



**TOWN OF CONCORD
ZONING BYLAW AMENDMENT
PLANNING & ZONING BOARD REPORT
AUGUST 15, 2016**

Notice is hereby given to the residents of the Town of Concord that the Concord Planning & Zoning Board will hold a public hearing at the Municipal Building, 385 Main Street, Concord, Vermont on **Thursday September 8, 2016 at 4:30 p.m.** The hearing will be held for public review of and comment on amendments to Zoning By-laws pursuant to Title 24 VSA, Ch. 117 §§ 4441-4444.

This report is in accordance with 24 V.S.A. §4441 (c) and provides a brief explanation of the proposed bylaw, amendment, or repeal and includes a statement of purpose as required for notice under section §4444 of this title, and includes 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.
- (2) Is compatible with the proposed future land uses and densities of the municipal plan.
- (3) Carries out, as applicable, any specific proposals for any planned community facilities.

I. Clarify Concord Zoning By-law Section 203.1 relating to when the Planning Commission shall interpret district boundary locations:

203.1 When the Zoning Administrator cannot definitely determine the location of a district boundary by such center lines, by the scale or dimensions stated on the zoning map, or by the fact that it clearly coincides with a property line, he or she shall refuse action, and the Planning Commission shall interpret the location of the district boundary with reference to the scale of the zoning map and the purposes set forth in all relevant provisions of this bylaw.

How the proposal 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.

Wording of section 203.1 was amended to clarify verbiage for understanding purposes only without changing existing meaning. Section 203.1 continues to support the municipal plan goal of defining district locations and boundaries with permitted and conditional uses to promote responsible growth.

II. Newly define freight storage container restrictions and permitting process in Section 304.2:

304.2 A limit of one freight storage container may be parked on an owner's property provided that:

- a) It is parked to meet setback requirements.
- b) A temporary no fee permit is required for one calendar year.
- c) After one year the owner must receive permitting for the freight storage container as a permanent and taxable structure.

How the proposal 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.

Section 3.7 of the Town of Concord Vermont Municipal Plan discusses open space conservation strategies to protect the visual landscape of open spaces, wooded hillsides, and mountains with scenic vistas within its borders. By limiting the number of and defining length of time requirements of freight storage containers located on Concord properties, the municipal plan goal of conserving open spaces is further supported by this zoning update.

III. Clarify in Section 313 overall guidance for recreational vehicles.

313.1 Owners or users of recreational vehicles (or any conveyance constructed so as to allow occupancy thereof) shall abide by the following regulations except when located in an approved campground.

313.2 A property owner may park his own recreational vehicle or that of a bonafide visitor, on his property without special approval, provided it is parked no closer than six feet to any lot line.

313.3 Parked recreational vehicles shall not be occupied as permanent living quarters, and not be hooked up to any utilities, for more than a total of one hundred eighty (180) days in a calendar year.

313.4 No more than two recreational vehicles (no more than one in the lakeshore district) including the property owner's recreational vehicle, shall be parked on any lot or parcel of land, developed or undeveloped, which is not an approved campground.

How the proposal 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.

Section 7 of the Town of Concord Vermont Municipal Plan discusses the recreation opportunities in Concord. One of the goals is to promote and protect Concord's reputation as a "recreation-friendly" town. Another goal of the Town of Concord Vermont Municipal Plan (Section 4 Housing) is to focus on safe and affordable housing in Concord. By updating the zoning bylaws to clearly define recreational vehicle usage parameters while communicating that recreational vehicles shall not be occupied as permanent living quarters, the goal of ensuring safe housing in Concord is furthered.

IV. Define town permit contingencies upon state water and waste water permits in Section 604.1:

604.1 No land development as defined in Section 4303(10) in the Act may be commenced without a permit issued by the Zoning Administrator. Before issuing any permit, the Zoning Administrator shall

conduct a site visit. The Zoning Administrator shall not issue a zoning permit unless the proposed development complies with all applicable sections of this bylaw, and all applicable approvals required by the Planning Commission and the Zoning Board of Adjustment have been granted. In addition, initial construction under a zoning permit is prohibited unless and until a wastewater and potable water supply permit is issued under 10 V.S.A. chapter 64.

How the proposal 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 of Concord Vermont Municipal Plan focuses on safe and affordable housing (Section 4 Housing), the protection of water quality (Section 7 Recreation, and preservation of (Section 8.1 Water Supplies). By requiring that initial construction under a zoning permit be prohibited unless and until a wastewater and potable water supply permit is issued, the municipal plan goals of safe housing and water quality are required.

V. Clarification of definitions of accessory structures, freight storage containers, and structures in Section 802:

Accessory Structure: a structure, detached from the principle structure, which is incidental and subordinate to the principal or structure on the same lot.

Freight Storage Containers: Freight storage containers shall include containers unregistered for transportation use, but not limited to box trailers, flat bed trailers, storage boxes or utility trailers. They may be with or without wheels.

Structure: an assembly of materials for occupancy or use, including, but not limited to, a building, mobile home or trailer, billboard, sign, wall or fence, except a wall or fence on an operating farm.

How the proposal 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.

Section 3.7 of the Town of Concord Vermont Municipal Plan discusses open space conservation strategies to protect the visual landscape of open spaces, wooded hillsides, and mountains with scenic vistas within its borders. By clearly defining what an accessory structure, freight storage container and structure are under the zoning bylaws, clarification of zoning defined structures to support conservation of open spaces is further supported by this zoning update.

Dated in Concord, Vermont June 7, 2016 Concord Planning & Zoning Board. Comments may be submitted in-person at the hearing, in writing to the Planning & Zoning Board, PO Box 317, Concord, VT 05824 or via email to Board Secretary Linda Hartwell at ldhartwell1@gmail.com. A full copy of the proposed bylaws are available in the Concord Municipal Building at 385 Main Street, Concord, VT and at the Concord Town Clerk's Office at 374 Main Street, Concord, VT.
