MEMORANDUM

TO: Vermont Department of Housing and Community Affairs
Chittenden County Regional Planning Commission
Town of Bolton Planning Commission
Town of Essex Planning Commission
Town of Richmond Planning Commission
Town of Underhill Planning Commission
Town of Westford Planning Commission
Town of Williston Planning Commission

FROM: Katherine Sonnick, Planning & Development Coordinator

DATE: August 24. 2020

RE: Amendments to the *Town of Jericho Land Use and Development Regulations*

The Town of Jericho is considering making revisions to its *Land Use and Development Regulations.* The Jericho Planning Commission will hold a public hearing to consider these proposed amendments to the *Town of Jericho Land Use and Development Regulations* on Tuesday September 8, 2020 at 7:00 p.m. The public is invited to attend virtually via Zoom webinar: https://us02web.zoom.us/j/88451845445 or call in to the webinar by phone: (646) 558-8656 or (301) 715-8592, enter the Zoom webinar ID # 884 5184 5445; or watch live via MMCTV https://www.youtube.com/user/MMCTV15/live and on MMCTV Comcast Cable Channel 1086

Attached please find the Planning Commission Report and a description of the proposed changes.

Additional information can be obtained by contacting Katherine Sonnick, Planning Director at ksonnick@jerichovt.gov.

Town of Jericho
67 Vermont State Route 15
Jericho, Vermont 05465

Planning Commission Reporting Form for Municipal Bylaw Amendments

This report is prepared in accordance with 24 VSA § 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 including bylaw amendments and subsection 4384 (c) of this title concerning plan amendments… This report shall provide:

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

The primary purposes of the proposed amendments are to amend the existing development review and land use regulations, to meet the requirements of state planning laws (24 VSA, Chapter 117), and to comply with the 2019 Jericho Comprehensive Town Plan. The amendments include changes to Section 2: Definitions, specifically to amend the definition of Senior Apartment Complex, Senior Housing Development and Senior Housing Unit and add a definition of Electric Vehicle Charging Station, Encourage, Should, Must, Shall and Mass/Massing; Section 3: specifically to update the purpose of the Commercial District; Section 4: specifically Section 4.2: Permitted Uses, Section 4.3 Conditional Uses; Table 4.4; and Section 4.5: Uses/Structures Per Lot; Section 5: specifically Section 5.6: Density; Tables 5.7 and 5.8: Table of Dimensional Requirements; and Section 5.9: Additional Dimensional Standards; Section 7: specifically Section 7.3 Nonconformities; Section 10: specifically Section 10.2 Zoning Permits; and Section 10.13: Planned Unit Development Review; Section 11, specifically Section 11.1: Access–Public/Private Roads and Driveways; Section 11.2: Parking/Loading/Circulation; Section 11.3: Pedestrian Facilities; Section 11.4: Lot Layout; Section 11.8: Landscaping; Section 11.9: Site Layout and Design; and Section 11.11 Outdoor Lighting.

(b) And 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 safe and affordable housing.

The 2019 Jericho Comprehensive Town Plan outlines several goals related to the creation of affordable housing. The proposed bylaw changes provisions that encourage affordable housing in PUDs in the Commercial District.

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

This update contains updates to the Commercial District of the Land Use Regulations. The 2019 Town Plan amended the purpose and desired development of the Commercial District. These amendments serve to bring the Land Use Regulation in conformance with the land use proposed in the Town Plan.

(3) Carries out, as applicable, any specific proposals for any planned community facilities."

The proposed bylaw changes will not affect any specific proposals for any planned community facilities. The changes discuss the development of an Official Map, which would serve to lay out orderly development of future Town roads, paths and community facilities.

Description of the Changes

Section 2: General Definitions

Definitions of "Electric Vehicle Charging Station", "Mass/Massing", "shall/must", and "should/encourage" added.

Edited definitions for Senior Apartment Complex, Senior Housing Development and Senior Housing Unit: that these developments should support aging in place through design features for universal access

Section 3: Zoning Districts

3.2.6: Edits made to the purpose of the Commercial District to reflect the new purpose in the Town Plan and Commercial District Master Plan.

Section 4: Zoning Uses

4.2 and 4.3: Text added to clarify that the existing review process is to require site plan review for most new uses

Table 4.4: Some uses changed to conditional and permitted and Electric Vehicle Charging Station assed as an allowed accessory use and structure.

4.5 Text added to clarify that residential density requirements are also calculated for mixed use buildings that include residences

Section 5: Dimensional Standards

5.6: To encourage affordable and senior housing, language added to allow the size of a development to be calculated by lot coverage rather than density per acre. Existing provision for Village Center district

Table 5.7: dimensional standards reduced (e.g., smaller setbacks) for the CD to encourage more compact, denser development envisioned in the Master Plan

Table 5.8: Increased lot coverage and reduced side yard requirements for CD

Section 7: General Provisions

7.3.1.1: Removed confusing language about non-conforming uses.

7.3.2.1: Added new language to allow non-conforming structures to expand or alter, with some limits (road, property line).

Section 10: Permit and Review Standards

10.2.1: Clarifies existing practice to require an applicant for a zoning permit to be compliant with the Section 11 and Overlay district standards.

10.2.3: Clarifies existing practice of the ZA determining if a zoning permit requires site plan review.

10.13.1: Expanded the purposes of PUDs to include mixed use, connectivity in the CD, senior housing and clarifying language about what pedestrian oriented PUD would look like.

10.13.2.1, 11.3, 11.3.2, 11.9: Added language about development conforming to "the purpose of the district". This is already a frequently used term throughout the regs.

10.13.1.8, 10.13.4, 10.13.4.3, 10.13.5.3, 10.13.5.5, 10.13.6.1(b), 10.13.7.2(d), 10.13.8(c), 10.13.9.8, 10.13.10, 10.13.12.1, 10.13.12.5: To encourage compact dense development, where open space in PUDs are noted, it is "encouraged" for connections, trails, and anything shown on an Official Map.

10.13.7: PUD density for affordable and senior housing based on Lot coverage and not density, same change as for 5.6. Also 10.13.7.2(d): added reference to adoption of an official map.

10.13.8(c) and 9(d): (c) Added opportunity to earn Density bonus for a PUD that "establishes, builds, provides or improves public access and connectivity to existing or planned pubic outdoor recreation facilities". (d): Added Density bonus for a PUD containing a multi-story, mixed use building in the CD.

10.13.10: CD added to 10.13.10, standards which already apply to the Village Center. Additional clarifying language was added to encourage multi-story, mixed use buildings, connectivity, active transportation, and access to transit facilities.

10.13.7.2(d): Added language to require new CD PUD streets to be developed according to the CD4 CBZ standards and any adopted Official Map. 11.1.1: Added language for new streets in CD to meet the design standards of the CD4 in the CBZ. Also reconfigured the wording in this section. Changed the word "conservative" to "restrictive" to meet the intent of the section. 11.3.2: Added clarifying language to future sidewalk construction. In CD it should comply with the CD4 CBZ standards.

Section 11: General Development Standards

11.1.1: Added language for new streets in CD to meet the design standards of the CD4 in the CBZ. Also reconfigured the wording in this section. Changed the word "conservative" to "restrictive" to meet the intent of the section

11.1.3: Text added about and new roads identified on a future Official Map would be public.

11.1.6.3: Changes to limit development of new curbcuts with direct access to RT 15 for non-residential uses. Also language added to 11.1.8.8, 11.4.8.1: The CD Master Plan encourages vehicle accesses and building orientation to existing and new streets and not RT 15. Language allows NEW curb cuts only for new streets and single- or two-family residences.

11.1.8.2: Changed "major streets" to "Major Roads," a defined term in the Zoning.

11.2.1: Added the encouragement of parking under or integrated into buildings.

11.2.2.1: Multi-family use parking requirement reduced to 1.5 from 2.0 per unit (+1 per every 8 unit standard remains unchanged).

11.2.3.1(b): Removed prohibition of parking in ½ of the side yard in the CD. Proposal now allows parking in the side yards unless property is adjacent to other zoning districts (that adjacent standard is not new)

11.2.3.3: Changed proposed language to allow parking in the front yard as long as it isn't directly in front of the building – It can be on the side in the front setback

11.2.5.1: Allows Zoning Administrator the authority to review and approve some parking standards that current zoning requires DRB review.

11.2.5.2: Allows CD parking to be 100% off site.

11.2.5.3: Added language to permit on street parking in the CD.

11.2.3.2, 11.2.3.4, 11.8.3: Language clarified about minimizing visibility of parking areas from roads and pedestrian ways

11.3.2: Added clarifying language to future sidewalk construction. In CD it should comply with the CD4 CBZ standards.

11.3.3.5: Added text to allow pedestrian easements on any street in the CD.

11.4.10: Removed "steel pipes" from the monumentation requirement for corner lots.

11.8.7: Added language to encourage the use of native plants and cite state regulation of invasive and noxious plants.

11.9.3: The CD Master Plan discussed the importance of site layout and building design that meet the purpose of the District. Added clarifying guidance to existing CD site layout and building design section to meet the purpose of the District. Includes both "required" standards and "encouraged" standards, to provide clear direction with flexibility

11.11.10: New Language added referring to keeping lighting levels as low as possible to protect the night sky.