

**2020 Standards and Criteria (DRI Checklist) Revision**  
**Explanatory Summary**  
DRI Checklist Review Committee, June 2020

**Section 2. Division of Land**

- 2.2 a) **Existing** 10-lot threshold in all non-rural areas  
**Proposed** 5-lot threshold in all non-rural areas
- 2.2 b) **Existing** 6-lot threshold in rural areas  
**Proposed** 3-lot threshold in rural areas

The above two changes recognize that, as the island approaches build-out, many impactful developments happen on smaller acreage and that smaller developments may well have regional impacts particularly with regard to wastewater and housing.

**Existing section 2.3**, a land division trigger for parcels of 10+acres, along with performance-based exemptions, has been eliminated.

This section established a trigger based on acreage. Since the number of parcels triggering a review in section 2.2 has been reduced, it was felt that the acreage trigger was no longer necessary.

- 2.5 **Existing** 3-lot ANR  
**Proposed** parcels created by ANR within last 5 years are counted in the threshold number count

This revision enables review of cumulative developments by sequential ANRs, recognizing that, while individual ANRs are not likely to create regional impact, when viewed in aggregate they might. This revision also clarifies that *any* ANR in an Island Road or Coastal DCPC is subject to review.

**Section 3. Commercial Development** (*Note: The general threshold remains at 3500sqft.*)

- 3.1.A **Existing** Mixed-use incentive – 2,000 sq ft deduction from total sq ft  
**Proposed** Mixed-use incentive – 1,400 sq ft deduction from total sq ft

The current trigger exempts from review a mixed-use structure as large as 5,500 sq ft (where the residential portion is not more than 2,000 sq ft). Despite the importance of providing an incentive for residential construction, the Checklist Review Committee felt that such a large mixed-use development might have potentially significant regional impact. Accordingly, the Committee decided to propose a lower total threshold — by reducing the exempted residential square footage to 1,400 - space adequate for two small units.

- 3.2 c) **Existing** 4,500 sq ft threshold for Town Area Development Plan  
**Proposed** No fixed threshold; Town suggests threshold as part of its area development plan

The Checklist Committee felt that if a Town were to develop an area plan, the plan should define the threshold for DRI review.

- 3.3 d) **Existing** 50-seat threshold for restaurants in a B-1 district  
**Proposed** 80-seat threshold for restaurants in a district zoned business or commercial

The Checklist Review Committee felt that Town regulation is adequate to support a higher threshold. In addition, the reference to a B-1 district has been changed to a “business or commercial zoned district” to ensure consistency Island-wide.

- 3.3 e) **Existing** any restaurant outside of a B-1 district  
**Proposed** 50-seat threshold outside a district zoned business or commercial

This revision would only require review of restaurants with 50 or more seats. The Checklist Review Committee felt that a food establishment with fewer than 50 seats is not likely to have a significant regional impact. As above, the reference to a B-1 district has been changed to a “business or commercial zoned district” to ensure consistency Island-wide.

#### Section 4. Residential Development

- 4.1 **Existing** development of 10 or more units  
**Proposed** development of 5 or more units; 10 unit threshold continues to apply **IF** all units are deed restricted for Affordable and Community housing and they meet the MVC water quality policy

The Checklist Review Committee felt that market rate housing developments may present regional impacts (including wastewater and housing) and that a lower trigger point would enable the MVC to require mitigation where appropriate. However, the Committee recommends retaining the existing threshold for Affordable and Community housing.

- 4.2 **Large Residential Structures** *This is a placeholder for a future trigger for large residential buildings*

Having the view that there may be significant impacts from large residential structures, the Committee considered how to incorporate an appropriate ‘large house’ trigger. Final consideration of such a trigger, however, has been postponed and this section heading is a placeholder until all details, including an administrative process to facilitate determination as to which structures require review, are fully considered.

#### Section 6. Institutional Development

- 6.2 **Existing** Municipal building that “will serve” more than one town. Mandatory review  
**Proposed** Municipal building that is “designed primarily to serve” more than one town, with a note that buildings with only incidental use by residents of more than one town will not trigger review. Concurrence review

The changes are intended to clarify that incidental-only use by other Island residents will not trigger review. The change from Mandatory to Concurrence is in recognition that many municipal facilities will not necessarily have regional impact.

## Section 7. Transportation

- 7.1 **Existing** In a Note to section 7.1, the “construction, widening or reconfiguration of Arterial and Collector Roads” is a referable Development.
- Proposed** This language has been deleted from the note and now appears as a stand-alone trigger in a new section 7.1.c applying to ‘principal roads’.

In recognition of the impact that traffic and transportation have on the Island, the construction, expansion or alteration of roads is set out as a stand-alone trigger. Previously, it was covered in a note to this section. In addition, the defined term “Arterial and Collector Roads” in that note has been replaced by the simple phrase ‘principal road’.

## Section 8. Natural or Cultural Resources

- 8.1.a **Demolition of Historic Structures** Adds as triggers (i) the alteration of any significant historic exterior detail and (ii) the relocation of an historic structure.

Recent developments suggest that it is not just demolitions that are appropriate for review, but that other changes short of demolition may also have negative impacts.

- 8.1.b **Existing** structure built before 1900  
**Proposed** structure built before 1920

This change keeps the trigger cut-off at 100 years. (It will be revised at regular intervals to maintain the 100-year standard.)

## 8.3 Significant Habitat

- Existing** 2-acre threshold  
**Proposed** 1-acre threshold

With increased development and climate change threatening these resources, the Checklist Review Committee felt it was important to enable increased protection of these resources as appropriate.

## Section 9. Communications and Energy

- 9.3 **Existing** threshold for ground-mounted solar – area covered of 50,000 sq ft  
**Proposed** threshold for ground-mounted solar – array footprint of 25,000 sq ft

This change does not reflect a bias against solar arrays. It is meant to enable review to mitigate any possible adverse visual impacts. It is also amended to clarify that the square foot figure refers to the total footprint of the array and not just the combined square footage of the array panels.