

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 andinclude a statement of purpose as required for notice under §4444 of this title,

- (1) The proposed bylaw amendments include revisions designed to provide greater clarity to both permit applicants and the Development Review Board (“DRB”), by revising existing definitions and adding additional definitions for terms used within the existing bylaws.

More specifically, the revised bylaws make changes to the following existing definitions: “Accessory Dwelling Unit”; “Agriculture”; “Bed and Breakfast”; “Childcare Facility”; “Dwelling Unit”; “Extraction of Earth Resources”; “Forestry”; “Home Occupation”; “Light Industry”; “Manufacturing”, “Fabrication”, “Research Lab, etc.”; “Medical Clinic”; “Mobile Home Park”; “Outdoor Recreation”; “Personal Wireless Services and Facilities”; “Planned Unit Development”; “Private Club”; “Public Building and Facility”; “Retail Store or Service”; “School”; and “Truck Terminal”.

At the same time, the revised bylaws add the following definitions to previously undefined terms: “Adult Care Facility” (encompassing “Assisted-Living Residences”, “Nursing Home”, and “Therapeutic Community Residence”); “Asphalt, Cement Aggregate Plant or Hot-Mix Plant”; “Bank/financial institution”; “Bar/Cocktail lounge/tavern/brewery”; “Campground” (including both “Primitive Campground” and “Developed Campground”); “Car Wash”; “Cemetery”; “Home childcare facility;” “Church (Place of Worship)”; “Dwelling Unit” (encompassing “Single-Household Dwelling”, “Two-Household Dwelling”, and “Multi-Household Dwelling”); “Fairgrounds”; “Funeral Home”; “Gas Station/Fuel Distribution”; “Household”; “Indoor Recreation/Arts/Community Facility”; “Lodging Establishment”; “Lumber Yard”; “Research Testing Lab”; “Motor Vehicle Repairs”; “Motor Vehicle Sales”; “Recreational Camp or Cabin”; “Residential Care Home; “Restaurant; “Salvage Yard”; “Self-Storage Facility”; “Slaughterer House”; “Telecommunications and Teleprocessing Facilities”; “Wholesale Storage and/or Distribution (non-hazardous materials)”; and “Wholesale Storage and/or Distribution (hazardous materials)”.

- (2) In conjunction with the revised and expanded definitions, the Allowed Land Use Matrix is being revised and simplified, reducing the current 76 categories to 46, with all remaining categories corresponding to definitions contained within the revised bylaws. Of the 46 categories in the revised Matrix, 39 are unchanged, or essentially unchanged, from ones found in the existing Matrix. The seven new categories have been added,

which including the following: “Adult Care Facility”; Childcare Facility”; “Lodging Establishment”; “Salvage Yard”; “Self-Storage Facility,” WS, Storage/Distribution (Non-Hazardous Materials); and “WS, Storage/Distribution (Hazardous Materials)”.

- (3) The proposed bylaw amendments also update various nomenclature employed within the bylaws to be more consistent with contemporary usage. Most prominently, the term “household” has been substituted for “family” wherever that term appears in the bylaws.
- (4) The proposed bylaw amendments also simplify the current zoning districts by combining the current Village Commercial District and the Main Street District into a single “Village and Main District,” while eliminating the Lyndon Corner Industrial District.
- (5) The proposed bylaw revisions also add new provisions to standardize when a permit is required for raising backyard chickens, and under what conditions such a permit can be granted. In particular, these new provisions make clear that, any proposed structure for the raising of chickens requires a permit and must meet the same minimum development standards as all other forms of accessory structures in the respective district. In addition, the proposal provides that no permit will be required for the use of land to raise poultry in the Rural Residential District, nor will there be any limit as to the number of chickens that can be kept in such district. However, within the Residential Neighborhood, Village and Main, Commercial, Park, and Institutional Control districts, the raising of poultry will be permitted as an accessory use with single- and two- household dwellings, provide that an applicant meets the requirements set forth in the proposed bylaw.
- (6) In addition to proposed amendments to the Zoning Bylaws and the Allowed Land Use Matrix, various changes to the Town of Lyndon’s Zoning Map are being proposed. These changes include the following:
 - (a) Consistent with changes being made to the bylaws, the proposed Zoning Map combines the Village Commercial District and the Main Street District into a “Village and Main District.”
 - (b) The Lyndon Corner Industrial District is being eliminated, with the land previously assigned to this district changing to the Rural Residential District.
 - (c) The neighborhood around Woodbury Lane, Ingalls Lane, and Davis Lane, is being taken from the Rural Residential District and placed into a newly designated Residential Neighborhood District.
 - (d) Various parcels on Route 5 north of Lyndonville are being removed from the Commercial District and placed within the Rural Residential District.
 - (e) Various residential parcels adjacent to the existing Residential Neighborhood District in the area of Lyndon Heights are being added to that district, while being removed from the Commercial District.
 - ~~(f) The Industrial/Commercial District on Route 122 is being eliminated, with some portions reverting to the Rural Residential District, and the remainder being reconstituted as new Commercial District.~~
 - (g) Land on Red Village Road between the Lilly Pond Road and Black Walnut Lane, and parcels along Brown Farm Road, Abenaki Loop and Algonquin Drive, that are

- presently within the Commercial District, are being added to the existing Brown Farm Road Residential Neighborhood District.
- (h) Land on Red Village Road southeast of Black Walnut Lane is being taken from the Commercial District and added to the Rural Residential District.
 - (i) Two large parcels that are currently within the Brown Farm Road Residential Neighborhood District, but are beyond existing development, are being removed from that district and placed within the Rural Residential District.
 - (j) Portions of the former Tap and Die site are being removed from the Industrial District and placed within the adjacent Village and Main Street District.

(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 bylaw and map amendments further the goals and policies contained in the municipal plan by reducing areas potentially susceptible to commercial sprawl and focusing future commercial development into areas where commercial development currently exists. In addition, the proposed changes further the town's economic development goals by clarifying many of the terms within the bylaws, thus making permit process more predictable for applicants and easier to administer for zoning administrator and the Development Review Board.

The proposed amendments are not expected to have any significant effect on the availability of safe and affordable housing within the Town of Lyndon.

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

The proposed bylaw and map amendments reduce the number of areas potentially susceptible to commercial sprawl and focusing future commercial development into areas where commercial development currently exists.

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

Not applicable.