

**NOTICE OF PUBLIC HEARING
ST. ALBANS CITY PLANNING COMMISSION
MONDAY, SEPTEMBER 24, 2012
6:30 PM
ST. ALBANS CITY HALL
100 NORTH MAIN STREET, ST. ALBANS, VT**

The St. Albans City Planning Commission will hold a public hearing to take public comment and consider changes to the St. Albans City Land Development Regulations.

Section 202 – Defined Terms: Revisions to the definitions of Land Development, Land Alteration, Driveway, Parking Lot, and Clinic/Medical Facility in order to provide clarity in the definition of these uses.

Section 304 – Permitted and Conditional Uses: Revisions to the allowed zones and type of permit review for Clinics, Medical Facilities and Hospitals.

Section 511 – Fences to Excavation: The addition of specific design standards for the installation of fences and create subsection 511.1 to cover excavation fencing standards.

Subsection 515.7 – Table of Off-Street Parking Requirements: The revision of off-street parking requirements for various uses in the City in order to bring the City’s parking requirements in line with current standards and comparable communities and also reduce the need for impervious surfaces, where appropriate.

Subsection 515.8 – Driveways: The addition of this section to the Land Development Regulations in order to provide specific design standards for the installation of driveways.

Article 6 – Permit Review Procedures and Standards: Revisions to Sections 601 and 602 in order to clarify and consolidate the explanations of the intent of the City Land Development Regulations, when permits are needed, and the types of permits.

Subsection 603.2 – Site Plan Application Requirements: Revisions to application requirements in order to obtain the specific number copies and electronic files needed by the Development Review Board.

Section 705 – Design Advisory Board Procedures: Revisions to application requirements in order to obtain the specific number copies and electronic files needed by the Design Advisory Board.

Section 902 – Development Review Board: Revisions to specify that the number of members and terms are set by the City Council.

The geographic area affected by these revisions would include all of the City of St. Albans.

Full texts of these revisions may be viewed at the City Clerk’s Office, St. Albans City Hall, 100 North Main Street.

If special accommodations are required, please contact Michelle Boudreau at 802-524-1500 x262 or m.boudreau@stalbansvt.com. For the hearing impaired please call (TTY) # 1-800-253-0191.

WRITTEN REPORT ON PROPOSAL, PER 24 V.S.A. § 4441

The following text fulfills the statutory requirements for a written report on the effects of the entirety of the proposed bylaw revisions in the preceding hearing notice.

1. The proposed revisions to Sections 202, 601, 602, 603.2, 705, and 902 are designed to add clarity to the City Land Development Regulations and to be in fulfillment of the policy contained within the St. Albans City Comprehensive Municipal Plan that the City “have a coordinated, comprehensive planning process and policy framework to guide decisions.” The proposed revisions to Sections 511 and 304 and the addition of Subsection 515.8 are designed to be in fulfillment of the policy contained within the City Plan to “ensure that new development maintains and complements the character of its surrounding neighborhoods.” The proposed revisions to Subsection 515.7 are designed to be in fulfillment of the City Plan by removing possible pressure to create unnecessary impervious surfaces and potential challenges to stormwater management. These revisions have no predictable effect on the availability of safe and affordable housing.
2. These revisions make no changes to the future land uses listed in the St. Albans City Comprehensive Municipal Plan and have no predictable direct effect on densities. There is a slight chance that lowering parking requirements could increase densities of certain uses, however there are no changes to actual density, dimensional, or lot coverage requirements proposed herein.
3. These revisions do not carry out any specific proposals for any planned community facilities.

Contact:

Chip Sawyer
Director of Planning & Development
City of St. Albans
100 No. Main St.
St. Albans, VT 05478

802-524-1500 x259

c.sawyer@stalbansvt.com

Proposed Revisions to St. Albans City Land Development Regulations

Revisions are **in red and underlined or ~~struck-out~~**.

Section 202 – Defined Terms (revised terms only)

DRIVEWAY

A private roadway providing access to a street or highway and off-street parking that is located on a residential lot that is permitted as a single-family residential dwelling unit or as a two-family residential dwelling unit. For multi-family residential dwelling unit and other uses see the definition Parking Lot in Section 202.

LAND DEVELOPMENT

The division of a parcel into two or more parcels, the construction, reconstruction, conversion, structural alteration, interior alteration, exterior alteration, relocation, or enlargement of any building or other structure, or of any mining, excavation, or landfill, and any change in the use of any building or other structure, or land, or extension of use of land.

~~The division of a parcel into two or more parcels of land, the construction, reconstruction, conversion, interior or exterior alteration, relocation or enlargement of any building or other structure or land or extension of use of land. [NOTE: alterations are defined in these bylaws]~~

LAND ALTERATIONS

~~Refers to any of the following: (A) the division of a parcel of land into two or more parcels; (B) excavation or fill (including streambank protection works); (C) any substantial change in the extension or use of land.~~

PARKING LOT

An off-street, ground level open area or lot, used for the temporary parking of motor vehicles. This includes off-street parking areas for multi-family dwelling units and all parking areas that fall under a site plan.

PICKET FENCE

A fence consisting of pickets or pales nailed to horizontal stringers between upright posts.
(Image to be included.)

CLINIC/MEDICAL FACILITY~~OFFICE~~

A building or group of buildings used ~~by a group of~~ physicians, dentists or other licensed health care practitioners, or a group of such practitioners, using shared facilities and having the ability to treat multiple patients for the diagnosis and ~~out-patient~~ treatment of human ailments on an outpatient basis. Includes clinics and doctor's offices.

Section 304 Permitted and Conditional Uses (Revised rows only)

USES	LDR	HDR	B1	B2	S-IND
Clinic	C	C			
Clinic/ mMedical f Facility	C	C	C	C	<u>C</u>
Hospital			<u>C</u>	<u>C</u>	<u>C</u>

Section 511 Fences ~~for~~ Excavation

- A. The construction of any fence shall require a permit.
- B. The permit fee shall be exempt for fences with a height under six (6) feet as measured from a point at natural grade level to the highest point of the fence (or wall).
- C. Properties zoned within a Design Review District shall conform to the regulations in this section as well as to those in Section 706 (A)(6) of these regulations. If regulations are in conflict the stricter regulation shall apply.
- D. All new fences shall be at least two (2) feet from any public right of way or existing public infrastructure.
- E. The design of any new fence shall meet the following design standards:
 - 1. Fences with a height of four feet six inches (4.5 feet) and under, as measured from a point at natural grade level to the highest point of the fence, shall be permitted in all districts.
 - 2. Fences with a height over four feet six inches (4.5 feet), as measured from a point at natural grade level to the highest point of the fence, and within twenty (20) feet of a public right of way or existing public infrastructure shall be of a picket fence, or comparable design as determined by the Zoning Administrator, with a minimum spacing between pickets or comparable slats of 2 3/8 inches
 - 3. Fences of any height and at least twenty (20) feet from a public right of way shall be permitted.
 - 4. The finished side of a fence shall face adjoining properties or the street if the appearance of the fence is not the same on both sides.

Section 511.1 Fences for Excavation

Excavation with slopes exceeding a one to two ratio shall be protected from encroachment by a suitable fence at least five feet in height with no opening in the mesh over six inches.

Subsection 515.7 Table of Off-Street Parking Requirements

USE	PARKING SPACE REQUIREMENT
RESIDENTIAL	
Dwelling, Two Family	2.5 per dwelling unit <u>2 per dwelling unit</u>
Dwelling, Multi-Family	2.5 per dwelling unit <u>1.5 per dwelling unit</u>
Multi-unit dwellings located in B1, not in the Historic District	1.5 parking spaces per 1 and 2 bedroom units and 2 per 3 bedroom units, guest parking 1 per 3 units <u>1 per 1 or 2 bedroom units and 1.5 per 3 or more bedroom units</u>
Dwelling, Single Family	2 per dwelling unit plus 1 per any accessory apartment
Congregate Housing	1.2 per dwelling unit
COMMERCIAL	
Assembly Halls, Church, Other Public Assembly	1 per 4 seats
Banks, and Other Financial Institutions	1 per 250 gross square feet, queuing space of 6 per drive up lane <u>1 per 400 gross square feet</u>
Bar/Nightclub, etc.	.5 per permitted maximum capacity <u>1 per 3 seats</u>
Car Wash	1 per 800 gross square feet
Clinic	1 per 200 gross square feet <u>4-5 per practitioner at peak hour</u>
Clubs, Social, Private, Fraternal and Similar	1 for every 4 members
Community Center, Community House	As determined by Development Review Board
Convenience Store, Gas Station	1 per 100 square feet and 1 per pump <u>3 per 1000 square feet</u>
Correctional Facility	1 per 10 inmates of maximum capacity

Courthouse	As determined by Development Review Board
<u>Home Daycare Facility (with under 6 children)</u>	<u>No requirements beyond what is required for its residential use</u>
Daycare Facility	1 per 5-8 children and 1 per 500 gross square feet <u>employee</u>
Dry Cleaner	1 per 300 gross square feet
Educational Facilities	1 per 400 gross square feet
Exhibit Halls	1 per 300 gross square feet
Funeral homes	1 per 75 gross square feet <u>open to public in the conduct of business</u>
Medical Facility	2.75 per bed
Hotels, Dormitories, Lodging House, Bed and Breakfast	1 per 2 beds <u>guest room</u>
Junkyard	As determined by Development Review Board
Kennel	1 per 400 gross square feet, no less than 5 spaces
Laundry	1 per 2 wash machines
Library, Museum, Art Gallery, etc.	1 per 700 gross square feet
Motor Vehicle Service	6 per service bay <u>2 per 1,000 square feet plus 2 per service bay</u>
Motor Vehicle Sales and Service	1 per 400 gross square feet and 6 per service bay <u>2 per 1,000 square feet plus 2 per service bay</u>
Nursery School	1 per 500 gross square feet
Nursing Care Home	1 per 3 beds
Office/Clerical	3.5 per 1,000 gross square feet
Other Public Assembly	1 per 4 seats
Personal Service	1 per 200-400 gross square feet

Police/ Fire Station	1 per 300 gross square feet
Post Office	1 per 500 gross square feet
Professional Occupation	1 per 400 250-gross square feet
Restaurant	1 per 2 3 seats
Retail Business, Sales and Rental of Goods (unless listed separately)	1 per 250 300 gross square feet
Theater	1 per 3 4 seats
Transportation Facility, Bus Station, \Train Station	5 and 1 per 100 square feet of waiting area
INDUSTRIAL	
Manufacturing	1 per 400 gross square feet (<u>Possibly 1 per 1.2 employees</u>)
Other Uses	As determined by the Development Review Board
Warehouse	1 per 1200 gross square feet (<u>Possibly 1 per 1.2 employees</u>)

Section 515.8 Driveways

- A.** The construction, extension, or alteration of a driveway requires a permit.
- B.** The design of any new driveway shall meet the following design standards:
 - 1.** There shall be no more than one (1) curb cut per residential lot.
 - 2.** Driveways connecting individual lots to the street network shall be clearly defined and of the minimum width necessary to provide safe access.
 - 3.** No driveway shall be located in the side or rear setbacks unless, as determined by the Zoning Administrator, the particular circumstances of the lot prevent such conformance.
 - 4.** All driveways shall have a distance of at least twenty (20) feet, as measured along the center-line of the driveway, from the right of way to any structure.
 - 5.** Driveways located in residential districts shall be no wider than twenty (20) feet.
 - 6.** If any driveway, parking area or off-street loading area is located within 100 feet of a residential district, and it is not required under these regulations to be paved, it shall be stabilized or otherwise treated to prevent dust. Before site plan approval is granted, the applicant shall present a management plan to be followed in this regard
- C.** If the Development Review Board finds that the addition or expansion of an access driveway would endanger vehicular or pedestrian safety, the use of an existing on-site or off-site access may be required.
- D.** Properties zoned within a Design Review District shall conform to the regulations in this section as well as to those in Section 706 (E)(6)(f) of these regulations. If regulations are in conflict the stricter regulation shall apply.
- E.** Regulation of curb cuts shall be pursuant to Title 15, Chapter 1, Section 4212 of the City of St. Albans Revised Ordinances.

Article 6

Permit Applications, Review Procedures and Standards

Section 601 Intent

The intent of these regulations is to set forth the provisions for the submission, processing and review of all applications for a zoning, building or sign permit for any development within the City of St. Albans.

Section 601.1 When a Zoning Permit is Required

Pursuant to Section 4449(a)(1) of the Act, no land development may be commenced within the City of St. Albans without a permit issued by the Zoning Administrator. No permit may be issued by the Zoning Administrator except in conformance with the regulations contained herein.

DEFINITION (from Section 202):

LAND DEVELOPMENT

The division of a parcel into two or more parcels, the construction, reconstruction, conversion, structural alteration, interior alteration, exterior alteration, relocation, or enlargement of any building or other structure, or of any mining, excavation, or landfill, and any change in the use of any building or other structure, or land,

A permit is required for, but is not limited to, the following types of interior and exterior work:

A. Exterior Work

1. Additions to existing buildings, garages, accessory buildings, or other structures.
2. Alterations to building elevations/appearances including, but not limited to, re-siding or window replacement (or addition), installation of new or refurbishment of existing deck or other changes that alter trim details or otherwise change the exterior appearance.
3. Change of use or expansion of use.
4. Demolition.
5. Alterations, changes, or modifications to building lots or sites related to site improvements including, but not limited to, increased lot coverage.
6. Excavation or fill related to site improvements.
7. Fences, retaining walls.
8. Land clearing and development
9. Exterior lighting
10. New Buildings, garages, sheds, accessory buildings, and other structures
11. New or expanded parking areas, driveways, and walkways. Including paving

- existing gravel surfaces.
- 12. Satellite dish antennae over 12 inches in diameter, wireless telecommunications facilities, or other antennae.
- 13. Installation of any Signage
- 14. Site improvements
- 15. Placement of exterior utility meters and dumpsters
- 16. Permanent and temporary swimming pools over two feet water depth (installation, and removal)
- 17. Subdivision of land or any boundary or lot line adjustment between two or more lots
- 18. Permanent Handicapped Ramps

B. Interior Work

- 1. Increase in habitable living space (including, but not limited to, attic, bedroom, basement, garage, and winterizing or otherwise enclosing a porch).
- 2. Change of supporting members of a building
- 3. Addition of walls, halls, stairs.
- 4. Rearrangement of interior structural parts of the building
- 5. Additions or alterations of the entrances or exits of any structure
- 6. Installation of additional kitchen.
- 7. Change of use.
- 8. Home occupations.
- 9. Increase or decrease in the number of units.

C. Exemptions from Permit Fees

The following usage or activities shall require a permit. Such a permit shall require the payment of an administrative recording fee, but are exempt from additional permit fees:

- 1. The normal maintenance and repair of an existing structure(s), utilities and infrastructure that does not result in any change to the area or height of a building, nor results in a change of use of the existing structure(s), utilities, or infrastructure.
- 2. Ramps or walkways constructed or modified to meet requirements of the Americans with Disabilities Act.
- 3. Fences or walls less than six (6) feet in height in which do not obstruct public rights-of-way, nor interfere with corner visibility or sight distances for vehicular traffic.

Section 601.2 Application Types and Submission Requirements

<u>Application Type</u>	<u>Relevant Section with Requirements</u>
<u>Permitted Use Review</u>	<u>Section 903(A)(1)</u>
<u>Conditional Use Review</u>	<u>Section 602.1</u>
<u>Site Plan Review</u>	<u>Section 603.2</u>
<u>Design Review</u>	<u>Section 705(B)</u>

<u>Signage Review</u>	<u>Section 705(B)</u>
<u>Subdivision Review</u>	<u>Sections 803, 804, 805, 806</u>
<u>Planned Unit Development Review</u>	<u>Section 413(C)</u>

Section 601 Section 601.3 Permitted and Conditional Uses

A. Permitted Uses

A use designated as a permitted use in any district, may be permitted upon decision of the Zoning Administrator subject to the requirements of these regulations.

B. Conditional Uses

A use designated as a conditional use in any district may be permitted upon decision of the Development Review Board, subject to the requirements of 24 V.S.A., Section 4414(3).

Section 602 Conditional Uses Procedures

(Subsections continue unrevised.)

Section 603.2 (Site Plan) Application Requirements

- A. ~~A minimum of three (3) full size sets of plans as well as nine (9) copies in 11" x 17" size of the~~The Development Review Board shall adopt a general protocol in an open meeting to govern the number of copies, sizes of sheets, and manner of electronic files to be submitted as an application for Site Plan Review ~~shall to~~ be filed with the Zoning Administrator.
- B. The site plan review application shall include the following information:

(Subsection continues...)

Section 705 (Design Advisory Board) Procedures

- A. At the time of application for Site Plan Review, the Zoning Administrator shall transmit two copies of the Site Plan application to the Design Advisory Board.
- B. Design Review Application Requirements:

- ~~The Design Advisory Board shall adopt a general protocol in an open meeting to govern the number of copies, sizes of sheets, and manner of electronic files to be submitted as an~~A minimum of one (1) full size set of the information required below as well as five (5) copies in 11" x 17" size of the application for Design Review.
- The Design Review application shall include the following information:

(Section continues...)

Section 902 Development Review Board

~~A~~The Development Review Board shall be appointed to terms decided by the City Council. The number of members shall be set from time to time by the City Council. of nine (9) members, who Members shall serve without remuneration and act on all matters within ~~it~~the Board's jurisdiction under these regulations in the manner prescribed in the Act, ~~shall be appointed by the City Council.~~

Rules of procedure applicable to the Development Review Board, the nature of appeals to the Board from actions of the Zoning Administrator, notice requirements, public notice, conditions for variance relief, and all other matters governing the action of said Board shall be as provided in the Act.