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MEMO

To: Jeff Marcotte, Chairman, Planning & Zoning Commission
cc: Cameron James, Regional Planner, NECCOG

From: Delia P. Fey, AICP Senior Regional Planner, NECCOG

Delia

Date: October 24, 2023

Re: New Method of Drafting Regulation Amendments

In the past, when drafting text amendments, we seem to follow what I call the “Google Quilt Approach” where samples of regulations are brought in from various towns and selected sections are identified as preferable. The PZC asks staff to assemble them together into one document to which they review line by line and respond; and over the course of *many* months, we slowly make changes before deciding whether to move ahead with a text amendment.

Drawbacks to the “Google Quilt Approach”:

1. This approach produces inconsistent results due to varying attendance at meetings.
2. We don’t know the origin of the selected regulation segments from the other town(s). Did they do the same thing and cut and paste selections from an assortment of *other* towns too? How many times has the regulation been quilted?
3. Piecing together selections of regulations from towns that may be incompatible may result in confusing and disjointed results.
4. This process skips over the planning and therefore moves along slowly without any focus or goal in mind because the PZC hasn’t identified what issues need to be addressed or opportunities that could be created.

Benefits of the new approach, “Plan Before You Zone”

1. Keep Woodstock in mind from the beginning, by determining what problems, issues and concerns about a particular topic exist specifically in Woodstock, before determining what direction to go in.
2. There is an opportunity in the preliminary stage, to consider the impact of going in different directions to ensure the chosen goal/direction, is the best one for Woodstock.
3. With focus and goals as guidance, the intention is to have a more efficient drafting stage of the text amendment process.
4. The goal is to ensure all relevant sections of the Regulations get an update, where necessary so as to prevent unintended conflicts within the regulations in the future.

Proposed new process for tackling new amendments to the Woodstock Subdivision or Zoning Regulations

Phase 1. The Planning Phase

The PZC should ask the following questions.

Note: These discussions can benefit from public participation.

1. What are the problems?
 - a. Are they real problems? OR are they really assumptions or stereotypes about the problem and therefore perceived problems?
 - b. If real, are they the purview of the PZC?
 - c. If not, who's purview is it? Can PZC refer it to the correct authority? Or accept it cannot be addressed locally, and move on?
2. What have the enforcement issues been, relating to this issue?
 - a. How long ago was the issue or violation?
 - b. What's the origin of the problems?
 - i. Regulations based?
 - ii. Non-conforming related?
 - iii. Building code related?
 - iv. Other?
3. What are the opportunities desired by PZC? By the community?
(Does PZC want to do a survey to get public input? Watch out for NIMBY responses as they should be recognized for what they are.)
 - a. What are the opportunities that could be created, based on whether the existing regulations are changed a little vs. significantly?
 - b. What opportunities could be created if an amendment involved a new approach to regulating that land use?
 - c. What's desired outcome of changing the regulations?
 - d. What could be the positive or negative impacts / side effects of the potential change?
 - e. Who would be served by this change? How would their lives be impacted by the regulation amendment? How might the amendment effect the community?
4. What are the thoughts of the Planning & Zoning Commission's on this information?

Phase 2. Determine the direction to move in.

What Does PZC Do with all this information?

5. Staff will distill this information down to the core findings to aid PZC in determining the vision and the end goal with respect to pursuing a text amendment (OR not).

Phase 3. Only after the above steps have been completed, should new regulations be drafted.

Staff will research what other towns have regarding regulations about this topic

6. Note how old the other towns' regulations are.
7. Staff will ask the other town(s) the following questions:
 - a. What prompted them to amend their regulations?
Note: Amendment as the result of reacting to a problem or complaint is not the best way to do planning as it can miss important steps in the process.
 - b. How well has the regulation worked?
 - i. Have the regulations resulted in more or less development that is covered by these regulations?
 - ii. Has the regulation reduced problems, i.e.: violations, conflicts within the regulations or other issues, as identified in step 1?

- c. How comparable is that town to Woodstock? PZC should consider how might the issues be different in the various communities due to their differences in size and community type?

Note: Communities can differ in so many ways, including but not limited to:

- Different types of communities serve a different function within their region, ex. bedroom communities vs. commercial and employment centers.
- Communities with different levels of public infrastructure, density and access to main transportation routes have different needs and capacity to meet those needs.
- *Regulations should not be the same in all communities because a one-size-fits all approach may work in retail but doesn't work in zoning.*

8. DRAFT the proposed text amendment.

Phase 4. Begin formal amendment process by scheduling the Public Hearing.