

## Planning Commission Reporting Form for Municipal Plan Amendments

This report is in accordance with 24 V.S.A. §4384(c) which states:

*“When considering an amendment to a plan, the planning commission shall prepare a written report on the proposal. **The report shall address the extent to which the plan, as amended, is consistent with the goals established in §4302 of this title.**”*

The draft amendment is not a substantive update to the plan amendment adopted in 2013. At that time, the plan was amended to strengthen consistence with planning goals of 24 VSA §4302. The plan amendment was approved by the regional planning commission.

This draft amendment was amended to reflect:

- Statistical updates, such as American Community Survey;
- Act 46 and realignments to the school board;
- Unexpected changes to the EB-5 program, which was going to have a substantial impact on the region’s economy

The draft amendment also reflects recommendations of the previous plan that were accomplished:

The 2013 plan calls for the creatin an industrial use corridor along Route 5 that establishes scale and intensity of uses considered suitable, as well as standards for siting such uses. The 2013 plan also recommended establishing standards and policies for siting home-based businesses and industrial. Both recommendations were carried out in the update to the bylaws in 2017 (Unified Development Bylaw). This proposed plan amendment reflects the changes to the bylaw and recommends the use of tax incentives for siting new economic development in the Commercial/Industrial district.

The 2013 plan proposed a strategy for joining the National Flood Insurance Program and advocates for standards that exceed the NFIP minimum threshold by prohibiting new development from the special flood hazard area, including areas that have been identified as subject to fluvial erosion (“river corridors”). The 2017 update to the Unified Development Bylaw did contain standards sufficient for joining the National Flood Insurance Program (Sutton joined in 2017), but the Town lacked support for exceeding the minimum standards. This proposed amendment recommends continued evaluation of river corridor data.

The 2013 plan recommended an density-based approach for the town’s working lands that allows for smaller residential lot sizes while maintaining an overall density of one unit per 25 acres. The plan amendment acknowledges changes to the town’s bylaw by the creation of a working lands district that maintains an overall density of one unit per 10 acres.

The 2013 plan recommended higher densities in and around the village area. The plan amendment further promotes compact dense development in this area by pursuing Village Center

Designation from the state of Vermont. If designated, income-producing properties in the village core will be eligible for state tax credits on certain fit-up and rehabilitation projects.

Finally, the plan amendment contains expanded siting standards for renewable energy. These standards simply reinforce the sentiment of the 2013 plan that utility scale wind is inappropriate for the Town. If adopted, the Town will not seek Substantial Deference (i.e. Certification of Act 174 Compliance) from the regional planning commission for this plan amendment. However, the Town anticipates a subsequent update to the plan that will be eligible for certification.

*If the proposal would alter the designation of any land area, the report should cover the following points:*

1. *The probable impact on the surrounding area, including the effect of any resulting increase in traffic, and the probable impact on the overall pattern of land use.*

The overall pattern of land use is consistent with Sutton's traditional rural design because: the plan encourages a) denser development in and around the village area b) lower overall densities in Sutton's working lands, and c) auto-dependent industrial uses on limited areas along Route 5.

2. *The long-term cost or benefit to the municipality, based upon consideration of the probable impact on:*

(A) *the municipal tax base; and*

Industrial uses, if properly sited, could contribute to the municipality's tax base.

(B) *the need for public facilities;*

None.

3. *The amount of vacant land which is:*

(A) *already subject to the proposed new designation; and*

The only proposed new designation in this amendment is the core of Sutton Village, which may be eligible for Village Center Designation.

(B) *actually available for that purpose, and the need for additional land for that purpose.*

There is no additional land needed for Village Center Designation.

4. *The suitability of the area in question for the proposed purpose, after consideration of:*

(A) *appropriate alternative locations;*

(B) *alternative uses for the area under consideration; and*

(C) *the probable impact of the proposed change on other areas similarly designated*

5. *The appropriateness of the size and boundaries of the area proposed for change, with respect to the area required for the proposed use, land capability and existing development in the area."*

It is the opinion of the Town that the pattern and intensity of development in Sutton's village is in keeping with the built environment required for Village Center Designation. There is no other land that would be suitable for such designation.

**Please Note:**

- ❖ The planning commission must hold at least one public hearing within the municipality after public notice on any proposed plan or amendment.
- ❖ At least **30** days prior to the first hearing, a copy of the proposed plan or amendment and the written report must be delivered with proof of the receipt, or mailed by certified mail, return receipt requested, to each of the following:
  1. the chairperson of the planning commission of each abutting municipality, or in the absence of any planning commission in an abutting municipality, to the clerk of that municipality;
  2. the executive director of the regional planning commission of the area in which the municipality is located;
  3. the Department of Economics, Housing and Community Development within the Agency of Commerce and Community Development; and
  4. business, conservation, low income advocacy and other community or interest groups or organizations that have requested notice in writing prior to the date the hearing is warned.
- ❖ The planning commission may make revisions to the proposed plan or amendment and to any written report, and must thereafter submit the proposed plan or amendment and any written report to the legislative body of the municipality.
- ❖ If the legislative body changes any part of the proposed plan, the planning commission must submit to the legislative body, at or prior to the public hearing, a report that analyzes the extent to which the changed proposal, when taken together with the rest of the plan, is consistent with the legislative goals established in 24 V.S.A. §4302.
- ❖ Simultaneously with the submission, the planning commission must file with the clerk of the municipality a copy of the proposed plan or amendment, and any written report, for public review.