

Notice of Right To Petition

Town of St. Johnsbury Zoning By-law Amendments

Below are the Zoning Bylaw Amendments approved by the Select Board at a special meeting on October 7, 2015 following a public hearing. Petitions to appeal this decision must be received at the Town Clerk's office no later than November 7, 2015. It will take effect on December 7, 2015. If a petition is filed under 24 V.S.A. § 1973, the taking effect of this ordinance shall be governed by that statute.

The purposes of the proposed Zoning By-law amendments are to:

1. Add a definition for **Temporary Overnight Shelter** (It currently does not have a definition):
 - A. A place where people experiencing homelessness stay overnight for a *limited* period of time. Descriptions of Temporary Overnight Shelters include:
 - 1) Shelters that operate on a first-come, first-served basis where people must leave in the morning and have no guarantee of a bed for the next night; or
 - 2) Shelters where people know that they have a bed for a specified period of time as defined by the managing organization (even if they leave the building every day); or
 - 3) Shelters that provide temporary shelter due to weather conditions.
 - B. This category does not include shelters that operate only in the event of a natural disaster to accommodate large numbers of displaced residents.
 - C. Add Criteria for Temporary Overnight Shelters to the Zoning bylaws to guide the DRB in the best possible placement: **Section 441 Temporary Overnight Shelter**
 - 1) No person shall establish a Temporary Overnight Shelter without site plan and conditional use approval. In addition to other applicable standards, the DRB shall apply the following:
 - a) All Temporary Overnight Shelters must be located at least six hundred (1000) feet away from any school or playground.
 - b) All Temporary Overnight Shelters must include operational procedures which provide for the safe transportation of all guests to a place where guests may receive services or have their needs met.
 - c) All Temporary Overnight Shelters must include operational procedures which keep guests from forming lines or loitering in the front of the building.
 - d) All Temporary Overnight Shelters should be on an available public transportation route.
 - e) The DRB may ask for detailed safety protocol which may include:
 - I. Emergency Service Access
 - II. Volunteer Training
 - III. Number of volunteers on site at all times
 - IV. Availability of paid staff
 - f) In addition to the "character of the area affected" (See Section 204.4.1b)¹, the DRB may consider other factors in the appropriateness of location including impact on economic development.
 - D. Temporary Overnight Shelters will be located solely in the Health Services District.

¹ The character of the area affected, as defined by the purpose or purposes of the zoning district within which the project is located, and specifically stated policies and standards in the town plan.

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2. Adjust the language and placement of Transitional Shelter for clarity and consistency throughout the zoning districts.
 - A. Change the definition of Transitional Shelter to be **titled “Transitional Residence”**. The definition stays the same:
 - 1) A residential facility operated by a government agency or private non-profit organization that provides *living* accommodations to people who previously resided in a prison, a psychiatric care facility or an addiction treatment facility.
 - B. Add criteria for Transitional Residence to the Zoning bylaws to guide the DRB in the best possible placement: **Section 442 Transitional Residence**
 - 1) No person shall establish a Transitional Residence without site plan and conditional use approval. In addition to other applicable standards, the DRB shall apply the following:
 - a) The DRB may ask for detailed safety protocol which may include:
 - I. Emergency Service Access
 - II. Volunteer Training
 - III. Number of volunteers on site at all times
 - IV. Availability of paid staff
 - b) In addition to the “character of the area affected” (See Section 204.4.1b)², the DRB may consider other factors in the appropriateness of location including impact on economic development.
 - C. Transitional Residence will be located solely in the Health Services District.

²The character of the area affected, as defined by the purpose or purposes of the zoning district within which the project is located, and specifically stated policies and standards in the town plan.