

## TOWN OF RANDOLPH, VERMONT

### **Zoning and Planning Office**

zoning@randolphvt.org

802.728.5433 x13

**RECEIVED**

**OCT 11 2017**

**Department of Housing  
and Community Development**

October 5, 2017

Annina Seiler  
Agency of Commerce & Comm. Affairs  
1 National Life Drive, 6th floor  
Montpelier, VT 05620-0501

RE: Proposed amendments to the Randolph Land Use Regulations

Dear Ms. *Annina* Seiler,

The Planning Commission is proposing some minor amendment to the Randolph Land Use Regulations. Enclosed please find a copy of the amendments and the requisite report. These are being sent to you pursuant to 24 VSA §4441.

The Planning Commission will be holding a public hearing on these proposed amendments on Wednesday, November 8, 2017 at 6:30 PM at the Randolph Town Hall, 7 Summer Street.

We welcome your comments, which may be sent to me via email or snail mail or may be presented to the Planning Commission at the public hearing.

If you have any questions about the proposed regulations, please do not hesitate to give me a call or e-mail.

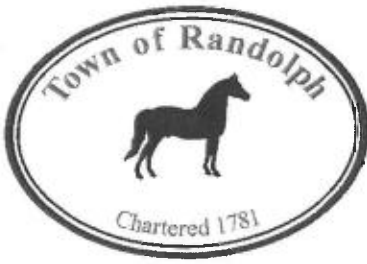
Sincerely,

*Mardee Sanchez*

Mardee A. Sánchez  
Zoning Administrator

Encl.





## **TOWN OF RANDOLPH, VERMONT**

### **Zoning and Planning Office**

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## **NOTICE OF PUBLIC HEARING RANDOLPH PLANNING COMMISSION**

On Wednesday, November 8, 2017, the Planning will meet at the Randolph Town Hall at 7 Summer Street at 6:30 PM to hold a public hearing to take public comments on proposed amendments to the §217 of the Land Use Regulations (LUR). These amendments are mostly to clarify existing provisions or to correct technical deficiencies. In summary, they are:

**Amendment #1** – Relates to membership on the design review boards.

**Amendment #2** – Relates to site plan review for existing developments.

**Amendment #3** – Relates to changes to non-conforming structures.

**Amendment #4** – Relates to lot line adjustments that don't require DRB approval.

**Amendment #5** – Relates to rural industrial uses in the RR and RA Districts.

**Amendment #6** – Relates to setback requirements for farm structures, accessory dwelling units and converting accessory buildings into principal buildings.

**Amendment #7** – Relates to final subdivision review for 2 lots subdivisions and lot line adjustments.

**Amendment #8** – Relates to off-street parking requirements.

**Amendment #9** – Map amendments.

A full description of each proposed amendment is available electronically for viewing or downloading on the "Public Notices/Announcement" page of the Town's website [www.randolphvt.org](http://www.randolphvt.org). Hard copies are also available for viewing at the Town Clerk's Office. If you would like to purchase a copy, please contact the Zoning Administrator.

Questions should be directed to Zoning Administrator Mardee Sanchez at [zoning@randolphvt.org](mailto:zoning@randolphvt.org) or 728-5433 x13. Written comments for the Planning Commission's consideration are welcome at – or prior to – the hearing and may be emailed to the above address, or mailed to or dropped off at the Town Hall, Drawer B, 7 Summer Street, Randolph, VT 05060. If comments are put in the dropbox outside the Town Hall, please put it in an envelope addressed to the attention of Ms. Sanchez.



## PROPOSED AMENDMENTS TO THE LAND USE REGULATIONS

For public hearing November 8, 2017

Amendment #1 – Relates to membership on the design review boards

Amend §§111 and 112 as follows (for *amended* provisions - as opposed to new provisions - here and throughout, new text is underlined and text that is ~~stricken through~~ is to be deleted):

### § 111 DESIGN REVIEW ADVISORY COMMISSION (DRAC)

There is hereby established a Design Review Advisory Commission (DRAC). The DRAC shall perform the functions set forth in the Act and in these Regulations. Members of the Randolph Center Design Review Panel (see §112) shall be considered alternate members of the DRAC.

### § 112 RANDOLPH CENTER DESIGN REVIEW PANEL (RCDRP)

There is hereby established a Randolph Center Design Review Panel (RCDRP). The RCDRP shall perform the functions set forth in the Act and in these Regulations, and its members shall be either residents in the RCO or owners of property in the RCO who are residents of the Town. This notwithstanding, members of the DRAC shall be considered alternate members of the RCDRP.

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Amendment #2 – Relates to site plan review for existing developments

Part 1: Add the following new subsection and re-number subsequent subsections:

#### 503.A. APPLICABILITY

1. In general, applications that require site plan review and approval shall comply with the requirements of this section.
2. The above notwithstanding, if an application that requires site plan review and approval is for an existing developed site, the DRB shall determine which of the criteria are affected by the proposed changes, which may include changes to the use, that triggered the need for site plan approval and shall require compliance with that criteria only. Additionally, if evidence is provided that demonstrates that elements of the site are unsafe or are a hazard to the public, the DRB shall require compliance with any criteria it determines will correct or help mitigate the deficiency or hazard. The ZA and/or DRB may waive any site plan requirement in §503.C.3 that relates to any criteria that is not applicable.

Part 2: Amend §503.C. as follows:

#### 503.~~C~~. REVIEW CRITERIA

The DRB shall approve a site plan, with or without conditions as noted above, if it meets the following criteria or the applicable criteria as determined in §503.A.2:

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Amendment #3 – Relates to changes to non-conforming structures

Amend §309.B.3 as follows:

3. A nonconforming structure may be structurally enlarged, ~~extended, expanded,~~ modified or physically moved (not demolished and rebuilt), with the issuance of a zoning permit provided the enlargement, ~~expansion, modification or relocation does not increase the degree of noncompliance, and meets all other~~ the applicable requirements of these Regulations. This notwithstanding, the enlargement, modification or relocation may be as close to the front property line as a principal building on the same or an adjacent lot (not including across the road) even if it is less than the minimum front setback requirement for the district in which the property is located.

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Amendment #4 – Relates to lot line adjustments that don't require DRB approval

Part 1: Amend §506.A.2.d as follows:

- d. Lot line adjustments between adjacent lots, where neither lot is part of an approved subdivision, the beginning and ending number of lots is the same, and all lots are conforming, and the resulting lots have their deeds revised and plats filed to reflect their new boundaries (zoning permit required). In this instance, a survey of the new lot line (i.e. not the entire lots) is required. The plat shall include signature blocks #2, 3 and 4 which shall be duly signed by the property owners and ZA prior to filing in the land records. As a condition of approval, the signed plat and revised deeds shall be received for recording by the Randolph Town Clerk within a year of the effective date of the zoning permit authorizing the lot line adjustment or the permit expires.

Part 2: Add the following signature block to Appendix C:

Signature Block #4

|                                           |                   |
|-------------------------------------------|-------------------|
| <u>TOWN OF RANDOLPH, VERMONT</u>          |                   |
| Zoning Permit # _____                     | Date issued _____ |
| Signature of Administrative Officer _____ |                   |

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Amendment #5 – Relates to rural industrial uses in the RR and RA Districts

Part 1: Amend the table in §219 such that the size limitation for rural industrial is increased from 10,000 to 15,000 SF.

Part 2: Amend §206.A. as follows:

9. Industrial, Rural - Any use of land or structure for the provision of a commercial activity that primarily processes material extracted on site or material that is a raw agricultural or forest product. This use

includes the storage of materials as it awaits transportation or processing. Examples: quarry, gravel/sand pit, sawmill, slaughterhouse and biofuels/wood pellet production.

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**Amendment #6** – Relates to setback requirements for farm structures, accessory dwelling units and converting accessory buildings into principal buildings

Part 1: Add the following to §301:

- F. For structures that house or sheltered any type of animal that could be regulated by the State's Required Agricultural Practices, the structure shall meet the setback requirements for principal structures.

Part 2: Add the following to §302:

- C. Accessory dwelling units may be in a detached accessory building provided the building meets the applicable setback requirements for principal buildings.

Part 3: Amend §302.B as follows:

- B. An accessory building may not be converted into a principal building unless the building meets all applicable provisions of these Regulations for principal buildings, including setback requirements and density of principal buildings. This notwithstanding, in the RVHD District only, an accessory building that does not meet the setback requirements for a principal building may be converted into a principal building if it is granted site plan and conditional use approvals from the DRB.

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**Amendment #7** – Relates to final subdivision review for 2 lots subdivisions and lot line adjustments

Add the following to §506.B.1:

- d. Lot Line Adjustments to Approved Subdivisions
  - i. A single lot line adjustment between two adjacent lots that is not exempt pursuant to §506A.2.d [Applicability], shall be exempt from all the subdivision standards in subsection 506.D.2 [Subdivision Standards] except subparagraph a.i [Lot Configuration] provided the lot line adjustment does not involve any modifications to approved roads or access easements and is in conformance with any conditions of approval of the subdivision. The ZA shall indicate which of the application requirements in subsection 506.C [Application Requirements] are waived.
  - ii. A waiver under this subsection shall only be allowed once. Lot line adjustments that were approved prior to the adoption of these Regulations do not count towards this limitation. Any subsequent lot line adjustments to an approved subdivision shall require compliance with all subdivisions application requirements and standards.

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Amendment #8 – Relates to off-street parking requirements

Add the following to §312 and re-number subsequent subsections:

- D. In the RVMD, RVHD, ERV, NSV, GC and GCR Districts, the ZA is able to administratively issue a permit for multi-family dwellings, indoor retail and/or low-volume offices. For these applications, if the site cannot meet the requirements of subsections B and C above, the application shall require review and approval by the DRB as allowed in the subsections below.

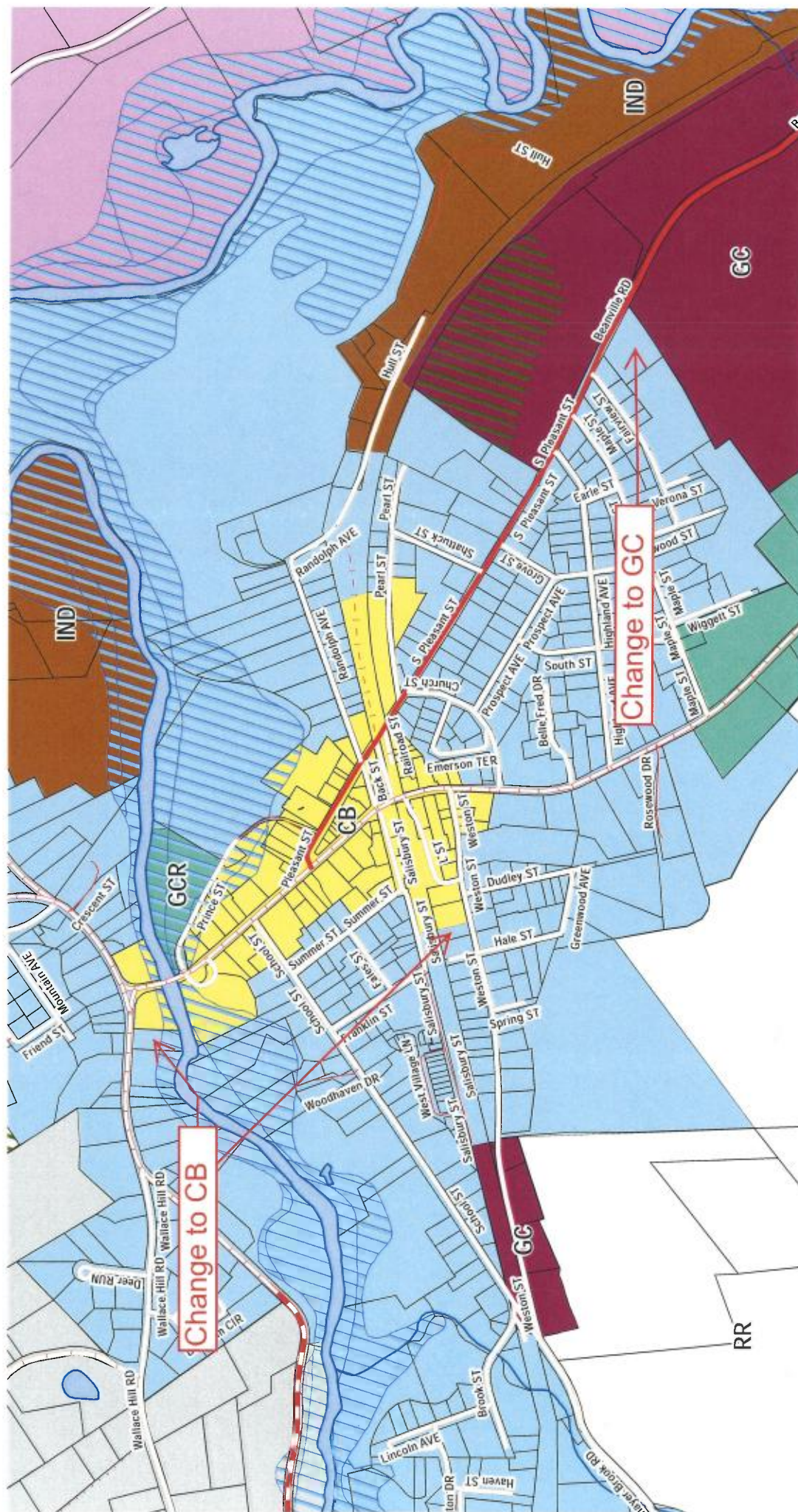
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Amendment #9 – Map amendments

Part 1: To zone all parcels as CB that are in the Designated Downtown, change the district of 6 Park Street owned by Rocky Farm Properties, LLC from RVHD to CB.

Part 2: Expand the CB to include the entire parcel at 17 Weston Street, the western part of which is now zoned RVHD.

Part 3: Expand the GC to include the property on South Pleasant Street owned by Fay and Doris Sherman, which is now zoned RVHD.





## 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.....

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 section §4444 of this title,

The proposed amendments to the Land Use Regulations (LURs) are mostly for clarification and to correct technical deficiencies..

(A)nd shall include findings regarding how the proposal:

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:  
None of the proposed amendments will effect the availability of safe and affordable housing.
2. Is compatible with the proposed future land uses and densities of the municipal plan:  
This amendment does not affect densities.
3. Carries out, as applicable, any specific proposals for any planned community facilities.  
The Town Plan does not contain any specific proposals for planned community facilities.

