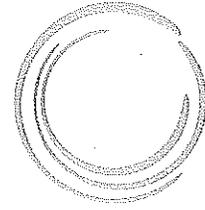


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### MEMORANDUM

TO: Assembly of Delegates  
DATE: February 27, 2018  
Re: Explanation-Proposed Amendments to Chapter G/ Growth Incentive Zone Regulations

The Cape Cod Commission proposes a comprehensive amendment to its Growth Incentive Zone Regulations, which appear as Chapter G in the Code of Cape Cod Commission Regulations of General Application ("GIZ Regulations"). The GIZ Regulations have remained largely unchanged since their adoption in 2005. Three towns (Bourne, Yarmouth and Barnstable) have applied for and been granted GIZ designations since the adoption of the GIZ regulations. The proposed amendments have been developed in response to comments from towns, both with and without designated GIZs.

A primary purpose of the GIZ regulations is to identify areas appropriate for, and that would benefit by, concentrated housing and commercial development. A GIZ designation leads to: 1) regulatory streamlining due to reduced or eliminated mandatory Development of Regional Impact (DRI) review by the Commission and updated zoning and local regulations; and 2) a commitment by the town to invest public assets to support the area and set the stage to attract private investment.

- The "Purposes" section has been amended to reflect broader approaches to GIZ designations; this section tracks fundamental language in the Cape Cod Commission Act about the Commission's authority in advancing economic development and housing opportunities in and for Cape Cod.
- The amendment eliminates the requirement for offsets outside a GIZ, and focuses on supporting potential development and activity inside a GIZ;
- The process for developing, filing and reviewing a GIZ application has been simplified and various sections of the current GIZ regulations have been consolidated;
- The new "Review and Approval Criteria" are based not only on existing regulations and infrastructure necessary to support development, but also on the town's future commitments expressed in community goals, strategies and performance measures put forward by the town and approved by the Commission to support the stated purposes of the GIZ designation. The Commission will review the town's progress in meeting its goals and strategies in intervals not to exceed every five years.
- As with the existing GIZ Regulations, there are sections that deal with the potential modification or revocation of GIZ designation decisions; the proposed amendment better clarifies these processes.
- The principal reason a town might pursue a GIZ designation is for relief from the Commission's mandatory DRI review thresholds, in order to support and incentivize development within a GIZ. Under this proposed amendment, a town has greater

flexibility to request, and the Commission has greater flexibility to approve, a wide array of revisions to DRI review thresholds as part of a GIZ designation, including that any particular DRI threshold or thresholds do not apply within a GIZ, or portion thereof. Notwithstanding, a town still has the ability to make a "Discretionary Referral" of a project in a GIZ to the Commission for review. The amendment provides that the Commission may only approve revision to a DRI review threshold that is less restrictive than the DRI review threshold itself (will result in fewer mandatory DRI referrals rather than more mandatory DRI review).

- The amendment establishes that a GIZ designation process is a long-term planning and development approach. The designation exists in perpetuity unless revoked or rescinded, in whole or part. The proposed amendment recognizes that areas incentivized for growth will evolve over time, as may community goals and strategies for these areas.