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## Colchester Planning Commission Proposed Amendments to the Development Regulations **Amendment & Adoption Report**

Planning Commission Public Hearing  
Tuesday, September 20, 2022, 7:00 PM

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Pursuant to Title 24 VSA, Chapter 117, the Colchester Planning Commission will hold a public hearing on Tuesday, September 20 at 7 P.M. at the Colchester Town Offices, 781 Blakely Rd, for the purpose of considering amendments to the Colchester Development Regulations.

In accordance with 24 V.S.A. §4441, the Colchester Planning Commission has prepared the following report regarding the proposed amendments and adoption of the Town's Development Regulations.

### **Overview of Amendments**

The proposed amendments are as follows:

- a. Create new residential zoning districts Lakeshore 3 (LS3) and Lakeshore 4 (LS4). [Chapters 3.06 and 3.07, Table A-1, Table A-2, Draft Residential Building types (draft attached for discussion purposes, not yet incorporated)];
- b. Reorganization of statutory references to Municipal Plan, Permitted Uses and Conditional uses to reduce redundancy [Chapter 1.07 and throughout];
- c. Updates to process for zone change requests to align with PC policy adopted February 2022 [2.03D]
- d. Clarifications and minor substantive adjustments related to dimensional standards of accessory structures, including height and placement. [2.09 and Table A-2];
- e. Minor changes to language related to accessory dwelling units: change from use of "apartment" and "residential unit" to be consistent with statute; clarity with respect to obtaining a wastewater permit prior to issuance of a zoning permit [2.09B and definitions, 12.02];
- f. Clarify how heights of fences are measured [2.10B]
- g. Changes to status of non-conforming use status to provide for limited extension [2.12];

- h. Explicitly connect wastewater requirements of Chapter 4 of the Code of Ordinances to the Development Regulations [2.15]
- i. Update reference to Building Code subsection to reflect changes in Chapter 4 of the Code of Ordinances [2.17];
- j. Clarify that the Severance Corners Form Based District is the General Development 3 (GD3) District [4.03];
- k. Updates to Water Protection District to include exemptions permitted under state statute for stormwater management systems [7.04C];
- l. Consider regulations related to electric vehicle charging stations, as remanded from the Selectboard as part of Supplement 43 [10.01 C (7-9)];
- m. Extend expiration period for major subdivisions and clarify rights associated with 24 VSA 4463 for subdivision plats [9.04H]
- n. Updates related to bicycle parking, as remanded from the Selectboard as part of Supplement 43. [10.01K];
- o. Updates to commercial vehicle definitions and parking standards, as remanded from the Selectboard as part of Supplement 43 [10.01M];
- p. Updates to Photovoltaic Systems (solar collectors) to be consistent with statute and Chapter 4 of the Code of Ordinances [10.08];
- q. Updates related to non net-metered Photovoltaic systems to provide for increased height and reduced screening requirements of ground-mounted systems [10.08B3];
- r. Updates to fence and setback requirements for Wind-Turbines [10.09];
- s. Clarifications related to requirements for water and wastewater permits [11.03B];
- t. Extend expiration period for zoning, sign, water, and wastewater permits [11.04 & 11.05]
- u. Amend definition of “Inn” to reduce number of allowed rooms and length of stay [Chapter 12];
- v. Amend definition of “Excavation” to exclude work exempt from or authorized under State permitting [Chapter 12];
- w. Various, non-substantive grammatical and organizational adjustments [text and Table A-1];
- x. Zoning Map; includes changes to R2, creation of LS3 and LS4 districts.

These are a summary of the proposed changes. The existing and proposed regulations can be found at the Town Offices at 781 Blakely Road and may also be reviewed on-line at <http://www.colchestervt.gov>.

### **Background: Planning Commission and Public Outreach and Discussion**

The Planning Commission held meetings in the public to discuss the individual and collective pieces of the amendments on the following dates: February 1, April 5, April 8, May 3, May 17, June 21, July 19, and August 2, 2022.

The Planning Commission has considered the proposed amendments for the purpose of fostering the goals and objectives of the adopted 2019 Colchester Town Plan. In doing so, the Commission has thoughtfully considered the following with respect to the proposed amendments:

**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:**

The proposed amendment includes mostly text and organizational clarifications for existing processes. Where substantive changes are proposed, they are either neutral to the availability of affordable housing, or serve to reduce administrative barriers. Change ‘e’ is included to align the Town’s accessory dwelling unit language, commonly accepted as a form of affordable housing, with the language in state statute. Extending the expiration period for some of our permits is expected to provide more flexibility for planned affordable housing types that rely on grants or outside funding which have sometimes led to protracted permitting times.

**2. Is compatible with the proposed future land uses and densities of the municipal plan:**

The adopted 2019 Town Plan specifically outlines a desire to preserve views and make changes to the area of East Lakeshore Drive (pages 20, 29 (action 5)). The most substantive of proposals in this set of amendments include changes in this geographical area, all of which are in line with the text and goals of the adopted plan.

Other changes are technical in nature, neutral or intended to support identified future land uses and densities within the plan. No part of the proposed amendments is contradictory to the identified policies and actions within the plan.

**3. Carries out, as applicable, any specific proposals for any planned community facilities.**

The proposed changes to the regulations will not impact planned community facilities.