

From: Matt Krasnow, Chair, Charlotte Planning Commission

Date:

Subject: Charlotte Land Use Regulations Bylaw Amendments – Planning Commission Public Hearing

When: [Date of Public Hearing]

Where: Charlotte Town Hall, 159 Ferry Road, Charlotte, VT 05445. Zoom:

In accordance with 24 VSA Section 441, the Charlotte Planning Commission will hold a public hearing to consider proposed amendments to the *Charlotte Land Use Regulations* (“LURs”).

Public comments are welcome and encouraged. Comment letters directed to the Charlotte Planning Commission can be emailed to Lindsay Kahn (townplanner@townofcharlotte.com) or mailed to PO Box 119, Charlotte, VT 05445.

General questions or requests for meeting accommodations can also be directed to Lindsay Kahn (townplanner@townofcharlotte.com) or by phone at (802) 425-3071 ext. 206.

Proposed Amendments to the Charlotte Land Use Regulations

The purpose of these amendments is to:

1. Redefine Density

- Update District zoning tables to consistently address density in terms of acres per use instead of acres per dwelling unit.
- Update District zoning tables to consistently address Dimensional Standards as Minimum Lot Area and Maximum Density.

2. Update permitted use and dimensional standard language in East and West Village Commercial Districts.

- Update Table 2.3 West Charlotte Village Commercial District and Table 2.4 East Charlotte Village Commercial District Permitted Uses to comply with 24 VSA 4414 (3)(D), which prohibits denying a multi-unit dwelling unit up to 4 units based on character of the area.
- Update Table 2.3 West Charlotte Village Commercial District Dimensional Standards Maximum Density for Mixed Use such that it is 1 acres per dwelling unit.
- Update Table 2.4 East Charlotte Village Commercial District Dimensional Standards Maximum Density for Mixed Use such that it is 2 acres per dwelling unit.

3. Update Section 3.1 Damaged Structures

- Requires that *severely* damaged structures be secured and/or stabilized to *reduce risks* to public safety.
- Requires property owners to abide by local waste ordinances if they decide to demolish a severely damaged structure.
- Clarifies that the regulations do not allow for the continued use of a severely damaged structure that has been deemed by the Authority Having Jurisdiction (AHJ) to be unsafe or pose a threat to public health or safety.

4. Update LURs to comply with recent state law on housing, notably Act 47 (HOME Act of 2023) and Act 181 (Act 250 Reform and Biodiversity bill)

- In accordance with Act 47 (HOME Act of 2023), update permitted uses to include duplexes (two-family dwellings) in all districts where single-family dwellings are a permitted use.
- In accordance with Act 47, allow affordable housing projects served by public wastewater and public water service to include an additional floor above the district height limit.

5. Update Section 9.6 – Appeals to comply with state law

- Update the appeals process to identify the chair of the Development Review Board as the recipient of any appeals of the Zoning Administrator’s decision.
- In accordance with 24 VSA 4465(b)(4), define interested party as a nearby property owner or *any combination of 20 or more residents, voters, or real property owners* who have signed and submitted a valid petition. Previous state law defined the second category as 10 or more people.
- In accordance with 24 VSA 4465(b)(4), state that an appeal shall not be based on the character of the area if the project includes affordable housing.

6. Eliminate Subdivision Review for Multi-Use Projects That Do Not Involve Dividing Land

- Under Section 4.12, eliminate the provision that currently requires subdivision-planned residential development review of any project with multiple principal uses. This does not apply to Conservation, Seasonal Shoreland, and Flood Hazard Overlay districts.

7. Update Section 5.4 - Conditional Use Review

- Update the specific design standards to state that the Development Review Board shall determine that conditional use proposals *meet the intent of the Town Plan*.
- Modify language on “bylaws in effect” to state, “The Board shall not approve a proposed development that does not meet the requirements of other bylaws and ordinances, including water and wastewater (a state permitting process) as well as road ordinances (Selectboard jurisdiction), in effect at the time of application.”
- Clarify that proposals shall not have an *undue adverse impact on the utilization of renewable energy...*”
- Under additional requirements, add “The project shall not substantially or permanently impair or interfere with the use or development of, or access to, an adjacent property, right-of-way, surface water, or wetland.”
- Under additional requirements, clarify that the Development Review Board may modify dimensional standards for conditional use applications involving the construction of new buildings or additions.
- Under additional requirements, enable the Development Review Board to require mitigation projects to reduce impacts to neighboring properties.