

Planning Commission Reporting Form for Municipal Bylaw Amendments

Approved by the Planning Commission
June 24, 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, among other things:

- Authorize Public and General Aviation Use Airports in the Rural zoning district (Section 320.26);
- Authorize Public and General Aviation Use Airport PUDs in the Rural zoning district (Section 345);
- Establish specific provisions for Public and General Aviation Use Airport PUDs (Section 1930.11);
- Define new terms (Sections 2110.159 and 2110.160);

Purpose

The Planning Commission has developed this proposal in response to a request made by a Shelburne property. It also continues the process of updating the Zoning Bylaws to implement Town’s Comprehensive Plan. The 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, or intends to find prior to submitting a proposal to the Shelburne Selectboard, that the proposal conforms with or furthers the goals and policies contained in the municipal plan.

Such policies could 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.

Ensure that the Zoning Ordinance provides for appropriate uses around the existing airport and airstrips.

To develop and maintain a public multi-modal transportation system that facilitates the safe and efficient movement of people and goods, is in scale with the present and anticipated character of the community, and reinforces the land use patterns and visual characteristics set forth in this plan.

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

The Comprehensive Plan, which was adopted by the Selectboard in January of 2007, 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 authorizing Public and General Aviation Use Airport as an allowed use in the Rural district, authorizing creation of Public and General Aviation Use Airport PUDs where allowed under the bylaw, establishing specific provisions for Public and General Aviation Use Airport PUDs, and defining terms. The Planning Commission finds that Public and General Aviation Use Airports are important assets and 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.