

10/6/14

## Planning Commission Report On the Municipal Bylaw Amendments

This report is in accordance with 24 V.S.A. 441 © 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 © 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 proposed **Articles IV Signs, V Administration, and Appendix I Definitions** are to address:

- 1) Administration of Signs in the town of Wilmington
- 2) Administrative processes related to the Wilmington Zoning Ordinance, and
- 3) Definitions of terms used in the Wilmington Zoning Ordinance.

The purpose of **Article IV Signs** is:

1. To fully replace the existing Wilmington Sign Ordinance and the Historic Review District sign provisions with a single Article that will apply in all Districts.
2. To provide for sign administration through “normal” zoning channels of the Zoning Administrator and the Development Review Board, eliminating the need for a separate channel of administration through the Sign Administrator and the Sign Board of Adjustment.
3. Provides more appropriate signage, consistent with the economic and historic objectives of the town.
4. Provides consistency in provisions and administration.
5. Improves ease of reading and understanding through simplified provisions and presentation.
6. Promotes compliance with applicable Vermont Statutes.

The revised **Article IV Signs** better supports the goals and objectives of the Wilmington Town Plan, including but not limited to:

- Natural Resources Policies 1, and 7
- Transportation Policies 1 and 3
- Community Facilities and Services Policies 9, 11, and 15
- Economic Development Policies 2, 3, 6, and 7

The purpose of changes to **Article V Administration** is:

1. To guide the administration of the Wilmington Zoning Ordinance, in accordance with the duly adopted Town Plan.
2. To modify the requirements for granting Waivers, better meeting the goals and objectives of the Town Plan.
3. To provide the Development Review Board guidance on the issuance of Waivers.
4. To clarify the Administration, Appeals and Hearing Processes for ease of understanding.
5. To implement a schedule of penalties and enforcement provisions for enhanced compliance.

The revised **Article V Administration** improves the ability of Zoning Ordinance administrators to exercise discretion in the granting of waivers, and to improve understanding of Appeal processes and procedures, to better support the goals and objectives of the Wilmington Plan including but not limited to:

- Housing Policies 1 and 4
- Economy, Policy 2
- National Resources, Policy 1
- Land Use, Policies 1 through 5

The purpose of **Appendix I Definitions** is:

1. To provide definitions in support of the proposed Articles IV.
2. To provide definitions in support of the proposed Article V.
3. To enlarge, slightly the definition of Structure, Small so that structures smaller than a garage are not subject to penalties as defined in Article V.

The revised **Appendix I Definitions** supports both Article IV and Article V in meeting their respective Town Plan objectives but providing clarifying definitions.

**The Planning Commission seeks the vote and adoption/repeal of the following:**

1. Adoption of Article IV Signs
2. Repeal of the existing Sign Ordinance last revised and adopted July 18, 2011
3. Repeal of Section 620 (C), (D), (E), (F) and Section 630 (F) of Article VI, Historic Review District
4. Revision of Article V Administration
5. Revision of Appendix I Definitions.
6. Dissolution of the roles Sign Administrator and Sign Board of Adjustments

The report shall also

“(B) 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 the safe and affordable housing:”

There is no effect on the availability of safe and affordable housing.

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

The proposed amendment is to provide for effective administration of the Zoning Ordinance, aligned with the land uses and densities as set forth in the Wilmington Town Plan adopted on September 15, 2010.

3. Carries out, as applicable, any specific proposal for any planned community facilities.

No planned community facilities are affected by this amendment.

Dated this sixth (6<sup>th</sup>) day of October

Wendy Manners, Chair



Vincent Rice, Clerk



John Lebron



Carolyn Palmer

