

**STRATEGIC PLAN  
&  
FISCAL YEAR 2020  
WORK PROGRAM**

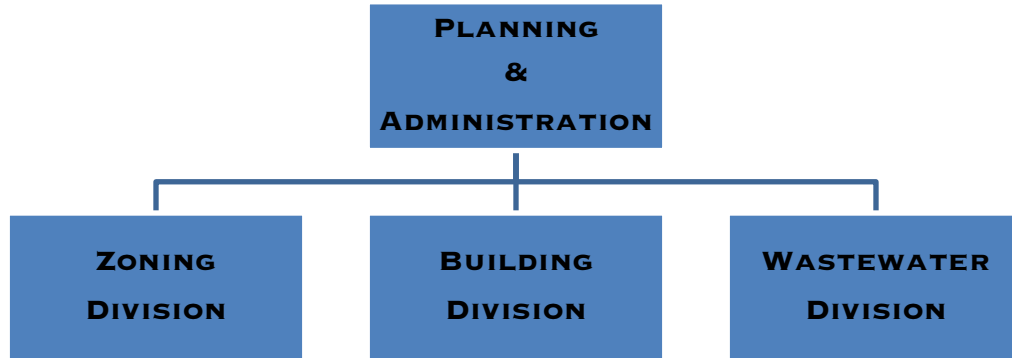


**Colchester**  
VERMONT

**DEPARTMENT  
OF  
PLANNING  
&  
ZONING**

**Introduction & Organizational Structure**

The Colchester Department of Planning and Zoning provides regulatory oversight to construction and development within the community as well as quality of life and environmental concerns. The department’s activities are comprised of four major divisions: zoning, building, wastewater, and planning and administration.



**Zoning Division**

**Objectives**

Zoning is a regulatory authority of land use and development as derived from the police powers of the state. Colchester first adopted zoning in 1955. The zoning division is responsible for reviewing and processing development applications in conformance with the town’s various land use regulations and plans. Under Title 24 of Vermont Statutes Annotated, Chapter 117 a municipality may choose to adopt local zoning, as the Town of Colchester has. Without local zoning, all construction and development would be subject to state land use permits also known as Act 250. As the State of Vermont does not have home rule, the town must follow the requirements of 24 V.S.A. Chapter 117 if it is to implement zoning. These requirements include but are not limited to:

- 1) The adoption of an eight year municipal land use plan;
- 2) Adoption of combined land use development regulations (combined zoning and subdivision regulations);
- 3) Reviewing development and construction for compliance with the plan and regulations through the zoning permit and certificate of compliance process;
- 4) The establishment of an Appropriate Municipal Panel (Development Review Board) for reviewing subdivisions, site plans, conditional uses, variances, and appeals of the Administrative Officer (Zoning Administrator);
- 5) Enforcement of zoning permits, land use regulations, and Development Review Board decisions;
- 6) Issuing formal decisions regarding the interpretation of land use plans and regulations, and
- 7) Assisting the public, applicants, and appellants with zoning inquiries.

**Activities**

The zoning division is staffed by two full-time employees: the Zoning Administrator and the Assistant Zoning Administrator. The Assistant fulfills the role of Zoning Administrator upon the Administrator's absence or request. The work of the zoning division falls under the following major activities:

- 1) Zoning permits and Certificates of Compliance;
- 2) Development Review Board applications and minutes;
- 3) Enforcement;
- 4) Financial accounting for the department.

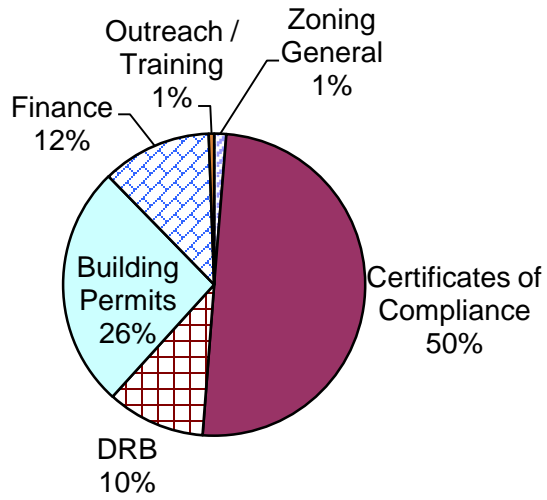
The first four activities are required for conformance with 24 V.S.A. Chapter 117. The fourth activity is an extension permitting activity as revenue is tallied and transferred to the Clerk's Department for deposit. The Zoning Administrator provides oversight to all of these activities except financial accounting which is under the direct supervision of the Director. The Zoning Administrator also staffs the Development Review Board in its functions including the logging in of new applications. The Assistant Zoning Administrator takes the lead in the issuance of certificates of compliance and administering the daily deposits and the scheduling of technical review committee meetings.

**Allocation of Resources**

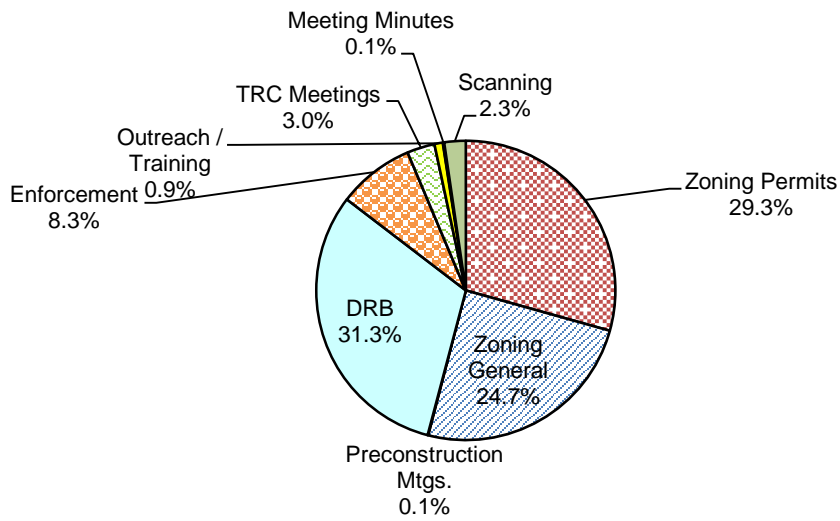
Below are charts of activities performed by the Zoning Administrator and Assistant Zoning Administrator for fiscal year 2019. With the scanning of existing records now complete, file maintenance has decreased except for the scanning of new applications. The Planning and Zoning Coordinator assumed minute responsibilities for the Development Review Board (DRB) in FY2019 thereby decreasing the Zoning Administrator's time associated with this activity even though DRB applications remained strong.

Training is necessary to perform these activities. Examples are attending Vermont League of City and Towns or similar organizations for seminars on current case law, changes to State Statute, best practices, etc. The chart of activities includes training time however it is also categorized with outreach activities. It is estimated that the Assistant Zoning Administrator should have up to 20 hours of training annually and the Zoning Administrator 20 to 40 hours annually. The target was not met for both in 2019 and additional efforts will be made in FY20 to ensure training opportunities for both the Zoning Administrator and Assistant Zoning Administrator.

### Asst. Zoning Administrator's Time



### Zoning Administrator's Time

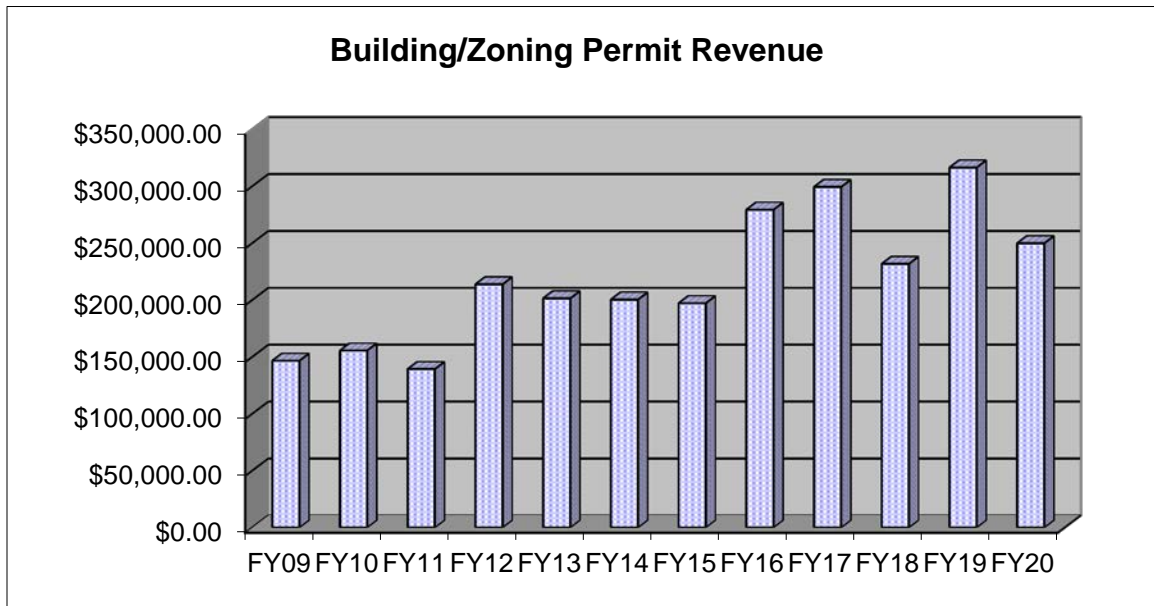


**Revenue Sources**

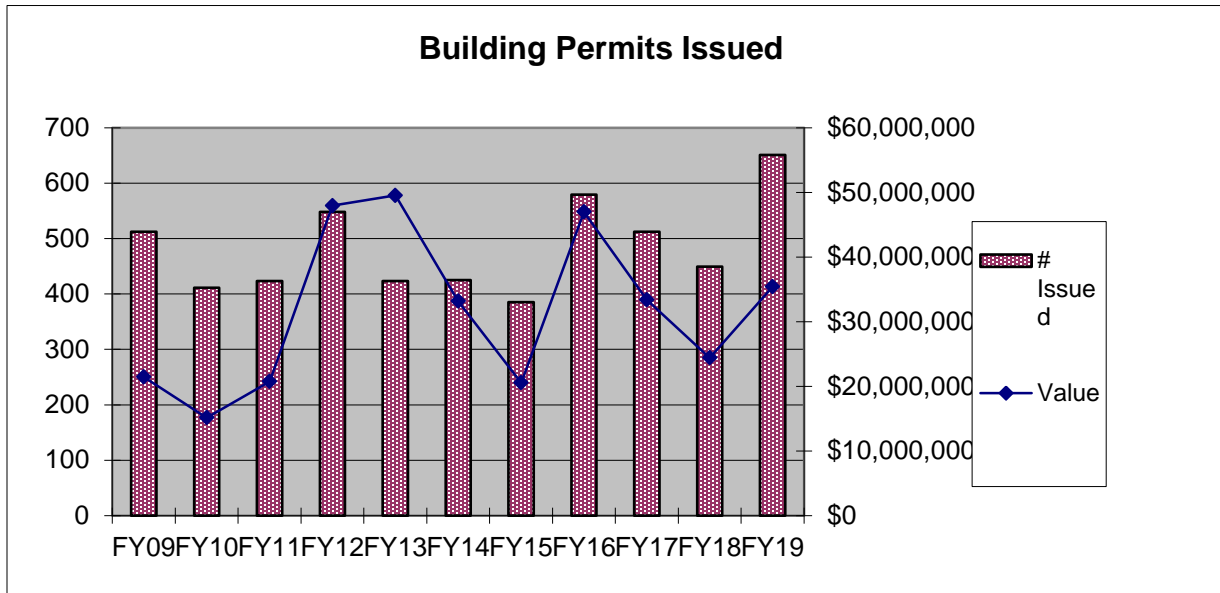
The first two activities (issuance of zoning permits / certificates of compliance and Development Review Board approvals) generate revenue through application fees, recording fees, and impact fees where applicable. These permit applications also include revenue to reimburse the town for third party legal reviews and state mandated legal notices in a local publication. Enforcement activities often result in fines or the reimbursement of legal fees incurred by the town. It is hard to distinguish the revenue of zoning permits from the revenue of building permits as the Department combines these permits into one application and one fee. These revenue accounts are listed in the town’s general fund at the following:

- 100002-341301 Building / Zoning Permits
- 100002-341300 Accessory Apartment / Seasonal Conversion Permits
- 100002-341304 DRB Legal Notices
- 100002-341305 DRB / Boundary Line Adjustment Applications
- 100002-341307 Certificates of Occupancy (and Compliance)
- 100002-351002 Planning & Zoning Fines

The following charts represent the actual revenue received in these revenue accounts for the preceding ten years as well as the projected revenue for fiscal year 2020. The projected estimate for 2020 was based upon preceding years’ revenue. The coming year should continue meet revenue projections.

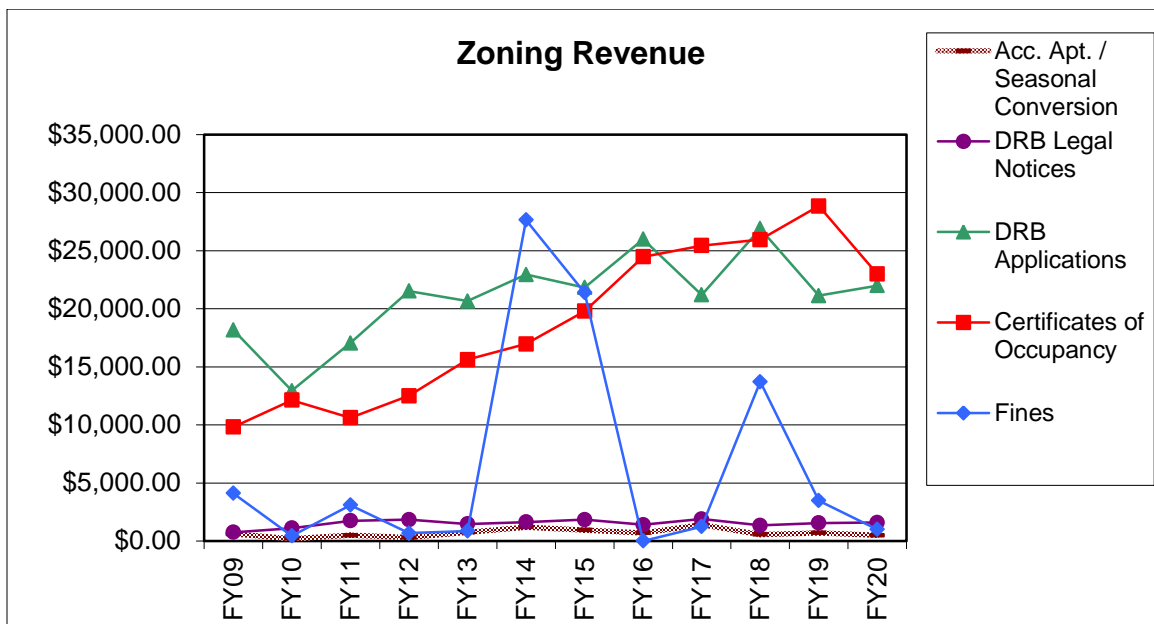


Historically, permit revenue has fluctuated with the economy. Fiscal year 2016 saw both a high number of permits as well as high permit value (highest since 2006 at the time). In 2012, an abnormally high number of permits were issued with the recovery from the lake flood of May 2011 as well as an increase in value with a new office building begun on Water Tower Hill. During the economic recession in the preceding years, many developers began site work on projects but delayed construction of units as the market remained soft. This trend is also reflected in the number of building permit versus site work inspections quantified under the building division. Fiscal year 2013 brought the resurgence of new single-family dwellings and a strengthening commercial sector. Several large commercial projects were permitted in fiscal year 2013 that resulted in increased values. Fiscal year 2014 saw essentially the same number of permits and permit revenue as 2013 however a decrease in construction value as high value buildings such as new Class A office space and institutional buildings such as the new dorms at St. Michaels College were not duplicated. This trend peaked in 2016. While 2017 saw strong permit revenue, the number of permits and permit value decreased. In 2018 there was a leveling off of permits, value, and revenue however FY19 saw another strong year with a new residential building added to Severance Corners, the opening of the Surgery Center at Exit 16, and strong residential starts with a mixture of condos and single family homes. FY20 is anticipated to continue be similar although, as no new buildings are anticipated at Severance Corners in FY20, revenue and value may not be as strong as FY19.



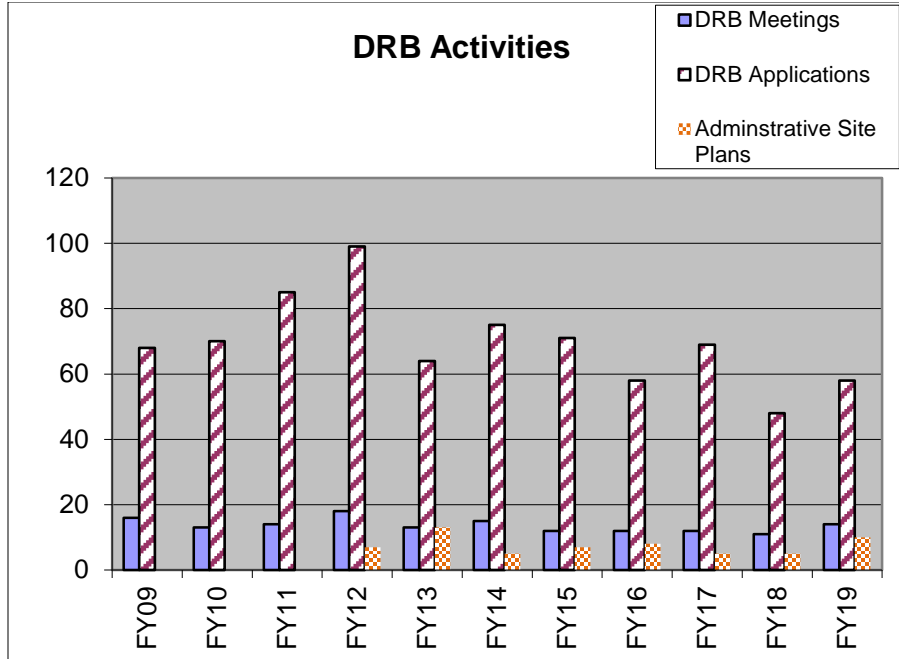
Requests for Certificates of Compliance continue to remain high with low interest rates and higher standards enforced by banks on the loan process. Fiscal year 2017 saw fewer requests, but stronger revenue as “last minute” requests began to incur a higher fee (compliance requests within two weeks of a closing double the regular fee). It is anticipated that this revenue line will remain strong into fiscal year 2020 as long as interest rates remain low and the housing market remains strong.

DRB applications peaked in fiscal year 2012 due to many variance and site plan for seawall applications due to the lake flooding in May 2011 however DRB applications have begun to rise in recent years as developers begin to replenish their stock of developable lots. Overall the number of DRB applications has diminished however revenue has remained consistent reflecting a trend of fewer variance and seawall applications in favor of larger subdivision and site plan applications. The decrease in the number of applications and DRB meetings also reflects staff’s efforts to process more applications administratively instead of requiring Board reviews for items routinely approved. More administrative site plans processed in FY19 decreased revenue but increased processing time. FY20 may see significant projects at Severance Corners move through preliminary and final plat applications potentially increasing DRB application revenue.



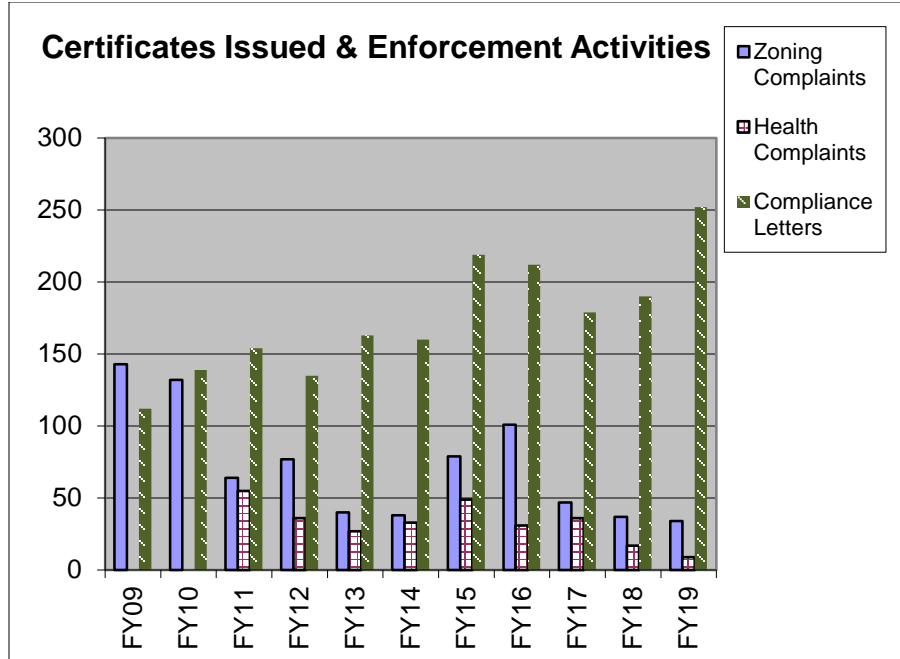
**Metrics for Efficiency & Output**

The efficiency and output of the zoning division can be measured in several areas. The department quantifies building and zoning permit activity by the number of permits issued and value of construction. Development Review Board (DRB) applications are quantified in the number of applications processed and the number of DRB meetings held. FY19 saw the continuance of several DRB shoreline applications that increased the need for meetings despite fewer applications.



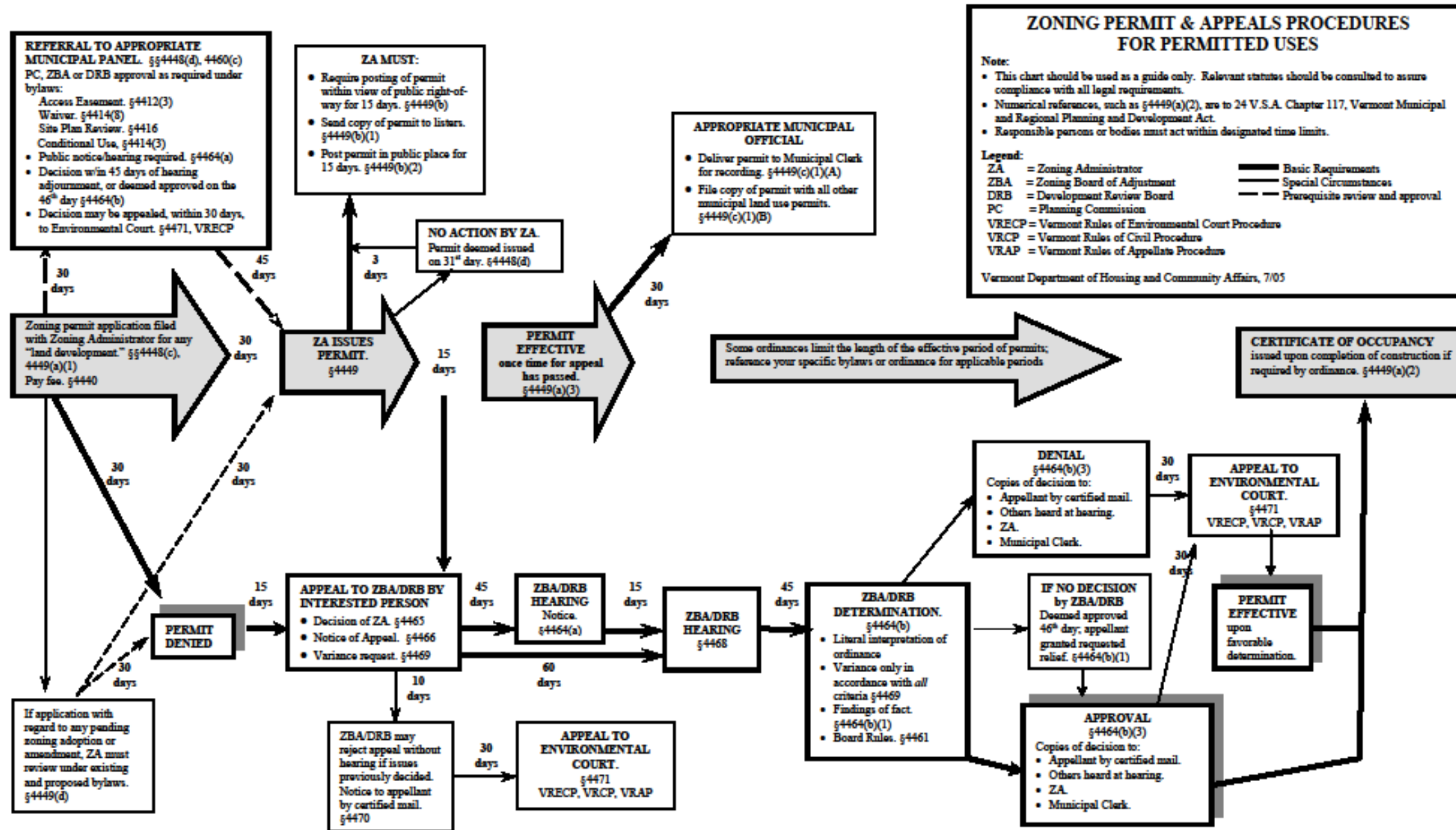
Zoning violations and complaints are logged by the case and not by the hours to resolve or the severity of the violation. In 2015 and 2016 complaints increased substantially over what had been relatively steady levels. While the number of complaints has since declined, many of these violations were not easily resolved with several matters litigated. In 2014 half of the complaints were resolved with phone calls and did not require inspections. In 2019 most violations required inspections, follow-up correspondence and even litigation. As of fiscal year 2020,15 violations from previous years were still not resolved. While these efforts have a positive impact on quality of life in the community, enforcement is revenue negative and can often require intensive staff resources. On July 1, 2018 Sec. 5. 18 V.S.A. § 603 was amended to require more substantial reports from Health Officers statewide. Still further additional reporting requirements were implemented on July 1, 2019 requiring in-depth filing of health reports to the State but with no additional resources or support from the State. In 2019, several of the litigated cases resulted in one-time fine money that helped to off-set incurred expenses of legal counsel but did not make the Town whole for staff time and effort. The Department will continue to work to resolve continual complaints, such as condemned buildings, and take a proactive role in enforcement.





The zoning division has and will continue to comply with the metrics required for the processing of zoning permits, appeals, and violations as required by 24 V.S.A Chapter 117. Each violation investigation begins generally within 24 hours of the complaint. While each enforcement action requires differing amounts of time to investigate (site visits or legal research may be necessary), once a violation has been determined, the process set forth in state statute takes precedence. Each entity against which enforcement action is taken is allowed 15 days to appeal the decision before the Development Review Board (DRB), similar to a permit denial. If an enforcement matter proceeds beyond the DRB to the Environmental Court, the Court’s calendar then dictates the timeline for resolution. Minutes for Development Review Board are required in Title One of the Vermont Statutes Annotated, Section 312(b) to be available for review and copying within five days of the meeting.

The metrics of the zoning division are often mandated by Title 24 of Vermont Statues Annotated, Chapter 117. A chart showing the various time requirements and steps for issuing permits (activities one and two) and the appeal period afforded by right as part of enforcement activities has been created by the Vermont Land Use Education and Training Collaborative:



### **Fiscal Year 2020 Priorities**

Fiscal year 2020 is anticipated to be another strong year for permit as well as for DRB applications with major applications at Severance Corners expected to proceed with preliminary and final plat. The online permit portal, EGOV, had a soft roll out in FY19. As this portal proves to be stable and accessible, further roll out of the portal in FY20 may help improve the process for customers and decrease wait times for applicants. The following time is anticipated from the zoning division to achieve the FY20 objectives. Priorities for the zoning division will include:

*1. Continuing to fulfill the requirements and metrics as required by 24 V.S.A Chapters 83 and 117 as well as Chapters Four and Seven of the Colchester Code of Ordinances*

*Estimated Project Completion: On-going*

*A. Certificates of Compliance: Asst. Zoning Administrator 650 hours*

*B. Development Review Board Applications & Staffing (includes TRCs & Preconstruction mtgs.):*

*Asst. Zoning Administrator 100 hours*

*Zoning Administrator 580 hours*

*C. Zoning General (file research, responding to inquiries):*

*Asst. Zoning Administrator 158 hours*

*Zoning Administrator 603 hours*

*D. Building Permits: Zoning Administrator 287 hours*

*Asst. Zoning Administrator 463 hours*

*E. Enforcement: Zoning Administrator 140 hours*

*F. Finance: Asst. Zoning Administrator 200 hours*

### **Building Division**

#### **Objectives**

The building division administers the Town's building code and fire prevention, protection, and life safety regulations as codified in Chapters Four and Seven of the Colchester Code of Ordinances. Under Title 24 of Vermont Statutes Annotated, Chapter 83 a municipality may choose whether to adopt building and fire codes, as the Town of Colchester has. Without these codes, construction of public buildings (commercial and multi-family or rental residential) would be reviewed only broadly by the State through its Division of Fire Safety. Other construction would not be subject to any standards or code. The Town currently has approximately six million square feet of commercial property and over 8,193 dwellings, of which the majority are owner occupied. These regulations are more explicit than the Development Regulations. While Development Regulations specify the types of uses allowable in generally areas, Chapters Four and Seven specify the method and type of T own has had building regulations since 1960. The fire prevention, protection, and life safety regulations were implemented through a substantial revision to Chapter Seven of the Colchester Code of Ordinances on November 22, 2005.

Similar to the Development Regulations, the Town derives its power to implement building and fire code from the State as codified in Title 24, Chapter 83 of Vermont Statutes Annotated. This Chapter prescribes that the municipality's regulations be consistent with the State's; however, it allows a municipality to be more stringent. The town has adopted the same building code as the State's for public buildings, the Vermont Fire and Building Safety Code; however, is more stringent than the State in its fire regulations. The Town has also adopted the International Residential Code to regulate residential development that is not regulated by the State. Chapter 83 also defines the powers of the Building Inspector and appeals of the Inspector's decisions.

### **Activities**

The building division is staffed by the Buildings Inspector with support from the Assistant Zoning Administrator. This is a change from prior to 2015 when an Administrative Assistant directly supported the Building Inspector. The Wastewater Official can serve as the Assistant Building Inspector in certain situations such as prolonged absences or conflicts of the Building Inspector. The Building Inspector serves as the Deputy Health Officer and fills in during absences or conflicts of the Wastewater Official (contained in item two below). The activities of the building division all fall into the following major categories:

- 1) Building permits and Certificates of Occupancy;
- 2) Enforcement;
- 3) Review & comment on Development Review Board Applications for conformance with building and fire codes;
- 4) Inspection of construction sites to ensure conformance with DRB approvals; and
- 5) Public education on code and regulations.

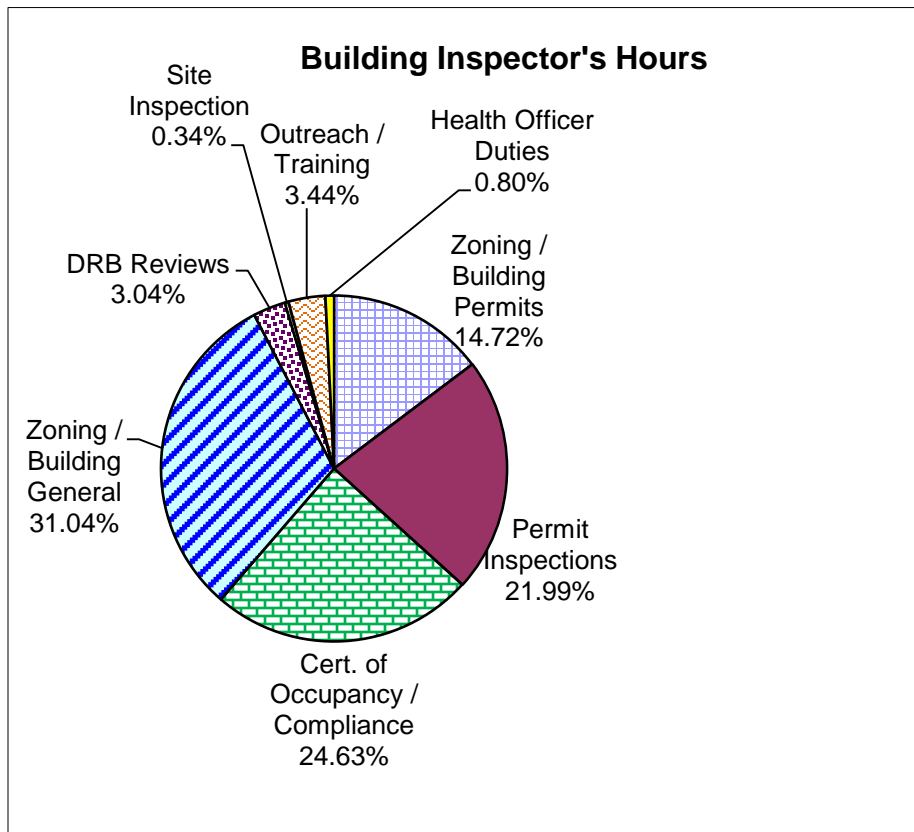
The first two activities are required to conform with 24 V.S.A. Chapters 83 and 117 and the third and fourth are extensions of Development Review Board process. The fifth activity, public education, is a proactive activity to minimize the necessity for enforcement, stream-line permit applications and subsequent inspections. The Building Inspector administers all of these activities and performs regular in-the-field inspections to ensure conformance with the building and fire codes. The Building Inspector also issues permits and has the sole responsibility for activities two through five. The Assistant Zoning Administrator receives building permits, performs necessary correspondence for permits, schedules the Inspector, takes in and processes fees for permits, posts building permits within the land records, and tracks compliance requirements for permits such as necessary inspections or re-inspections. The Assistant Zoning Administrator generally fields the public counter and phone inquiries for the department related to permits.

### **Allocation of Resources**

Below are charts of activities performed by the Building Inspector for fiscal year 2019. The Building Inspector's time has slightly shifted out of an even balance to have slightly more time dedicated to inspections than permit processing, reflecting the larger projects

that have gone to construction in FY19. Permit time includes both zoning/building general and the general category includes responding to permit inquiries for which a permit has not yet been submitted or may not be submitted.

Training will continue to be necessary in 2020 for the Building Inspector to maintain his National Fire Protection Association Fire Inspector One or better endorsement which requires 20 hours of continuing education credits annually to maintain. The Inspector must also stay current on the International Residential Code, State codes, and other areas of construction such as new technologies and advancements in energy efficiency. It is therefore recommended that the Inspector receive 20 to 40 hours of training annually. Training time targets were exceeded substantially in FY19.

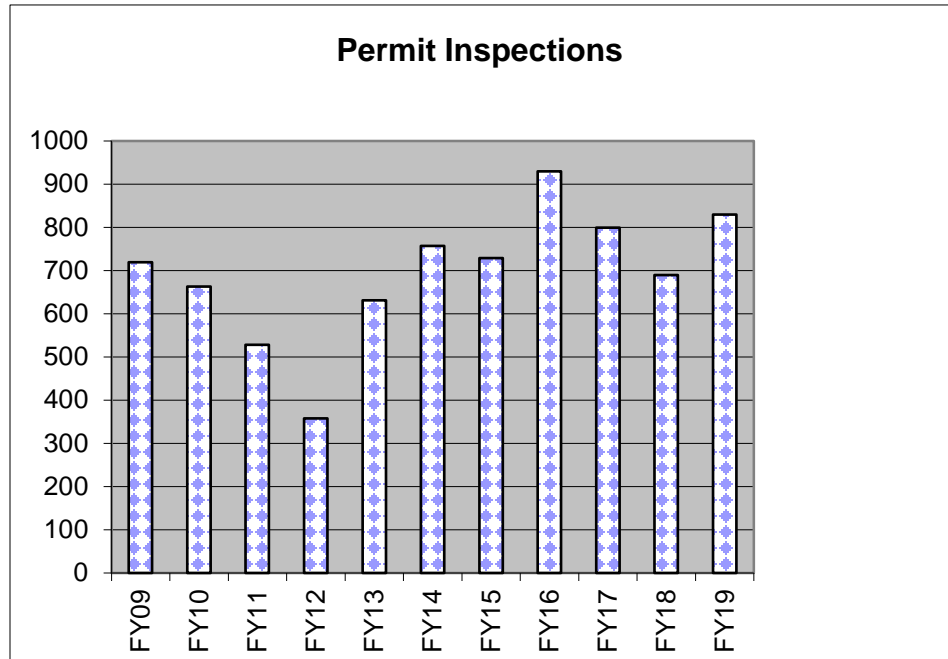


**Revenue Sources**

The first activity (building permits / certificates of occupancy) generates revenue through application fees, recording fees, and impact fees where applicable. It is hard to distinguish the revenue of zoning permits from the revenue of building permits as the Department’s process combines these permits into one application and one fee. Revenue associated with building permits is therefore described within the zoning division section herein. Enforcement activities (activity two) often result in fines or the reimbursement of legal fees encumbered by the Town. Revenue associated with building enforcement fines are combined with zoning fines and are also described within the zoning division section. Activities three and four produce revenue through DRB application fees which are

enumerated in the zoning division section. It should be noted that fees were increased in fiscal year 2016 and will be re-evaluated next in FY21.

The efficiency and output of the building division can be measured in several areas; however, these areas overlap with the zoning division. Permit and enforcement efficiencies and output are therefore described within the zoning division section. Below is a chart of inspections. It should be noted that building inspections, enforcement inspections and site inspections are all noted as permit inspections.



**Metrics for Efficiency & Output**

As building and zoning permits are intertwined, the metrics of the building division are also often mandated by Title 24 of Vermont Statutes Annotated, Chapter 117. A chart showing the various time requirements and steps for issuing permits (activity one) and the appeal period afforded by right as part of enforcement activities (activity two) is contained within the zoning division section. Appeals of the Inspector’s orders that are not explicitly linked to permits are controlled by Chapter Four of the Colchester Code of Ordinances. This Section states that such appeals must be filed within five days for the order and require that the matter be heard by an appointed Board of Arbitrators or the Criminal Division of the Vermont Supreme Court. Comments on Development Review Board applications (activity three) must be made within two weeks of receipt. Inspections for public infrastructure are done on an as-needed basis although the project engineer is ultimately responsible for certifying conformance with the Colchester Department of Public Works Standards and Specifications. These call for specific intervals and types of inspections during installation of public infrastructure. Generally all inspections, including those of public infrastructure, are conducted within 24 hours of the request for inspection. At this time, public education activities (activity five) consist primarily of keeping current code sheets and associated handouts available at the counter.

The building division has and will continue to comply with the metrics required for the processing of permits and enforcement as required by 24 V.S.A Chapters 83 and 117 as well as Chapters Four and Seven of the Colchester Code of Ordinances. Violation investigations usually begin within 24 hours of complaints. While each enforcement action requires differing amounts of time to investigate (site visits or legal research may be necessary), once a violation has been determined, the process set forth in state statute takes precedence. Each entity against which enforcement action is taken is allowed 15 days to appeal the decision the Development Review Board (DRB) similar to a permit denial. If an enforcement matter proceeds beyond the DRB to the Environmental Court, the Court's calendar then dictates the timeline for resolution. As permit volumes increase, it is hoped that the digitization of the permitting process will help compensate for the lack of support staff for the Building Inspector.

### **Fiscal Year 2020 Priorities**

Priorities for the building division in FY20 will include:

1. Continuing to fulfill the requirements and metrics as required by 24 V.S.A Chapters 83 and 117 as well as Chapters Four and Seven of the Colchester Code of Ordinances  
*Estimated Project Completion: On-going*
  - A. *Building / Zoning Permits & General Building Inquiries*  
*Building Inspector 814 hour*
  - B. *Building / Zoning Permit & Site Inspections:*  
*Building Inspector 397 hours*
  - C. *Certificate of Occupancy & Compliance Inspections:*  
*Building Inspector 417 hours*
  - D. *DRB Reviews: Building Inspector 60 hours*
  - E. *Deputy Health Officer Duties: Building Inspector 16 hours*
  - F. *Training:*  
*Building Inspector 30 hours*
2. Increase public education & awareness of building & fire codes  
*Estimated Project Completion: On-going*  
*Building Inspector 20 hours*

### **Wastewater Division**

#### **Objectives**

The wastewater division administers the Town's on-site septic regulations as codified in Chapter Eight of the Colchester Code of Ordinances and also encompasses the state mandated Health Officer duties as required in Title 18 of Vermont Statutes Annotated Chapter 11. While the Town has regulated wastewater since 1967, the Vermont Legislature created sweeping changes to the State's regulation of wastewater in Act 133

of the 2001 session resulting in the creation of Title Ten, Chapter 64. These changes were implemented over several years beginning in 2002 through 2007. Properties that had previously been exempted from State Wastewater Permits were brought under the State's jurisdiction, ending municipal oversight of wastewater systems by 2007. On December 13, 2005 the Town received approval from the State as a "Delegated Municipality" pursuant to the State Wastewater System and Potable Water Supply Rules, Subchapter 7 – Delegation. As a result of this delegation prior to subsequent rule changes in 2007, the Town issues all permits required under the State Wastewater System and Potable Supply and retained the right to issue local wastewater permits for tank replacement. Should the Town ever relinquish the delegation, the State would take back its authority and the Town would be forever prohibited from administering local wastewater permits. At this time, the majority of the Town is served by on-site wastewater systems with over 5,000 systems currently in place.

### **Activities**

The wastewater division is currently staffed by one full-time Wastewater Official / Health Officer. The work of the wastewater division fall under the following major activities:

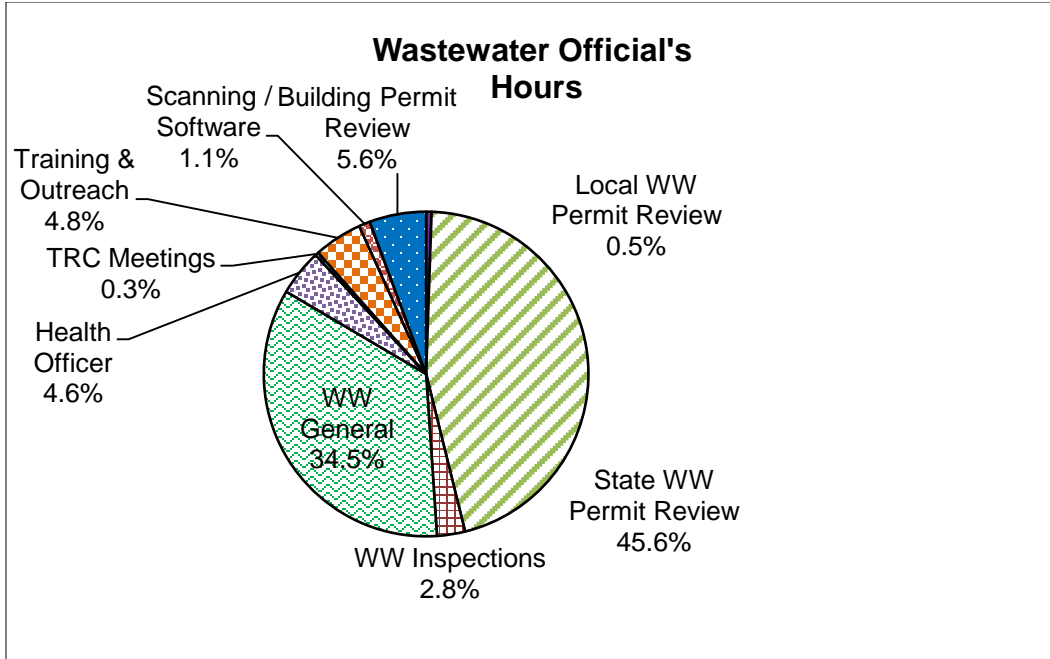
- 1) Local Wastewater Permits;
- 2) State Wastewater Permits;
- 3) Health Officer duties and enforcement;
- 4) Building Permits.

The Official is responsible for administering all of these activities. Prior to FY16 the Official was supported by the department's administrative assistant. The conversion to digital permits has helped to offset the need for administrative support. The first, second, and portions of the third activities (enforcement) are required as part of the town's "Delegated Municipality" agreement from 2005 and are not currently separated out in accounting for staff time. The duties of Health Officer are set forth in Title 18, Chapters 3 and 7 and are mandated by the State. The Official also reviews building permits for conformance with wastewater regulations and serves as the Assistant Building Inspector during absences of the Building Inspector.

### **Allocation of Resources**

Below is a chart of activities performed by the Wastewater Official in fiscal year 2019. The Wastewater Official is required to possess Class A and B State wastewater endorsements which require continuing education. It is therefore recommended that the Inspector receive 20 to 40 hours of training annually. Training time targets were met in 2019. It should be noted that more complex State Wastewater Permits and the lack of administrative assistant functions has resulted in longer times to process Permits. The full implementation of the online permit software, EGOV, will assist in further creating paperwork efficiencies for the Official as permit applications no longer require entry by staff in the software system. Inspections increased as new State Rules went into effect that placed a higher importance on soil classification in the permitting process. Outreach and training also increased as a result of these new rules.



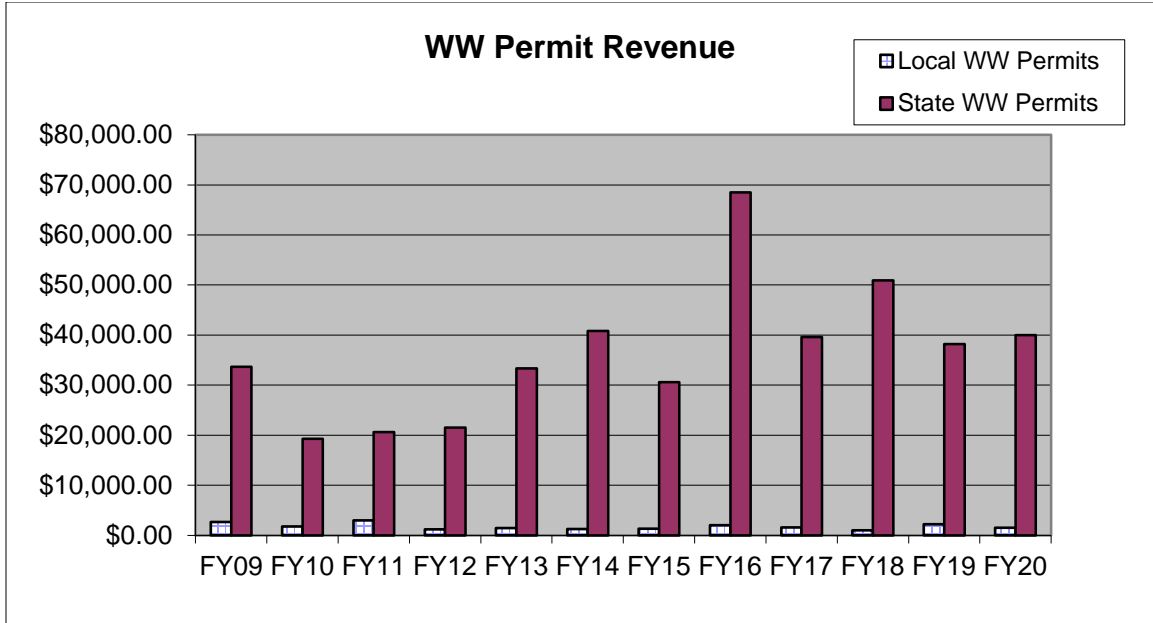


**Revenue Sources**

The first two and fifth activities (issuance of permits) generate revenue through application fees and recording fees. Enforcement (activity three) often results in fines or the reimbursement of legal fees encumbered by the town. Revenue associated with wastewater and health enforcement fines are combined with zoning and building fines and are also described within the zoning division section. Fees were updated in 2016 and are reflected herein. The Health Officer duties alone do not produce revenue. The wastewater division revenue accounts are listed in the town’s general fund at the following:

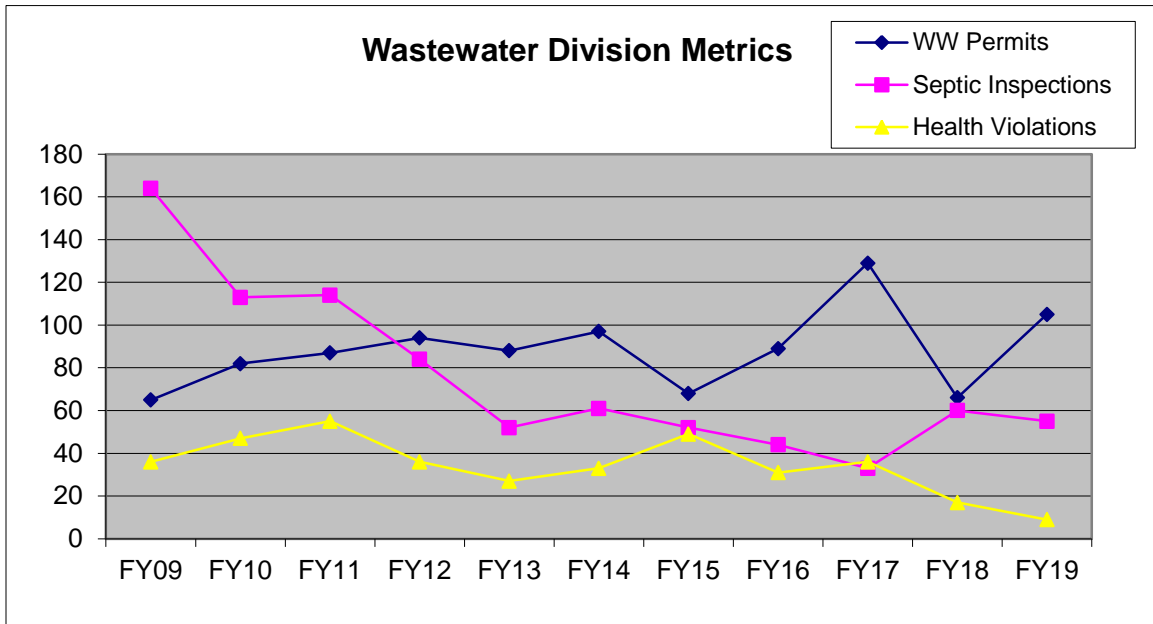
- 100002-341302 Septic Permits
- 100002-341312 State Wastewater Permits

The following charts represent the actual revenue received in these revenue accounts for the preceding ten years as well as the projected revenue for fiscal year 2020. It is likely that fiscal year 2020 will see continued strong permit revenue for State Wastewater Permits.



**Metrics for Efficiency & Output**

The efficiency and output of the wastewater division can be measured in several areas. The department quantifies local and state permit activity by the number of septic permits issued and septic site inspections. Health Officer output is quantified by the number of violations reported.



The metrics of tasks one and two (Wastewater Permits) are mandated by the State Environmental Protection Rules (see flow chart next page). The duties of Health Officer (activity three) are governed by Title 18 Vermont Statutes Annotated Chapters 3 and 11. Health Officer activities have relatively few prescribed metrics. There are two

requirements: 1) the Department of Health must be informed within 48 hours of issuance of any emergency health orders; and 2) all decisions of the Health Officer may be appealed to the Board of Health (Select Board) within 30 days of issuance. The Board must then issue a decision within 30 days of the hearing conducted in accordance with Chapter 25 of Title 3. Similar to zoning complaints, health violation investigations are initialized within 24 hours of receiving the complaint. Changes to Title 18 enacted over the course of the past two years will require more substantial reports for health investigations and may put additional strain on the Official's time. Varying time is necessary for resolution depending on the complexity and scope of the complaint. Priority is given to investigating complaints that pose the greatest risk to safety.

Enforcement of wastewater rules are subject to two different standards, with the enforcement of local wastewater permits subject to the provisions of Chapter Eight of the Colchester Code of Ordinances and the enforcement of State wastewater permits subject to Title 10 Vermont Statutes Annotated Chapters 201 and 211 enforced only by the State. Enforcement proceedings generally begin within 24 hours of the complaint.

### **Fiscal Year 2020 Priorities**

Fiscal year 2020 priorities for the wastewater division will include:

*1. Continuing to fulfill the requirements and metrics as required by the State Environmental Protection Rules, Chapter Eight of the Colchester Code of Ordinances, and Title 18 Vermont Statutes Annotated Chapters 3 and 11*

*Estimated Project Completion: On-going*

*A. State Wastewater Permits & Related General Inquiries: 1400 hours*

*B. Health Officer Duties & Enforcement: 150 hours*

*C. Local Wastewater Permits: 10 hours*

*D. Wastewater Inspections: 50 hours*

*E. Training & Outreach: 30 hours*

*2. Building Permit Review*

*Estimated Project Completion: On-going*

*110 hours*

### **Planning & Administration Division**

#### **Objectives**

The planning and administration division includes the duties of town planning and department head. Town planning revolves around land use planning as required by the implementation of the Town Plan through zoning: setting forth a clear goal of what land uses should occur where in the community and aligning land use regulations to these goals. The administration responsibilities are similar to those of other department heads within the town government and vary to reflect the goals and needs of the administration and legislative body.

The Planning Commission directs the planning division as required by the local adoption of zoning in accordance with 24 V.S.A. Chapter 117:

- 1) The creation and review of a five year municipal land use plan;
- 2) Proposing regulatory changes to zoning and subdivision (development) regulations to align with the municipal plan; and
- 3) The creation and implementation of land use studies.

In recent years, the Town has elected to add to planning division duties the administration of the State Growth Center Designation for Severance Corners. The Town has also elected to become a delegated community for Shoreland protection from the State and a Community Rating System designation from FEMA. The administrative duties of the division include:

- 1) The management of department staff;
- 2) The fiscal administration of the department's budget and revenue;
- 3) Oversight of all enforcement and legal matters;
- 4) Ensuring departmental compliance with Town personnel policies and goals;
- 5) Outreach to community, regional and state boards, agencies, and organizations;
- and
- 6) Applying for and administering grant funds as applicable.

### **Activities**

The division has historically only been staffed by one full-time position: the Director of Planning and Zoning. In June 2015 a Planning Coordinator was hired to bridge the gap between the duties of the vacated Administrative Assistant position and a professional staff planner position. In 2017, this position became vacant and was rehired in March 2018 as Planning and Zoning Coordinator position. It should be noted that the Coordinator's duties include a variety of various division work including assisting in the DRB activities with the Zoning Administrator, creating public outreach and chapter drafts for the 2019 Town Plan, and assisting the front office with permits and the handling many of the walk-in customers as well as phone calls as the previous positions did in part. The major activities of the division include:

- 1) Administration of local municipal plan and land use regulations including staffing the Planning Commission and providing the DRB with staff notes;
- 2) Management of department staff and resources;
- 3) Enforcement oversight;
- 4) Administering departmental metrics to align with the goals of Town administration and legislative body;
- 5) Administering the Growth Center Designation and related matters;
- 6) Outreach to community, regional and state boards, agencies and organizations;
- and
- 7) Applying for and administering grant funds as applicable.

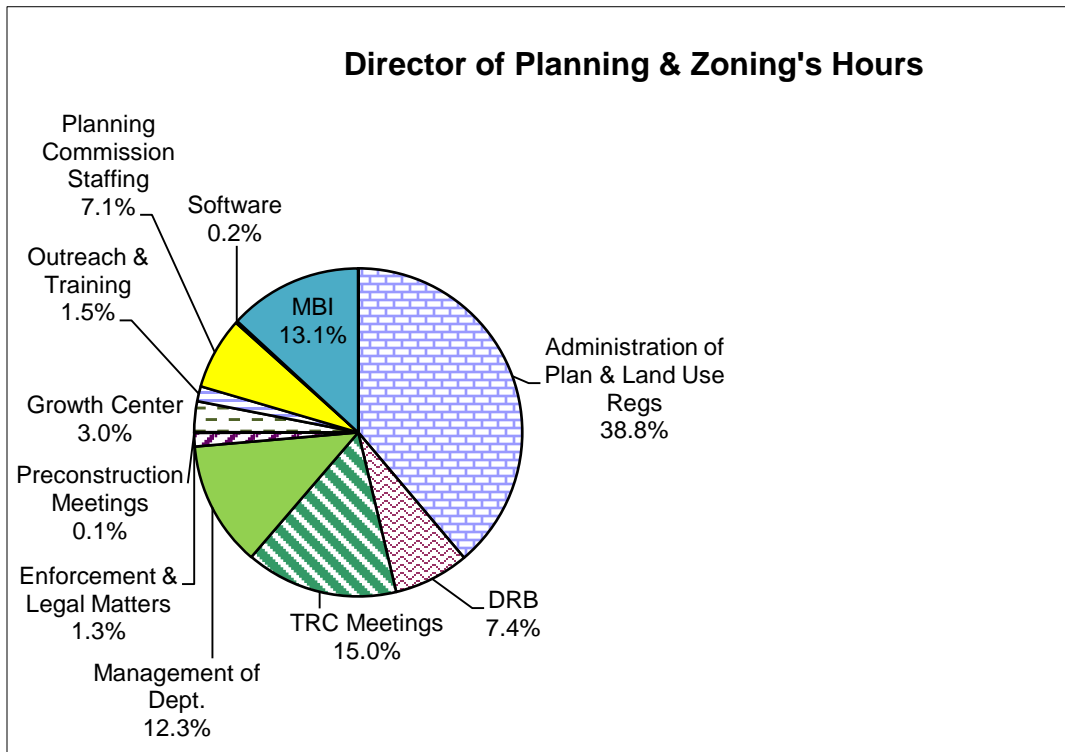
In FY19 the Coordinator took more of the DRB staff notes from the Director and provided significant assistance in writing, compiling, and laying out the 2019 Town Plan. As the Town Plan consumed most of the Commission's time, more of the Director's time was categorized as administration of the plan rather than staffing the Commission. With

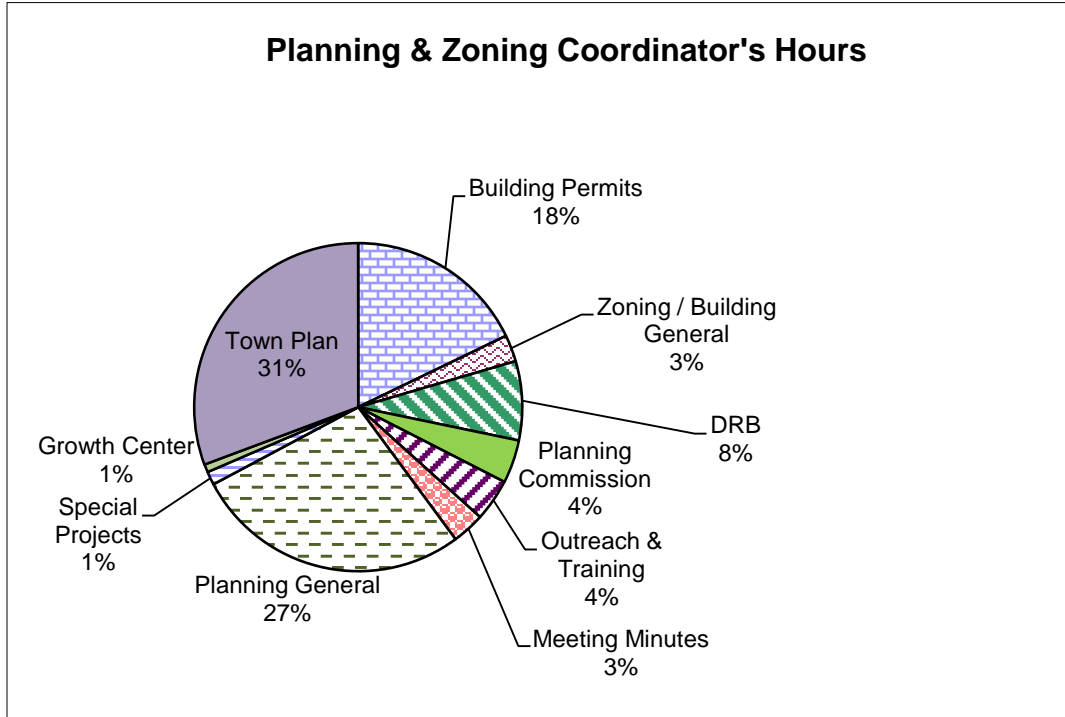
the assignment of the MBI wastewater project to the Planning Commission, in FY19, other projects have been pushed back as this has taken the focus of the Director and Coordinator. In FY20, updates to the Development Regulations as well as implementation of the energy plan are expected to be priorities for staff and the Planning Commission. Additionally, the consideration of on-the-record review proceedings to minimize legal costs may be evaluated by the Director in consultation with the Zoning Administrator and Coordinator.

The Planning and Zoning Coordinator generates monthly reports on permit and development activity that must be provided to the Selectboard as required in Title 24, Chapter 83, Section 3106. In FY19 these reports were redesigned for improved comprehension.

**Allocation of Resources**

Below is a chart of activities performed by the Director of Planning and Zoning and Coordinator for fiscal year 2019. The job description of the Director states that an American Institute of Certified Planners endorsement is preferred which requires at least 18 hours of continuing education credits annually to maintain. Similar training is recommended for the Coordinator. In order to accumulate these education credits, out of state travel is often necessary. The Director and Coordinator must also stay current on major topics within each division and therefore it is recommended that the Director and Coordinator receive 20 to 40 hours of training annually. Training targets are currently being met. As this time is minimal, training time is included with outreach activities on the chart below.



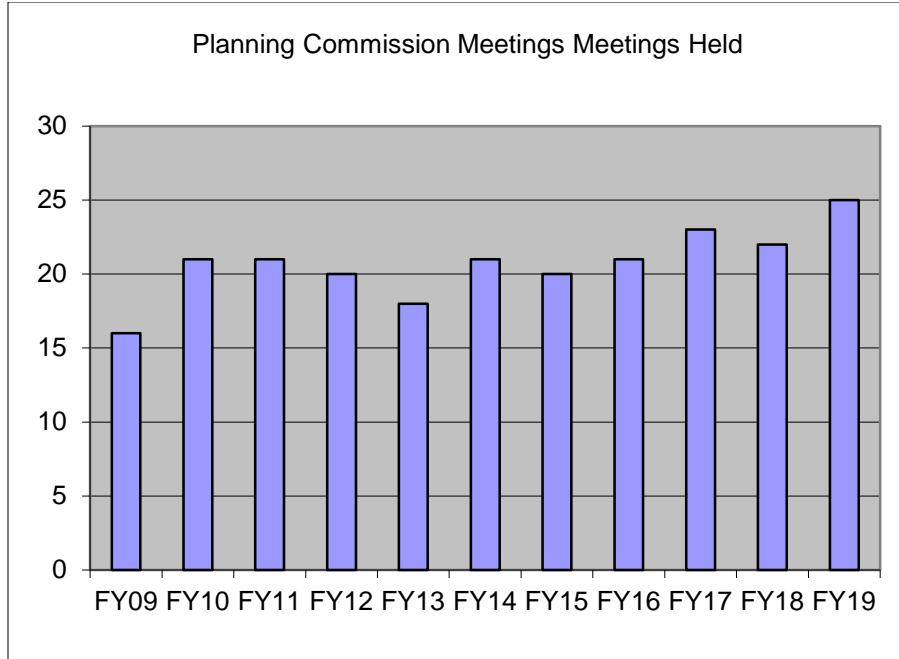


**Revenue Sources**

The planning and administration division is largely dependent upon the subordinate divisions to produce revenue however as the Coordinator is currently involved in building permits, this position is directly tied to this revenue. Grants are the exception to regular revenue and are generally sought to assist in the implementation of specific projects. While activities such as the Growth Center Designation positively impact grand list growth, this division lacks a primary income source.

**Metrics for Efficiency & Output**

The efficiency and output of this division can be judged primarily by the efficiency and output of the underlying divisions for which the Director is responsible. The planning duties of the Director overlap the zoning division and are subject to the metrics of the zoning division. At this time, planning is primarily tracked per number of Planning Commission meetings held each year. The Director is also responsible for producing the minutes for the Planning Commission in the same time period as required for the Development Review Board (see zoning division). Metrics for the Coordinator are evolving. As the Coordinator significantly contributed to the Town Plan in 2019, Planning Commission meetings can also be used as a metric. The number of meetings was up slightly reflecting the intensity of the Town Plan process.



The Director’s administrative duties include ensuring that the metrics for each underlying division are met and improved wherever feasible. To accomplish this, the Director provides annual goal analysis and performance action plans for each supervised employee in line with the Department’s Strategic Plan and Fiscal Year Work Program. Mid-year check-ins with each employee on their action plans ensure that the employees are supporting the department priorities and can identify any difficulties that employees are having in these activities. The Director is also responsible for producing an annual budget with associated expense and revenue projections and insuring that the department operates within these parameters. To this end, the Director is also responsible for ensuring that enforcement and other legal matters are resolved in a timely matter that minimizes the fiscal and legal liabilities of the department. The Growth Center Designation requires reports to the State Downtown Board for the first two years and then every five years after designation. In June 2019, the Board accepted the most recent five year report with the next due in June 2024. Outreach measures include attending all related organizational meetings and returning phone calls and e-mails within 24 hours whenever feasible unless precluded by legalities. Act 250 participation is also required from time to time by the Director in compliance with Title Ten of Vermont State Statutes Annotated, which set periods to comment on an application or to testify at a hearing on an application.

It is the responsibility of the position to ensure that the department complies with all Town personnel policies and goals. These policies and goals can be found in the Town’s regulations, such as the Charter and Colchester Code of Ordinances, the Employee Handbook, the Purchasing Policy, the Code of Ethics, and the Fiscal Year Budget. General performance goals are also set by the Town Manager for the Director.

**Fiscal Year 2020 Priorities**

The full implementation of departmental software in FY19 will improve oversight and transparency of the department as well as customer experience in future years. The use of a summer intern over the past three years has proven successful and will look to be replicated again in 2020. Please see Appendices A and B for detailed information on the Planning Division Work Plan and the Planning Commission Work Plan. In fiscal year 2020, priorities for the planning and administration division will include:

1. Continuing to fulfill the requirements and metrics as required by 24 V.S.A Chapter 117

*Estimated Project Completion: On-Going*

- A. Planning Commission Staffing: Director 175 hours; Planning & Zoning Coordinator 80 hours
- B. DRB Support: Director 180 hours; 350 hours Planning & Zoning Coordinator
- C. Act 250 Support: Director 10 hours
- D. Administration of Plans and Land Use Regulations: Director 100 hours; Planning & Zoning Coordinator 60 hours
- E. Outreach: Director 100 hours, Planning & Zoning Coordinator 80 hours
- F. Training: Director 35 hours; Planning & Zoning Coordinator 30 hours

2. Malletts Bay Initiative (including wastewater projects)

*Director 235 hours*

*Planning & Zoning Coordinator 50 hours*

*Estimated Project Completion: On-going*

3. Departmental Support

*Planning & Zoning Coordinator 490 hours*

*Estimated Project Completion: Ongoing*



4. Ensure that the department complies with all town personnel policies and goals  
*Director 100 hours*

5. Conduct mid-year and annual reviews to ensure compliance with annual goal analysis and performance action plans for each supervised employee in line with the Town's goals and the Department's Strategic Plan and Fiscal Year Work Program

*Director 70 hours*

*Estimated Project Completion: On-Going*

6. Providing sufficient oversight to the department's fiscal and legal liabilities

*Director 200 hours*

*Estimated Project Completion: On-Going*

7. Reporting including Annual Stormwater, WW, Shoreland, & CRS reports and Queries

*Director 15 hours*

*Planning & Zoning Coordinator: 80 hours*

*Estimated Project Completion: Ongoing*

8. Continued Software Implementation & Website (eLMS, eGOV, Vueworks, CAI GIS update)

*Director 40 hours*

*Planning & Zoning Coordinator 20 hours*

*Estimated Project Completion: On-going*

9. Intern Project Supervision (to assist with discretionary projects)

*Director 20 hours*

*Planning & Zoning Coordinator 40 hours*

*Estimated Project Completion: Fiscal Year 2021*

10. Energy Plan Implementation and Consideration of Code Improvements

*Director 200 hours*

*Planning & Zoning Coordinator 350 hours*

*Estimated Project Completion: On-going*

11. Development Regulation Review per the 2019 Town Plan (including consideration of zoning of East Lakeshore Drive)

*Director 400 hours*

*Planning & Zoning Coordinator 290 hours*

*Estimated Project Completion: Ongoing*

12. On-the-record review consideration

*Director 100 hours*

*Planning & Zoning Coordinator 60 hours*

*Estimated Project Completion: June 2020*

**Summary**

This strategic plan and work program are intended to provide greater transparency in government functions and to depict clearly the activities of the department for budgeting purposes. While the plan and program outline the direction of the Department of Planning and Zoning for the immediate and long term, discretionary activities may be subject to change based upon the needs of the Town administration and legislative body. It is hoped that this document will provide general day-to-day guidance for the operation and oversight of the department and provide employees with ownership and accountability in their actions. In 2020, a high priority will be implementing the 2019 Town Plan and expanding on-line permitting. As always, the Department remains committed to excellent customer service, encouraging civic involvement, and assuring compliance with all applicable regulations. In summary, the fiscal year 2020 priorities for the department are:

- 1) Continuing to fulfill the requirements and metrics as required by 24 V.S.A Chapters 83 and 117 as well as Chapters Four and Seven of the Colchester Code of Ordinances;
- 2) Continuing to fulfill the requirements and metrics as required by the State Environmental Protection Rules, Chapter Eight of the Colchester Code of Ordinances, and Title 18 Vermont Statutes Annotated Chapters 3 and 11;
- 3) Ensure that the department complies with all town personnel policies and goals;
- 4) Conduct mid-year and annual reviews to ensure compliance with annual goal analysis and annual performance action plans for each supervised employee in line with the Department's Strategic Plan and Fiscal Year Work Program;
- 5) Providing sufficient oversight to the department's fiscal and legal liabilities;
- 6) Further implementation of EGov On-line permitting;
- 7) Continue NFPA and ICC Code training;
- 8) Increase public education and awareness of building and fire code and prevention activities;
- 9) Reporting including the Annual Stormwater, WW, Shoreland, & CRS reports and Queries;
- 10) Malletts Bay Initiative (including wastewater project);
- 11) Intern project;
- 12) Development Regulation Review per the 2019 Town Plan;
- 13) Energy Plan implementation and Code Review;
- 14) On-the-record review consideration;

## **Appendix A**

### **Colchester Planning Division & Planning Commission**

#### **Fiscal Year 2020 Work Plan**



| 2019 Short Term FY20                   |   |                           |
|--|---|---------------------------|
| Action #                               | Action  | Project Type              |
| <b>The Lands of Colchester Chapter</b> |   |                           |
| 1                                      | The Planning Commission shall not consider rezoning except as called for in this plan or that correct spot zones or split lots  | Development Regs          |
| 5                                      | The zoning on East Lakeshore Drive and similar areas should be examined within two years of adoption of this plan to address view preservation as rebuilds along the Shoreline continue   | Development Regs          |
| 12                                     | Within a year of adoption of this plan, the Development Regulations should be revised to include a solar screening bylaw, to ensure that similar screening standards are applied to solar as to commercial development.   | Development Regs          |
| <b>Natural Heritage Chapter</b>        |   |                           |
| 1                                      | Maintain the FEMA Community Rating System   | Continual / Ongoing       |
| <b>Our Homes Chapter</b>               |   |                           |
| 1                                      | During the term of this plan, the Town should maintain its growth center designation at Severance Corners as a means to promoting mixed income housing that accommodates regional need  | Continual / Ongoing       |
| 2                                      | The Health Officer should continue to monitor the number of rental units and associated complaints annually and work with the Building Inspector to address necessary code improvements including, if warranted, a more proactive inspection process or program   | Continual / Ongoing       |
| 5                                      | The Colchester Department of Planning and Zoning should investigate the requirements for Federal Housing Administration financing approvals for condominium associations during the term of the plan and, if found to be tenable reach out to associations to promote receiving and maintaining such approvals  | Outreach                  |
| 6                                      | Universal design for occupancy during all stages of life and at all ability levels should be evaluated during the term of this plan as well as other code improvements  | Code Review: Chapter 4 CC |
| 7                                      | During the term of this plan, Planning and Zoning Staff should work to evaluate the benefit of additional code requirements to reduce energy and increase sustainability in construction while considering the need for affordability   | Code Review: Chapter 4 CC |
| <b>Powering Colchester Chapter</b>     |   |                           |
| 1                                      | While Colchester's building codes have stringent requirements for enhancing energy efficiency in construction, additional standards such as green construction or net zero requirements could be added to further reduce energy use related to buildings. During the term of this plan, Planning and Zoning Staff should work to evaluate the benefit of additional code requirements to reduce energy and increase sustainability in construction while considering the need for affordability | Code Review: Chapter 4 CC |
| 2                                      | The Town should designate an energy ombudsperson within Planning and Zoning to direct community members to sources of information regarding weatherization and other energy efficiency opportunities within a year of adoption of this plan   | Outreach                  |
| 3                                      | The Town should evaluate the designation of the Planning Commission as an official energy committee to promote and evaluate energy planning on the behalf of the Town working with an ombudsperson in Planning and Zoning. The Town should partner with groups such as Button Up Vermont, Efficiency Vermont, GMP, the Champlain Office of Economic Opportunity (CVOEO), and pursue grants to promote information on weatherization and other energy improvements.                              | Outreach                  |
| 6                                      | The Development Regulations should be revised within three years to include standards for electric car charging stations and include further incentives within the parking standards for transportation demand management or other vehicle reductions   | Development Regs          |
| 7                                      | The Town should continue to utilize ClearPath to monitor greenhouse gas emissions   | Intern                    |
| 8                                      | The Town should continue maintaining information on vehicle efficiency to improve the ClearPath model and inform decision making regarding the purchase of newer, more efficient, vehicles including electric vehicles  | Intern                    |



| Action #                                 | Action   | Project Type              |
|--|--|---------------------------|
| 9  | The Town will continue to utilize the Vermont Community Energy Dashboard and keep updated with information on solar panel permits and other energy efficiency measures (retrofitting electric systems, replacing windows, etc.)..  | Intern                    |
| <b>Serving Colchester Chapter</b>        |  |                           |
| 8  | Re-evaluate Chapter Seven of the Colchester Code of Ordinances to promote the safety of those serving Colchester in emergency services   | Code Review: Chapter 7 CC |
| <b>Cultivating Colchester Chapter</b>    |  |                           |
| 2  | As higher education continues to become more diversified and delivery of education more dispersed, the Development Regulations should be examined during the term of the plan to ensure these uses are widely allowed  | Development Regs          |
| 4  | Health and fitness clubs should continue to be widely allowed in the Development Regulations as these regulations are re-evaluated over the term of this plan  | Development Regs          |
| 5  | Changes to the Development Regulations should be evaluated for community health impacts. Rezoning and other changes that would result in negative health impacts should not be permitted.  | Development Regs          |
| <b>Our Economy Chapter</b>               |  |                           |
| 6  | As Development Regulations are amended, these regulations should be evaluated to ensure that new commercial and industrial uses are incorporated with no unnecessary barriers to growing sectors   | Development Regs          |
| <b>Getting There Chapter</b>             |  |                           |
| 7  | The Development regulations should continue to promote bicycle parking, shared parking concepts, and be reviewed as necessary to include electric charging facility standards and other technologies as new opportunities in the transportation sector continue to evolve. | Development Regs          |
| <b>Systems &amp; Connections Chapter</b> |  |                           |
| 1  | Onsite wastewater education and outreach should continue and State Wastewater Permits shall include requirements for maintenance as feasible and practicable   | Continual / Ongoing       |
| 5  | If local oversight of telecommunications facilities is reinstated by the State during the term of this plan, the Development Regulations should be revisited to ensure that new advances in equipment can be accommodated in Colchester to balance with our land use plans | Development Regs          |
| <b>Discretionary Projects</b>            |  |                           |
| 1  | Community Rating System improved score process for 2020  | Intern                    |
| 2  | On the Record Review consideration   | Development Regs          |
| 3  | Green Stormwater Infrastructure Outreach   | Outreach                  |
| 4  | GD3 / PUD modifications  | Development Regs          |
| 5  | Consider extending expiration of subdivision approval in 9.03H(4)(b)   | Development Regs          |
| 6  | Consider allowing accessory structures administratively instead of conditional use as per 2.09A(2)   | Development Regs          |
| 7  | Better define attached structure for accessory structure setbacks  | Development Regs          |
| 8  | Section 12.02 Inn definition review  | Development Regs          |
| 9  | Section 12.02 Halfway House definition revisit   | Development Regs          |
| 10                                       | Section 12.02 Community Septic definition revisit  | Development Regs          |
| 11                                       | Create footprint lots definition in 12.02 and process in Article 9   | Development Regs          |
| 12                                       | Revisit Shoreland District seawall process requirements in Section 7.03 to require engineer certification of as-built structure  | Development Regs          |



| Action # | Action  | Project Type              |
|----------|---|---------------------------|
| 13       | Need for definition of tree in sivicultural definition                  | Development Regs          |
| 14       | Consideration of rezonings for boundary line adjustments                | Development Regs          |
| 15       | Restrict Landing Areas / Helipads                                       | Development Regs          |
| 16       | On the farm businesses & venue - site plan requirements                 | Development Regs          |
| 17       | Fast food sign regulations for menu boards                              | Development Regs          |
| 18       | Clarify Rec amenities not required for lots under 3 acres               | Development Regs          |
| 19       | Stone patios can abutt other buildings or sturctures                    | Development Regs          |
| 20       | MHP increase overall lot coverage                                       | Development Regs          |
| 21       | Change of use permits for commerical - make similar to home occupations | Development Regs          |
| 22       | Storage containers can not be residential sheds                         | Development Regs          |
| 23       | Clarify no structures in PUD buffer                                     | Development Regs          |
| 24       | Revisit paved lot requirement for contractors yards                     | Development Regs          |
| 25       | Clarify if stairs off a deck need to be in building envelope            | Development Regs          |
| 2        | River Corridors & Stream Buffers  | Development Regs          |
| 27       | Certified Local Government for Fort                                     | Development Regs          |
| 28       | Comprehensive Recreation Level of Service Plan                          | Development Regs          |
| 29       | Open Space Plan Revision  | Open Space Plan           |
| 30       | Town Owned Land Inventory & Management Plan                             | Intern                    |
| 31       | Revisit State BP Delegation Program                                     | Code Review: Chapter 4 CC |
| 32       | Fire Reg Review   | Code Review: Chapter 4 CC |