

Planning Commission Reporting Form for Municipal Bylaw Amendments

Prepared for the Commission by Staff
Approved April 22, 2010

This report is in accordance with 24 V.S.A. §4441(c) which states:

“When considering an amendment to a bylaw, the planning commission shall prepare and approve a written report on the proposal. A single report may be prepared so as to satisfy the requirements of this subsection concerning bylaw amendments and subsection 4384(c) of this title concerning plan amendments.... The report shall provide(:)

(A) brief explanation of the proposed bylaw, amendment, or repeal andinclude a statement of purpose as required for notice under §4444 of this title,

(A)nd shall include findings regarding how the proposal:

- 1. Conforms with or furthers the goals and policies contained in the municipal plan, including the effect of the proposal on the availability of safe and affordable housing:*
- 2. Is compatible with the proposed future land uses and densities of the municipal plan:*
- 3. Carries out, as applicable, any specific proposals for any planned community facilities.”*

Brief explanation of the proposed bylaw amendment.

The Planning Commission proposal would:

- decrease lot size requirements for commercial uses within the village center district from 20,000 square feet to 15,000 square feet and decrease lot frontage requirements for a range of uses in the same area. Among the lot frontage changes, the requirement for commercial uses would drop from 150 feet to 100 feet. The requirement for single family uses would drop from 75 feet to 60 feet.

Purpose

The Planning Commission has developed this proposal in response to a request made by residents and property owners within the Village Center zoning district. It continues the process of updating the Zoning Bylaws to implement Town’s Comprehensive Plan, which was adopted by the Selectboard in January of 2007. Under state law, the Zoning Regulations must be “in conformance with” the Plan.

Findings regarding how the proposal conforms with or furthers the goals and policies contained in the municipal plan

Under state law, the Zoning Regulations must be “in conformance with” the Plan. To be “in conformance with” the 2007 Plan, the bylaw must: make progress toward attaining, or at least not interfere with, the goals and policies contained in the Plan; provide for proposed future land uses,

densities, and intensities of development contained in the Plan; and carry out any specific proposals for community facilities, or other proposed actions contained in the Plan.

The Planning Commission finds that the proposal conforms with or furthers the goals and policies contained in the municipal plan.

Such policies include the following:

Upon adoption of this Plan, the Town's bylaws, capital budget and program, and public works specifications will be reviewed and revised, where necessary, to be consistent with the goals and objectives of this Plan.

To continue to provide a comprehensive, coordinated planning process and policy framework to guide decision making in the Town.

Encourage a variety of appropriately scaled commercial, residential, and mixed use development and redevelopment in the Village, including development that enhances the attractiveness of the Village as a destination for commerce and an informal gathering place for town residents, without disrupting its traditional qualities.

Support existing establishments and facilitate additional appropriately scaled commercial development in the Village Center.

Findings regarding how the proposal is compatible with the proposed future land uses and densities of the municipal plan

The Comprehensive Plan contained many new land use and development policies and a revised Future Land Use Map. The current proposal would affect proposed future land uses to a much lesser degree than the so-called phase 1 and phase 2 zoning changes, primarily by increasing opportunities for non-residential development within Shelburne's village center. The reduction in minimum lot size by 5,000 square feet is minimal in absolute terms. Further, the proposed minimum lot size also reflects existing conditions, in that a number of lots of this size are already in commercial use. Similarly, the reductions in lot frontage requirements also better reflect existing land use patterns. Finally, as only a handful of currently residential lots in the zone meet both the new lot area and lot frontage requirements for commercial use, the Planning Commission finds that the proposal is compatible with the proposed future land uses and densities of the municipal plan.

Findings regarding how the proposal carries out, as applicable, any specific proposals for any planned community facilities.

The proposed amendments do not directly carry out specific proposals for any planned community facilities.