

Highlights of Changes to Proposed Greensboro Bylaw after GPC Public Hearing 10/17/2023
Changes approved by GPC 2/13/2024

The Bylaw amendments approved by the GPC on 9/5/2023 were presented at the 10/17/2023 GPC Public Hearing. Comments on the proposed Bylaw were received from the public, members of the DRB, and the ZA. Based on these comments, the GPC amended the proposed bylaw to improve the clarity of provisions and ease of use for both applicant and the DRB and ZA and to address issues raised in comments.

Miscellaneous Bylaw changes:

1. Accessory Dwelling Units. Corrected language to comply with statute.
2. Conditional Use Standards: Clarification of several CU standards.
3. Public Notice provisions changed to require 15-day notice for all hearings before the DRB (previously some were 7-day). Updated provisions to comply with statute. Require clerk *and applicant* to make all reasonable efforts to notify adjoining property owners.

SPD related changes:

4. Lake Access Footpaths: One path per parcel allowed without a permit. Per public comment, additional footpaths now allowed with a permit to be approved by ZA with conditions including best management practices to minimize erosion, compaction, and stormwater runoff. New footpaths on ROWs are addressed.
5. Lake Views: Provides guidance as to what actions are allowed for maintaining and creating views of the lake.
6. Slope. Added definition to explain how slope is calculated.
7. Amended §8.4(B-E) %slope, %impervious Surface, %cleared area provisions for clarity and improved compliance. Variance is now required if applicant proposes development exceeding slope and impervious surface maximums; if approved, a plan to control runoff, erosion, and protect water quality prepared by a qualified professional is required. Requirement for certification that erosion and revegetation plans are installed as proposed.
8. Resolved bylaw inconsistencies: regarding conflicting steep slope and road provisions.
9. Mitigation: Clearer guidance as to what qualifies as mitigation and revegetation, and how much is required.
10. Boathouses: Added boathouse application requirements for improved review.
11. §8.8 Nonconforming Structures in the Buffer. Several situations were noted where the provisions of §8.8 were not clear and did not provide for a consistent application of shoreland protection across different projects and existing conditions. The new approach bases regulation of existing non-conforming structures on the structure's "Area of Encroachment" into the buffer. Area of Encroachment includes the structure, roof overhangs and appendages such as porches/decks, attached garages/storage. Highlights of changes:
 - a. No increase in the Area of Encroachment is allowed within 50' of the Lake, or for accessory structures, or within lot line and road setbacks.

- b. For a primary residential structure, an increase of no more than 10% of the existing Area of Encroachment is allowed and requires DRB approval with mitigation.
 - c. When a project does *not increase* the Area of Encroachment, the DRB *may* require mitigation to bring the lot in closer compliance with development standards.
 - d. Converting an existing porch/deck to habitable living area would not increase the Area of Encroachment and would be allowed if doing so did not violate other restrictions.
 - e. Eliminates permit for new windows and doors.
 - f. Only a permit from the ZA is required for replacing decks/porches in the same location and size.
 - g. *§8.10 Shoreland Protection District Erosion Prevention and Sediment Control Standards* now applies to *all* development in the SPD.
12. §3.8 Nonconformities is amended to reflect the above changes to *§8.8 Nonconforming Structures in the Shoreland Buffer Zone*.
13. §3.9(C)(8) Regulations for Lakes Greater than 10 acres which are not in the SPD has been changed to refer to regulations in Article 8 for development within the Protected Shoreland Area of those lakes rather than duplicating the Article 8 language in 3.9(C)(8).