

TOWN OF ST JOHNSBURY **NOTICE OF PUBLIC HEARING**

Notice is hereby given to the residents of the Town of St Johnsbury that the St Johnsbury Selectboard will hold a public hearing in the Pomerleau Building at 51 Depot Square in St. Johnsbury on October 28, 2013 at 6:00 PM. The hearing will be held for public review of and comment on amendments to Zoning By-laws pursuant to Title 24 VSA, Chapter 117 §4441-4444

The purpose of the proposed Zoning By-law:

- Conformance to the current Town Plan
- Conformance to the State Statutes pertaining to the By-laws
- Introducing By-laws that advance State Planning Goals for Smart Growth including, but not limited to:
 - Revised Zoning Districts to include
 - Consolidation of Residential B&C
 - Consolidation of Commercial districts
 - Revised boundaries to reflect current use
 - Reviewed and updated permitted and conditional uses for each district
 - Added Mixed Use Districts
 - Added Landscaping
 - Updated signage
 - Added Fencing
 - Updated Parking
 - Added outdoor Lighting guidelines (referencing “Dark Sky standard” <http://www.darksky.org>)
 - Updated PUD/PRD additions and definitions
 - Clarified sub-division processes
- Creating a format which is easier to read and
- The full text of the revised Zoning By-laws can be found in print at 51 Depot Square at the Town Clerk’s Office and is available for download on the town website at www.stjvt.com under Governing Documents.

A print copy of the revised Zoning District Map can be found at 51 Depot Square at the Zoning Administration Office and is available for download on the town website at www.stjvt.com under Planning Commission.

The table of contents for the proposed Zoning By-laws follows on the next page(s):

Dated in St Johnsbury, Vermont October 3, 2013 St Johnsbury Selectboard

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Town of St Johnsbury

Planning Commission Reporting Form

for Municipal Bylaw Amendments

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....”

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

Zoning District changes were made to directly support the goals and policy of the 2011 Town Plan direction to follow Smart Growth principles where appropriate and feasible:

- a. Consolidation of Residential B&C to reflect current residential areas that can support neighborhoods whether established in historical sections of town or in more recent subdivisions. Residential C districts were consolidated into neighboring “Residential B” districts and these district boundaries now reflect the boundaries of the parcels in each residential neighborhood. In addition, where the characteristics of a residential B district reflected the definition of “Residential A”, these residential B districts were rezoned to “Residential A”.
- b. Consolidation of Commercial districts combined commercial, commercial light industrial, and highway commercial into “commercial”. Review of these districts identified the need to provide consistent permitted and conditional uses across all commercial districts and also the need to review these uses for potential overlap with Industrial districts.
- c. This review included rezoning the Economic Development District along route 5 south to “Industrial”. The town now has two clearly differentiated Industrial Districts that will support heavier manufacturing and large research and development as well as bio-fuel generators when and if these are needed.
- d. A new Mixed Use District(s) was defined. This allowed the Planning Commission to rezone appropriate commercial and/or light industrial districts in the downtown, riverfront, and existing neighborhood areas to mixed use. This change directly supports 2011 Town Plan Goals to encourage growth in and adjacent to our town centers while interconnecting and improving the walk-ability and pedestrian friendly aspects of our existing neighborhoods. Four districts zoned commercial (Route 5 North, Route 2 East and West, and Depot Hill)and one district zoned light industrial (District bounded by the Passumpsic River, Bay Street, South Main, and Railroad Street) were rezoned to mixed use to strengthen the remaining residential neighborhoods, increase walk-ability between our residential and retail areas, and to allow the Bay Street district directly

adjacent to the designated downtown to become a mixed residential, retail, and light industrial zone that promotes a growth center that will expand our downtown facilities, increase riverfront recreation, and presents opportunities for professional residential units along the river.

- e. The proposed changes also update permitted and conditional uses for each district to reflect current use and/or use as defined in the adopted 2011 Municipal Town Plan.

The 2011 Municipal Town Plan goals and policy promote improving the visual appearance of buildings and open spaces to promote an overall feeling of health and well being throughout the town and its neighborhoods. To this end the Planning Commission added or revised zoning ordinance to include design elements that reflect an awareness of our neighbors and what draws visitors and residents to our residential and retail districts. These include:

- a. Landscaping design ordinance (Section 411) was added that establishes requirements for plantings and green spaces around existing buildings and new development and parking areas in every district.
- b. Sign ordinance (Section 461) was updated to include standards within zoning districts and by use for height, dimension and illumination. The ordinance allows businesses and residents to install signs while increasing their overall effectiveness and visual appeal to promote business throughout each district.
- c. Fences ordinance (Section 462) was added that identifies fences exempt from permitting, restrictions on types of fences allowed in districts, permit application requirements, and fences requiring conditional use DRB review and permit approval.
- d. Update Parking ordinance to expand and clarify uses and corresponding off-street parking requirements for each use.
- e. Add outdoor Lighting guidelines (section 413) (referencing “Dark Sky standard” <http://www.darksky.org>). This ordinance defined outdoor lighting requirements that increase security along pedestrian ways; to reduce ambient lighting and glare at night; to increase energy efficiency; and generally promote dark sky principles.
- f. The Planning Commission feels that a very important requirement to enhance the health and well being of all of our neighborhoods is to follow the example of many towns and cities across the nation where mixed housing is essential to enabling each residential neighborhood to increase the demographic mix of the families living there. The Planning Commission also recognizes that our walk-able downtown and its adjacent neighborhoods lack housing for professionals (both single and married), empty-nesters, and others looking to live in a vibrant downtown with ready access to diverse recreational and cultural activities. The new mixed housing ordinance (Section 421) sets requirements that residential housing projects (new or reconstruction or reuse) of 5 or more units contain no more than 40% affordable units.
- g. The Planning Commission recognized the need to determine where best to place some types of establishments and so identified, defined, and examined each district for two previously undefined uses:
 - Defined and allowed conditional use & approval for Controlled Substances Dispensaries (Section 435) in the Health Services District, and

- Defined and allowed conditional use & approval for Adult Entertainment (Section 436) in an Industrial District.

Recognizing that going green is important to the future of our homes and businesses the Planning Commission introduced new renewable energy device zoning ordinance. This ordinance sets requirements for placement, minimizing impact to the surrounding area and natural resources and visual impact on neighboring areas: Solar Collectors (Section 463); Wind Turbines (Section 464).

The goal of the Planning Commission is to improve the ease of use and understanding of the Zoning By-laws for the residents of St Johnsbury. To this end the general format of the Zoning By-law document was reviewed and revised to consolidate related topics and By-laws under the same article and/or section where appropriate; clarification of meanings and definitions were made throughout the document; redundancy was eliminated where possible; definitions were expanded and made clearer; processes and requirements were simplified or consolidated if they remained consistent with the goals and policy of the 2011 Town Plan:

- a. Made PUD/PRD section additions and included definitions to clarify what each is and what restrictions and/or districts permit these developments.
- b. Consolidated minor and major sub-division application and approval requirements and procedures for consistency. The prior definition and Development Review Board approval of minor and major sub-division that was based solely on the number of house lots did not allow for adequate site plan review of a sub-division of 4 or less lots if it required new streets, sidewalks, lighting, and/or other town services. The proposed sub-division bylaws now require preliminary and final review of all sub-divisions. However, they also allow the DRB to waive the final review requirement if a sub-division is dividing a land parcel where all new parcels meet all district requirements and have the required frontage on an established town road.
- c. Expanded and updated the Definitions section to be more comprehensive and to allow consistency with definitions used by other State agencies such as the Dept of Public Safety and the Agency for Natural Resources.
- d. Reformatted Zoning By-laws ordinance to provide easier reference to related requirements and topics.
- e. Added sections identifying and defining the overlay zoning districts for 1) FEMA Flood Plain Management Program and 2) the four (4) St Johnsbury Historical Districts and four (4) standalone structures that are entered in the National Register of Historic Places.

1. The Planning Commission firmly believes that all of the above proposed changes to the Zoning By-laws conform with or further the goals and policies contained in the 2011 St Johnsbury Municipal Plan. The Planning Commission believes proposed changes in the housing demographic in our mixed use and residential neighborhoods will have a positive effect on the availability of safe and affordable housing as well as comfortable housing for a diverse population;

2. The Planning Commission also believes that the proposed changes to existing zoning districts and the proposed new zoning districts are compatible with the proposed future land uses and densities set forth in the 2011 municipal plan; and
3. By rezoning some commercial and light industrial districts to “mixed use” the Planning Commission believes both existing neighborhoods and planned growth centers are better positioned for public and private development of community facilities such as a recreation center, the expanded recreation trail along the riverfront and connected to downtown, riverfront parks and historical museums such as the opportunity to one day restore the Railroad Roundhouse.

Respectfully submitted on Behalf of the St Johnsbury Planning Commission,

Susan Cherry
Chair, Planning Commission