

Town of Swanton
PLANNING COMMISSION
P.O. Box 711, 1 Academy Street
Swanton, VT 05488



November 4, 2013

Nicole Mackay, Commissioner
Dept. of EHCD
1 National Life Drive, 6th Floor
Montpelier, VT 05620

Dear Nicole:

Please find a copy of the following enclosed:

1. Swanton Planning Commission Public Hearing Notice for November 20, 2013.
2. Swanton Bylaw Amendment Report.
3. Proposed changes to the Swanton Bylaws & Subdivision Regulations.

We are providing copies to your department in accordance with 24 VSA Section 4441 (e) (1) & (f). Comments on the proposed amendments may be submitted or presented at the public hearing.

Sincerely,


Ronald F. Kilburn
Swanton Zoning Administrator

Enclosures

SENT BY CERTIFIED MAIL/RETURN RECEIPT REQUESTED

**NOTICE OF PUBLIC HEARING
PLANNING COMMISSION
7 p.m. on Wednesday, November 20, 2013
Swanton Town Office
1 Academy Street
Swanton, Vermont 05488**

Pursuant to Title 24, Sections 4441 and 4442, Vermont Statutes Annotated, the Swanton Planning Commission will hold a public hearing at 7:00 p.m. on Wednesday, November 20, 2013 at the Swanton Town Office, 1 Academy Street, to receive public comment and to consider for recommendation for adoption, proposed changes to the *Swanton Zoning Bylaws and Subdivision Regulations*.

The regulations affect the Southern Growth District (SG) and the Southern Growth District-Core Overlay District (SGO). The Planning Commission will consider a proposal to combine both districts into the Southern Growth District and to amend the permitted uses and conditional uses in the Southern Growth District by adding new uses and by deleting or changing several existing uses or requirements including deletion of the requirement that all new developments within the Southern Growth District-Core Overlay District shall be served by municipal water and sewer.

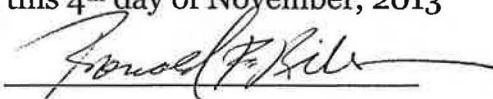
The purposes of the zoning and subdivision regulations are to provide for orderly community growth, to further the purposes established in Section 4302 of the Act, and to implement the "*Swanton Town and Village Municipal Plan*" adopted by the Joint Legislative Body on August 31, 2010.

Following this scheduled public hearing on the proposed changes, the Swanton Planning Commission may take action to approve, deny, or propose additional changes to the *Swanton Zoning Bylaws and Subdivision Regulations* before forwarding them to the Joint Legislative Body for review at a public hearing and possible adoption.

Copies of the proposed changes are available at the Town Clerk's Office and the Office of the Zoning Administrator. Questions may be directed to Ronald F. Kilburn, Zoning Administrative Officer by phone at (802) 868-3325 or by emailing at swanza@swantonvermont.org. Under NOTICES button in the left column of the Town's website, a copy of the proposed changes may be viewed at www.townofswantonvermont.weebly.com.

Posted this 4th day of November, 2013

Attest:



Ronald F. Kilburn
Zoning Administrative Officer



Cathy L. Fournier
Town Clerk

SWANTON BYLAW AMENDMENT REPORT

EXPLANATION: The Swanton Planning Commission has prepared proposed amendments to the *Zoning Bylaws and Subdivision Regulations* to correct an unintended consequence resulting from the previous adoption of the Southern Growth District (SG) and the Southern Growth District - Core Overlay District (SGO). The Planning Commission will consider a proposal to combine both districts into the Southern Growth District and to amend the permitted uses and conditional uses in the Southern Growth District by adding new uses and by deleting or changing several existing uses or requirements including deletion of the requirement that “all new developments within the Southern Growth District-Core Overlay District shall be served by municipal water and sewer.”

The purposes of the zoning and subdivision regulations are to provide for orderly community growth, to further the purposes established in Section 4302 of the Act, and to implement the “*Swanton Town and Village Municipal Plan*” adopted by the Joint Legislative Body on August 31, 2010.

The proposed amendments were developed by the Planning Commission and members of the Swanton community during public meetings conducted by the Planning Commission during this past year. *This report has been prepared in conformance with 24 V.S.A. Section 4441.*

PURPOSE: The purpose of the *Swanton Land Use and Development Regulations* (a.k.a. *Zoning Bylaws and Subdivision Regulations*) is to implement the *Swanton Town and Village Municipal Plan* as most recently amended, to further the purposes of the *Act*, to promote the public health, safety, comfort, convenience, economy, and general welfare of the community, all as set forth in *Section 1.2 Purpose* in the *Swanton Zoning Bylaws and Subdivision Regulations* at Pages 1-2 therein.

The *Swanton Land Use and Development Regulations* classify and guide the uses of land, buildings, and structures in the Town and Village of Swanton in accordance with the *Swanton Town and Village Municipal Plan* and the *Vermont Planning and Development Act, Title 24 V.S.A. Chapter 117*, herein referred to as the *Act*. The regulations are designed to implement the purposes and policies set forth in the *Swanton Town and Village Municipal Plan* and the *Act*.

CONFORMANCE AND IMPLEMENTATION: The *Zoning Bylaws and Subdivision Regulations* conform with and further the goals and policies contained in the *Swanton Town and Village Municipal Plan* including the effects on the availability of safe and affordable housing.

LAND USE COMPATIBILITY: The land use districts in the *Swanton Town and Village Municipal Plan* are compatible with the land uses in the *Swanton Zoning Bylaws and Subdivision Regulations* and are compatible with proposed future land uses and densities of development as set forth in the *Swanton Town and Village Municipal Plan*.

PROPOSALS FOR PLANNED COMMUNITY FACILITIES: The proposed bylaw amendments do not affect any specific proposals for planned community facilities.

PROPOSED AMENDMENTS

The Swanton Planning Commission is proposing the following changes to the Swanton Zoning Bylaws and Subdivision Regulations (*changes appear in red*):

TABLE 2.15 SOUTHERN GROWTH DISTRICT (SG)

(A) **Purpose:** The purpose of the Southern Growth District is to provide an area for future high density residential and commercial growth in a compact and well-designed pattern of development that is complementary, rather than competitive, to Swanton Village and other growth centers in adjacent towns, to provide for growth of an efficient system of roads and other infrastructure and to create connections between transportation modes. The design and development of this district should be accomplished in such a manner that historic, aesthetically pleasing, and environmentally appropriate patterns of development are created and visual impacts to surrounding roads and highways are avoided. Vehicle and pedestrian access connections between abutting developed lots is encouraged. Each development should be nicely landscaped with trees, shrubs, and flowers that suit the particular site and grow well in the northwestern Vermont environment.

(B) **Permitted Uses:**

1. Accessory Dwelling [Section 4.2]
2. Accessory Uses/Structure to a permitted use
3. Agriculture
4. Child Care Home [6 children or less; Section 4.9]
5. Group Home [8 residents or less]
6. Home Occupation
7. Recreation, Outdoor
8. Roadside Stand – Delete as Permitted Use
9. Single Family Dwelling
10. PUD: Allowed in accordance with Article 8.
Conditional uses in PUDs require Conditional Use Review.

(C) **Conditional Uses:**

1. Accessory Use/Structure to a conditional use
2. Adaptive Reuse of an Historic Barn/Structure [Section 4.3]
3. Bed and Breakfast Inn
4. Child Care Facility [Section 4.10]
5. Conversion of a Single Family Dwelling
6. Cottage Industry [Section 4.11]
7. Garden Center
8. Lodging Establishment
9. Multi-Family Dwelling
10. Public Parking Lot
11. Public Facility [See (2.15.E)]
12. Retail Sales and Service: No Limit on floor area size
13. Roadside Stand [Section 4.18]
14. Two Family Dwelling
15. Office and Personal/Professional Services:
No Limit on floor area size
16. Storage Container/Units
17. Value-Added Agricultural Enterprise
18. Nightclub/Pub
19. Restaurant
20. Movie Theater
21. Place of Worship
22. Vehicle Sales & Service Station
23. Bank/Financial Institution
24. Service Organization
25. Private Club

- 26. Recreation, Indoor
- 27. Convenience Store/Fueling Station
- 28. Conference Center
- 29. Assisted Living Center
- 30. Laundromat
- 31. Mixed Uses
- 32. Privately Owned Water & Wastewater Systems approved by the State of Vermont

(D) **Dimensional Requirements** (unless otherwise specified for a particular use):

Minimum Lot Size:	1/4 acre
Acres/Dwelling unit:	1/4 acre
Minimum Lot Frontage:	70 feet
Minimum Lot Depth:	70 feet
Minimum Setbacks:	
• Front	30 feet
• Side	15 feet
• Rear	15 feet

Maximum Coverage: As per Development

Review Board review. See Section 5.3(F)

Maximum Height: 35 feet or 2-1/2 stories

For Specified Accessory Structures: Table 2.16

(E) **District Requirements:**

Public facilities in this district are restricted to indoor & outdoor recreation and associated structures, educational facilities, public safety, and municipal water and wastewater facilities.