

Act 47 mandated changes to Charlotte LURs: proposed redline, v1: 4.1.24

I. Duplexes 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 use	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/ dwelling-unit use	Maximum Lot Coverage:	30%
Non-Residential:	1 acre/principal use		

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 use	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/ dwelling-unit use	Maximum Lot Coverage:	30%
Non-Residential:	1 acre/principal use		

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 use	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/ dwelling-unit use	Maximum Lot Coverage:	40%

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 use	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/ dwelling-unit use	Maximum Lot Coverage:	40%
Non-Residential:	No minimum density is required; such uses will be evaluated by coverage and other applicable requirements.		

Table 2.5 – Rural District (RUR)

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

Minimum Lot Area:	5 acres	Minimum Setback/Side:	50 feet
Minimum Density:		Minimum Setback/Rear:	50 feet
Residential:	5 acres/ dwelling unit <u>use</u>	Maximum Height	35 feet
		(section 3.5):	
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

(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 use	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%

II. Clean up ‘Public Facilities’ language in District Standards:

Tables 2.1 through 2.5: *[language differs slightly, 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. 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 allowed uses.](#)~~

III. Affordable Housing provisions – limited 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 lands served by public wastewater and 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 that must be 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)]
<u>Emergency Shelters</u>	(TBD)
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

(+ 2 more rows—no change)

V. Housing non-discrimination in Conditional Use & Site Plan reviews:

Section 5.4 Conditional Use Review; sub (c)(2):

(2) **Character of the area affected.** The Board shall consider the design, location, scale, and intensity of the proposed development in relation to the character of adjoining and other properties likely to be affected by the proposed use. Conditions may be imposed as appropriate to ensure that the proposed development is compatible with the character of the area, as defined by zoning district purpose statements, and specifically stated policies and standards of the municipal plan. Except for housing projects, conditions may be imposed as necessary to eliminate or mitigate adverse impacts, including but not limited to conditions on the design, scale, intensity or operation of the proposed use.

sub (D) Specific Review Standards; sub (2):

(2) **Additional Restrictions.** All conditional uses shall comply with the dimensional, density, siting and associated standards for the district(s) in which the use or development is located, including overlay districts. ~~however~~ Except for housing projects, the Board may require increased setbacks and buffers, or reduced lot coverage or densities of development to avoid or mitigate adverse impacts to adjoining properties or significant natural, cultural or scenic features in the vicinity of the site.

Section 5.5 Site Plan Review Section; sub (E) Standards, (2):

Site Layout & Design.

a) Except for housing projects, the Development Review Board may require increased setback

distances from property lines or public rights-of-way in relation to the height, scale, massing or density, and landscaping or screening to mitigate the visual impacts of development, in accordance with Subsection (5).

VI: Rights to appeal permits:

Section 9.9 Municipal Administrative Requirements, sub (E):

(4) Appeals and Reconsideration.

a) **Appeals.** Decisions of the Development Review Board may be appealed to the Vermont Environmental Court by the applicant, ~~or~~ an interested person who participated in the proceeding, or 10 or more residents who have signed and submitted a valid petition to appeal. Such appeals must be taken within 30 days of the date that the permit is issued, pursuant to 24 V.S.A. Section 4471 and Rule 5(b) of the Vermont Rules for Environmental Court Proceedings.

VII: Required New Definitions:

- Add “Duplex” to “Dwelling/Two Family.” (Duplex is a residential building that has two connected principal dwelling units, where neither is an Accessory Dwelling Unit.)
- Add definition for “Emergency Shelter”: “A residential facility whose purpose is to provide temporary shelter for formerly unhoused individuals or families, and that does not charge rent or fees, or require residents to sign a lease or occupancy agreement.”