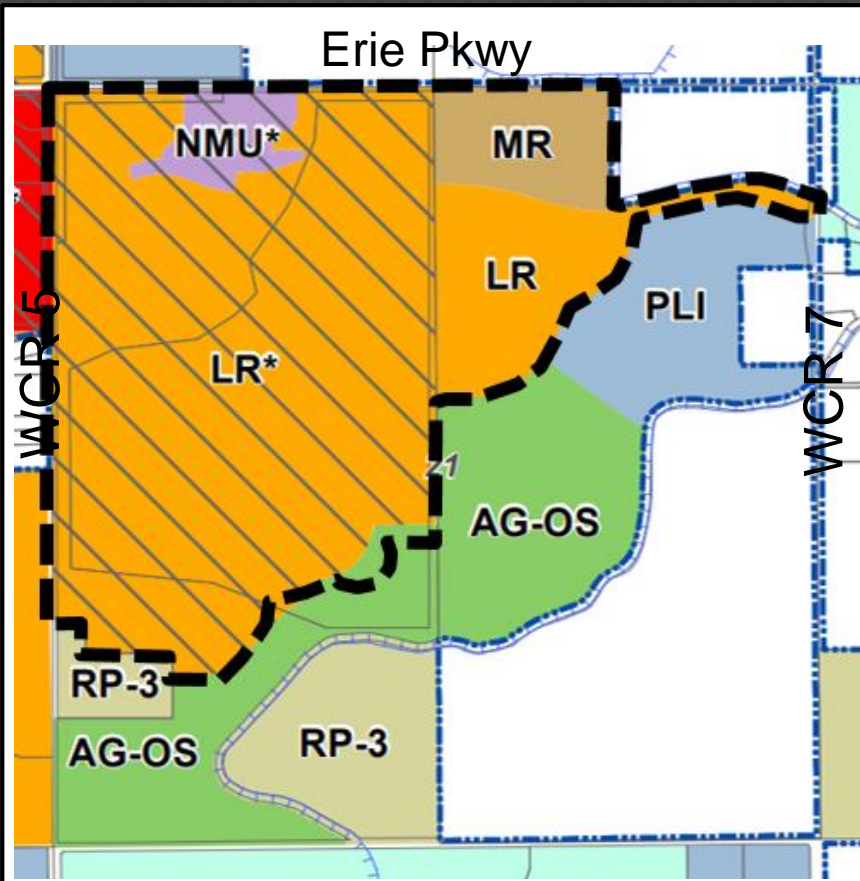


Comprehensive Plan Land Use Plan Map

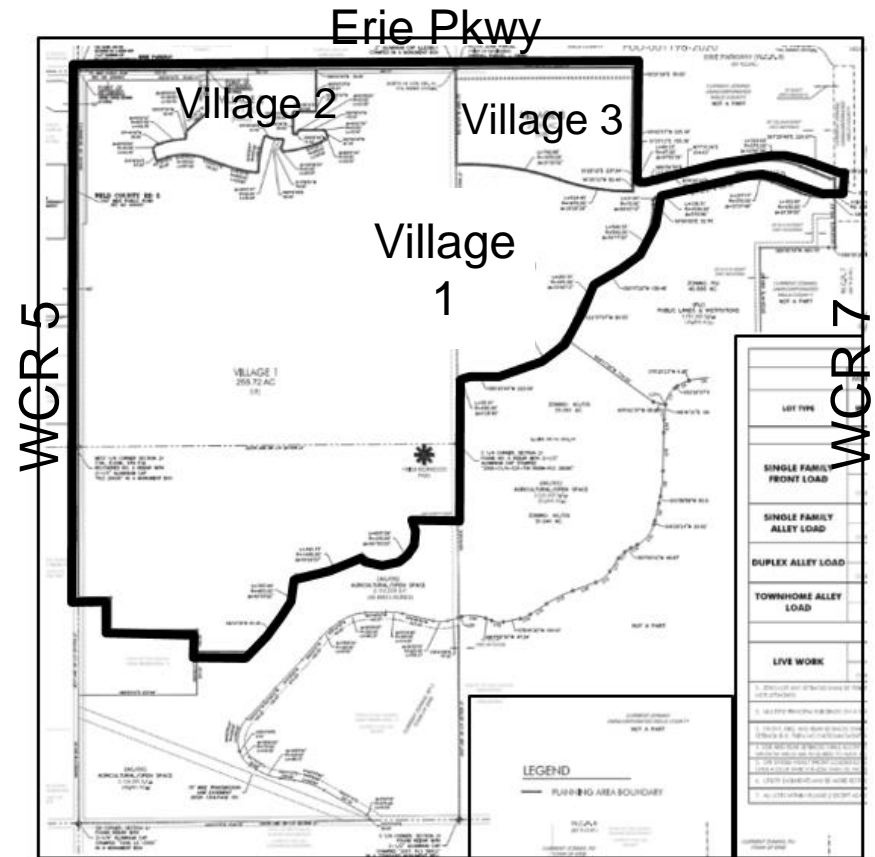


Proposed PUD Overlay

PUD Amendment



Zoning Map



Proposed PUD Overlay

PUD Amendment

USE TABLE

VILLAGE		PERMITTED RESIDENTIAL PRINCIPAL USES
LR	VILLAGE 1	SINGLE FAMILY FRONT LOAD
		SINGLE FAMILY ALLEY LOAD ¹
		DUPLEX ALLEY LOAD ¹
		TOWNHOME ALLEY LOAD ¹
NMU	VILLAGE 2	ALL USES PERMITTED BY THE MUNICIPAL CODE IN THE NMU DISTRICT AS AMENDED
MR	VILLAGE 3	SINGLE FAMILY ALLEY LOAD ^{1, 2}
		DUPLEX ALLEY LOAD ¹
		TOWNHOME ALLEY LOAD ¹

1. ACCESSORY STRUCTURES ARE NOT PERMITTED ON LOTS WHERE VEHICULAR ACCESS IS PROVIDED TO THE REAR OF THE LOT BY AN ALLEY.

2. A MAXIMUM OF 15% OF THE PROVIDED UNITS IN VILLAGE 3 MAY CONSIST OF SINGLE FAMILY ALLEY LOAD UNITS.

PUD Amendment

DIMENSIONAL STANDARDS SUMMARY CHART								
	MINIMUM LOT STANDARDS		MINIMUM LOT SETBACKS (FT.)					
LOT TYPE	WIDTH (FT.)	AREA (S.F.)	FRONT ON STREET	FRONT ON GARDEN COURT	SIDE (TO ABUTTING STREET)	SIDE (TO INTERIOR LOT)	REAR	HEIGHT
VILLAGE ONE - VILLAGE THREE								
SINGLE FAMILY FRONT LOAD	45'	4,500	PRIN. - 15'	NOT APPLICABLE	8'	5'	PRIN. - 15'	PRIN. - 35' ACC. 25'
	48' CORNER LOTS		FRONT LOAD GAR. 20' SIDE LOAD GAR. 15' ACC. - 25'				ACC. - 5'	
SINGLE FAMILY ALLEY LOAD	34'	3,000	8'	5'	8'	5'	PRIN. - 0'	
	37' CORNER LOTS							
DUPLEX ALLEY LOAD	24'	1,700	8'	5'	8'	5'	PRIN. - 0'	
	27' CORNER LOTS							
TOWNHOME ALL LOAD								
LIVE WORK								
<div>1. ZERO LOT LINE SETBACKS SHALL NOT BE ATTACHED.</div> <div>2. MULTIPLE PRINCIPAL BUILDINGS SHALL BE SEPARATED BY A MINIMUM OF 10 FEET.</div> <div>3. FRONT, SIDE, AND REAR SETBACKS SHALL BE 0 FEET, THEN NO ENCROACHMENT SHALL BE ALLOWED.</div> <div>4. SIDE AND REAR SETBACKS SHALL BE 0 FEET, THEN NO ENCROACHMENT SHALL BE ALLOWED.</div> <div>5. ON SINGLE FAMILY FRONT YARDS, A DECK WHICH IS LESS THAN 30 INCHES ABOVE GRADE.</div> <div>6. UTILITY EASEMENTS MAY BE MORE RESTRICTIVE THAN MINIMUM SETBACKS, THE GREATER OF THE MINIMUM SETBACK OR THE UTILITY EASEMENT SHALL GOVERN.</div> <div>7. ALL LOTS WITHIN VILLAGE 2 EXCEPT AS MODIFIED HEREBY SHALL FOLLOW THE DIMENSIONAL STANDARDS ESTABLISHED BY THE UDC FOR NMU OUTSIDE OF OLD TOWN AS AMENDED.</div>								

<div>d. Three or More Car Garage Orientation:</div> <div>When garage bays exceed two, the additional garage bay shall:</div> <div><div>i. Have a different orientation from the first two; or</div><div><div>In conditions where side loaded garages are utilized</div><div>-For use in two story homes, the upper floor living space shall be side loaded garage but may be set back a maximum of 10 feet from the side lot line.</div><div>-Shall make up no more than 20% of 60' wide lots.</div></div></div> <div>ii. Shall be recessed behind the first two by at least two feet.</div> <div>iii. Shall be tandem to the first two.</div>
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d. Three or More Car Garage Orientation:

When garage bays exceed two, the additional garage bays shall either:

i. Have a different orientation from the first two; or

In conditions where side loaded garages are utilized, the following standards apply:

- For use in two story homes, the upper floor living space must extend forward over the side loaded garage but may be set back a maximum of 6' from the front face of side garage.
- Shall make up no more than 20% of 60' wide lots.

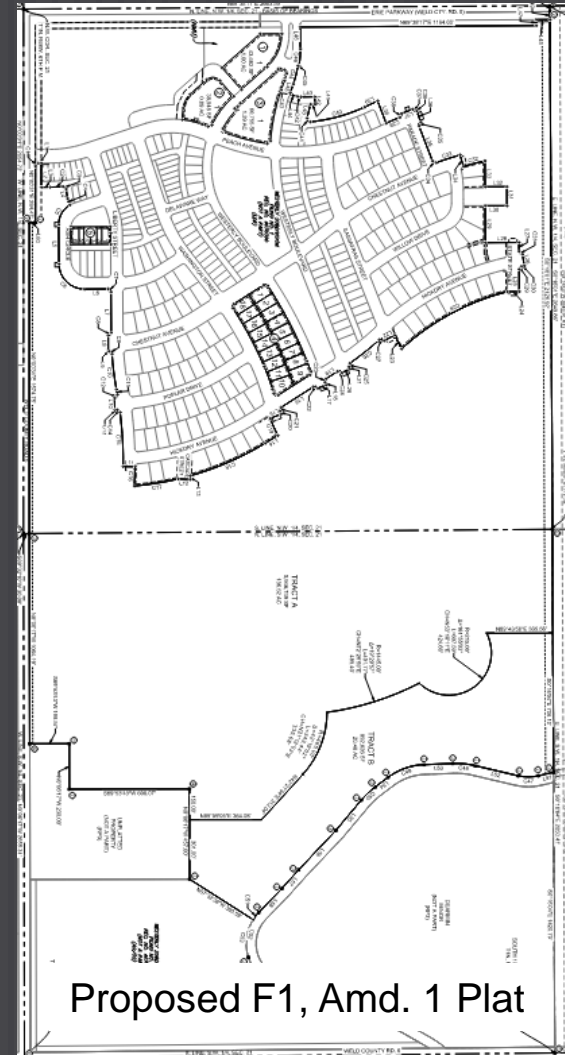
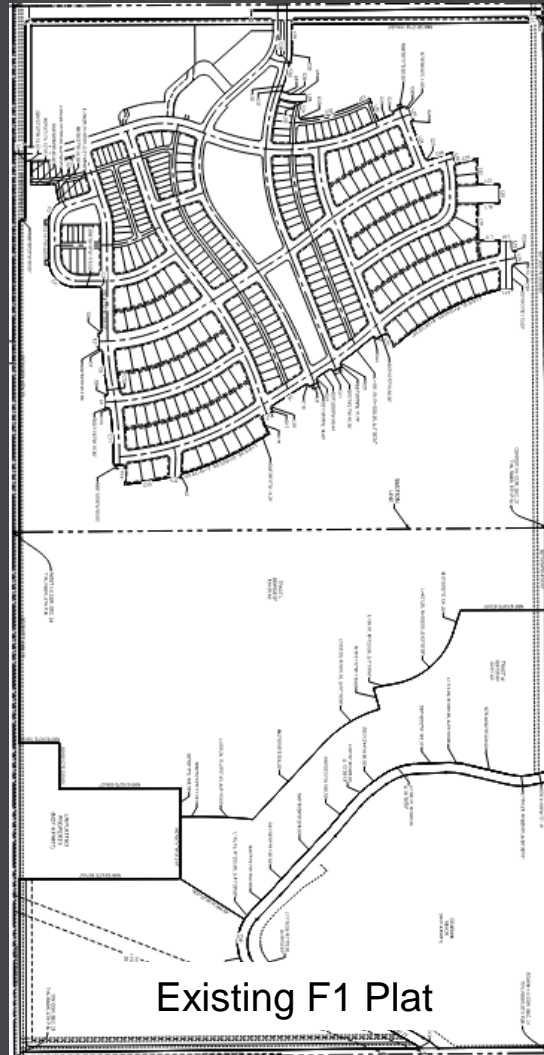
ii. Shall be recessed behind the first two by at least two feet when having the same orientation; or

iii. Shall be tandem to the first two.

Replat – Filing 1, Amendment 1 Final Plat

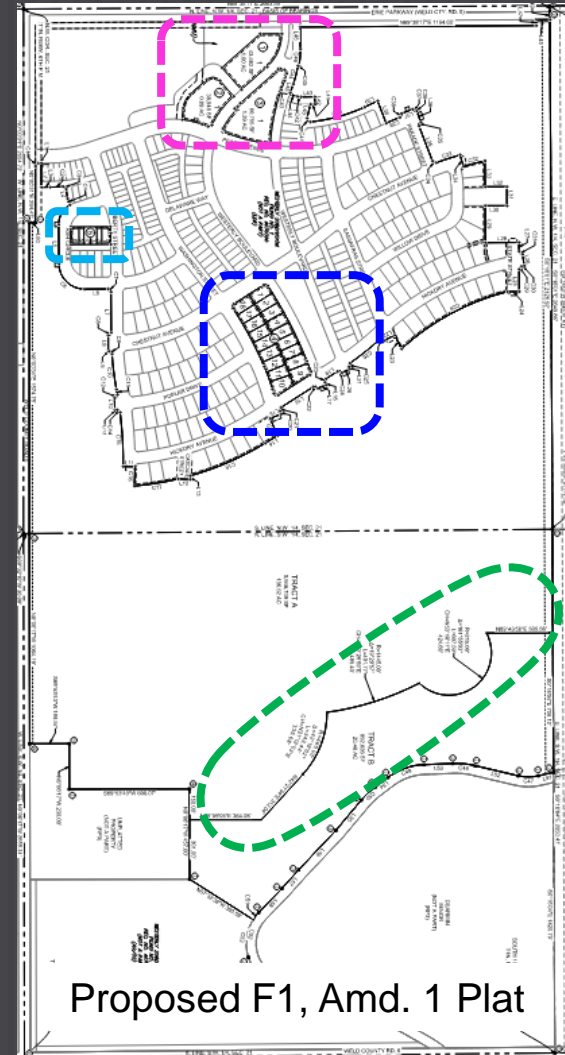
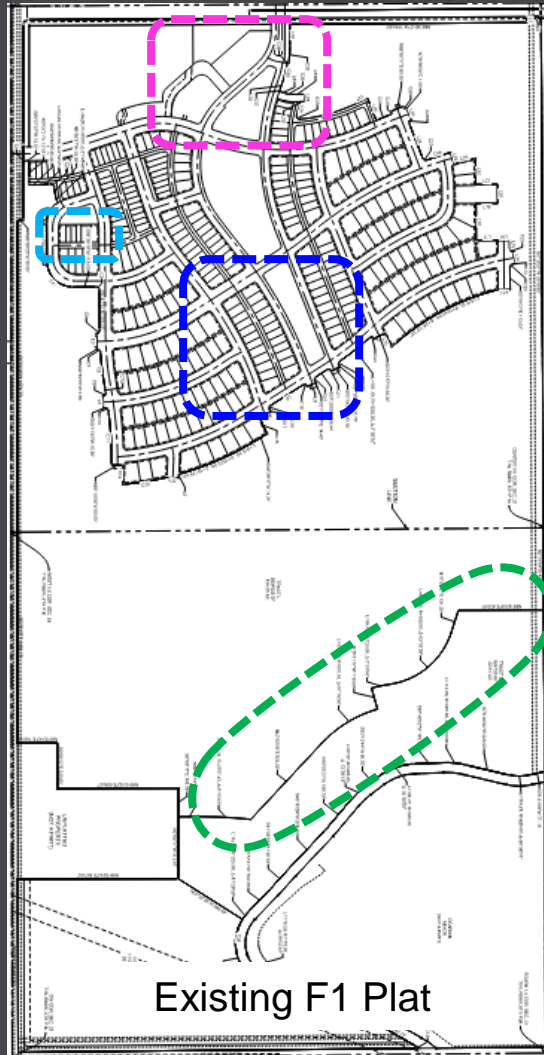
Process:

- Greater than 1% change to the approved number of dwelling units requires review and approval in same manner as Preliminary Plat
- Reduction in 7 residential lots / 530 lots in Prelim Plat = 1.3% change

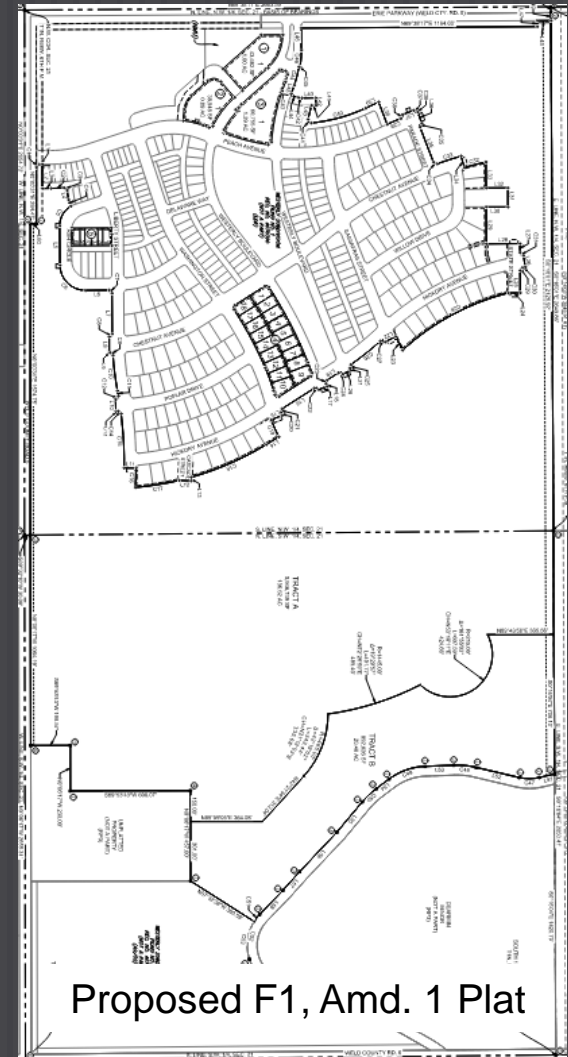


Replat – Filing 1, Amendment 1

- Adjust tract boundaries with concurrent rezoning
- Lot count in Block 7 from 7 townhome lots to 6
- Lot count and type in Block 11 from 24 alley-load to 18 front-load single-family
- 3 tracts to lots for development in NMU zone



Replat – Filing 1, Amendment 1



Rezoning : Approval Criteria

- a. The Rezoning will promote the public health, safety, and general welfare;
- b. The Rezoning is generally consistent with the Town's Comprehensive Master Plan and the purposes of this UDC;
- c. Adequate facilities and services (including streets and transportation, water, gas, electric, police and fire protection, and sewage and waste disposal, as applicable) will be available to serve the subject property while maintaining adequate levels of service to existing development;
- d. The Rezoning is not likely to result in significant adverse impacts upon the natural environment, including air, water, noise, storm water management, wildlife, and vegetation, or such impacts will be substantially mitigated;
- e. The Rezoning is not likely to result in significant adverse impacts upon other property in the vicinity of the subject property;
- f. Future uses on the subject property will be compatible in scale with uses on other properties in the vicinity of the subject property; and
- g. The Zoning is generally consistent with the Towns' economic development goals and objectives in bring positive growth and sustainable revenues to the Town.

PUD Amendment: Approval Criteria

- a. The PUD Rezoning is consistent with the Purpose of the PUD Overlay District in Section 2.7.D.1;
- b. The PUD Rezoning will promote the public health, safety, and general welfare;
- c. The PUD Rezoning is consistent with the Town's Comprehensive Master Plan and the purposes of this UDC;
- d. The PUD Rezoning is generally consistent with the PUD standards in Subsection 2.7.D.2;
- e. Adequate facilities and services (including roads and transportation, water, gas, electric, police and fire protection, and sewage and waste disposal, as applicable) will be available to serve the subject property while maintaining adequate levels of service to existing development;
- f. The PUD Rezoning is not likely to result in significant adverse impacts upon the natural environment, including air, water, noise, storm water management, wildlife, and vegetation, or such impacts will be substantially mitigated;
- g. The PUD Rezoning is not likely to result in significant adverse impacts to significant scenic and historic features as identified in plans adopted by the Town;
- h. The PUD Rezoning is not likely to result in significant adverse impacts upon other property in the vicinity of the subject property;
- i. Proposed uses on the subject property will be compatible in scale with uses on other properties in the vicinity of the subject property;
- j. The proposed phasing of the development is appropriate and the development can be substantially completed within the time period specified in the schedule of the development or Development Agreement submitted by the applicant; and
- k. The PUD Plan provides public benefit(s).

Final Plat Amendment: Approval Criteria

- a. The subdivision is generally consistent with the town's comprehensive master plan.
- b. The subdivision is generally consistent with and implements the intent of the specific zoning district in which it is located.
- c. The general layout of lots, streets, driveways, utilities, drainage facilities, and other services within the proposed subdivision is designed to meet the town's standards related to health and safety and in a way that minimizes the amount of land disturbance, maximizes the amount of open space in the development, preserves existing trees/vegetation and riparian areas, protects critical wildlife habitat, and otherwise accomplishes the purposes and intent of this UDC.
- d. The subdivision complies with all applicable use, development, and design standards set forth in chapters 3, 5 and 6 of this title that have not otherwise been modified or waived pursuant to this chapter or this UDC. Applicants shall refer to the development standards in chapter 5 of this title and shall consider them in the layout of the subdivision in order to avoid creating lots or patterns of lots in the subdivision that will make compliance with such development and design standards difficult or infeasible.
- e. The subdivision complies with all applicable regulations, standards, requirements, or plans of the federal or state governments and other relevant jurisdictions, including but not limited to, wetlands, water quality, erosion control, and wastewater regulations.
- f. The subdivision will not result in significant adverse impacts on the natural environment, including air, water, noise, stormwater management, wildlife, and vegetation, or such impacts will be substantially mitigated.

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Final Plat Amendment: Approval Criteria

. . . Continued:

- g. The subdivision shall be integrated and connected, where appropriate, with adjacent development through street connections, sidewalks, trails, and similar features.
- h. The subdivision will not result in significant adverse impacts on adjacent properties, or such impacts will be substantially mitigated.
- i. Adequate and sufficient public safety, transportation, utility facilities and services, recreation facilities, parks, and schools are available to serve the subject property, while maintaining sufficient levels of service to existing development.
- j. As applicable, the proposed phasing plan for development of the subdivision is rational in terms of available infrastructure capacity.

Public Notice

As required by the Municipal Code a Neighborhood Meeting was held on May 20, 2021 online. Notice of the meeting was provided by in compliance with the Municipal Code.

Notice of these Public Hearings were provided as follows:

Published in the Daily Times Call:	October 6, 2021
Property Posted:	October 7, 2021
Letters to adjacent property owners within 500':	October 8, 2021

Staff Recommendations

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PC Recommendations

On October 6, 2021 the PC unanimously recommended (5-0):

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All with the condition:

- a. Prior to consideration by the Board of Trustees, Applicant shall make all technical corrections to the Application as required by the Town.

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Board of Trustees – November 9, 2021