

- **Zoning Amendments from the Town Clerk’s Office**

Amend the Town of Kingston Zoning By-Laws Section 4.15.13.2.a. to strike the word “that” in sub section 1)

1) evidence that the Development Project plans ~~that~~ demonstrate compliance with the requirements of Section 4.15.12.4.;

- **Zoning Amendments from the Zoning Board of Appeals**

1. Amend Zoning Bylaw Section 2.1.1.59 to include subsections defining Accessory and Principal Structures, so that the section will now read as follows:

2.1.1.59 Structure: A combination of materials assembled at a fixed location to give support or shelter, such as a building, framework, retaining wall, tent, viewing stand, bin, platform, swimming pool, fence, sign, flagpole, mast for radio antenna, satellite antenna or the like.

a. Structure, Accessory: A subordinate structure clearly incidental to and customarily found in connection with the principal use, building or structure and which is located on the same lot with the main use, building or structure. A use or activity not prescribed or permitted in the zoning district shall be expressly prohibited.

b. Structure, Principal: The primary or main structure, as distinguished from an accessory structure. A use or activity not prescribed or permitted in the zoning district shall be expressly prohibited.

2. Amend Zoning Bylaw Section 2.1.1.66 to include subsections defining Accessory and Principal Uses, so that the section will now read as follows:

Use: The purpose for which land or a building is designed, occupied, or otherwise utilized.

a. Use, Accessory: A subordinate use, clearly incidental to and customarily found in connection with the principal use, building, or structure, and which is located on the same lot with the main use, building or structure. A use or activity not prescribed or permitted in the zoning district shall be expressly prohibited.

b. Use, Principal: The primary or main use of land, building or structure, as distinguished from an accessory use. A use or activity not prescribed or permitted in the zoning district shall be expressly prohibited.

3. Amend Zoning Bylaw Section 4.4.2.1 by inserting the phrase “, the raising of livestock and poultry (subject to the provisions of Section 4.4.4.2),” after the word “cranberry” so that the section reads:

4.4.2 Uses Permitted

4.4.2.1 .Farming, including crops, orchard, plant nursery, greenhouse or cranberry, the raising of livestock and poultry (subject to the provisions of Section 4.4.4.2), and the keeping of tame domestic animals normally considered pets, such as dogs and cats, by residents of the premises, not for commercial sale, provide that:...

4. Amend Zoning Bylaw Section 6.1.1., inserting the words “structure or” after the final instance of the term “non-conforming”, so that the section reads:

6.1.1. Non-conforming: Any principle or accessory structure or use which does not conform to the requirements of the By-law but which was lawfully in existence or lawfully begun or for which a

building permit or special permit has been issued before the first notice of the public hearing on this By-law or any amendment thereto shall be deemed to be a non-conforming **structure or** use.

5. Amend Zoning Bylaw Section 6.2.2.1.a by adding the words “structure or” after final instance of the word “non-conforming” so that the section reads as follows:

6.2.2.1 Non-conforming structures or uses may be extended or altered, provided that:

- a. No such extension or alteration shall be permitted unless authorized by a special permit of the Board of Appeals which shall find that such change, extension, or alteration shall not be substantially more detrimental than the existing nonconforming use **or structure** to the neighborhood.

6. Amend Zoning Bylaw section 6.2.2.3.a by deleting the word ‘reconstruction’ so that the section will now read:

6.2.2.3 Notwithstanding Sections 6.2.2.1. and 6.2.2.2., non-conforming single and two family residential structures may be altered or enlarged without a special permit providing the following minimum dimensional requirements are met.

- a. Alteration, enlargement, extension or structural change is in conformity with yard requirements applicable at the time of original construction or, if there were none, conformity with regard to the following minimum standards:

Front yard – 25 feet Side yard – 15 feet Rear yard – 20 feet

7. Amend the Zoning Bylaw Section 6.4.2.2 by deleting all wording and inserting in its place the words “Section Reserved” so the Section will read:

6.4.2.2 – Section Reserved

8. Amend Zoning Bylaw Section 7.3.1.1.a by adding after the word “required” the wording “except for one and two family dwellings” so the section will read:

7.3.1.1. A site plan approved in accordance with this Section is required before the issuance of a building permit for:

- a. All uses for which a special permit or variance is required, **except for one and two family dwellings.**

9. Amend Zoning Bylaw Section 7.3.2.4 by deleting all the wording in the section and replacing it with the following:

7.3.2.4 – The special permit or variance granting authority shall not conduct a public hearing for a special permit or variance until a report has been received from the site plan approving authority or 45 days has elapsed since the site plan was officially submitted to the Town.