

January 31, 2019

## **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 §4444 of this title,*

**The following sections of Article II "Zoning Districts" in the St. Johnsbury Zoning and Subdivision Code of Ordinance (Land Use By-laws) are proposed for amendment:**

**a) Section 313, Industrial ("IND") is proposed to be amended to include under "Permitted upon issuance of a conditional use permit" the following uses:**

- funeral home
- residence associated with a business.

**b) Section 316.3, Design Control District is proposed to be amended to expand the current boundaries to include everything in the existing designated downtown development district as established under 24 V.S.A. §2793, plus additional properties proposed to be included in an expanded downtown development district as shown on the map entitled "Proposed Design Control District " dated 1/27/19.**

**The purpose of the proposed amendment to Section 313 is to allow for additional uses compatible with the purposes of the Industrial district, which district is intended to "provide a location for the establishment of industry to provide employment opportunities and a broadening of the tax base in the town."**

**The purpose of the amendment to Section 316.3 "Design Control District" is to retain the economic benefits of the existing designated downtown district, and to expand that benefit to additional adjacent commercial properties proposed for inclusion in an expanded designated downtown district. Such designation by the State Downtown Board requires that the Town maintain a design review procedure for the development of properties within the designated district. The proposed expanded area is depicted on the map entitled *Proposed Design Control District* dated 1/27/19.**

*(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:*

**The proposed amendments are consistent with the goals and policies of the St. Johnsbury Town Plan, specifically 3.5 "Economic Development Policy." The proposal provides additional opportunities for affordable housing by permitting residences attached to businesses as a conditional use in the Industrial District**

2. *Is compatible with the proposed future land uses and densities of the municipal plan:*

**The proposed change to allow in the Industrial zoning district the uses of a funeral home and residence attached to a business is compatible with future land uses in Town, and will not affect densities. The use of "funeral home" is currently a permitted use in the Commercial district, and permitted as a conditional use in the Residential B and Mixed Use districts.**

**The proposed change to the boundary of the Design Control District will not affect future land uses or densities, but is expected to contribute to the vitality and improved appearance of the existing downtown.**

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

**N.A. -- The proposed changes are not related to any proposal for a planned community facility.**

## Section 313 Industrial ("IND")

313.1 Objective: Land classified as "IND" is land designed to provide a location for the establishment of industry to provide employment opportunities and a broadening of the tax base in the town. Potential good highway access and water and sewer services are major considerations. A variety of types of manufacturing and offices are permitted, provided they are in keeping with the goal of making the town an attractive community and provided the performance standards of the ordinance are satisfied. This area does not conflict with major residential areas.

### 313.2 Uses:

#### Permitted Uses

Any manufacturing, compounding, processing, packing, treatment, or warehousing of goods and products, provided the use meets standards of performance of this ordinance.

Research or testing laboratory  
Office  
Public building or facility  
Trucking terminals  
Warehouse

#### Permitted upon issuance of a conditional use permit

Adult entertainment  
Auto service station  
Blast furnace  
Bulk storage of Hazardous materials  
Child care (Classes I, II and III)  
Commercial Event Venue  
Commercial use  
Contractor's yard  
Funeral home  
Hot-mix plant  
Incinerator  
Junk yard  
Large retail store  
Manufacturing or processing of petroleum, gas, fertilizer, bone, rubber, asphalt, ammonia, chlorine or explosives  
Recycling center  
Rendering plant  
Residence associated with a business  
Secure residential facility  
Slaughter house  
Smelter  
Transfer station  
Wholesale distributors (petroleum)  
Wireless communication facility

316.3 Design Control District:

Compliance with the provisions of 24 V.S.A. §4414(E) having occurred in connection with:

- a) The adoption of the 1972 St. Johnsbury Master Plan, which included a report describing planning and design problems associated with the design Control District therein proposed; and
- b) The approval by the Planning Commission on January 23, 2003 of a Design District report, and subsequent Planning Commission Report dated January 31, 2019 recommending an expansion of the original Design Control District, there is hereby established an expanded Design Control District to the extent and as indicated on the Zoning Map as the entitled "St. Johnsbury Zoning Map, Historic and "Design Control Districts Overlay". The designation of the Design Control District hereby established by the Select board and indicated on said map is intended to encompass and include all lots:
  - (i) facing to any extent on Arnold Park,
  - (ii) facing to any extent Main Street along its entire length between Spruce Street to and including the entire St Johnsbury Academy property,
  - (iii) facing to any extent Fairbanks Drive along its entire length,
  - (iv) facing to any extent Eastern Avenue along its entire length between Main Street and the right of way of Northern Vermont Railroad (Newport and Richford Railroad); and
  - (v) facing to any extent, Railroad Street along its entire length between Federal Pearl Street and a point approximately 300 feet north of Maple Street;
  - (vi) facing to any extent on Maple Street from Main Street to Railroad Street;
  - (vii) facing to any extent on Central Street from Main Street to Summer Street;
  - (viii) facing to any extent on Summer Street from Central Street to Webster Street, including property on the east side of Summer approximately 100 feet south of Central Street, and excluding properties on the east side of Summer Street a distance farther than 250 feet north of Winter Street;
  - (ix) facing to any extent on Winter Street from Summer Street to Main Street;
  - (x) facing to any extent on Bay Street from a point approximately 250 feet south of Town Hwy 540 to the intersection of St. Mary Street; and
  - (xi) facing to any extent on St. Mary Street from Bay Street to a point approximately 400 feet north of Bay Street.

In the event that any such lot is less than seventy five (75) feet in depth, any lot to the immediate rear thereof is also included in the district hereby established. The indication of the boundary of the Design Control District hereby established on said map is intended to be representational only. When the administrative Officer cannot definitely determine the location of the boundary of the district hereby established by reference to this Section 316.1.1, he or she shall refuse action and the Development Review Board shall determine the boundary of such district with reference to the purposes to be served by the creation of such district.