

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 Select Board will hold a public hearing at the Welcome Center, 51 Depot Square, St. Johnsbury, Vermont on Wednesday, **September 16, 2015 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, Ch. 117 §§ 4441-4444.

The purposes of the proposed Zoning By-law amendments are to:

1. Adjust the language of Transitional Shelter for clarity and consistency throughout the zoning districts.
 - A. Change the definition of Transitional Shelter to be **titled** "Transitional Residence". The definition stays the same:
 - 1) A residential facility operated by a government agency or private non-profit organization that provides *living* accommodations to people who previously resided in a prison, a psychiatric care facility or an addiction treatment facility.
 - B. Add a definition for Temporary Overnight Shelter:
 - 1) A place where people experiencing homelessness stay overnight for a *limited* period of time. Descriptions of Temporary Overnight Shelters include, but are not *restricted* to:
 - a) Shelters that operate on a first-come, first-served basis where people must leave in the morning and have no guarantee of a bed for the next night; or
 - b) Shelters where people know that they have a bed for a specified period of time as defined by the managing organization (even if they leave the building every day); or
 - c) Shelters that provide temporary shelter due to weather conditions.
 - 2) This category does not include shelters that operate only in the event of a natural disaster to accommodate large numbers of displaced residents.
2. Add definitions for Residential Care Home for clarity and parlance with the Department of Health:
 - A. Residential Care Home: A place, however named, excluding a licensed foster care home, which provides for profit or otherwise, room, board, and personal care to three or more residents unrelated to the licensee. These include level I, II, III, and IV facilities as licensed by the State of Vermont.
 - 1) Nursing Home: A level I or II Residential Care Home.
 - 2) Level III Community Care Home: A Residential Care Home licensed and required to provide room, board, personal care, general supervision, medication management, and nursing overview.
 - 3) Level IV Community Care Home: A Residential Care Home licensed and required to provide room, board, personal care, general supervision, and medication management.

3. Residential Town to add **Office** as a conditional use permit.
 - A. The current conditional uses in Residential Town are consistent with adding “office” to the list. The Planning Commission agreed that it would not bring any more traffic to the area than the other current conditional use permits.

4. Mixed Housing;
 - A. Remove **Section 421** which reads: *“No multi-unit or multi-family dwelling or project containing five (5) or more units shall be approved for construction unless at least sixty (60) percent of the units are not affordable housing as such term is defined by 24 V.S.A. 4303 (1). No affordable housing units may be added on any lot on which any five or more units of housing are located except to the extent that at least sixty (60) percent of the resulting number of units on the lot are not affordable housing units.”*
 - B. **Remove Section 503.2** (Final Subdivision Approval) **Sub-section g**. The introduction reads: “A subdivision may be finally approved, with conditions, only if the DRB determines that the applicant is not in default of any obligations under this ordinance and that proposal complies with the following:
Sub-section to be removed :
 - g) “For any subdivision comprising six or more residential lots, appropriate covenants restricting the use of more than forty (40) percent of such lots for affordable housing as such term is defined by 24 V.S.A. 4303 (1).”*

The Planning Commission has been informed by the Agency of Commerce and Community Development that although the intent of this language was to create mixed use housing and mixed economic neighborhoods, the use of by-laws to accomplish this is illegal. The Select Board and the Planning Commission will work together to accomplish this end goal in another way.

Planning Commission Public Hearing held Wednesday, August 12, 2015.
Voted by PC to move to Select Board Tuesday, August 18, 2015.
Select Board Public Hearing scheduled at regular meeting on August 24, 2015.