

**Proposed changes to The Town of Shaftsbury Zoning Bylaws and Land Use Regulations, last amended June 15 2022.**

*Changes to definitions (changes shown in italics and "strike through."*

*Dwelling Unit, Accessory: An efficiency or one bedroom Dwelling Unit located within or appurtenant to an owner occupied One Family Dwelling that is clearly subordinate to the One Family Dwelling, which has provisions for independent living, including sleeping, food preparation, and sanitation, provided that the property has sufficient wastewater capacity and that the unit does not exceed ~~30~~ 50 percent of the total habitable floor area of the One Family Dwelling, but is at least 400 square feet in floor area. *Larger existing structures such as barns or carriage houses may be renovated for this purpose but the Dwelling Unit shall comply with the 50 percent threshold.**

*Manufactured Home (or Mobile Home or Tiny House or Home): A structure, transportable in one or more sections, which is built on a permanent chassis and is designed for use with or without a permanent foundation when attached to the required utilities. The term "Manufactured Home" does not include a "Recreational Vehicle". ~~Said structure is designed and approved for use by the U.S. Department of Housing and Urban Development and carries a label approving it for said use. Manufacturer's installation instructions are considered to be a part of the requirements for the placement of a Manufactured Home on a site as a One Family Dwelling.~~*

*New section*

8.18

No new public or member-limited facility the purpose of which is the promoting of or the discharge of munitions is permitted in the Town of Shaftsbury.

*New section*

Section 9.1.5 Amending a Zoning Permit or Site Plan

A. Upon written request from the applicant, the Zoning Administrator may, prior to completion or occupancy, amend a zoning permit or approved site plan upon finding that the proposed change:

- (1) Is not a material change; and
- (2) Does not affect the type, character, or intensity of the approved development or use to the extent specified below:
  - (a) Any proposed change shall not result in an increased requirement for parking or loading spaces.
  - (b) Any proposed change in building footprint shall not exceed 5% or 100 square feet, whichever is less.
  - (c) Any proposed substitution of planting materials shall not change the overall landscape design concept.

(A material change means a change in the planned use or development of land or a structure that may have affected the decision made or any conditions placed on the permit if it had been included in the plans as approved.)

B. The Zoning Administrator shall:

- (1) Require that the owners of properties adjoining the subject property be notified and have an opportunity to comment prior to acting on the amendment request.

C. The Zoning Administrator may:

(1) Decline to amend an approved site plan and refer the request to the Development Review Board (see Section 4306).

(2) Require the applicant to submit an application for a new zoning permit.

D. Where the Zoning Administrator amends a zoning permit or approved site plan, such approval will not change the expiration date of the permit.

E. Once development for a permit is complete, a new application is required for any amendments.

*Changes to existing sections are shown in italics*

#### Subdivision Regulations

##### 7.3 Open Space Subdivision

The Development Review Board *must* require developers to implement an open space design when failure to do so would result in one or more of the following:

1. A significant reduction in the agricultural use potential of the land, *where "significant" means a reduction in area of 50% or more or any contiguous prime or statewide significant agricultural soils;*
2. *Noticeable change to the natural-appearance* of a hillside, ridgeline, or open field as viewed *from any public thoroughfare in the Town;*
3. *Permanent* encroachment upon a natural area, wildlife habitat, or stream, wetland, vernal pool, or other water *body;*
4. Elimination of public access to a recreational resource;
5. Soil erosion, ground or surface water contamination, or *other circumstances that impact* environmental quality.
6. *Fragmentation of a forest-block or wildlife corridor as illustrated in Shaftsbury Town Plan Maps 4.1 (Terrestrial and Aquatic Systems) and 4.2 (Rare Species and Natural Communities).*