



# State of Vermont Agency of Commerce & Community Development Department of Housing & Community Development **Municipal Planning Commission Bylaw Reporting Form**

**Provisional Form** pursuant to Act 47 of 2023, The HOME Act

*This provisional form issued pursuant to the Act 47 of 2023 is subject to change.*

*The Department welcomes feedback on the form's implementation of the Act.*

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## Why is this form required?

Vermont's Municipal & Regional Planning & Development Act (24 V.S.A 4441) requires a municipal planning commission to prepare a report when considering an amendment to a bylaw. Act 47 of 2023 adds a requirement to the report to include findings on conformance with sections 4412, 4413, and 4414 of the Act. It also adds a requirement that the municipal planning commission provide the report to the Department of Housing and Community Development upon approval of an adoption or amendment. The report must be submitted with GIS (Geographic Information Systems) files, a complete bylaw, and information about municipal planning and governance and systems. The form will be published on the Vermont Planning Data Center, here:

<https://accdmaps.vermont.gov/MunicipalPlanningDataCenter/>. Bylaw submission and posting supports the availability of Vermont's adopted municipal bylaws from a central digital source for statewide access and use.

## Vermont Municipal Bylaw Reporting Form

### How does a municipality submit the form?

Upon completion of the sections below, upload a saved version of the file [here](#). The form must be submitted with the approved bylaw(s) and any GIS shapefiles (when adding or amending district boundaries of record on the Vermont Open [Geodata Portal](#)). The form can be saved as a Microsoft Word document (DOC) or converted to a Portable Document Format (PDF) file. If you need assistance completing the form, please reach out to the contact above or your municipality's regional planning commission.

### Type of Bylaw Filing

*Select all that apply.*

- New bylaw(s)
- Amendment to existing bylaw(s)
- Repeal of existing bylaw(s)

*Explain multiple selections.*

### Type of Bylaw(s)

*Select all that apply.*

- Unified Development *(select all bylaws included in the unified bylaws below)*
- Zoning
  - Does the bylaw add or change any zoning districts or boundaries?**
  - Yes
  - No
- Subdivision
- Interim
- Flood Hazard
- River Corridor
- Shoreland Protection
- Other: *(explain)*

## Vermont Municipal Bylaw Reporting Form

### Date of Hearing(s)

Planning Commission Hearing(s) *(enter date[s])*

Legislative Body Hearing(s) *(enter date[s])*

### Date of Adoption

*Skip this section if the bylaw is proposed for hearing.*

Date of Popular Election *(enter date only if subject to a popular election/vote)*

Date of Last Action *(enter date of final approval action by voters or legislative body)*

### Bylaw Summary & Statement of Purpose

*Provide a brief explanation of the bylaw and a statement of purpose (per 24 V.S.A. 4441). Use as much space as needed.*

### Findings on Municipal Plan Furtherance

*Explain how the bylaw conforms with or furthers the goals and policies contained in the municipal plan. Use as much space as needed.*



## Vermont Municipal Bylaw Reporting Form

### Findings on Safe & Affordable Housing

*Explain the effect of the bylaw on the availability of safe and affordable housing. Use as much space as needed.*

### Findings on Required Provisions & Prohibited Effects

*Explain how the bylaw conforms with 24 V.S.A. 4412. Use as much space as needed.*

*Include explanations on how the bylaws conform with these provisions (as applicable):*

- *Mobile, modular and prefabricated housing*
- *Mobile home parks*
- *Duplex uses*
- *Multi-unit dwelling uses*
- *Accessory dwelling unit uses*
- *Residential care homes or group homes*
- *Hotels for emergency housing*
- *Existing small lots*
- *Required frontage*
- *Home occupations*
- *Childcare home or facility*
- *Heights of renewable energy structures*
- *Nonconformities*
- *Communications antennae and facilities*
- *Planting projects in flood hazards*
- *Accessory on-farm businesses*
- *Lot and dimensional standards for minimum dwelling unit density*
- *Density for affordable housing*

## Vermont Municipal Bylaw Reporting Form

### Findings on Limitations on Municipal Bylaws

*Explain how the bylaw conforms with 24 V.S.A. 4413. Use as much space as needed.*

*Include explanations on how the bylaws conform with these provisions (as applicable):*

- *State- or community-owned and -operated institutions and facilities*
- *Public and private schools and other institutions*
- *Places of worship*
- *Public and private hospitals*
- *Regional solid waste management facilities*
- *Hazardous waste management facilities*
- *Emergency shelters*
- *Required agricultural practices*
- *Accepted silvicultural practices*
- *Solar energy devices*
- *Ancillary telecommunications improvements and lines*

## Vermont Municipal Bylaw Reporting Form

### Findings on Permissible Types of Regulation

*Explain how the bylaw conforms with 24 V.S.A. 4414. Use as much space as needed.*

*Select all regulations adopted by the municipality:*

- Zoning (§4414)
  - Downtown, Village Center, and Growth Center Districts
  - Agricultural, Rural Residential, Forest & Recreation Districts
  - Airport Hazard Areas
  - Shorelands
  - Design Review Districts
  - Historic District/Landmark Bylaws
  - River Corridors and Buffers
- Overlay Districts (§4414)

*List overlays:*

- Conditional Use Review (§4414)
- Parking & Loading Standards (§4414)
- Performance Standards (§4414)
- Energy Resource Standards (§4414)
- Inclusionary Zoning (§4414)
- Waiver Provisions (§4414)
- Stormwater Management Standards (§4414)
- Wireless Telecommunication Bylaws (§4414)
- Water/Wastewater Permit Sequencing Standards (§4414)
- Green Development Incentives (§4414)
- Solar Screening Standards (§4414)

## Vermont Municipal Bylaw Reporting Form

### Municipal Plan Future Land Uses & Density Compatibility

*Explain how the bylaw is compatible with the proposed future land uses and densities of the municipal plan.*

### Planned Community Facilities

*Explain how the bylaw carries out, as applicable, any specific proposals for any planned community facilities.*

### Municipal Planning Implementation Information

*Upon adoption of the bylaw(s), select all elements of the municipal planning program that apply in the municipality:*

- Unexpired Municipal Plan
- RPC-Approved Municipal Plan & Confirmed Planning Process (§4350)
- Interim Bylaws (§4415)
- Site Plan Review (§4416)
- Planned Unit Development (§4417)
- Subdivision (§4418)
- Administrative approvals of minor subdivisions/boundary adjustments (§4463)
- Unified Development Bylaws (§4419)
- Local Act 250 Review of Municipal Impacts (§4419)
- On The Record Review/Adopted Municipal Administrative Procedures (§4471)
- Official Map (§4421)



## Vermont Municipal Bylaw Reporting Form

- Public Facilities Phasing (§4422)
- Transfer Development Rights (§4423)
- Freestanding Shorelands Bylaws (§4424)
- Freestanding River Corridor Protection Areas (§4424)
- Freestanding Flood or Hazard Areas (§4424)
- Enrolled in the National Flood Insurance Program
- Other Special or Freestanding Bylaws (§4424)

*List*

- Capital Budget & Program (§4430)
- Impact Fees (Chapter 131, §4422)
- Judicial Bureau Ticketing Option for Enforcement (§4452 & 1974a of Title)
- Advisory Commissions/Committees (§4433(1))
- Historic Preservation Commissions (§4433(3))
- Design Review Commissions (§4433(4))
- Housing Commissions (§4433(5))
- Development Review Board (§4460)
- Zoning Board of Adjustment (§4460)
- Joint Board of Adjustment Development Review Board (§4460)
- Full-time Administrative Officer
- Part-time Administrative Officer
- Volunteer/stipend Administrative Officer
- Staff planner(s)
- Availability of planning Information on municipal website:
  - Municipal plan and maps
  - Bylaws
  - Fee schedule
  - Contact information for administrative officer
  - Information about Planning Commission
  - Information about the Appropriate Municipal Panel (ZBA/DRB)

*Primary website URL:*

2004.C **Materially Similar Uses.** The Zoning Administrator may make a written determination that a proposed use not listed on the use table (see [Section 2115](#)) as permitted or conditional in any district is materially similar to a use listed as permitted or conditional in the applicable zoning district and that it should be allowed to the same extent and subject to the same standards as that permitted or conditional use if it has:

- (1) Similar impacts on the neighborhood such as traffic, noise and lighting as that listed use; and
- (2) Similar characteristics such as building type, site arrangement, floor area, number of employees, customer traffic, equipment use, hours of operation, parking, vehicle trips and signage as that permitted or conditional use.

2004.D **Multiple and Mixed Uses.** A landowner may use a lot or structure for any combination of uses allowed in the applicable zoning district.

2004.E **Accessory Uses.** A landowner may establish accessory uses on a lot in accordance with the standards below:

- (1) The total area occupied by accessory uses must not exceed 40% of the total area occupied by the associated principal use. For principal uses conducted primarily indoors, this calculation will be based on total gross floor area. For principal uses conducted primarily outdoors, this calculation will be based on total lot area.
- (2) An accessory use must be a permitted or conditional use in the applicable zoning district, or it must be specifically authorized as an allowed accessory use to the applicable principal use in this ordinance (see [Section 3006](#)).
- (3) The standards of this subsection do not apply to accessory dwellings, home occupations, home businesses and family childcare homes.

## 2005 Dimensional Standards

2005.A **Applicability.** Development must conform to the dimensional standards for the applicable zoning district (see [Section 2116](#)) unless:

- (1) A subject lot or structure is a nonconformity and the proposed development is in conformance with the requirements of [Subpart 100](#);
- (2) The applicant receives a waiver ([Section 4404](#)) or variance ([Section 4405](#)) from the Development Review Board; or
- (3) The proposed development will be approved as a planned unit development in accordance with the provisions of this ordinance.

2005.B **Principal Buildings.** Landowners may locate more than one principal building on a lot in accordance with the standards below:

- (1) The total amount of development on the lot must not exceed the maximum

density allowed in the district;

- ~~(2) There must not be more than 2 detached single or 1 two family dwelling on any lot unless approved as part of a planned unit development in accordance with the provisions of this ordinance;~~
- (3) Each principal building must meet the applicable dimensional standards of the zoning district;
- (4) The distance between new principal buildings or between a new principal building and an existing principal building must not be less than twice the side setback required in the zoning district, unless they are attached; and
- (5) Approval of multiple principal buildings on a lot will not constitute a right to separately convey those structures unless:
  - (a) The subject lot will be lawfully subdivided in accordance with the provisions of this ordinance; or
  - (b) The building will be lawfully converted to condominium ownership, which may include the subdivision of footprint lots.

2005.C **Accessory Structures.** Landowners may locate accessory structures on a lot in accordance with the standards below:

- (1) Unless otherwise specified in this ordinance, accessory structures must meet the front setback requirements for the applicable zoning district (see [Section 2116](#));
- (2) Accessory structures must be located at least 8 feet from any other structure unless they are attached to that structure;
- (3) Unless otherwise specified in this ordinance, accessory structures must not exceed a maximum height of 36 feet or the height of the associated principal building, whichever is less; and
- (4) Unless otherwise specified in this ordinance, accessory structures:
  - (a) With a footprint of not more than 120 square feet and a height of not more than 10 feet must be set back at least 4 feet from rear and side property lines, or the minimum setback requirements for the district in which they are located, whichever is less; or
  - (b) With a footprint in excess of 120 square feet or a height in excess of 10 feet be set back at least 12 feet from rear and side property lines, or the minimum setback requirements for the district in which they are located, whichever is less.

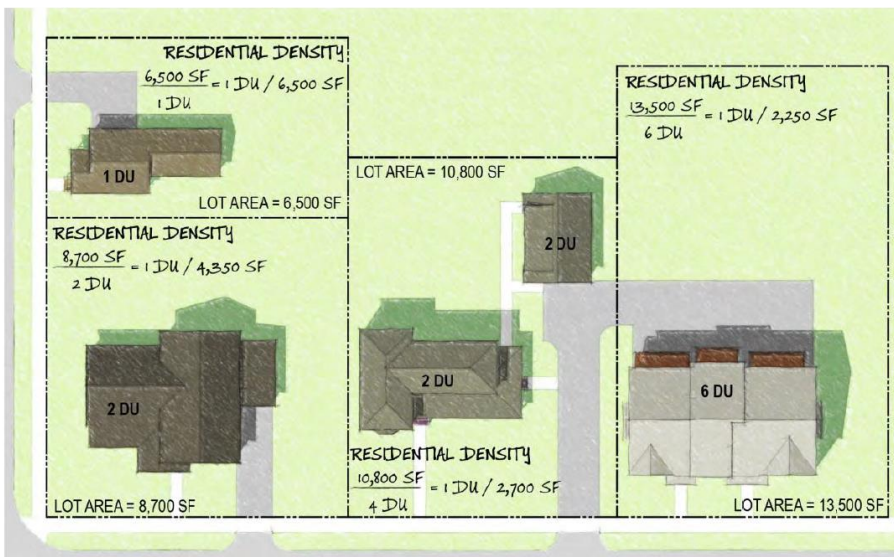
2005.D **Lot Size or Area.** Lot size will be regulated in accordance with the following:

**2006 Residential Density Standards**

2006.A The number of dwelling units on a lot must not exceed the maximum density specified in the applicable zoning district except:

- (1) Accessory dwellings approved under [Section 3202](#) will not count as a dwelling unit for the purposes of calculating density.
- (2) A pre-existing small lot may be developed in accordance with [Section 1303](#) irrespective of whether it will comply with the residential density standard for the applicable district.
- (3) Maximum residential density shall be based on a parcel's total acreage or square footage.
- (4) At a minimum, any parcel served by city water and sewer may be approved for up to ~~four~~ six (46) dwelling units irrespective of the district lot size provided that all other applicable standards of these regulations are met. And, any parcel served by water and sewer services may be subdivided such that up to six dwelling units are on a conforming parcel irrespective of the district density provided all other applicable standard of these regulations are met.
- (5) Calculating Lot size: each base zoning district establishes the minimum lot size required for a parcel. This standard shall be calculated in square feet of a parcel area where 1 acre equals 43,560 square feet as shown in Figure 2-3.

**Figure 2- 3: Residential Density Calculation**



2116 Dimensional Table

USE & DEFINITION	UC-1	UC-2	UC-3	MU-1	MU-2	MU-3	R-16	R-12	R-8	R-4	GB	IN	CIV	CON
<b>LOTS</b>														
<b>Minimum lot size</b> Inclusive of all land within the property boundaries, but excluding any land within a street right-of-way.	2,000 sf	3,000 sf	3,000 sf	4,000 sf	4,000 sf	<del>40,800</del> <b>8,712</b> sf	4,000 sf	4,000 sf	5,400 sf	<del>40,800</del> <b>8,712</b> sf	10,000 sf	20,000 sf	20,000 sf	40,000 sf
<b>Minimum lot frontage</b> On a maintained public or private street, excluding any frontage on limited access highways, or Class 4 roads or unimproved rights-of-way.	15 ft	30 ft	45 ft	30 ft	30 ft	60 ft	30 ft	30 ft	45 ft	60 ft	60 ft	90 ft	90 ft	180 ft
<b>Maximum lot coverage</b> Total amount of impervious surface as a percentage of total lot area.	100%	90%	80%	80%	80%	50%	80%	70%	60%	50%	80%	80%	40%	20%
<b>SETBACKS</b>														
<b>Minimum front setback</b> Measured from the edge of the street right-of-way, or if no right-of-way from the front lot line. For accessory structures, also see <a href="#">Section 3005</a> .	0 ft	0 ft	8 ft	8 ft	8 ft	12 ft	8 ft	12 ft	16 ft	16 ft	12 ft	16 ft	20 ft	40 ft
<b>Minimum side setback</b> Measured from the side lot lines. For accessory structures, also see <a href="#">Section 3005</a> .	0 ft	8 ft	8 ft	8 ft	8 ft	12 ft	8 ft	8 ft	12 ft	16 ft	12 ft	16 ft	20 ft	40 ft
<b>Minimum rear setback</b> Measured from the rear lot line. For accessory structures, also see <a href="#">Section 3005</a> .	0 ft	8 ft	8 ft	12 ft	12 ft	16 ft	12 ft	16 ft	16 ft	16 ft	12 ft	16 ft	20 ft	40 ft
<b>BUILDINGS</b>														
<b>Build-to-line</b> Measured as a line drawn the specified distance from and parallel to the street right-of-way.	8 ft	16 ft	24 ft	24 ft	n/a	n/a	n/a	n/a	n/a	n/a	n/a	n/a	n/a	n/a
<b>Minimum build-to-line coverage</b> Percentage of the build-to-line that must be covered by a principal building.	80%	65%	50%	50%	n/a	n/a	n/a	n/a	n/a	n/a	n/a	n/a	n/a	n/a
<b>Minimum principal building height</b> Measured from the average finished grade at the base of a principal building to the eaves or the roof deck if roof is flat.	18 ft	18 ft	18 ft	18 ft	n/a	n/a	n/a	n/a	n/a	n/a	n/a	n/a	n/a	n/a
<b>Maximum structure height</b> Measured from the average finished grade at the base of the structure to the highest point of the structure, excluding architectural and roof-top elements listed in Paragraph 2005.G(3). For accessory structures, also see <a href="#">Section 3005</a> .	72 ft	60 ft	48 ft	36 ft	36 ft	36 ft	36 ft	36 ft	36 ft	36 ft	48 ft	48 ft	36 ft	30 ft
<b>DENSITY</b>														
<b>Maximum residential density</b> Measured as number of dwelling units per square foot of total lot area, except that accessory dwellings in accordance with <a href="#">Section 3202</a> will not be included.	no maximum	<del>1 du per 1,200 sf</del> <b>no maximum</b>	1 du per 1,800 sf	1 du per 2,100 sf	1 du per 2,700 sf	<del>1 du per 40,800</del> <b>8,712</b> sf	1 du per 2,700 sf	1 du per 3,600 sf	1 du per 5,400 sf	<del>1 du per 40,800</del> <b>8,712</b> sf	1 du per 2,100 sf	n/a	n/a	n/a

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use(s) in accordance with the following:

- (1) **Minimum Number of Spaces.** The minimum number of spaces will be as specified below unless the applicant submits a professionally prepared parking study establishing the amount of parking needed:
  - (a) **Residential Uses:** ~~2 per detached single family dwelling. For all other dwellings, 1 per unit plus 0.2 for each bedroom in excess of one (i.e., 1.2 for a two bedroom unit, 1.4 for a three bedroom unit, etc.).~~ 1 space per dwelling unit.
  - (b) **Lodging Uses:** 1.2 per guest room.
  - (c) **Commercial Uses:** 1 per 500 square feet of gross floor area (does not include outdoor use areas).
  - (d) **Industrial Uses:** 1 per 1,000 square feet of gross floor area (does not include outdoor use areas).
  - (e) **Arts, Entertainment, Recreation, Civic and Community Uses:** 1 per 5 seats or 1 per 500 square feet of gross floor area if no seats.
- (2) **Maximum Number of Spaces.** The maximum number of parking spaces will be twice the minimum number of spaces based on the applicable ratio in Paragraph (1), above, unless the applicant submits a professionally prepared parking study establishing the amount of parking needed.
- (3) **Calculation of Number of Spaces.** The Zoning Administrator will determine which ratio in Paragraph (1), above, applies to a proposed use. When calculating the total number of spaces, any decimal will be rounded up to the nearest whole number. On lots with multiple units or uses, the number of spaces for all units and/or uses may be added together before rounding up any decimal.
- (4) **Modification of Number of Spaces.** The Development Review Board may increase or decrease the amount of off-street parking required if:
  - (a) The applicant submits a parking study prepared by a qualified professional demonstrating the amount of parking that will be needed;
  - (b) The applicant meets the requirements for shared parking in Subsection (D) below; or
  - (c) The applicant demonstrates that there is adequate on-street or public parking available within 1,000 feet (as measured along the sidewalk) of the proposed development to meet all or a portion of the demand.

3104.D **Shared or Off-Site Parking.** The Development Review Board may approve a cooperative parking plan to allow parking to be shared by two or more uses and/or to be provided off-site in accordance with the following: