

MINUTES

ORDINANCE COMMITTEE MEETING

Tuesday, April 21, 2015 – 8 a.m.

Conference Room A

Present: Committee Chair Matt Robinson; Councilor Sherrie Benner; Councilor Ben Hartwell

Also Present: Town Manager David Cole; Fire Chief Bob Lefebvre; Deputy Chief Ken Fickett; Town Planner Tom Poirier; Zoning Administrator David Galbraith

1. Approval of March 24, 2015 Committee Meeting Minutes.

A motion was MADE by Councilor Benner, SECONDED by Councilor Hartwell and VOTED to accept the minutes of the March 24, 2015 Committee meeting minutes as presented. Unanimous vote.

2. Current Business

- A. Review the Narragansett Development District to see if additional permitted uses or changes could be made to encourage more development with the District and recommend appropriate changes to the Land Use and Development Code for the Town Council to consider (referred by Town Council at July 1, 2014 meeting).
- B. Develop a proposal to provide more flexibility for allowing home occupation businesses for the Town Council to consider at a future meeting (referred by Town Council on December 3, 2013).

The Committee continued its discussion of 2(A) and 2(B). The Committee reviewed a memo from the Town Planner containing a proposal for additional uses to the Narragansett District to meet the recommendations outlined in the draft Comprehensive Plan Update. The Town Planner explained that the proposal identifies numerous new commercial uses to be added to the district as well as allowing multi-family dwelling as part of a mixed use development. He further explained that the proposed standards include the requirement that all development connect to public sewer and water. The Town Planner reminded the Committee that zoning amendments should be consistent with the Town's adopted Comprehensive Plan in order to protect the Town from legal challenges to the Zoning Ordinance and Impact Fees.

The Committee requested that staff add language to A(3) to give the Planning Board the authority to waive the requirement of promoting efficient use of land and public facilities as streets, utilities, and public water and sewer extension if the applicant can prove undue hardship.

The Committee discussed striking automotive salvage repair as a permitted use or just striking automotive salvage. After discussion, A motion was MADE by Councilor Benner, SECONDED by Councilor Robinson, to amend Section B, Permitted Use, (t) to strike "salvage and" so that the item reads "automotive repair". 2-1 (Hartwell).

The Committee reviewed a draft proposal from the Zoning Administrator for amendments to Home Occupations. The Zoning Administrator explained and reviewed the proposed changes that categorize Home Occupations into three separate levels with conditions.

The Zoning Administrative explained that if there happens to be a piece of rural land in Level 1 and Level 2, the applicant could apply to staff or Planning Board; however, if the applicant was in an approved subdivision, the applicant could not be approved for a contractor's yard. After discussion, the Committee agreed to retain the proposed language.

The Committee discussed Level 3(9) hours of operation and whether to amend that line to allow for special weather exceptions. A motion made by Councilor Hartwell to allow business activity during non-business hours during weather events failed due to no second.

The Committee discussed changing hours of operation on site from 7 am to 6 pm for Level 1 and Level 2 home occupations. A motion was MADE by Councilor Benner, SECONDED by Councilor Robinson, and VOTED to change the hours of operation on site from 7 am to 6 pm for Level 1 and Level 2 home occupations. 2-1 (Hartwell).

Onsite operation hours of 7 am to 6 p.m.

After discussion, the Committee recommended:

- (a) A motion was MADE by Councilor Benner, SECONDED by Councilor Hartwell, and VOTED to recommend to the Town Council the approval of the amendments to the Narragansett Development District as amended. Unanimous vote.
- (b) A motion was MADE by Councilor Benner, SECONDED by Councilor Hartwell, and VOTED to recommend to the Town Council the approval of the amendments to Home Occupations as amended. 2-1 (Hartwell).

It was agreed that these items will be on the May Council Agenda for discussion and action.

- C. Bring forward the proposal to adopt the current NFPA 101 Life Safety Code used by the State, as the Town's Life Safety Code, and include language that future Life Safety Codes adopted by the State would automatically become the Town's Life Safety Code, for the Council to consider at their May 5, 2015 Council Meeting (referred by Town Council on March 3, 2015).

Fire Chief Lefebvre explained that the State uses the 2009 version of the NFPA 101 Life Safety Code. He recommended that the Town adopt the same version that the State is using so that the Town will not be conflict with the State. The Life Safety Code is updated every three years.

The Chief answered questions. He reported that several municipalities have chosen to adopt the NFPA 101 Life Safety Code in its entirety. The most current edition is 2012. The next edition, 2015, will be out in the next month or so.

After discussion, a motion was MADE by Councilor Hartwell, SECONDED by Councilor Benner, and VOTED to recommend to the Town Council the adoption of the 2009 version as adopted by the State and that the Town automatically adopt the 2012 version if the State adopts the 2012 version by October 30, 2015. Unanimous vote.

3. Schedule next meeting.

The Committee agreed to discuss when to schedule the next Ordinance Committee at the May Town Council Meeting.

4. Adjournment.

There being no further business, the meeting adjourned at 9:55 a.m.

Respectfully submitted,

Jeri Sheldon, Ass't to the TM/HR Director