



City of Hamilton Planning Department

To: Hamilton Zoning Update Working Group
From: Matthew Rohrbach and Mark Rud, City of Hamilton Planning Department
Date: April 1, 2024
Subject: Hamilton Zoning Update Phase II – Draft Actions

Purpose

The purpose of this report is to outline draft actions recommended by planning staff for Phase II of Hamilton's zoning update.

Background

The draft actions outlined in this report serve to refine and further the phase II focus areas and respond to the common themes identified in the initial round of public engagement – both are listed below. The attached table illustrates the relationship between the draft actions and the focus areas and common themes. As noted in the attached phase II zoning update scope of work, the draft actions in this report are intended to be high-level and facilitate drafting proposed code amendments under later tasks.

Phase II Focus Areas

1. Attainable Housing
2. Differentiating Between Mature and Developing Areas
3. Re-Evaluating Permitted and Conditional Uses
4. State Law Changes

Public Feedback Common Themes

1. Preserve naturally occurring affordable housing.
2. Expand opportunities for home occupations.
3. Focus higher intensity development along key transportation corridors such as Marcus Street.
4. Incentivize development of smaller single-family homes.
5. Provide flexibility for older, possibly non-conforming, homes and parcels.
6. In-fill on Hamilton's westside should be developed in context with surrounding development patterns; at a similar scale to existing development. Multi-family in-fill developments on the west side can be accommodated, but attention needs to be paid to form and scale.

7. The use of density or height bonuses could be used to incentivize affordable housing along key transportation corridors such as Marcus Street, provided there is not a substantial negative impact on viewsheds.
8. Allow a broader range of commercial and mixed uses along Marcus Street and Highway 93.
9. Higher density housing is needed in Hamilton to provide more housing options and reduce pressures of sprawl.

Phase II Draft Actions

1. Restructure Residential Zoning Districts.

This action would reclassify existing residential zoning districts – Residential Single Family (RS), Residential Multiple Family (RM), & Residential High Density (RH) – to Residential-1 (R-1), Residential-2 (R-2), and Residential-3 (R-3). Below is a high-level overview of the proposed restructured residential zoning districts.

- a. **R-1:** Intended for areas with traditional neighborhood development, notably Hamilton's older westside neighborhoods. The R-1 district would include provisions to preserve neighborhood form and scale while also allowing for by-right multi-family development at similar densities to existing westside multi-family developments. Examples could include: lot coverage maximums, restricting maximum height to 2 or 2.5-stories, setback requirements in-line with existing development patterns, allowing duplexes by-right, or increasing setbacks for parking adjacent to the street. Limited, small scale commercial development could be considered as conditional uses.
- b. **R-2:** Intended for areas where newer development exists and is anticipated, primarily areas east of Highway 93. Development regulations would correspond to and in many ways would look similar to Hamilton's existing regulations. The R-2 district would include allowances for small-scale multi-family development, limit building heights to 2 or 2.5 stories, and could considered small scale commercial development as a conditional use.
- c. **R-3:** Intended for areas where higher residential development currently exists and areas that can support higher density development based on availability of services, including but not limited to water, sewer, transportation, and parks. To further the kind of development the R-3 district is intended for, city staff recommend that the R-3 district not allow for single-family homes.

2. Restructure Non-Conforming Use Regulations.

This action would amend Chapter 17.32 (Nonconforming, Sites, Structures and Uses) of the Hamilton Municipal Code (HMC) to provide more flexibility for nonconformities which do not present a risk to public health, safety, and general welfare.

In zoning, nonconforming, (aka grandfathered) means a use or building which was allowed when it was built but no longer meets current zoning requirements. They are allowed to legally continue but cannot expand, be moved, or replaced. A local example is Hamilton's westside, where many homes and businesses pre-date current zoning and are considered nonconforming with respect to setbacks, use, off-street parking, or the presence of a particular building type (e.g. mobile homes).

Hamilton's current zoning takes the stance that all non-conformities are created equal and will eventually go away. In reality this does not happen in many cases, and it can prevent desired incremental redevelopment and property improvements. Further the uniqueness of Hamilton's downtown and westside neighborhoods is a community asset that many residents wish to preserve rather than require conformity with new development standards. Yet if any of these properties were to expand, redevelop, or be destroyed, they would have to come into compliance with Hamilton zoning, which would result in a development pattern more akin to areas developed in the last 30-years.

This proposed action will result in regulations that draw a distinction between nonconformities that should go away with time and those that would be able to remain and expand incrementally. Anticipated outcomes of this action include:

- Preservation of naturally occurring affordable housing – e.g. older homes on small lots, mobile homes, and older multi-family buildings in Hamilton's westside.
- Reduce the need for variances to keep older areas healthy and operational and allow them to expand on par with newer areas.
- Recognition that "greenfield" development standards are not appropriate for existing, mature areas of Hamilton.

3. Simplify and Restructure the Use Table.

This action will simplify the table of permitted and conditional uses by combining the list into fewer, broader categories based on the impacts of those uses. In addition, this action would seek to control the scale of development rather than focusing exclusively on use.

For example, rather than attempt to list out a myriad list of narrowly defined business services the use table could just list “business services” as a use and provide a definition for what that means. Hamilton’s zoning currently lists out the following uses, which could potentially be combined under business services: media offices and production facilities; office support services; offices and businesses deemed compatible with this district; printing shops and photography shops; professional and business offices; real estate services; and banks, credit unions and other financial institutions. To control the scale of activity the use table could also stipulate allowed building sizes under more generalized categories – e.g. retail $\leq 5,000$ square feet, retail $\leq 10,000$ square feet, etc.

This action will also reevaluate the use table to ensure that each district includes appropriate permitted and conditional uses based on the intent of that district, nearby city services, and adjacent development.

The intent of this action is to make Hamilton’s zoning more flexible and adaptable to changing needs of business and property owners, while also providing predictability in terms of neighborhood and community impact. The ability will remain to separate out specific uses identified by the community or required by state law, e.g. marijuana, casinos, and adult based businesses.

4. Restructure the Transitional Neighborhood Business District (B) and the Local Business District (B-1).

The B district allows for a variety of residential uses (single-family homes to apartments) as well as businesses designed to service the immediate neighborhood – e.g. convenience stores, personal services, restaurants, art studios, professional offices, retail, etc. It is intended to serve as a transition between more intensive commercial areas (e.g. downtown) and residential areas.

The B-1 district allows for higher density residential (6-plexes or above) and a wide variety of commercial uses – e.g. banks, bars, theaters, arcades, media offices and production facilities, and commercial uses allowed in the B district.

As can be seen in the attached zoning map, areas zoned B are located adjacent to downtown and westside residential neighborhoods, with isolated pockets east of Highway 93. Areas zoned B-1 are also located adjacent to downtown and westside residential neighborhoods, with additional concentrations on Hamilton's east and north sides.

This action is intended to better recognize the uniqueness of each district in relation to adjacent areas. The B district is intended to be a neighborhood scale mixed use district while the B-1 district is intended to be a commercial scale mixed use district. This action would re-valuate both districts allowed and conditional uses to ensure they match the intent of each district, account for potential impacts to neighboring properties, and allow for uses desirable to the community.

The B district would continue to allow for varying residential uses and the commercial uses would be refined to focus on smaller neighborhood scale operations – e.g. small grocers, professional offices, small medical offices, salons, small scale retail, bakeries, and small restaurants.

The B-1 district would continue to allow residential in 6-plexes or above and a wider variety of commercial uses – e.g. restaurants, retail, bars, repair services, hotels, commercial uses allowed in the B district, etc.

Key to this action are corresponding amendments to Hamilton's zone map. The B district would include transitional areas between downtown and westside residential areas as well as commercial pockets adjacent to residential areas on Hamilton's eastside. The B-1 district would be concentrated in commercial areas north of downtown as well as primary transportation corridors off Highway 93, e.g. select sections of Marcus Street, Fairgrounds Road, and potentially Old Corvallis Road.

This action is important because there are areas currently zoned B-1 directly adjacent to or in single-family residential neighborhoods and some of the current allowed uses in the B-1 district may not be incompatible with those uses, whereas the B district would not. To mitigate potential future impacts, this action, and the corresponding zone map amendments, may need to be paired with specific regulations for uses adjacent to residential districts – e.g. bars.

5. Provide Greater Flexibility for Home Occupations.

This action would amend Hamilton's existing home occupation regulations and aim to make it easier for people to operate a business out of their homes in residential zoning districts, while still addressing any measurable impacts to public health safety and general welfare – e.g. light, noise,

traffic, etc. Increasingly, Americans are relying on home occupations or home-based businesses as a primary or secondary form of income. However, zoning regulations can be an unintended regulatory barrier preventing home occupations from occurring.

Home occupations vary widely and can include home offices, one-chair salons, building custom bird houses in your garage, stereo repair, art studios, tutoring, or operating a small online retailer selling custom built clocks. Hamilton's current zoning would allow some, but not all these.

The intent of providing greater flexibility for home occupations is to enable micro-scale economic development and entrepreneurship while still mitigating impacts to neighboring properties. Further this action recognizes the new reality of home-based work and the fact that there are likely many technically "non-conforming" home occupations occurring in Hamilton now.

While Hamilton's current home occupation regulations are not overly restrictive in comparison to other communities, there are zoning amendments which would enable residents' greater latitude in working from home. Potential amendments include:

- Focusing less on specific types of home-occupations that are allowed and not allowed and more on impacts on light, noise, odor, and traffic. This would increase the number of allowed home occupations and provide greater clarity of what is not allowed.
- Allowing a limited number of client or customer visits and for those individuals to utilize parking spaces required for the residence.
- Allowing business operations outside of 7:00 a.m. to 9:00 p.m. so long as there is no measurable impact to neighboring properties.
- Allowing limited signage.
- Allowing a limited number of non-resident employees.

6. Restructure the Commercial/Manufacturing (CM) and Manufacturing/Industrial (MI) Districts.

This action would re-evaluate the CM and MI districts' allowed and conditional uses to ensure they match the intent of each district, account for potential impacts to neighboring properties, and allow for uses desirable to the community.

The CM district allows for lower intensity manufacturing and repair services as well as incidental retail sales. It also allows for higher impact uses such as freight terminals by right, and others

(power stations, recycling centers) as conditional uses. The CM District is mapped in limited locations throughout Hamilton, including areas adjacent to residential development.

The MI district allows for highest intensity land uses in terms of nuisance related to noises, emissions, and odors. It allows all CM district conditional uses by right (including power stations), as well as bulk fuel and petroleum storage. Hazardous or toxic materials generation or processing/storage are conditional uses. The MI District is not currently applied to any property in the City.

The CM district would be amended to allow light industrial, manufacturing and production-based businesses with some opportunities for retail and commercial, potentially non-incident. It would be amended so higher intensity and nuisance uses would not be allowed, and some would require a conditional use permit. The focus would be on allowing uses by-right that do not generate excessive light, odor, noise, or traffic but that can provide economic development opportunities in centrally located areas in Hamilton. Hypothetical examples could include a clothing manufacturer, a company that machines small engine parts, a 3-D printing company making specialized parts, a small-scale food business making value added products, or a maker of outdoor backpacks. Uses that would potentially generate light, odor, noise, or traffic impacts could be conditional and/or performance standards could be included to address buffering, setbacks, and access.

The MI district would be amended to allow for large-scale, higher impact manufacturers and industrial facilities – e.g. GSK. It would continue to allow CM's by right uses (except retail), as well as data centers and digital asset mines. It would be amended so highest intensity and nuisance uses would require a conditional use permit.

Key to this action are corresponding amendments to Hamilton's future land use and zoning maps. Neither the CM nor MI district are listed as implementing zoning districts for future land use map categories along Old Corvallis Road, though they are implementing zoning districts near the Hospital and Airport. For zoning map amendments some existing properties zoned CM may be proposed to change to MI – notably GSK. Locational appropriateness of uses allowed by each district will be carefully considered in amended land use tables and the future land use map's implementing zoning districts.

7. Allow Housing by Right Above or Behind Primary Commercial Uses in the B-1 and B-2 Districts.

Currently in the B-1 and Highway Commercial (B-2) zoning districts residential is only allowed if it is above the ground floor of a permitted commercial use, and only after approval of a conditional use permit at a public hearing before the City's zoning board of adjustment. The one exception is that ground floor dwellings are allowed in the B-1 district if they are in a building with six or more residential units.

This action would make residential units in the B-1 and B-2 districts a permitted use as long as they are located above or behind a permitted commercial use. The intent is to allow for increased housing supply in Hamilton, while still preserving the commercial nature of the B-1 and B-2 districts.

8. Develop Townhome Standards.

Townhomes are a form of development where an individual owns, and holds title to, their dwelling and the land beneath that dwelling but where they may also jointly own common areas and facilities in the development. Townhomes typically have one or more shared walls but can also be detached structures.

Townhome developments create new lots and are platted similarly to traditional subdivisions. However, unlike subdivisions, under Montana State law townhomes in incorporated cities are exempt from subdivision review if they are in conformance with local zoning. For developers this saves time and money in the approval process, which is one reason why townhomes have become so popular. Since 2019 six townhome developments have been approved in the City of Hamilton, totally 159 residential units, some of which are still under construction.

The issue at hand is that Hamilton's zoning does not have regulations specific to townhome developments. This results in a lack of specificity which can create confusion and delays for both applicants and staff. To address this City planning staff propose adding a section to Hamilton's zoning for townhome development standards. This would include requirements for the location and size of driveways and parking, private drive standards, landscaping and open space, utility layouts and easements, and the number of attached units allowed.

9. Update For State Law Changes

SB 407: amended 76-2-302, MCA re. ability to enforce design standards. This bill requires that any design review standards (undefined) imposed by a city must be clear, objective, and necessary to protect public health or safety, and only city employees may determine compliance.

This Action would remove Special Use Permit Criteria in HMC 17.12.080(C) that may fail this new standard – namely, Criteria 3 and 6. The City should also consider revising mandatory language re. *Building and Site Design Guidelines* in HMC 17.20.030(G) and conduct future review of them.

SB 528: amended 76-2, Part 3, MCA re. ability to regulate specific standards for ADU's. This Action would amend Hamilton's ADU regulations in HMC 17.16.010 to remove standards that are now preempted by 76-2-345, MCA:

- Must be allowed on a lot/parcel with a single-family dwelling in any zoning district, including nonconforming lots in commercial zoning districts.
- Detached and attached ADU's may not be more than 75% of gross floor area of the single-family dwelling or 1,000 square feet, whichever is less.
- May not require additional parking for the ADU or a fee in lieu of parking.
- May not require road improvements except repair of construction-related disturbances.
- May not set maximum building heights, minimum setbacks, minimum lot sizes, maximum lot coverages, or minimum lot frontages for ADU's that are more restrictive than for the single-family dwelling on the lot.
 - E.g., Hamilton cannot require an ADU to be located behind a single-family home or its structure to be shorter than the home.
- Amend ADU section definitions/regulations defining "interior habitable area"

In December 2023 a Gallatin County District Court judge issued a preliminary injunction against SB 528. We are currently waiting on further guidance from the courts on whether SB 528 will be upheld. Despite this fact, City planning staff recommend incorporating elements of SB 528 to remove barriers to the development of ADUs in the City.

- **HB 918**: amended day-cares and "community residential facilities" related to local zoning in of 52-2-602, 52-2-703, 76-2-411 & 76-2-412, MCA. The City can require a conditional use permit for larger day-care centers and restrict them to non-residential zones, but must consider smaller day-

care homes (15 or fewer children) a residential use of property and may not require a conditional use permit for them in any residential zones.

“Community residential facilities,” including youth foster homes and other licensees in 76-2-411, MCA, that care for 8 or fewer persons on a 24-hour basis, must be considered a residential use of property. The City can still require a conditional use permit for these in residential zones.

This Action would update land use tables to incorporate reasonable and required allowances for day-cares and community residential facilities in both residential and non-residential zones. Definitions for these uses should also be amended with reference to statute.

- **SB 178: provides zoning right for digital asset mining in 76-2-1003, MCA.** Hamilton must treat digital asset mines (cryptocurrency mines) the same as data centers. Local zoning regulations on digital asset mines cannot prevent them from operating in areas zoned for industrial use or prevent home-based digital asset mining.

This action would adopt restrictions on data centers and digital asset mines in land use tables, and adopt definitions for each that refer to applicable statutes (defined in other MCA Titles).

- **HB 246: amended “manufactured housing” in 76-2-302, MCA.** This bill revised the definition for manufactured homes relevant for local zoning. This action would amend Hamilton’s manufactured homes definition to incorporate this updated term/definition and remove conflicting terms. It would also amend land use tables to allow manufactured homes in both Hamilton’s Mobile Home Park and districts that allow for single-family homes, with the requirement they be permanently on a foundation outside the MHP district.
- **Other Considerations:** SB 245 will be required when Hamilton reaches 5,000 population per the decennial U.S. Census (likely for 2031 reporting). This will require Hamilton to allow mixed-use commercial/residential and exclusively multi-family in commercial zoning districts, without a conditional use permit. Careful consideration should be given to limited availability of commercially zoned lands and anticipated non-residential future land uses over the next 7 years.

10. Update zoning and future land use map

The draft actions listed above will trigger a need to update both the zoning and future land use maps. The zoning map will need to be updated to reflect restructuring of the B, B-1, CM, MI, and residential districts. The future land use map will also need to be updated to reflect these changes, specifically the implementing zoning districts under each future land use map designation. Any proposed zoning

text amendments will be brought forward for review and potential adoption along with proposed updates to the zoning and future land use maps.

Next Steps

City planning staff are asking for the zoning update working group to weigh in on the proposed phase II draft actions. Once there is general agreement on these actions City staff will begin round two of public engagement. This will involve a five additional neighborhood meetings where staff will present the proposed actions for discussion and feedback with community members. The tentative meeting dates and locations are:

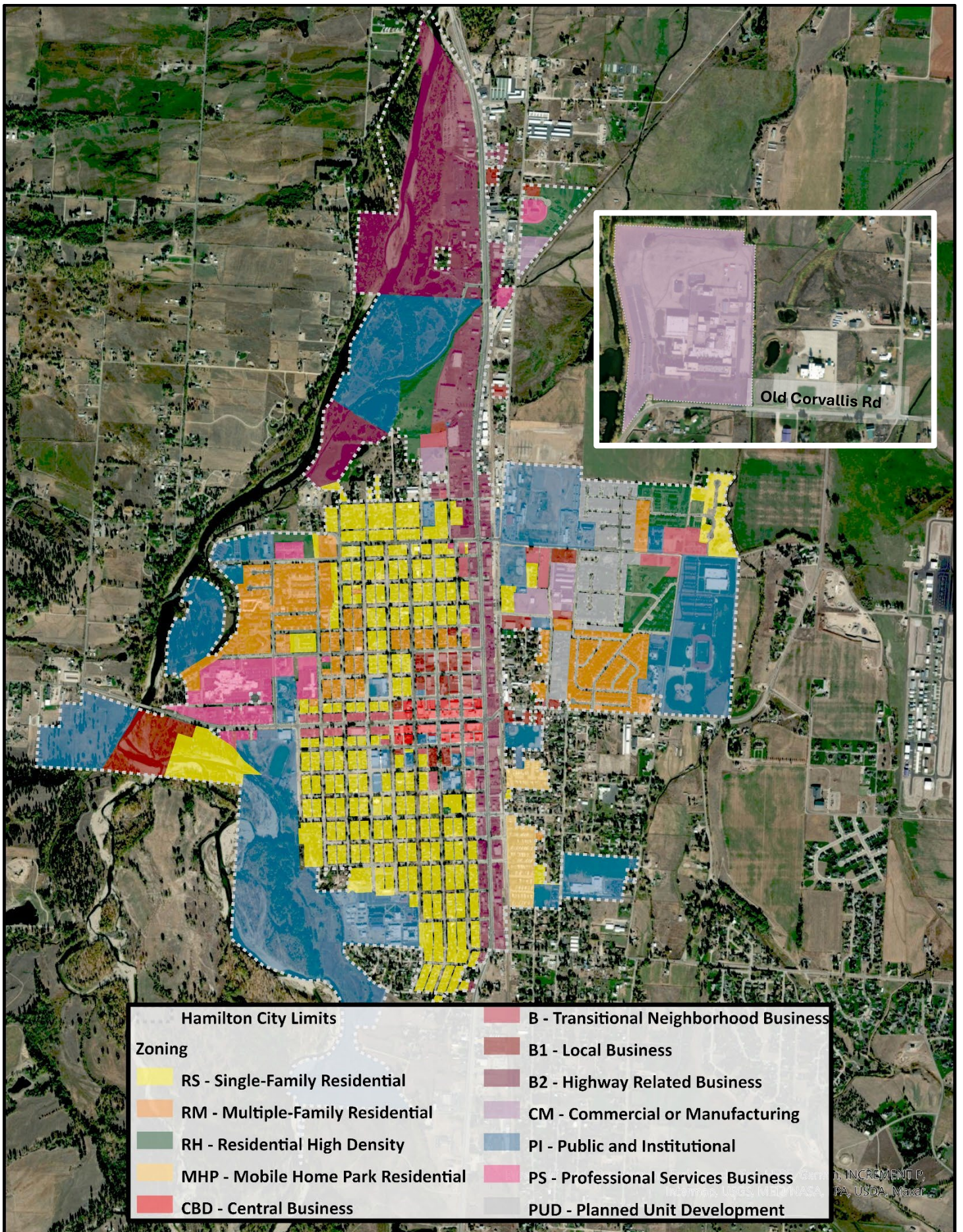
1. Monday, April 22nd | 6:00 P.M. @ River Street Dance Theater
2. Thursday, April 25th | 12:00 P.M. @ Hamilton City Hall
3. Monday, April 29th | 6:00 P.M. @ Golden Agers Club
4. Wednesday, May 1st | 6:00 P.M. @ NEW Hamilton Fire Station
5. Thursday, May 2nd | 12:00 P.M. @ Online (Zoom)

Based on neighborhood discussions there may be a need for another zoning update working group meeting in May or June to go over public feedback and make changes to the actions based on that feedback. Staff will also reach out to different civic and professional groups to present the draft actions.

Once there is buy-in and support for the draft actions, the phase II zoning update will move into drafting zoning amendments this summer, which will include another round of focused public engagement.

Attachments:

- City of Hamilton Zoning Map
- Table documenting link between draft actions and phase II focus areas and common themes
- Hamilton zoning update amended scope of work



	Action Item	Focus Area?	Common Theme?	City Plans/Policies?
1	Restructure Residential Zoning Districts	AH, MvD, Uses	1, 4, 6, 9	Comp Plan, Zoning Assessment
2	Restructure Non-Conforming Use Regulations	AH, MvD	1, 5, 4	Comp Plan
3	Simplify and Restructure the Use Table	AH, Uses	8	Zoning Assessment
4	Restructure B and B-1 Zoning Districts	AH, Uses	3, 7, 8, 9	Comp Plan, Zoning Assessment, Downtown Plan
5	Provide Greater Flexibility for Home Occupations	AH, Uses	2	Zoning Assessment
6	Restructure the CM and MI Zoning Districts	Uses		Comp Plan, Zoning Assessment
7	Allow Housing by Right in the B-1 And B-2 Districts	AH	8, 9	Comp Plan, Zoning Assessment, Downtown Plan
8	Develop Townhome Standards	AH	4, 6, 9	Zoning Assessment
9	Update for State Law Changes	AH, Uses, Law	2, 5, 6	Comp Plan, Zoning Assessment, Downtown Plan
10	Update Zoning and Future Land Use Map Changes	N/A		N/A

KEY

Focus Areas

- AH Attainable Housing
- MvD Mature vs. Developing Area Standards
- Use Re-evaluating permitted and conditional uses
- Law State Law Changes

Common Themes

- 1 Preserve naturally occurring affordable housing
- 2 Expand opportunities for home occupations
- 3 Focus higher intensity development along key transportation corridors such as Marcus Street
- 4 Incentivize development of smaller single-family homes
- 5 Provide flexibility for older, possibly non-conforming, homes and parcels
- 6 Westside in-fill should be developed in context with surrounding development patterns
- 7 Density or height bonuses could be used to incentivize affordable housing along key transportation corridors
- 8 Allow a broader range of commercial and mixed uses along Marcus Street and Highway 93
- 9 Higher density housing is needed in Hamilton

SCOPE OF WORK

PHASE II: HAMILTON ZONING UPDATE

Updated: March 26, 2024

TASK 1. PROJECT INITIATION: October 2023

The zoning update working group will meet in October 2023 to kick-off phase II of Hamilton's zoning code update. The purpose of the meeting is for the working group to provide staff direction regarding phase II zoning text amendments. The meeting will cover proposed focus areas for the phase II update and the community engagement plan. If additional meetings are required to iron out the phase II focus areas, community engagement plan, or scope of work they will be scheduled in November, December, or January.

Draft Focus Areas:

1. Attainable Housing – focus will be on implementing goals and policies in the comprehensive plan related to expanding housing options. Discussions on housing related zoning amendments will consider compatibility between new and existing development.
2. Differentiating Between Mature and Developing Areas – focus will be on identifying where differing develop standards are needed between older and newer areas of the city in an effort to allow for redevelopment and incremental infill that is compatible with surrounding land uses and continues to uphold public health and safety.
3. Recent State Law Changes – focus will be on codifying recent changes in state law, namely land use laws passed in the 2023 legislative session.
4. Re-evaluating permitted and conditional uses – focus will be on simplifying the list of permitted and conditional uses as well as a review of uses in existing zoning districts to see whether any changes are needed to better reflect desired development patterns.

Engagement:

- Minimum of one Zoning Update Working Group Meeting. More meetings as needed to finalize focus areas, community engagement plan, and/or scope of work.

Deliverables:

- Memo outlining phase II draft focus areas.
- Draft scope of work
- Draft community engagement plan
- Presentation to Zoning Update Working Group

TASK 2. COMMUNITY CHECK IN: October 2023 – January 2024

During phase I of Hamilton's zoning update, staff heard a need to better explain, in plain terms, the comprehensive plan and the zoning update as well as the relationship between the two.

Neighborhood Meetings:

Staff will organize a series of neighborhood meetings to provide information on phase II of the zoning update and comprehensive plan while also listening to community interests and concerns, particularly as

they relate to land use and development in Hamilton. These meetings will also serve to inform community members about the zoning update process and where they can go to learn more and keep updated.

Neighborhood meetings will be at venues close to where people live or work, not at city hall. To get the word out on meetings the city will mail a postcard to every address in Hamilton with the date, time and location of each meeting along with a link to the zoning update project website – www.hamiltonzoningupdate.com.

Neighborhoods identified for meetings include:

- Northside (area NW of Hwy 93-Main St. intersection)
- Southside (area SW of Hwy 93-Main St. intersection)
- East of Highway 93
- Downtown
- Highway 93

Stakeholder Meetings

Task two will also include meetings with community/civic groups. These meetings will be scheduled based on the interest and availability of each group, as a result meetings may happen outside of Task 2. Groups identified for engagement include, Hamilton High School, Chamber of Commerce, Hamilton Downtown Association, Bitterroot Affordable Housing Coalition, Downtown Hamilton Business Improvement District, Kiwanis, Rotary, Lions, Soroptomist, Bitterroot Board of Realtors, builders/developers and other groups identified throughout the zoning update process.

Engagement:

- Postcard to all City of Hamilton addresses with information on zoning update, neighborhood meetings, and link to project website
- Minimum of five neighborhood meetings. Additional meetings may be scheduled based on community interest.
- Meetings with community/civic groups. The number of meetings will depend on interest and availability of each group.

Deliverables:

- Report outlining what was heard at neighborhood meetings and other community engagement efforts.
- Presentation(s) to neighborhood and community groups

TASK 3. REFINE FOCUS AREAS: January – May 2024

Staff will present to the zoning update working group a report outlining what was heard from community engagement efforts under task 2. Based on this report staff will propose refining the focus areas into more distinct, high-level action items that will facilitate drafting proposed code amendments under task 4. For example, an action item could be adding a zoning district and the work under task 4 would be to draft the specific development standards and permitted uses for that district. Each focus area may have more than one action item.

At the meeting working group members and members of the public will be asked to provide input on whether public feedback was accurately captured and if any edits are needed to the proposed action items. If additional working group meetings are required to refine action items, they will be scheduled based on availability of staff and working group members.

Once the working group is comfortable with the action items, staff will organize another round of neighborhood meetings to present and take feedback on the proposed path forward. Based on feedback at neighborhood meetings, the action items may be amended, which, depending on the degree of change, may trigger the need for additional zoning update working group meetings.

Engagement:

- Minimum of one zoning update working group meeting. Additional meetings as needed.
- Minimum of five neighborhood meetings. Additional meetings may be scheduled based on community interest.
- Meetings with community / civic groups. The number of meetings will depend on interest and availability from each group.

Deliverables:

- Report outlining proposed high-level action items for zoning update.
- Presentation to zoning update working group.
- Presentation(s) to neighborhood and community groups.

TASK 4. DRAFT ZONING AMENDMENTS: May – September 2024

Once the zoning update action items have been identified, work will move to drafting specific zoning text for each action item. Critical to obtaining informed public input as part of this task will be thoughtful public engagement that clearly communicates information specific to drafting zoning regulations.

Neighborhood Walks

To begin the process of drafting specific zoning text, city staff will organize neighborhood walks. Neighborhood walks will be used to provide an on the ground view and discussion about how different elements of zoning effect development patterns in Hamilton – e.g. setbacks, housing types, building form & scale, etc. The idea is to put a local visualization behind concepts that may be discussed as part of the zoning update. Neighborhood walks will be scheduled as needed based on community interest expressed at neighborhood meetings.

Community Workshops

Community workshops will engage community members in interactive exercises that dive into the details of drafting zoning text amendments. The exact structure of community workshops is yet to be determined as it will be based on the scope of action items identified in task 3. The number and location of workshops will also be determined by the scope of action items. At a minimum staff anticipate two workshops at Hamilton city hall.

Survey

The surveys is an opportunity to get community feedback on specific zoning topics from people who aren't able to attend workshops or who are more comfortable providing anonymous input. Staff anticipate using a visual preference survey that asks community members to respond to images that exemplify specific development standards and/or patterns.

Drafting Zoning Text Amendments

Based on the full scope of public input, staff will begin drafting zoning text amendments for review and consideration by the public and zoning update working group. Depending on the scope and complexity of proposed amendments they may be brought forward for review in individual modules or all at once. This

will likely be an iterative process of drafting, reviewing, and amending proposed zoning language based on feedback from the working group and public.

Draft Zoning Map and Future Land Use Map Updates (if needed)

There is a possibility that the proposed zoning text amendments will also trigger an update to Hamilton's zoning map and/or the comprehensive plan's future land use map. Scenarios that may trigger an update to the zoning map or future land use map, include but are not limited to:

- Names of existing zoning districts changing.
- Amendments to development standards or permitted uses in existing zoning districts that warrant amending zoning map boundaries or changing implementing zoning districts under the future land use map categories.
- Zoning districts are added or removed, necessitating amending zoning map boundaries or changing implementing zoning districts under the future land use map categories.

It will likely become evident early in the process if proposed zoning text amendments are anticipated to trigger respective map updates. In that case, discussions of zoning and future land use map updates will be folded into the public engagement process outlined above.

Community Open House

Prior to forwarding to the zoning commission and City Council for review, proposed zoning amendments will be highlighted at open houses. The purpose of the open houses will be to provide an overview of the zoning update process and explain the substance of the updates being proposed.

Zoning Update Working Group Meetings

During task 4 the zoning update working group is anticipated to meet at least twice with more meetings on an as needed basis. Working group meetings will be utilized to review and respond to public input and proposed draft zoning amendments. The last phase II working group meeting(s) will take place following the open houses. When the zoning update working group feels that draft zoning text amendments (and map amendments if necessary) have sufficient support and are ready for formal review, proposed amendments will be forwarded to the Hamilton zoning commission.

Engagement:

- Minimum of two neighborhood walks. Additional walks dependent on interest and availability.
- Minimum of two community workshops. Additional workshops as needed.
- Community survey
- Community open houses
- Meetings with community / civic groups. The number of meetings will depend on interest and availability from each group.
- Minimum of two zoning update working group meetings. More meetings as needed.

Deliverables:

- Draft zoning text amendments
- Draft zone map amendments (if necessary).
- Draft future land use map amendments (if necessary).

TASK 5. ADOPTION: September – December 2024

The zoning commission will consider updates through a public hearing, and will then forward its recommendations to the Hamilton City Council for consideration and decision at another two public hearings. Any proposed updates to the future land use map will go through a public hearings process with the planning board and City Council.

Engagement:

- Zoning commission public hearing.
- Two City Council public hearings.
- Planning Board public hearing (if future land use map amendments are proposed)

Deliverables:

- Adopted zoning text amendments.
- Adopted zone map amendments (if necessary).
- Adopted future land use map amendments (if necessary).