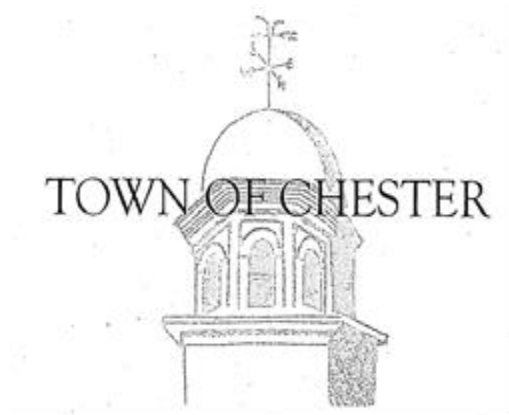




PLANNING COMMISSION

PUBLIC HEARING NOTICE

PROPOSED AMENDMENT TO UNIFIED DEVELOPMENT BYLAWS

The Chester Planning Commission will hold a public hearing on a proposed amendment to the Town of Chester Unified Development Bylaws on **Monday, March 21, 2022 at 6:30 p.m.** at the Chester Town Hall at 556 Elm Street in Chester, Vermont. This public notice is given pursuant to 24 V.S.A. Section 4444.

The principal purpose of the proposed development bylaws amendment is to create a new Village Green (VG) District and to modify the definitions of certain uses. The new Village Green district will affect the area on the southwest side of Main Street between School and Cobleigh Streets. The definition changes will affect every geographical area of Chester. The section headings created or affected by the proposed development bylaws amendment are Section 2.3.1-Village Green (VG) District; Section 3.20-Off Street Parking; Section 3.26-Signs; Section 4.8-Conditional Uses; Section 5.6-Protection of Natural and Cultural Resources; and Section 8.2-Definitions.

The full text of the proposed amendment to the Town of Chester Unified Development Bylaws may be viewed at the Town Clerk's office and on the home page of the Town's website at www.chestervt.gov.

Dated at Chester, Vermont this 21st day of February 2022.

Cathy Hasbrouck, Planning Commission Chair

Chester Planning Commission Reporting Form for Municipal Bylaw Amendment
Village Green District

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... The report shall provide(:)

(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,

The purpose of this amendment is to create a zoning district that recognizes a small portion of Chester where the built environment is quite different from other parts of town. The existing lots are very small, the coverage is high, and the setbacks are sometimes zero feet. Of the sixteen parcels included in the district, fifteen of them are non-conforming. The new district is based on the existing Village Center district. Setbacks and minimum lot size have been greatly reduced and lot coverage increased for the new district. The new dimensional standards make all parcels conforming and will allow business owners more latitude to develop their business. Some uses have been changed from conditional to permitted. Three uses, Art Studio and/or Gallery, Open Air Market, and Light Industry were added. Four uses, Building and Construction Trades, Commercial Broadcast Facility, Private Broadcast Facility, and Agricultural/Forestry were removed. Some definitions in Article 8 were modified to align better with the built environment. The definition of Accessory Dwelling Unit was updated to conform to the latest state statute.

1. 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 new district will support Goal 1 of the Town Plan: “To encourage development so as to maintain the existing settlement pattern of compact village centers separated by rural countryside” and Goal 2, “to encourage a strong and diverse economy that provides satisfying and rewarding job opportunities”. Specifically, the proposed amendment follows Recommendations 1 and 2 under Goal 2: “Economic growth should build upon expansion of existing businesses . . .” and “Economic growth should be encouraged in village centers . . .”

Mixed use is specifically listed as a use in this district and parking requirements have been reduced to remove that barrier to business expansion.

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

The new district is entirely within the village center and increases allowed density by reducing the minimum lot size to 3,600 square feet from 20,000 square feet.

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

The changes conform to and support proposals for development of the area in the Village Center Master Plan.

The new district zoning page is in Section 2.3.1. The new zoning district was added to Section 3.26 Signs. It was added to lists of districts in Sections 2.1, 3.20, 4.8, and 5.6. Several definitions were added or modified in Section 8.

Transmission Copy

CHESTER UNIFIED DEVELOPMENT BYLAWS

02.23.2022

2.3.1 Village Green (VG) District



A. Purpose. The Village Green is the area on the southwest side of Main Street between School and Cobble Streets. The purpose of the area is:

- To promote the long-term vitality of Chester's village center
- To ensure new construction and renovations are compatible with and enhance the historic character, scale, and settlement pattern of this part of Chester
- Provide for economic development and housing opportunities
- Encourage investment that maintains or rehabilitates historic buildings
- Provide an attractive streetscape and pedestrian-friendly environment as envisioned in the Village Master Plan.

B. Permitted Uses: The following land uses require a zoning permit issued by the Zoning Administrator (see Section 7.2):

- | | |
|---|--------------------------|
| 1. Accessory Dwelling Unit | 6. Family Childcare Home |
| 2. Accessory Structure | 7. Home Occupation |
| 3. Accessory Use | 8. Mixed Use Building |
| 4. Art Studio and/or Gallery | 9. Professional Office |
| 5. Dwelling – Single- and Two-Household | 10. Restaurant |
| | 11. Retail Store |

Transmission Copy

CHESTER UNIFIED DEVELOPMENT BYLAWS

02.23.2022

C. Conditional Uses: The following land uses require conditional use review by the Development Review Board (see Section 4.8) and a zoning permit issued by the Zoning Administrator (see Section 7.2):

1. Arts & Entertainment Facility
2. Civic / Institutional
3. Construction of any new principal structure or any substantial replacement or enlargement of an existing or damaged principal building
4. Dwelling – Multi-Household including, but not limited to, senior housing (housing and convenience services for people aged 55 or older)
5. Family Child Care Facility
6. Health Care Facility
7. Home Business
8. Light Industry
9. Open Market
10. Personal Service Shop
11. Recreation
12. Residential Care Home/Group Home (serving more than 8 persons)
13. Tourist Lodging

D. Dimensional Standards:

Minimum Lot Size	3,600 sq. ft.
Minimum Lot Frontage	30 ft.
Minimum Front Yard Setback	0 ft.
Minimum Side Yard Setback	0 ft.
Minimum Rear Yard Setback	8 ft.
Maximum Lot Coverage	90%
Maximum Building Height	35 ft.

E. Supplemental Standards:

1. **Building Orientation.** Buildings shall front toward and relate to frontage streets, both functionally and visually, and not be oriented toward parking lots.
2. **Character of Development.** New buildings and modifications of existing buildings shall be of a similar building mass and orientation as buildings in this District and shall not unduly detract from the existing character of the Village. Where there are conflicts with existing adjoining buildings, building modifications or expansions of uses shall not increase the degree of conflict. Formula businesses are not permitted in this District.
3. **Landscaping and Screening.** The Development Review Board shall require landscaping or other screening between incompatible uses or structures where practical.
4. **Parking.** The goal of parking regulation in the Village Green zoning district is to make as many spaces in front of the businesses on Common and Main Streets available for customers as possible. Uses located within the VG District shall comply with the following minimum parking requirements (and are not subject to the requirements in Section 3.20):

Transmission Copy
CHESTER UNIFIED DEVELOPMENT BYLAWS

02.23.2022

- a. One off-street parking space, either private or public, for each employee (based upon maximum number of employees onsite at any given time) is required for all applicable uses.
- b. One off-street parking space, either private or public, for each dwelling unit is required.
- c. All uses in the VG district must demonstrate that adequate off-street nighttime parking, either private or public, is provided consistent with Chester's snow parking ban.
- d. The Development Review Board may require additional off-street parking, either private or public, if they find the minimum required spaces are not sufficient.

Transmission Copy
CHESTER UNIFIED DEVELOPMENT BYLAWS

02.23.2022

ARTICLE 8 – DEFINITIONS

8.1 Terms and Uses

Except where specifically defined herein or in the Act, or unless otherwise clearly required by the context, all words, phrases and terms in this bylaw shall have their usual, customary meanings.

Unless the content clearly indicated to the contrary, words in the singular include the plural and those in the plural include the singular. The word "may" is permissive; the words "shall" and "will" are mandatory.

8.2 Definitions – The following are definitions that were added or changed to support this amendment.

ACCESSORY STRUCTURE: A detached building or structure customarily incidental and subordinate to the principal building and located on the same lot and not intended for independent living. Examples include garages and storage sheds.

ACCESSORY DWELLING UNIT: An accessory dwelling unit means a distinct unit that is clearly subordinate to a single-household dwelling, and has facilities and provisions for independent living, including sleeping, food preparation, and sanitation, provided there is compliance with all the following:

- Located within or appurtenant to a single-household dwelling on an owner-occupied lot,
- The property has sufficient wastewater capacity,
- The unit does not exceed 30 percent of the total habitable floor area of the single-Household dwelling or 900 square feet, whichever is greater,
- A single-household dwelling with an accessory dwelling unit is subject to the same dimensional and other standards as required for a single-household dwelling without an accessory dwelling unit.

ACCESSORY USE: A use of land or building or portion thereof customarily incidental and subordinate to the principal use of the land or building and located on the same lot with the principal use. For the purpose of permitted uses listed in Article 2 or state statute, accessory use includes group homes as defined in this section.

ARTS & ENTERTAINMENT FACILITY: A use that includes visual or performing arts centers, museums, movie theaters, concert or dance halls, nightclubs, taverns or other similar activities

Transmission Copy
CHESTER UNIFIED DEVELOPMENT BYLAWS

02.23.2022

that meet the performance standards and all other requirements of these Bylaws. This definition does not include adult oriented businesses.

ART STUDIO AND/OR GALLERY: An establishment used to produce, display and/or sell works of art.

DWELLING, MULTIPLE-HOUSEHOLD: Building used as living quarters by three or more households living independently of each other.

DWELLING, SINGLE-HOUSEHOLD: A building or part thereof used as living quarters for one household and containing independent cooking, sanitary and sleeping facilities. It shall include prefabrication and modular units, but shall not include motel, hotel, boarding house, or tourist home.

DWELLING, TWO-HOUSEHOLD: A building on a single lot containing two dwelling units, each of which is totally separated from the other by an unpierced wall extending from ground to roof or an unpierced ceiling and floor extending from exterior wall to exterior wall, except for a common stairwell exterior to both dwelling units.

DWELLING UNIT: A space consisting of one or more rooms designed, occupied or intended for occupancy as a separate living quarters, with cooking, sleeping, and sanitary facilities provided within that space for the exclusive use of one or more persons maintaining a household. See also Accessory Dwelling Unit, Single-Household Dwelling, Two-Household Dwelling and Multiple-Household Dwelling.

FORMULA BUSINESS: A type of retail store, rental establishment, restaurant, hotel, or motel which, along with 10 or more other businesses located within the United States, regardless of ownership of those businesses, maintains two or more of the following features: standardized array of merchandise or standardized menu, standardized façade, standardized décor and color scheme, uniform apparel, standardized signage, or a trademark or service mark.

HEALTH CARE FACILITY: A facility, whether public or private, principally engaged in providing health care services and the treatment of mental or physical conditions, such as a medical clinic.

Transmission Copy

CHESTER UNIFIED DEVELOPMENT BYLAWS

02.23.2022

LIGHT INDUSTRY: The processing and fabrication of certain materials and products where no process involved will produce noise, vibration, air pollution, fire hazard, or noxious emissions which will disturb or endanger neighboring properties.

MIXED USE: The development of mixed-use buildings with a variety of complimentary and integrated uses, such as, but not limited to, residential, retail, restaurant, professional office and personal services, in a compact urban form. Mixed-use buildings generally include retail, personal service, restaurant and similar uses located on the first floor, with residential or professional office uses on the second or third floors above.

OPEN MARKET: An indoor or outdoor market where groups of individual vendors sell produce, food, services, art, or other merchandise.

SENIOR HOUSING: One or more structures to primarily house people aged 55 or older that contain multiple dwelling units intended for habitation by one household and provides complete independent living facilities and may offer convenience services to residents as an accessory use.

The Unified Development bylaws will be further amended as follows:

Article 2 Section 2.1 Classes of Districts: add VG -Village Green to the list of districts

Article 2 Section 2.4.C Residential-Commercial District Conditional Uses – Change Conditional Use Open Air Market to Open Market

Article 3 Section 20.F Off Street Parking, Loading and Service areas: include Village Green with Village Center in loading space exemption.

Article 3 Section 26.C Sign Allowances by District: include Village Green with the Village Center standard. Add Village Green to the summary table.

Article 4 Section 8.C.3 Conditional Use Review, Special Criteria: include Village Green in the list of districts which must meet the Special Criteria and the list of districts which must meet New England Architectural Standards.

Article 5 Section 6.G Protection of Natural and Cultural Resources: add Village Green to the list of Zoning districts where the DRB may modify protection requirements to create a more compact layout.

Transmission Copy
CHESTER UNIFIED DEVELOPMENT BYLAWS

02.23.2022

Article 8, add Village Green to the definition of Center of Chester. Remove Open Air Market definition.