

MEMORANDUM

TO: North Yarmouth Select Board

CC: Diane Barnes, Town Manager
Ben Scipione, Code Enforcement Officer

From: Kate Burch, Planner, North Star Planning
Ben Smith, AICP, Principal

RE: Land Use Ordinance Audit

Date: March 3, 2023

Project Overview

North Star Planning (NSP) has completed an audit of North Yarmouth's Land Use Ordinance (LUO) as directed by the Town of North Yarmouth.

Scope of Work

- Review ordinance structure and essential elements (complete)
 - Review for consistency and clarity in definitions, standards, and zoning district requirements (complete)
 - Review site plan and subdivision processes and standards (complete)
 - Coordinated review with Select Board (complete – January 17, 2023 Workshop)
 - Meet with town staff on to understand problematic sections and standards of the LUO and review draft recommendations (complete - February 16, 2023)
 - **Hold workshops with Planning Board (March 2, 2023) and Select Board (March 7, 2023) to review draft findings and recommendations**
 - **Final recommendations document submitted to Town by end of March**
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Project Process

North Star Planning completed a close read of the LUO, taking detailed notes on all potential improvements related to clean-up, organization, clarity, and consistency, and prepared the following recommendations document.

The Code Enforcement Officer and the Planning Board have reviewed these recommendations and they support moving forward with the recodification. No changes or major additions were identified during their review.

Recommendations

Proposed Ordinance Reorganization

As part of our audit process, NSP undertook a proposed reorganization of the LUO. While this step is typically taken as the first phase of the recodification process, we found it helped to demonstrate some of the organizational issues in the LUO, and this work will also provide a roadmap for the town to move forward with updates or a full recodification.

Audit Recommendations by Ordinance Section

We provided recommendations by topic for each section of the LUO. Many of these recommendations aim to improve usability and make it easier for applicants to find all applicable regulations for their project, including submission requirements, procedures, and standards, while ensuring all requirements are clear and enforceable.

NSP also identified some areas to restructure or expand to make the LUO easier to navigate, including consolidating regulations around signs and roads, and add sections on post-approval activities for Site Plans and Subdivisions.

General Recommendations

These suggestions include best practices for town policies and procedures, areas to review for typos and inconsistencies, and other ways to improve usability for applicants outside of the LUO.

Policy Review Topics

Based on our review and on our experience with development review in North Yarmouth, we noted some policy issues in the ordinance for the town to review.

Next Steps

Following this process, we suggest the following next steps for the Town to begin to implement the identified recommendations:

1. Full recodification of Land Use Ordinance to complete proposed reorganization and clean up
2. Pursue usability improvements, like creating new application forms and checklists
3. Develop a 2-year work plan to address policy issues identified in this audit, along with other policy issues noted by Select Board and Planning Board