

Ballot Language for Zoning Bylaws

- 1) Shaftsbury and Granger Hollows: Shall the voters approve a change to the Zoning District Map involving lands along the northern ends of Shaftsbury Hollow Road and Granger Hollow Road? The change would move the southern boundary of the Forest and Recreation (FR) district northward to the 1400' elevation contour in two places. Zoning in the two areas would change from FR to Rural Residential 200 (RR-200) with a minimum lot size of 5 acres.
- 2) Home Occupations: Shall the voters approve a change to the Zoning Bylaws involving home occupations? The changes affirm home occupation as a conditional use and define limits on the building area that may be associated with home occupations.
- 3) Multi-family Housing: Shall the voters approve a change to the Zoning Bylaws that allows only one or two family dwellings in Rural Residential (RR) districts, and allows single and multi-family dwellings in Village Residential (VR) districts?
- 4) Subdivision Regulations: Shall the voters approve changes to the Zoning Bylaws involving Subdivision Regulations (Appendix C)? The changes increase incentives for developers to cluster development while preserving open spaces, and correct several minor inconsistencies.

November 3, 2014

Report on Proposed Zoning Bylaw and Map Changes

Background

Vermont statute 24 VSA 4441 requires the Planning Commission to prepare a report for proposed zoning bylaw changes. This report must state the purpose for the change and “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 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.

Such reports were prepared by the Planning Commission in advance of required public hearings on bylaw changes. Since that time, the Town has adopted a new municipal plan. For that reason, the Planning Commission presents this updated report.

Home Occupations

The purpose of this bylaw change is to clarify and define the terms under which our smallest businesses operate. The Development Review Board was consulted for their input. Home occupations still remain a conditional use under this proposed bylaw change.

- 1) In the Goals section of Chapter 2, the Town Plan states “We should encourage our existing businesses and strive to create an atmosphere for bringing new businesses to Town. Home occupations represent the smallest form of small business. Likewise, high-speed internet communications give Shaftsbury residents the ability to work from home, interacting with employers in distant locations. Both forms of economic activity should be encouraged.”
- 2) The Town Plan is silent on the relationship between home occupations and proposed future land uses and densities.
- 3) The proposed bylaw change will not impact any planned community facilities.

Multifamily Housing

Present zoning allows multifamily housing in the Rural Residential (RR) district but not the Village Residential (VR) district. The Planning Commission feels this is exactly backwards. Higher density should be concentrated in Village with its school, sidewalks, public water, Town offices and commercial establishments not the rural areas. As the cost of land increases, the 10,000 square foot per unit zoning that exists in the VR district can have the effect of promoting more affordable housing thru higher permitted density.

- 1) Chapter 12 Housing of the Town Plan states under the Policies and Recommendations Section 12.1.1 “Review zoning regulations to ensure that adequate provision is made for development of multifamily” housing. Multifamily housing is defined in the proposed bylaw as “structures with three or more dwelling units”.
- 2) In Chapter 6 Land Use of the Town Plan, Section 6.1.1 states “allowing multifamily housing in the VR district (presently not allowed by the bylaws) would further compact development in the village. The planning Commission proposes to allow multifamily

housing in the VR district.” The prohibition of multifamily housing in the Rural Residential districts is supported by Section 6.5.b which states “Residential densities should be relatively low outside village centers. Where appropriate, rural residential development should occur in clusters of one or two family dwellings surrounded by reserved open space.”

- 3) The proposed bylaw change will not impact any planned community facilities.

Rezoning of portions of Shaftsbury and Granger Hollows from Forest and Recreation district to Rural Residential-200 district

The purpose of this zoning map change is to accommodate limited residential development in the upper reaches of both hollows. This change will also have the effect of legitimizing present nonconforming dwellings (year around residency with septic systems not allowed under FR zoning). Christian Heins of Woodland Services was hired by a group of landowners in this area to investigate a zoning change. After mapping the area, site visits by the Planning Commission were conducted. Mr. Heins submitted a build-out analysis to the Commission showing 14 potential viable building sites. Evidence of historic settlement in this area was noted. Areas to be rezoned run from the present Rural Residential-80 district boundary north to the 1400 foot contour avoiding areas of steep slopes. These areas are shown on map 6-1 Land Use Plan on page 42 of the Town Plan. No change to the present area of RR-80 zoning is proposed.

- 1) Map 6-1 of the recently adopted Town Plan shows the areas in question to be part of the Town’s Land Use Plan.
- 2) In the Town Plan, Chapter 6 Land Use states under 6.2 Rural Residential districts “ The Town should plan carefully to insure that future development of these rural areas provides for a reasonable level of housing development ... Several sections of the municipal land use ordinances may need to be adjusted in the future to encourage a more appropriate development plan.”
- 3) The proposed zoning map change will not impact any planned community facilities.

Open Space Subdivisions

The purpose of this bylaw change is to simplify the present Open Space Subdivision bylaw while making it less proscriptive and more attractive to housing developers by increasing the density bonus from 15% to 20%. Presently sections on open space subdivisions exist in both the zoning bylaws and the subdivision regulations. The proposed change would consolidate all regulations under the subdivision regulations. Changes have also been made to required setbacks.

- 1) A lengthy discussion of open space subdivision planning complete with illustrations can be found on pages 47 and 48 of the Town Plan.
- 2) Under section 6.2 Rural Residential land use, The Town Plan states “The Zoning Bylaw permits open space development in VR and RR Districts. As of yet, developers have made no use of open space planning.

Recognizing this, the Planning Commission is proposing a revised Open Space Bylaw that:

1. increases density bonus from 15% to 20%.
2. allows greater flexibility in lot dimensional requirements
3. allows open space development on any size parcel”
- 3) The proposed bylaw change will not impact any planned community facilities.

Respectfully submitted,
Chris Williams
Chair, Shaftsbury Planning Commission