

Planning Commission Reporting Form for Municipal Bylaw Amendments

Town of Weathersfield, VT

Proposed amendments to the *Town of Weathersfield Zoning Bylaws*

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.”*

The above referenced proposed bylaws are summarized as follows:

1. Brief explanation of the proposed bylaw, amendment or repeal; and a statement of purpose as required for notice under §4444 of this title:

There are 4 categories of changes being proposed by the Planning Commission to bring zoning in Weathersfield closer to achieving the goals outlined in the Town Plan.

1) Adopt the updated zoning map, “Proposed Zoning District Map of Weathersfield, VT”. This map was adopted in the Town Plan as titled “Future Land Use Map”. The zoning districts as they currently exist were adopted in 1994 in response to a fear of excess development and environmental degradation. There had been spikes in development, due to commercial enterprises such as ski areas and breweries, which strained municipal services, harmed natural, historic and scenic resources, and irreversibly converted rural farm and forest land to residential neighborhoods. The Town of Weathersfield responded by putting nearly 80% of the town in a “Conservation District”. The thought being that if only one residence (or primary use) was allowed on every ten acres it would result in a more dispersed development pattern, thus protecting Weathersfield’s rural character. It is now understood that 10-acre zoning not only is inadequate for the protection of rural character and environmental resources, it also excludes people with low and middle income from living in these areas because of the high cost of owning 10+ acres. The “Proposed Zoning District Map of Weathersfield, VT” brings the zoning districts closer to what they were prior to 1994 and more in line with the goals of the Town Plan. This provides more equitable access to housing and greater flexibility for landowners to develop their land.

2) Update Section 2.5 Table of Districts and Uses. Several uses have been added to the use tables to provide clarity for applicants interested in common land uses. In the past a determination would have been needed from the Zoning Board of Adjustment simply because they were not listed in the table. Other items are housekeeping additions to keep the terminology consistent between the use tables and the rest of the bylaws. Some language has been stricken and some uses have changed categories to clarify or simplify the permitting process. An overlay district section was added to incorporate the Groundwater Protection Overlay District regulations.

3) Incorporate the Groundwater Protection Overlay District (GPOD) Ordinance into the zoning bylaws. The GPOD Ordinance was adopted by the Selectboard on November 16, 2020. The ordinance states that it is designed to be incorporated into an existing zoning bylaw. A new section in the District Use Tables has been added and language from the ordinance was added to Section 3.2 Conservation of Natural Resources. The new subsection 3.2.10 Groundwater Protection Overlay District Bylaw contains the performance standards, the procedure for handling district boundary disputes, and the procedure for enforcement and penalties. The definitions contained in the ordinance have been added to the definitions section of the Weathersfield Zoning Bylaws, Article 7.

4) Update Article 7: Definitions. In addition to the GPOD definitions there have been a few changes to keep the terminology consistent throughout the plan.

2. How does the proposal conform with or further the goals and policies contained in the municipal plan, including the effect of the proposal on the availability of safe and affordable housing:

These changes directly address the conflict between the goals for affordable housing in Town Plan and the regulations that limit such housing. The reduction of the 10-acre minimum Conservation District allows for smaller lots to be developed providing greater opportunities for affordable housing. The remaining Conservation District is located in the areas that would be most negatively affected by development. The incorporation of the GPOD bylaw addresses the need for access to safe drinking water for residents, in addition to the environmental and ecological benefits of reducing pollution in the water systems.

3. Is the proposal compatible with the proposed future land uses and densities of the municipal plan:

The first 2 changes constitute the incorporation of the proposed future land uses and densities of the municipal plan. These changes to the Town Plan were adopted in 2017 and the changes to the bylaws have been a work in progress since then to make the bylaws more compatible with the Town Plan.

4. How does the proposal carry out, as applicable, any specific proposals for any planned community facilities:

This proposal does not directly apply to any specific proposals for planned community facilities.