

MEMORANDUM

Date: August 11, 2021
To: Planning Commission
From: Julie
Re: Zoning Amendment history

I have gone through the documentation relative to what drove the initial request for zoning bylaw amendments. I will be at your meeting on Monday to discuss details in person but wanted to provide some history for you to review prior to the meeting.

The initial impetus for the amendments was the Village Center Master Plan. I have included 2 pages from the Master Plan grant application for you to look at. While the narratives don't specifically address "zoning bylaws", it does give a sense of what was trying to be accomplished through the Master Plan development process. At that time, the town was quite divided over the addition of Dollar General. It became apparent that at the end of the day we all wanted the same thing, Chester to grow and be a vibrant community. I wanted to create a forum that would bring all opposing views to the same table and develop a merged vision for the Village Center. This discussion included the zoning for Chester. Discussions within the community revealed that the zoning process for Chester was not business friendly and quite cumbersome for small developers.

Also, having worked for Chester for so many years, with a few years as the Zoning Administrator, I was quite aware that there were many disparities within the bylaws. The bylaws have been amended over the years for specific purposes, but there had not been a review to determine their cohesiveness and to ensure that how we were regulating made sense in comparison to our history and future. Items such as Conditional Use requirements (such a complicated process for a layperson), nonconforming lots/uses (i.e. setbacks in village center), densities that make no sense, district boundaries (i.e. Baba Louis not being allowed commercial uses), etc. Since we were working on revitalization of the Village Center, it was the appropriate time to discuss zoning bylaws as well.

From the Master Plan came the initiative of a "zoning audit". I have included the Request for Qualifications which describes what we were looking for. We knew that identifying the disparities would be complex and knew that we needed a professional to help identify the issues. The purpose was not to throw away the old bylaws and start from scratch, but to compare how we were regulating with what we wanted to achieve – did we have the right tool to achieve our goals. Brandi was hired, compared the Town Plan against the Bylaws and produced a zoning

audit. I have enclosed this for your review as well.

The next step was to begin implementing some of the recommendations that Brandi had made. I have attached the Request for Proposal that gives a project description. I will reiterate here that it was never the intention to completely rewrite our zoning bylaws. The audit was to be reviewed with respect to Chester's needs and accept those recommendations that made sense for Chester. Not everything that the audit proposed works for Chester and not everything achieves the overlying goal of making Chester more business friendly and more attractive for the theme of Live Work Play. As with any consultant that we use, the purpose of the consultant was to seek the input from the Planning Commission as to its desires and goals for Chester and draft bylaw amendments that meet that. I am not sure that is what happened.

I hope that this information helps give some clarity as to the initial charge to the Planning Commission. I am not sure how many of you were on the PC at the start of this and it is likely that communication got lost along the way. However, it is important that we move forward understanding that the bylaws need to be a document that works to preserve the best of Chester as it has developed over the years. The title of our Master Plan was "Rediscovering Chester". It was titled this because during that process we learned a lot about ourselves and about who and what we are as a community. The community wants that preserved. We need to expand on what we have already done so well but also to continue to grow and be a vibrant community.

Project Narrative:

Chester Vermont is finding itself in a unique position with regards to its future. There is currently a very strong community desire to pursue village revitalization and sustainability in Chester. The town is full of intense energy brought about from many distinctly different groups. While much of the energy is positive and all groups are focused on the same goal, there is not a clear unified vision of how to achieve the desired outcome. Now is the perfect time to capitalize on this existing energy and pursue this project.

This effort involves developing a Master Plan for the Village Center of Chester and the surrounding area (see the attached project area map). The goal of this project is to engage the community in a planning process that gathers the various thoughts and desires of residents, creates a unified vision for village revitalization, and establishes a clear implementation plan to further this vision. The resulting document will identify implementable transportation and land use related projects and strategies that will guide Chester into making smart investments that advance FHWA Livability Principles and support Vermont Planning Goals and VTrans' vision statement.

The Chester Village Center Master Plan will involve the following:

- Focus groups will be created for each village revitalization category; art, culture, history, recreation, private business, beautification/streetscaping, transportation and wayfinding
- Develop a market analysis including a zip code survey, identify retail leakage, and key marketing recommendations
- Develop strategies to support local businesses as well as to draw new businesses, such as tax stabilization and grants
- Website enhancement and digital media design concepts
- Wayfinding strategies to draw traffic from Vermont Route 103 into the village center
- Streetscaping enhancements for the village center
- Develop and improve parking circulation issues within the Village Center area;
- Develop and improve traffic circulation and safety at various locations throughout the village
- Develop and improve facilities for walking, bicycling and public transit
- Connect the identified goals with the town's existing Capital Plan/Capital Fund

This project supports the SCBC program purpose and objectives in the following ways:

- Provides more transportation choices by identifying recommendations such as:
 - Establish a park and ride location behind the Village Green;
 - Establish an e-charging station at the created park and ride;
 - Identify and remediate potential barriers met by bicycle tours and running groups
 - Establish a walking trail behind the Brookside Cemetery located within the village limits
- Identifying improvements such as streetscaping, parking, and wayfinding signage makes Chester's village center a more desirable place, which helps to support the goal to maintain Vermont's historic settlement patterns
- Maximizes efficiency for multi-modal transportation infrastructure by inventorying the existing non-motorized transportation network and identifying strategic connections and upgrades
- Supports village center revitalization efforts by:
 - Enhancing and maintaining the historic character of Chester's village center
 - developing strategies to connect drivers along the VT Route 103 corridor to the Village green area;
 - Creating a marketing plan to better target local economic development efforts
 - Develop tools that are available to support businesses that are here and that want to come here i.e. tax stabilization, loans, etc.
- Plans for circulation and safety improvements such as better signage and improvements at the triangular intersection of VT Routes 103 and 11
- Identify priority strategies that can be implemented through the town's Capital Plan

Purpose and Need:

The purpose of this project is to develop a Master Plan that will provide a clear set of recommendations that will guide the revitalization efforts of Chester Village Center and the surrounding areas. This project will engage the community in order to take advantage of the significant level of community interest in local revitalization efforts that currently exists in Chester. The outcome of this planning process will be to develop a unified vision for the Village Center, identify strategies to better market the community for business growth, and to identify strategic roadway, streetscape and parking improvements that bolster the desired revitalization efforts.

This Village Center Master Plan project is critically important to the community in order to address the following needs:

- Chester's population and economy has been fairly stagnant in recent years.
- Chester relies on the tourism sector to keep its economy vibrant. We need to attract more of the tourist traffic that travel along VT Route 103 into the Village Green area, which serves as our business district.
- As discussed in the project narrative, there is a very strong community desire to pursue village revitalization and sustainability in Chester. It is essential that we capture this energy now to harness this interest to formulate a unified vision for Village Center revitalization. This level of commitment and devoted participation has never existed in Chester prior to this time, and if the town fails to act and respond now, it will not be present again in the future.
- Over the past several years, the Town of Chester has been working towards revitalization in the village center area of Chester. In 2009, the revised Town Plan was adopted with a focus towards town stimulation and overall economic growth. While we have made very positive strides toward that goal, much more effort is needed to enhance these efforts and target strategic land use and transportation related efforts to better achieve the desired outcomes.
- In 2014, Chester completed its process of completely redrafting its zoning and subdivision regulations to fit with the newly adopted Town Plan. During this process, a village center district was created for the purposes of focusing the renewal efforts on the center of Chester. These new regulations are aimed to assist and guide the restoration that will occur in the village center area of Chester. We now need to adequately plan the necessary infrastructure upgrades that will encourage the desired land use investments and patterns.
- Chester adopted a Capital Plan budget program 8 years ago which has provided the ability to apply long term planning to the process of maintaining capital improvements without spiking the tax rate. The town has taken on a number of projects to improve the Village Center, including sidewalk upgrades and a large municipal water system project. However, there are other needs to be addressed, such as gaps in the existing sidewalk network, crosswalk safety enhancements, safety improvements to address high crash locations, and better traffic circulation.
- There are a few key locations that experience significant levels of crashes in recent years, including Main Street by the Village Green, the triangular intersection of Main Street/Depot Street/Maple Street, and the South Main Street/Pleasant Street intersection.

The creation of a Master Plan is vital to bringing all of these components together to create a village center that is vibrant, engaging, and revitalized.

Town of Chester
Request for Qualifications for Zoning Code Review Consultant
September 27, 2017

REQUEST FOR QUALIFICATIONS
Zoning Code Review Consultant

ZONING CODE ASSESSMENT

The Town/City of Chester is requesting Statements of Qualifications (SOQ)s from Zoning Code Consultants for services in the assessment of the Town's existing Unified Development Bylaws and its compatibility with the Town's long-term goals. The Municipality is seeking a Consultant with expertise and experience in code development and in performing a Zoning Code Assessment. The procurement process for selection of the Consultant will be a Qualifications Based Selection (QBS). We are not seeking a detailed scope of work or cost proposal at this time. The successful Consultant will be selected based upon their demonstrated ability to provide the highest qualified proposal to achieve the goals of the project through their SOQ and possible interview with the selection committee.

Project Development

The Municipality will manage the project and administer funding. The owner of the project is the Municipality and the sole authority for the Consultant during the project rests with the Town of Chester.

The Municipality will be the Project Manager. The lead local contact and administrative support for the project is:

Julie Hance
Town of Chester
P.O. Box 370
Chester, Vermont 05143
(802) 875-2173
Julie.hance@chestervt.gov

The consultant will work directly with the Project Manager throughout the development process.

Project Description

This project will include the hiring of a Zoning Code Consultant whose primary expertise is in the field of zoning code development and assessment. The Town of Chester established its zoning regulations in 1974. Since that time, there have been adjustments made to fix immediate needs, not an analysis of compliance with other planning documents. The town is finding that its current zoning is difficult to work with and is not compatible with its newly identified long term goals. The town is anticipating a zoning code rewrite, but would like to identify what method of zoning best supports the town's overall goals and objectives.

The selected consultant would be charged with reviewing the existing zoning code, reviewing the town's current planning documents including the new Master Plan and seeking input from the community through community outreach efforts.

Several identified key elements important to this project are:

1. The Consultant must have experience with performing audits of a similar nature;
2. The Consultant must have knowledge of State and Federal zoning standards and disciplines;
3. The Consultant must have experience working with small towns and where historic resources are an important part of the community character;
4. The zoning audit must be completed by May 15, 2018;

Qualifications - Based Selection Process (QBS)

Zoning Consultant services for this project will be procured through a qualifications-based selection process (QBS). This Request for Qualifications (RFQ) is a solicitation for a Statement of Qualifications (SOQ) from qualified zoning consultants. **We are not seeking a scope of work or cost proposal at this time.**

Submission Requirements

Please furnish six (6) hard copies, and one electronic copy, of the Statement of Qualifications with pages numbered consecutively.

Statement of Qualifications (SOQ) should be a narrative proposal that best represents your firm's qualifications to perform a zoning assessment. SOQ's should include the proposed project consultant, technical abilities, examples of previous projects, references, a proposed schedule and any other information that you consider important.

We are not seeking a detailed scope of work or cost proposal at this time.

All Statements of Qualification will become the property of the Municipality upon submission. The cost of preparing, submitting and presenting is the sole expense of the firm. The Municipality reserves the right to reject any and all Statements of Qualification received as a result of this solicitation, to waive any formality and any technicalities or to cancel this RFQ in part or in its entirety if it is in the best interests of the Municipality. This Request for Qualifications in no way obligates the Municipality to award a contract.

Submission Schedule

Statements of Qualifications (SOQ) are to be submitted to:

Julie Hance
Town of Chester
556 Elm Street, P.O. Box 370
Chester, Vermont 05143

SOQ's must be received at the Municipal offices no later than **3:00 p.m. on October 23, 2017**. SOQ's received after the deadline will not be accepted. It is the goal of the Municipality to review the Statements of Qualifications and the Selection Committee to meet collectively and choose the most qualified firm within three weeks of the submission deadline. Negotiations with the selected firm is anticipated to conclude sometime in mid-October. Notification to all responding firms of the selection will follow immediately upon the decision of the Town of Chester

Town of Chester
Request for Qualifications for Zoning Code Consultant

May 31, 2018

REQUEST FOR QUALIFICATIONS

Zoning Code Consultant

ZONING CODE ASSESSMENT

The Town/City of Chester is requesting Statements of Qualifications (SOQ)s from Zoning Code Consultants for services in the update of the Town's existing Unified Development Bylaws. The Municipality is seeking a Consultant with expertise and experience in code development. This re-write will be extensive and will require review and consideration of a Zoning Audit that was recently performed. The selected Consultant must have experience working with small towns and/where historic resources are an important part of the community character. The procurement process for selection of the Consultant will be a Qualifications Based Selection (QBS). We are not seeking a detailed scope of work or cost proposal at this time. The successful Consultant will be selected based upon their demonstrated ability to provide the highest qualified proposal to achieve the goals of the project through their SOQ and possible interview with the selection committee.

Project Development

The Municipality will manage the project and administer funding. The owner of the project is the Municipality and the sole authority for the Consultant during the project rests with the Town of Chester.

The Municipality will be the Project Manager. The lead local contact and administrative support for the project

is: Julie Hance
Town of Chester
P.O. Box 370
Chester, Vermont 05143
(802) 875-2173
Julie.hance@chestervt.gov

The consultant will work directly with the Project Manager throughout the development process.

Project Description

This project will include the hiring of a Zoning Code Consultant whose primary expertise is in the field of zoning code development. The Town of Chester recently completed a Zoning Audit of the existing Unified Development Bylaws for their compliance with the Town Plan and newly adopted Village Center Master Plan. The consultant will work with the town in updating its Unified Development Bylaws, taking the results of the zoning audit into consideration.

Several identified key elements important to this project are:

1. The Consultant must have experience in performing similar work;
2. The Consultant must have knowledge of State and Federal zoning standards and disciplines;

3. The Consultant must have experience working with small towns where historic resources are an important part of the community character;
4. The zoning rewrite must be completed by May 1, 2019;

Qualifications - Based Selection Process (QBS)

Zoning Consultant services for this project will be procured through a qualifications-based selection process (QBS). This Request for Qualifications (RFQ) is a solicitation for a Statement of Qualifications (SOQ) from qualified zoning consultants. **We are not seeking a scope of work or cost proposal at this time.**

Submission Requirements

Please furnish three (3) hard copies, and one electronic copy, of the Statement of Qualifications with pages numbered consecutively.

Statement of Qualifications (SOQ) should be a narrative proposal that best represents your firm's qualifications to perform a zoning assessment. SOQ's should include the proposed project consultant, technical abilities, examples of previous projects, references, a proposed schedule and any other information that you consider important.

We are not seeking a detailed scope of work or cost proposal at this time.

All Statements of Qualification will become the property of the Municipality upon submission. The cost of preparing, submitting and presenting is the sole expense of the firm. The Municipality reserves the right to reject any and all Statements of Qualification received as a result of this solicitation, to waive any formality and any technicalities or to cancel this RFQ in part or in its entirety if it is in the best interests of the Municipality. This Request for Qualifications in no way obligates the Municipality to award a contract.

Submission Schedule

Statements of Qualifications (SOQ) are to be submitted to:

Julie Hance
Town of Chester
556 Elm Street, P.O. Box 370
Chester, Vermont 05143

SOQ's must be received at the Municipal offices no later than **3:00 p.m. on June 29, 2018**. SOQ's received after the deadline will not be accepted. It is the goal of the Municipality to review the Statements of Qualifications and the Selection Committee to meet collectively and choose the most qualified firm within three weeks of the submission deadline. Negotiations with the selected firm is anticipated to conclude sometime in mid-October. Notification to all responding firms of the selection will follow immediately upon the decision of the Town of Chester

Selection

The Selection Committee includes the Project Manager, Municipality & other local or regional representatives. They will review and evaluate each statement of qualifications, based on the criteria below. Firms will then be ranked accordingly. The Selection Committee may interview the top three firms if it is deemed necessary in order to choose the highest qualified firm. Upon completion of any interviews, a scope of work and cost

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Bylaw Update RFQ

proposal will be required and negotiations will begin with the top-ranked firm. If a scope of work and fee cannot be agreed upon within a reasonable time, negotiations with the top-ranked firm will be concluded and negotiations with the second-ranked firm will be initiated. If a satisfactory contract is not worked out with this firm, then this procedure will be continued until a mutually satisfactory contract is negotiated.

Criteria for Selection

The following criteria, as a minimum, will be used to evaluate qualifications:

Review Criteria	Weight	Maximum Points	Weighted Points
Understanding of the Project	5	4	20
Knowledge of State and National Zoning Laws and Disciplines	5	4	20
Experience working with small, historic villages	5	4	20
Qualifications / Experience of Proposed Staff	5	4	20
Experience with Similar Projects	5	4	20
TOTAL			100

Appeal Process

If the award of the contract aggrieves any firms, they may appeal in writing to the Municipality of Chester Selectboard, P.O. Box 370, Chester, Vermont 05143. The appeal must be post-marked within fourteen (14) calendar days following the date of written notice to award the contract. Any decision of the Municipal Selectboard is final.

All questions related to this RFQ shall be directed to the Project Manager, Julie Hance, Town of Chester, P.O. Box 370, Chester, Vermont, 05143, (802) 875-2173 or email julie.hance@chestervt.gov. Other than very routine questions, all questions will be answered in writing and distributed to all prospective firms.

Joint Meeting Format Suggestions August 2021

Suggestion from Hugh:

Meeting Goal:

To foster increased collaboration across the PC, ZA, DRB, and Select Board to improve the effectiveness of the end to end process of the planning, administration, and execution of the Unified Development Bylaws in support of the Chester Town Plan.

Meeting Agenda:

Introduction (10 min) PC Chair

- Introduce the members of the PC
- Summarize the goal for the meeting
- Outline the role of the PC, ZA, DRB, and Select Board in the UDB process
- Discuss the format of the meeting and share the agenda

Select Board (15 min) Select Board Chair

- Introduction; Introduce the members of the Select Board
- Top of Mind; Topics most relevant or important to the SB as it relates to the Town Plan or UDB, or the PC
- What's working; Things that are trending well and are positive with respect to Chester and/or the Town Plan
- Areas of opportunity; Things the SB feels we could do better as a town or PC.

DRB (15 min) DRB Chair

- Introduction; Introduce the members of the DRB
- Top of Mind; Topics most relevant or important to the DRB as it relates to the Town Plan or UDB, or the PC
- What's working; Things that are trending well and are positive with respect to the DRB process
- Areas of opportunity; Things the DRB feels are issues, pain points or things we could do better as a PC

ZA(15 min) Zoning Administrator

- Top of Mind; Topics most relevant or important to the ZA as it relates to the Town Plan or UDB, or the PC
- What's working; Things that are trending well and are positive with respect to the ZA process

- Areas of opportunity: Things the ZA feels are issues, pain points or things we could do better as a PC

Open Forum (15 min) All

- Opportunity for open discussion and Q&A

Wrap up (10 min) PC Chair

- Follow ups and next steps
- Discussion on value of the session and desire to establish cadence for future joint meeting

Suggestion from Tim:

While I'd like for the Planning Commission to be provided with consensus, or at least majority approved input and direction from the Select Board and Development Review Boards, I don't believe a joint meeting of the three bodies will be at all effective in accomplishing that goal.

I think it would be much more productive and would give us a clearer understanding of their priorities if each of those boards meets independently and develops a document that they then submit to the PC to assist with guidance from their relative perspectives. Failing that, we'll just end up with a bunch of sound bites from statements made, that we can then debate the meanings and priority rankings of.

For context, we did receive clear guidance from Carla Westine early in my time on the PC. That guidance was for the UDBs to be clear and not leave any gray areas if they could reasonably be avoided. That was all, because she believed it was our job to define the UDBs, not theirs. If that's changed under new leadership there, let's get something from them.

When we asked the SB for guidance, we got the invitation for a two on two meeting to review thoughts and concerns from members of the PC. That meeting, which I unfortunately missed but had submitted a fairly lengthy letter expressing my thoughts at that time, generated nothing of any help to us. They did request something in writing from Peter, outlining his concerns as a follow up, but I'm not sure if that was ever delivered and the matter was dropped. We never got anything back from the Select Board.

Bottom line: Getting guidance and/or concerns in writing, for use as a reference, is going to be more helpful in the long run. Let's ask them for that and see what they say.

Thoughts from Cathy

I believe the struggle the Planning Commission is having finding consensus is multilayered. The 8/16/2021 meeting will address a keystone issue about communication of intent. It may take a few days for the results of that meeting to settle and I don't want to rush that process.

Another layer to be examined after the project's origin story has been discussed is whether the current Select Board agrees with the direction the 2017 Select Board believed it was setting. A joint meeting with the Select Board would facilitate that discussion. When I look at the lines of communication in 2017, it seems like the mandate was passed back and forth between the Select Board and the Town Manager, then passed to Brandy Saxton, then passed from Brandy to the Planning Commission. The Planning Commission might have benefitted from a discussion with the Select Board to give the Commission's work of evaluating the proposed bylaws more context. Hindsight is 20-20. Everyone worked very hard to produce good bylaws. Let's learn from what has happened and move forward.

Aside from the project's history to this point, the profound changes in zoning philosophy that have taken place since the project started in 2017 are an issue that the Planning Commission could discuss. I believe we owe it to our town to do so. We are fortunate to have someone on the team (our Zoning Administrator, Preston Bristow) who follows these trends thoughtfully and can give us information and insight. I would feel remiss in my duty if we ignored these ideas simply because they were not part of the 4-year-old mandate.

I think this shift in philosophy should be communicated to the two other boards. I think a face-to-face meeting is appropriate. I am not ready to recommend a format until the issue of the original mandate is aired out.

Better Places recommendations for density and parking, pages 18 and 28 of Better Places document

Dimensional Requirements: Lot Coverage, Density caps

The adopted bylaws have no density limits. There is no lot square footage per principal use requirement. They do have a lot coverage standard. The Better Places document suggests that it should be dropped. We could start with the village districts: Village Center, Commercial Industrial, Residential Commercial, Stone Village and R-20 districts. These all are mostly served by municipal water and sewer.

Parking

The Off-street Parking table in Section 3.20 could be adjusted to match the table on page 28 of the ACCD Better Places document. The figures that we might change in the adopted bylaws are in blue. We don't currently identify Medical Offices separately. The difference between office and medical office is small 1/500 square feet vs. 1/400 square feet. We don't have an assembly use category. The high school and churches, which are civic uses, have installed seats. The elementary school, Town Hall and American Legion do not. The churches probably pre-date zoning and are grandfathered.

Off-Street Parking requirements are in section 3.20. It happens, that 3.20.G, Modification of parking requirements has come up twice in the Zoning Office this week, with two inquiries about permits. One is for the Free Range Building at 90 Common Street and the other is the former American Legion/Contemporary Arts building at 5 Depot Street. In each case, parking in the surrounding area and on the street is about the only way a proposed use could work. I'm glad the bylaws do not discourage the practice of businesses sharing parking areas.

Adopted Bylaws Parking standards

Land Use Category	Minimum Parking Standard
Residential	2/unit change to 1/household
Accessory Dwelling Unit	1/unit
Lodging	1/unit
Office	2/1,000 sq ft
Medical Offices	1/400 sq ft of gross floor area
Retail	3/1,000 sq ft
Restaurant/Bar	1/3 seats change to 1/4 seats
Civic	Per DRB under
Other	Conditional Use Review

Suggestion from Better Places document

Use	Minimum Parking Standard
All Residential Uses	1/household
Lodging	1/sleeping unit
Assembly Uses	1/4 installed seats
Retail Uses	1/300 feet of display floor area
Medical Offices	1/400 square feet of gross floor area
All other offices	1/500 square feet of gross floor area
Restaurants/Taverns	1 space per 4 indoor seats