Burke Planning Commission
212 School Street
West Burke, Vermont 05871

From: Burke Planning Commission

To: East Haven Town Clerk; Chair - Kirby Planning Commission; Chair - Lyndonville Planning Commission; Chair - Newark Planning Commission; Chair - Sutton Planning Commission; Victory Town Clerk; David Snedeker – NVDA; Department of Housing and Community Affairs

CC: Burke Selectboard

Date: November 23, 2014

Subject: Proposed Burke Zoning and Subdivision Amendment

The enclosed report and proposed bylaw amendments are being sent to you in accordance with 24 V.S.A. §4441 (e). If you have any questions or comments regarding the proposed amendments please contact the Burke planning commission.

A public hearing regarding the amendment is being scheduled for December 11, 2014 at 6:00 P.M. at the Burke Town Offices in West Burke.

Planning Commission Report for Bylaw Amendments
November 14, 2014

This report is in accordance with 24 V.S.A. §4441 (c) which requires:

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

A proposed Burke Zoning and Subdivision bylaw amendment was submitted to the planning commission that was supported by a petition signed by not less than five percent of Burke voters.

The petition is for a bylaw amendment to add Overnight RV Parking as a Permitted Use in the Village Mixed-Use Zoning District under §210(1). Village Mixed Use ("VMU"). In accordance with 24 V.S.A. §4441 (b) the planning commission must proceed without changing the proposed bylaw amendment in any manner except for any technical deficiencies such as grammar or numbering. The Village Mixed-Use District includes all properties in East Burke and West Burke village areas.

The current Burke bylaw already allows the parking of recreational vehicles in all zoning districts under Article 4. Specific Use Standards in section §411. Recreational Vehicles. There are no restrictions regarding the time of day that recreational vehicle parking is allowed.

§411. Recreational Vehicles

(1) Owners or users of camping trailers, pick-up coaches, and/or motor homes (hereinafter referred to as "recreational vehicles"), shall abide by the following regulations except when located in an approved campground (§410) or recreational vehicle sales lot:

(2) The owner of a recreational vehicle may park it on his or her own property, in the rear or side yards, provided the recreational vehicle is not closer than ten (10) feet to any lot line or fifty-five (55) feet from the centerline of the roadway.

(3) Parked recreational vehicles shall not be occupied as living quarters, nor be hooked up to any utilities, for more than a total of thirty (30) days in any calendar year, except as provided in (6).

(4) Visitors may park their recreational vehicles on their hosts' land, provided they are parked in conformance with subsections (1) and (2).

(5) Not more than two recreational vehicles, including the land owner's recreational vehicle, shall be concurrently parked on any lot, unless such lot is an approved campground.

(6) Any recreational vehicle that is occupied or connected to utilities for more than a total of 30 days in any calendar year shall be considered a permanent structure, and the owner shall obtain an appropriate zoning permit in accordance with Article 9, as well as any applicable state permit.

How the proposal 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 current bylaw allows parking of recreational vehicles in all zoning districts without limiting the time of day when parking is allowed. This conforms to the Town Plan as evidenced by the following Town Plan excerpts. The proposed bylaw amendment requesting the addition of overnight recreational vehicle parking as a Permitted Use to the Village Mixed Use zoning district is redundant so it would conform to the Town Plan.

<u>Town Plan Page 10</u>
"Villages - East Burke Village and West Burke Village historically have served as the town's commercial and service centers. Although much of the retail and commercial services are based in other towns outside Burke there are retail services in both villages as well as community services, including two volunteer fire departments, town offices, meeting venues, libraries, and churches. Burke Hollow was also a commercial center in the early history of Burke, but has been a residential-only center for decades. The character of all three villages is valued by both Burke residents and by visitors, and it is important to preserve that character."

<u>Town Plan Page 11</u>
Since the historic buildings force the maintenance of narrow main thoroughfares, it will be important to establish small to medium off-road parking areas in the villages, and pedestrian paths and sidewalks.

The proposed amendment has no specific impact on the availability of safe and affordable housing.

Compatibility of the proposal with the proposed future land uses and densities of the municipal plan.

Allowing for the parking of up to two recreational vehicles on a property as specified in the current bylaw is compatible with the Town Plan. Adding overnight recreational vehicle parking as a Permitted Use to the Village Mixed Use zoning district is also compatible because the requested bylaw amendment is already allowed in the district.

Excerpts from the Town Plan related to the two villages in Burke specifies a desire for compact mixed use village centers. The parking of up to two recreational vehicles on a property in the villages is compatible with the Town Plan.

<u>Town Plan Page 6</u>
"Land Use Overview - Burke is a rural community with a working landscape, village centers, a tourist destination, and home to a variety of species, habitats, and natural resources. Existing land uses are the result of many years of Burke's development and evolution. This development pattern is distinguished by:

- Compact, mixed use village centers, served by major transportation routes."

“Future - Burke must manage future development and create standards to maintain and enhance its charm and rural character. The 2007 bylaw revision helped to manage future development and protect rural character by establishing multiple zoning districts. The original land use plan of 2006 identified areas and aspects of the community that merited special consideration to support the creation of multiple districts. These areas of concern were: villages, agricultural/residential areas, forested lands, and commercial development.

Strategies

- Maintain the town’s historic settlement pattern of compact growth centers surrounded by rural countryside.”

How the proposal carries out, as applicable, any specific proposals for any planned community facilities.
Not applicable