

Act 47 mandated changes to Charlotte LURs: proposed redline, **final: 5.30.24**

I. Duplexes now allowed on any parcel where year-round single-unit housing is an allowed or permitted use:

Table 2.1 – West Charlotte Village District (WCV)

(E) Dimensional Standards (unless otherwise specified by use type)

| | | | |
|--------------------------|-----------------------------------|-------------------------------|-----------------------|
| Minimum Lot Area: | | Minimum Setback/Side: | 25 feet |
| Residential: | 5 acres/ dwelling unit | Minimum Setback/Rear: | 25 feet |
| Non-Residential: | 1 acre | Maximum Height (section 3.5): | 35 feet |
| Minimum Density: | | Maximum Building Coverage: | 20% |
| Residential: | 5 acres/ <u>use</u> | Maximum Lot Coverage: | 30% |
| Non-Residential: | 1 acre/ principal -use | | |
| Minimum Frontage: | 150 feet (along ROW) | PRDs: | Required [see (F)(2)] |
| Minimum Setback/Front: | 25 feet (from ROW) | PUDs: | Required [see (F)(2)] |

Table 2.2 – East Charlotte Village District (ECV)

(E) Dimensional Standards (unless otherwise specified by use type)

| | | | |
|--------------------------|-----------------------------------|-------------------------------|-----------------------|
| Minimum Lot Area: | | Minimum Setback/Side: | 25 feet |
| Residential: | 5 acres/ dwelling unit | Minimum Setback/Rear: | 25 feet |
| Non-Residential: | 1 acre | Maximum Height (section 3.5): | 35 feet |
| Minimum Density: | | Maximum Building Coverage: | 20% |
| Residential: | 5 acres/ <u>use</u> | Maximum Lot Coverage: | 30% |
| Non-Residential: | 1 acre/ principal -use | | |
| Minimum Frontage: | 150 feet (along ROW) | PRDs: | Required [see (F)(2)] |
| Minimum Setback/Front: | 25 feet (from ROW) | PUDs: | Required [see (F)(2)] |

Table 2.3 – Village Commercial District (VCM)

(E) Dimensional Standards (unless otherwise specified by use type)

| | | | |
|--------------------------|--|-------------------------------|---------------------------------|
| Minimum Lot Area: | | Minimum Setback/Side: | 15 feet |
| Residential: | 5 acres/ dwelling unit | Minimum Setback/Rear: | 15 feet |
| Non-Residential: | 1 acre | Maximum Height (section 3.5): | 35 feet |
| Minimum Density: | | Maximum Building Coverage: | lesser of 25% or 10,000 sq. ft. |
| Residential: | 5 acres/ <u>use</u> | Maximum Lot Coverage: | 40% |
| Non-Residential: | No minimum density is required; such uses will be evaluated by coverage and other applicable requirements. | | |
| Minimum Frontage: | 75 feet (along ROW) except: | | |
| Route 7: | 100 feet (along ROW) | | |
| Minimum Setback/Front: | 15 feet (from ROW) except: | | |
| Route 7, west side | 100 feet (from ROW) | PRDs: | Required [see (F)(3)] |
| Route 7, east side | 30 feet (from ROW) | PUDs: | Required [see (F)(3)] |

Table 2.4 – Commercial/Light Industrial District (C/LI)

(E) Dimensional Standards (unless otherwise specified by use type)

| | | | |
|---|------------------------------------|-------------------------------|-----------------------|
| Minimum Lot Area: | | Minimum Setback/Side: | 50 feet |
| Residential: | 5 acres/ /dwelling unit | Minimum Setback/Rear: | 50 feet |
| Non-Residential: | 1 acre | Maximum Height (section 3.5): | 35 feet |
| Minimum Density: | | Maximum Building Coverage: | 25% |
| Residential: | 5 acres/ <u>use</u> | Maximum Lot Coverage: | 40% |
| Non-Residential: No minimum density is required; such uses will be evaluated by coverage and other applicable requirements. | | | |
| Minimum Frontage: | 200 feet (along ROW) | PRDs: | Required [see (F)(3)] |
| Minimum Setback/Front: | 25 feet (from ROW) | PUDs: | Required [see (F)(3)] |

Table 2.5 – Rural District (RUR)

(E) Dimensional Standards (unless otherwise specified by use type)

| | | | |
|------------------------|------------------------------------|-------------------------------|------------------------------|
| Minimum Lot Area: | 5 acres/ /dwelling unit | Minimum Setback/Side: | 50 feet |
| Minimum Density: | | Minimum Setback/Rear: | 50 feet |
| Residential: | 5 acres/ <u>use</u> | Maximum Height (section 3.5): | 35 feet |
| Non-Residential: | 5 acres/ /principal use | Maximum Building Coverage: | 20% |
| Minimum Frontage: | 300 feet | Maximum Lot Coverage: | 30% |
| Minimum Setback/Front: | 50 feet (from ROW) | PRDs: | May be Required [see (F)(3)] |
| Route 7 | 100 feet (from ROW) | PUDs: | Not Allowed |

Table 2.6 – Shoreland District (SHR)

[Add “Dwelling/Two Family” to list of (C) Permitted Uses] and:]

(E) Dimensional Standards (unless otherwise specified by use type)

| | | | |
|-------------------------------|--|-------------------------------|-------------------------------|
| Minimum Lot Area: | 5 acres | Minimum Setback/Front: | 50 feet (from ROW) |
| Minimum Density: | 5 acres/ /dwelling unit or <u>use</u> | Minimum Setback/Side: | 50 feet |
| Minimum Frontage/Road: | 300 feet (along ROW) | Minimum Setback/Rear: | 50 feet |
| Minimum Frontage/Shore: | 300 feet (MHW*) | Maximum Building Coverage: | 5% |
| Maximum Height (section 3.5): | Lesser of 30 ft. or 2 stories | Maximum Lot Coverage: | 10% |
| Minimum Setback/Lakeshore: | | PRDs: | May be Required [see (F)(10)] |
| Structures: | 150 feet (MHW*) | PUDs: | Allowed [see (F)(10)] |
| Septic Systems: | 50 feet (MHW*) | * MHW = Mean High Water level | |

Section 3.6 Lot, Yard & Setback Requirements

(A) **Principle & Accessory Structures.** Only one (1) principal use ~~or structure~~ shall be located on a single lot, unless otherwise allowed as an agricultural use under Section 4.2(B), an Accessory On-Farm Business (AOFB) under Section 4.19, or an adaptive reuse under Section 4.3, a mixed use under Section 4.12, or with the approval of the Development Review Board, as part of a Planned Residential Development (PRD) or Planned Unit Development (PUD) under Chapter VIII.

... *[Sec. B unchanged]*

~~(C) **Development Review.** For development subject to site plan or conditional use review, the Development Review Board may require increased minimum setback distances, buffers, and landscaping and/or screening within designated setback areas, or limit the use of setback (yard) areas for parking and storage, to protect public health, safety, welfare, and adjoining properties. *[redundant to existing language in Sec. 5.4 and 5.5.]*~~

II. Clean up 'Public Facilities' language in District Standards:

Tables 2.1 through 2.7: *[language differs somewhat, but generally:]*

~~(1) **Public facilities allowed within this district are limited to those publicly owned and/or regulated institutions and facilities (other than municipal facilities) and regulated utilities which are open and accessible to the general public (e.g., offices), or which otherwise serve residents of the district and town.** ... *[keep specified allowed uses; otherwise state:]* Solid and hazardous waste facilities, state garages, and regional institutional uses (e.g., hospitals, correctional or other confined treatment facilities) are specifically excluded from this district. [See Table 4.2 for specific uses allowed by district.](#)~~

III. Affordable Housing provisions – height bonus

Section 4.4 Affordable Housing –

sub (D) Lot Size & Density Requirements, sub 1) Existing Lots & Subdivisions (including PRD's & PUDs):
~~... [\(e\) Affordable housing projects proposed for districts that allow year-round housing that are served by public wastewater and public water supply may include an additional floor above the district height limit.](#)~~

sub. (E) Design Requirements:

(2) The Development Review Board may require ~~increased setbacks, buffers,~~ landscaping, screening or building design modifications to mitigate the physical and visual impacts of higher density development on adjoining properties, and to maintain the historic appearance and integrity of historic structures.

IV. Public Facility Use Types allowed:

Sec. 4.15 – Public Facility:

TABLE 4.2 PUBLIC FACILITIES

| Facility | Zoning District(s) |
|--|--|
| Public utility power generating plants and transmission lines. | All Districts [see Subsection (B)] |
| Emergency Shelters [per 24 V.S.A. §4303] | (All Districts [see Subsection (B)]) |

| | |
|---|---|
| State or community owned and operated institutions and facilities [see Public Facility]. | See District Tables 2.1-2.10 for district-specific limitations |
| Public and private schools and other educational institutions certified by the Vermont Department of Education [see School] | East/West Charlotte Village, Village Commercial, Commercial/Light Industrial, & Rural Districts |
| Places of Worship [such as churches, synagogues, mosques, and parish houses] [see Place of Worship] | East/West Charlotte Village, Village Commercial & Rural Districts |
| Public and private Health Clinic, Health Care Facility [see Health Clinic, Health Care Facility] | Health Clinic: East/West Charlotte Village, Village Commercial Districts Health Care Facility: Village Commercial District & Commercial/Industrial District |
| Regional solid waste management facilities certified by the State (10 V.S.A., Chapter 159). [see Transfer Station/Recycling Center, Waste Management Facility] | Transfer Station/ Recycling Center: Village Commercial, Commercial/ Light Industrial & Rural Districts. Waste Management Facility: Commercial/Light Industrial District |
| Hazardous waste management facilities for which a notice of intent to construct has been received under state law [10 V.S.A., §6606a] [see Waste Management Facility] | Commercial/ Light Industrial District |

VI: Appeal Rights to ZA ~~and DRB~~ decisions:

Section 9.6 Appeals

(A) Zoning Administrator Decisions. In accordance with the Act [§4465], an **interested person** may appeal a decision or act of the Zoning Administrator within 15 days of the date of the decision or act by filing a notice of appeal with the **Secretary Chair** of the Development Review Board, ~~or the Town Clerk if no Secretary has been elected~~, and by filing a copy of the notice with the Zoning Administrator. The property owner or any combination of (10) 20* or more residents, voters, or real property owners who have signed and submitted a valid petition are eligible to file appeals. Per 24 VSA 4465(b)(4), an appeal shall not be based upon the character of the area affected if the project has a residential component that includes affordable housing.

(B) Development Review Board Decisions. *[OK as is; unchanged]*

Section 9.9 Municipal Administrative Requirements:

(E)(4) Appeals and Reconsideration. *[OK as is; unchanged]*

VII: Revised Definitions:

- **Dwelling/Two Family** (also known as a **Duplex**): ~~A building containing two (2) principal dwelling units. See also Family.~~ a residential building containing two connected principal dwelling units with a shared wall or floor/ceiling, where neither is an Accessory Dwelling Unit.
- **Dwelling/Multi-Family:** ~~A building or portion thereof containing three (3) or more dwelling units. (See also Dwelling Unit, Two Family Dwelling, Family.)~~ Three (3) or more dwelling units within same building.

* (If H. 687 becomes law)