



## Town of North Yarmouth Land Zoning Ordinance - Contract Zoning Process Policy

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### **Applications**

- Contract Zoning Applications are obtained through the CEO.
- All applicants shall include with their request for Contract Zoning:
  1. Proof of Right, Title & Interest;
  2. Narrative on how the conditions of Contract Zoning have been met;
  3. Draft Contract for the Zone (what applicant is proposing)
  4. Draft Map of the Zone
- The Code Enforcement Office shall submit Contract Zoning applications to the Town Manager, Select Board, and any additional agencies deemed necessary for review and initial feedback.
- Site plans, etc. are not required for the Contract Zoning process.

### **Required Procedures**

#### **1. Select Board**

- It is not a determination but an opportunity to give the developer feedback and see if the project complies with paragraphs 1 and 2 under Section A. - Authorization of Contract Zoning.
- Affirmative findings with the Town Comprehensive Plan should be found. If there are negative findings, the contract should not be approved.
- After giving the developer its initial feedback, the Board will decide whether or not to continue consideration of the proposal by referring the matter to the Planning Board for an advisory recommendation.
- Contract negotiations shall take place with the applicant(s) prior to sending the matter to the Planning Board.

#### **2. Planning Board**

- The Planning Board shall hold a public hearing as described under section D (2) of Contract Zoning.
- Contract Zoning is a separate application from that of a Site Plan Review and or Building Permit. These applications can be reviewed during the same meeting but shall be treated as separate applications.
- The Planning Board shall then meet with the Select Board to present their recommendations for discussion.

#### **3. Select Board**

- The Select Board shall hold a public hearing.
- The proposal is referred back to the Planning Board if the Select Board modifies the proposal “pursuant to Section 1.8 D (3) of the Land Use Ordinance.”
- The Select Board would then vote to approve or deny the contract zone.
- The Select Board shall file a written statement of acknowledgment to the approval or denial of the contract zone, a copy of the written statement shall be provided to the Planning Board and Code Enforcement Officer.

#### **4. Final Adoption**

- If the contract zone is approved by the Select Board, the Planning Board shall put forth the proposed Land Use Ordinance amendment(s) before the Townspeople for final adoption and enactment as provided by state law. Approval shall include the Contract Zoning Agreement and amendments to the zoning map. Note: The warrant article(s) may reflect the Select Board and or Planning Board’s recommendation for action.