

PC 2024 Work Plan & Timeline for LURs Amendments – last updated: 3/28/24

Summary of deferred/abled amendments from Phase I work:

- 1) Thompson’s Point changes
- 2) Clean up contradictions between Mixed Use & PUD sections
- 3) Tree warden role in Shoreline tree removals
- 4) EV charging defined & allowed anywhere

New or revisited issues/standards to develop – suggested by residents & others:

- 5) Delete last sentence of Sec. 5.4.C.4 (confusing; contradicts how conditional use reviews have always been decided)
- 6) Delete limit in Sec. 3.6.A limiting lots to a single principle use or structure, with some exceptions (contradicts Sec. 4.3 & 4.12)
- 7) Allow transfer of development density from Rural & Shoreland into village commercial districts (Sec. 8.4.F.4)
- 8) Act 47 technical updates re: housing (duplexes allowed in all districts, non-discrimination in permitting standards against affordable housing & shelters, appeals by petitions) (**Note:** although these are enacted VT law, our LURs state contradictory rules)
- 9) Reduce lakeshore setback in Shoreland District (Table 2.6) from 150 ft. to 100 ft. from mean high water level (to conform to state shoreland protection standard)
- 10) Eliminate Sketch Plan Review requirement for Boundary Adjustments and Subdivision Amendments
- 11) Conservation Commission suggestions

Mtg. date(s):	Focus:	Current LURs ref.:	Current draft:	Reviewers:	Final draft done:	Remarks:
2/1 – 3/7	NC structures, setback waivers, demolition & repair standards	3.8.B; 3.1; 9.7	v. 6e; v.3			
3/21	(planning timeframe)					
4/4	Act 47 statutory changes	(see attached)				
4/18	NC structures, Sec. 3.1 & setback waivers					
5/2	Mixed Use & PUD sections					
5/16	EV charging; Sec. 5.4.C.4					
6/6	Sec. 3.6.A limiting uses on lots					
6/20	Thompson’s Point changes					
7/11						
7/25						
8/8						
8/22						
9/5						

Mtg. date(s):	Focus:	Current LURs ref.:	Current draft:	Reviewers:	Final draft done:	Remarks:
9/19						
10/3						
10/17						
11/7						
11/21						
12/5						
12/19						

Town Planner’s list of priorities for LURs amendments – as of Feb. 2024

v.2 – 2.1.24

I. Amendments tabled by PC during the past year, with substantially complete but unapproved drafts:

- **Thompson’s Point Table 2.7 changes** (re: setbacks, permitted uses, design review scope, boundary adjustments, accessory dwellings)
- **Tree Warden role in authorizing tree removals within Shoreland District** – Sec. 3.15(G)
- **Nonconforming Structures** – Sec. 3.8.B revisions
- **Setback waivers** (revisions to Sec. 9.7, Variances): now allowed only for subdivisions; broaden to include for site plans, conditional use reviews & appeals of ZA decisions (elements of this are in Sec. 3.8.B, non-conforming structures draft)
- **Mixed Uses & PUD scope** (Sec. 4.12, removing limit of 1 residence & applying it outside villages), and Sec. 8.2.C, removing requirement of a PUD review when no actual subdivision of land is proposed.
- **EV Charging** (added to Sec. 9.2 exemptions)

II. Priority items identified by CCRPC in Aug. 2022 audit, supported by PC:

- Delete limit in Sec. 3.6.A limiting lots to a single principle use or structure, with some exceptions.
- Remove DRB’s ability to waive outdoor lighting standards – Delete Sec. 3.9.D.
- Limit requirement for Sketch Plan Review – eliminate for Boundary Adjustments and Subdivision Amendments (vs. current rule, in which Town Planner can waive, but otherwise required)

III. Issues flagged by Z.A., DRB members & other partners:

- Remove last sentence in Sec. 5.4.C.4 (conformance with all bylaws in effect) b/c it complicates all Conditional Use reviews

- Misc. clean-ups of Sec. 9.2 exemptions (all technical)
- Revise wording in Sec. 9.1.A to require ALL development in the Flood Hazard Zone (incl. earthwork) to obtain permits
- Reduce lakeshore setback in Shoreland District (Table 2.6) from 150 ft. to 100 ft. from mean high water level
- Clarify/clean up 'Building Footprint' definition (currently excludes unattached accessory structures)
- Revise Sec. 3.13 Sign Requirements to differentiate size limits for larger Home Occupations (HO II and III – larger signs to be allowed)
- Remove item 2 in Table 5.1 and in Sec. 9.9.C.3 (require applicant to provide stamped, addressed envelopes to provide hearing notice to adjoining property owners; more effective for staff to perform this step)
- For land subdivisions w/ no development, clarify in 7.7.C.1 that test pit data to be provided with Final Plan application

Outline of Act 47-mandated changes to Charlotte's LURs:

v3, 7.26.23

Sec. 3.11 – Off-Street Parking: Table 3.1 now requires a minimum of 2 parking spaces per dwelling unit. Drop to 1.5 spaces per dwelling unit. (usually interpreted to round up to next whole number, so not a big change in practice here). *(Effective 12/1/2024)*

All remaining provisions are effective July 1, 2023:

Table 2.6, Shoreland District standards: add "Dwelling/Two Family" to (C) Permitted Uses. (This reflects the new requirement that duplexes must now be allowed on any legal lot in a district allowing year-round residential uses.)

Tables 2.2, 2.3, 2.4, 2.5 and 2.6: In (E) Dimensional Standards, Minimum Lot Area and Minimum Density for Residential, change "5 acres/dwelling unit" to "5 acres/use." (Duplexes must now be allowed on any legal lot in a district allowing year-round residential uses.) ***Also:***

Tables 2.1 thru 2.5: drop first sentence in public facilities clauses (in Sec. F, District Standard for Tables 2.1 thru 2.4) re: 'publicly owned and/or operated' facilities (because facilities operated by private or nonprofit entities qualify for public facilities exemptions from some aspect of permit review per statute [24 VSA §4413(b)]; add "See Table 4.2 for specific allowed uses" at end). Re: Table 2.5, revise 2.5.F.3 to substitute "Public facilities are limited to those allowed per Table 4.2.")

Sec. 4.4 – Affordable Housing:

- Delete (E)(2) (DRB may not require increased setbacks, buffers or building design modifications on any basis other than what the district's dimensional standards specify for other types of development.)
- Add new sub-section (e) under (D)(1) stating "Affordable housing projects proposed for lands served by public wastewater and water supply may include an additional floor above the district height limit."

Sec. 4.15 - Public Facility: add "and Emergency Shelters" to 2nd row of Table 4.2. (These must be regulated lightly, consistent with other listed types of "Public Facilities." DRB cannot restrict their functions or operating hours, or ban such uses due to alleged negative

impacts on ‘character of the area.’)

Sec. 5.4 – Conditional Use Review: Modify **(C), Character of the Area Affected**, to exempt housing development from the DRB’s authority to set conditions on the design, scale and intensity of the project to mitigate alleged impacts on ‘character of the area.’ (add “Except for housing projects,...” to start of 3rd sentence.) Modify **(D), Additional Restrictions** to exempt housing projects from the DRB’s authority to impose increased setbacks and buffers, or reduced density and lot coverages on any basis other than what the district’s dimensional standards specify for other types of development (similar to change in [C], above).

Sec. 5.5 – Site Plan Review: Modify (E), Standards – (2) Site Layout & Design: Add “Except for housing projects, the DRB may require...” to beginning of sub. a).

Sec. 9.9.E.4 – Municipal Administrative Requirements, Appeals and Reconsiderations: In 4)a), add “10 or more residents who have signed and submitted a valid petition to appeal” to those eligible to appeal a DRB decision (now limited to applicants or ‘interested person/parties’).

Section 10: Definitions: New definitions in Section 4 of S.100 / Act 47 should be added here:

- 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.”

Optional changes that CAN be adopted locally:

Chapter 6, Sec. 9.9: Authorize/delegate the Zoning Administrator to review and approve minor subdivision applications, as defined at Sec. 6.1.C.1. If adopted, would also need to modify the sections describing the DRB’s exclusive role in approving subdivisions at Sec. 6.1, 6.3, Table 6.1, and 8.2.B., and 8.3.