

Special Permit for Outdoor Recreation (Long Term)

In zoning, some uses are allowed “by right” while others are only allowed “by Special Permit”. In Worthington, residential and agricultural uses are allowed “by right” as are certain primarily public uses such as federal or state buildings (4.5(C)). The **ONLY** other uses allowed by Worthington’s zoning bylaws are listed in 4.4(A) and require a Special Permit.

Special Permits are issued by the Zoning Board of Appeals (ZBA) and allow a landowner to significantly change the use of their property, typically granted for ongoing uses. For example, if someone wanted to open a restaurant, they would need to get a Special Permit from the ZBA before they could begin construction.

The Special Permit process is detailed in the Zoning Bylaws Section 2.5, but includes various elements to protect the town and the abutters, such as the requirement for a public hearing and notification of the abutters, as well as consideration of noise, parking, and public safety impacts.

In the last few years we have heard a desire in the community for a broader selection of allowed uses. The Planning Board is asking the town to consider the term “Outdoor Recreation” to replace the more specific terms: “Ski Tows”, “Riding Stables”, “Recreational Camps”, and “Camping Areas”. This change would allow the ZBA a greater degree of flexibility when considering an application.

As an example, today the ZBA would not be able to consider an application for a Nordic Ski Center, since that is not a use listed in 4.4(A). Under the proposed amendment, the ZBA could decide a Nordic Ski Center was Outdoor Recreation, and consider the application. The amendment would also add a definition of “Outdoor Recreation” to help clarify what uses might fall under that heading.

Section 10 (Definitions)

Amend Section 10 “Definitions” to add the following after the definition of “One family dwelling” and before that of “Private Club”:

Outdoor Recreation: Land used primarily for recreational activity, particularly oriented to and utilizing the outdoor character of an area including, but not limited to golf, tennis, swimming, skiing, snowmobiling, sporting club, camp grounds, livery or riding stable.

Section 4.4 (Uses Authorized on Special Permits)

Amend Section 4.4(A) “Uses which are authorized after issuance of a Special Permit by the Zoning Board of Appeals” by replacing:

1. Garage
2. Filling Station
3. Inn
4. Motel

5. Store
6. ~~Ski Tow~~
7. Light Industry
8. Small Business
9. Saw Mill
10. Large scale raising of poultry, pigs, hogs, fur-bearing or other farm animals.
11. Conversion of a one-family dwelling existing at the time this By-Law was originally adopted into a two-family dwelling.
12. Restaurant
13. Boarding House
14. Manufactured Housing
15. ~~Riding Stable~~
16. Private Club
17. ~~Recreational Camps~~
18. Seasonal Dwellings
19. ~~Camping Areas~~
20. Seasonal Food Trucks and Trailers operating at a fixed location for more than 5 days

With:

1. Garage
2. Filling Station
3. Inn
4. Motel
5. Store
6. Light Industry
7. Small Business
8. Saw Mill
9. Large scale raising of poultry, pigs, hogs, fur-bearing or other farm animals.
10. Conversion of a one-family dwelling existing at the time this By-Law was originally adopted into a two-family dwelling.
11. Restaurant
12. Boarding House
13. Manufactured Housing
14. Private Club
15. Seasonal Dwellings
16. Seasonal Food Trucks and Trailers operating at a fixed location for more than 5 days
17. Outdoor Recreation