

## **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 section §4444 of this title,**

*The Town of Waitsfield Subdivision Regulations have been amended by the Planning Commission effective December 18, 2007, to incorporate feedback from the public in following a public hearing on December 4, 2007.*

*The proposed Subdivision Regulations are available for review in the Waitsfield Town Offices between the hours of 8:00 a.m. and 4:30 p.m. Please contact the Planning and Zoning Office at 496-2218 for additional information*

**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 the availability of safe and affordable housing:**

*The Town adopted a substantially updated municipal plan in June, 2005. That plan included specific policies and strategies related to updating the Town’s existing subdivision regulations (which have not been successfully updated since 1990), including:*

*Revise the Waitsfield Subdivision regulations to incorporate clearer natural resource and farmland protection policies, and to ensure that the subdivisions are designed to reinforce the desired pattern of development of the district in which the subdivision is occurring, in accordance with the policies set forth in this [Land Use] Chapter.*

*In addition, the Plan includes specific policies related to the desired settlement pattern of various land use districts, the preservation of fragile features and agricultural land, the provision of public and private facilities and roads, and the promotion of housing through clustering and density bonuses. The proposed subdivision regulations are designed to implement all of those policies and strategies, and are intended to ensure conformance with the Plan, while still providing the flexibility to accommodate appropriate solutions.*

*With regard specifically to affordable housing, the regulations strongly encourage clustered housing and the development of residential “hamlets” which are exempted from*

*density provisions that would base total allowable density on the “developable” portion of each parcel (i.e. developable area excludes 100 year floodplain, slopes in excess of 25% and wetlands). Such land may be used in calculating PRDs, resulting in a potentially substantial density bonus beyond the bonus authorized under the current zoning regulations.*

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

*The current (1990) regulations do not include any standards related to the land use plan or the purpose or intended function of any zoning district. The proposed regulations are intended to better reflect the desired land use pattern specific to each zoning district, and therefore more closely conform to the Town Plan than is the case with the current regulations.*

*The new subdivision regulations do propose a change in the calculation of density within the Agricultural-Residential and Commercial Lodging Districts. Both of these districts have a current residential density of one dwelling unit per one acre (with an accessory dwelling provision that is more lenient than the statutory requirement). The regulations propose that such density be based on the “developable area” of a parcel, defined as all land excluding 100 year floodplains, wetlands and slopes in excess of 25%. However, the regulations exempt Planned Developments from this requirement, in order to encourage residential hamlets and affordable housing in accordance with specific Town Plan policies. All other zoning densities remain unchanged.*

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

*The proposed regulations have specific standards related to the provision and extension of roads, facilities, and utilities that implement specific policies and development strategies included in the Town Plan. In addition, the regulations include reference to a project’s consistency with the Town’s capital budget and program (as it relates to planned facilities and development phasing), and includes specific standards for subdivisions located within designated growth centers to ensure consistency with Plan policies. Consequently, the proposed regulations carry out – to a much greater extent than is the case with the current regulations – policies related to planned community facilities.*

**Please Note:**

- ❖ Having made revisions to the proposed bylaw and to the written report, the Planning Commission shall submit the proposed bylaw and the written report to the legislative body of the municipality.
- ❖ Simultaneously, with the submission, the planning commission shall file with the clerk of the municipality a copy of the proposed bylaw, amendment, or repeal, and the written report for public review.