

## 2.7.24 meeting memo

### #5. VRNs - 3 remaining issues:

- Dimensional standards
- Supported housing vs. emergency shelter
- Sidewalks and development standards
- the first 2 of the remaining 3 issues have some background/general clarification needed

#### a. Dimensional standards --

1. Question: Are driveways and parking areas allowed within setbacks, and are they included in Lot Coverage, and are they structures? *(the answers to these questions would affect all districts, including the VRNs)* There is some ambiguity in our current zoning regs which we have the opportunity to clear up -

Here's what is in our **current zoning**:

**Lot Coverage** - That portion of the ground area of a Lot, covered by structures, or, as applicable, by structures, parking areas, walkways, driveways, and areas covered by impervious materials.

**Setback** - The distance from a lot line or, if applicable, from the center line of the road or highway right-of-way, to the edge the building footprint or of any structure on the lot, including the edge of a deck, cantilevered area, on-ground patio or parking area. The setback provisions of these Zoning Regulations do not apply to fences, walls of 3 feet or less in height, roof overhangs that extend no more than three (3) feet from the structure, or signs outside a road right-of-way, except where specifically provided. Setbacks for septic systems shall be dictated by state law.

**Structure** - An assembly of materials for occupancy or use, including, but not limited to, a building, mobile home or trailer, sign, wall or fence and storage tanks for liquid, gas, oil, propane, or other fuel that are principally above ground. The term structure does not include tanks that are fully underground, septic system components, and impervious surfaces such as driveways or parking areas.

**Impervious Surface** – A manmade surface, including but not limited to a roof, or a paved or unpaved road, driveway, walkway or parking area, from which precipitation runs off rather than infiltrates

**SO:** Our zoning does not seem to be clear on this. Some other towns have a % lot coverage for buildings, and a different % for impervious surfaces (*see SoBu, Westford, and Bolton below*).

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Here is **one way to be clear** about the definitions:

- Add a definition for “on-ground improvements” – a separate category that is not above ground (structures) or below ground (tanks, septic systems) – this category would include both impervious surfaces (parking areas, driveways, sidewalks and walkways) and pervious (or permeable) surfaces (green infrastructure)
- this could then be added wherever we want it for lot coverage, setbacks etc
- New definitions would be:

“On-ground improvement” – an on-ground impervious surface such as a driveway, parking area, sidewalk, walkway, or patio; or a green infrastructure surface that is constructed to allow for ground water absorption.

“Lot coverage” - that portion of the ground area of a lot that is covered by structures and on-ground improvements that are impervious surfaces such as driveways, parking areas, sidewalks, walkways and impervious patios. Green infrastructure will be counted towards lot coverage as per section 6.16.

“Setback” – the distance from a lot line, if applicable, or from the center line of a road or highway right-of-way to the outside dimension of a building or structure at ground level on the lot, or of any portion of the building including a deck or cantilevered area. The setback provisions of these regulations do not apply to fences of 6 ft or less, walls 3 feet or less in height, raised garden beds or on-ground improvements.

“Structure” – an assembly of materials for permanent or long term occupancy or use that is principally or exclusively above ground level, including but not limited to a principal or accessory building, mobile home or trailer, sign, wall or fence, or storage tank for liquid, gas, oil, propane or other fuel. The term structure does not include tanks that are fully underground, septic system components, or on-ground improvements such as driveways, parking areas, sidewalks, walkways and impervious patios. The term structure shall apply to both above-ground and in-ground swimming pools.

Impervious Surface – A manmade surface, including but not limited to a roof, ~~or~~ a paved or unpaved road, driveway, walkway or parking area, from which precipitation runs off rather than infiltrates

With these definitions:

- Lot coverage INCLUDES parking areas and driveway, and green infrastructure with certain parameters (see section 6.16)
- Setbacks relate ONLY to buildings or structures (not to parking areas or driveways or any other on-ground improvements)
- Note that this doesn't deal with the issue of trails, which have been problematic (we could further define trails if we want to).

We should talk about **if** this is what we want for the RZR, then talk specifically about numbers for the VRNs.

2. **Numbers for setbacks, frontage, lot coverage in the VRNs:** I looked at some neighboring towns and picked out some residential, town center districts – here's a comparison. One question is whether we want setbacks or lot coverage to include driveways and parking areas or not (*some towns separate these out*)

	Min. frontage	Front setback	Rear setback	Side setback	Max lot coverage	Min lot size
Proposed VRNS	60 ft	15 ft	15 ft	10 ft	50%	.2 A 8,712 sf
Proposed VRNN	60 ft	10 ft	10 ft	10 ft	60%	.2 A 8,712 sf
Hinesburg	60 ft	10 ft	10 ft	10 ft	60%	6,000 sf
Williston	40 ft	15 ft	10 ft	15 ft		
SoBu	50 ft	30 ft	10 ft	30 ft	40%(buildings) 70%(impervious)	
Bolton	100 ft	15 ft	10 ft	10 ft	None (resi) 40%/60% (total)	1 A
Westford		15 ft	10 ft	15 ft	20%(resi) 40%(total)	.5 A
Huntington	120 ft	50 ft	15 ft	15 ft	30%	1 A
Jericho	75 ft	25 ft	10 ft	20 ft	60%	.25 A
Essex Jct		30 ft/Av.	10 ft	10 ft	40%	5,000 sf

Gary Bressor has suggested 12 ft setbacks for all structures for all directions in both VRNs to keep things simple and equitable.

**b. Emergency shelter vs Supported housing**

1. 1. Question: Do we want to continue to have “emergency shelter” as part of “supported housing” or do we want to establish a separate “emergency shelter” use category? *(this would affect all districts, including the VRNs)*

“Supported housing” definition from the RZR appears to include emergency shelters:

“A residential facility that provides housing and may also provide assistance, care, supervision or services such as medical, educational, training, personal services, meals or life management to the residents. This housing may be temporary (as in a rehabilitation facility, substance abuse treatment facility, or temporary housing for persons at risk of houselessness) or permanent (such as a nursing home or assisted living facility per 33VSA 7102)”

We definitely need to add “emergency shelters” to Section 5.1.2 as [g] to meet Act 47.

Act 47 amends 24 VSA 4413[a][1][G] to restrict the regulation of this use to only the parameters set forth in 4413[a][1] to the extent that the intended functional use is not interfered with (Question: what does “location” mean in this context? By district?). They can be regulated for compliance with flood hazard regulations.

If we wish to include emergency shelter in supported housing, then we could:

add to Section 7:

“Emergency shelter - A facility, **which is a type of supported housing**, the primary purpose of which is to provide a temporary shelter for the homeless in general or for specific populations of the homeless and that does not require occupants to sign leases or occupancy agreements. “ (“Emergency shelter” definition from Act 47 (24 VSA 4303)). *This just reiterates the connection between emergency shelter and supported housing.*

If we wish to have a narrow category of “emergency shelter”, then we should:

Specifically remove “emergency shelter” from the definition of supported housing and add definition of emergency shelter .

“Supported housing”: - “A residential facility that provides housing and may also provide assistance, care, supervision or services such as medical, educational, training, personal services, meals or life management to the residents. This housing may be temporary (**including, but not limited to**, a rehabilitation facility **or** substance abuse treatment facility, or permanent (**including, but not limited to**, a nursing home or assisted living facility per 33VSA 7102)” **Supported housing does not include “emergency shelter.”**

“Emergency shelter “ - A facility, the primary purpose of which is to provide a temporary shelter for the homeless in general or for specific populations of the homeless and that does not require occupants to sign leases or occupancy agreements. “ (this is the “Emergency shelter” definition from Act 47 (24 VSA 4303)).

Then we should decide what we want for the VRNs.

### c. Sidewalks and Design Standards

Preliminary conversations and lack of data suggest that we don’t want to set any requirements for future sidewalks. Rest of the standards should just be reviewed.

**Plan going forward for VRNs: finalize proposed amendments for next meeting or decide what further information is needed to come to decisions.**

## #6. Buttermilk

Discussion points thus far:

1. Remove all commercial requirement -- continue with building of same size allowing 8,000 sf of additional residential, continue to allow applicable commercial (such as small gym, coffee shop etc.) if commercial tenants found – **agreed**
2. Increase residential density by 9 U/A to match the density of the VD district at 24 U/A – if the commercial requirement is removed, it seems like we must add residential units to fill the space – we likely do not want them just to make 31 bigger units – 24 U/A would give then 27 more units – other possibilities? **discuss**
3. Of the 24 additional units:
  - Could \_\_\_\_\_ units be “senior” (market rate) and/or \_\_\_\_\_ units to be “workforce” and/or \_\_\_\_\_ as “condos”  
**discuss**

**“senior” ( equipped for ageing-in-place – beyond ADA accessible which is required by law)**

- a. First floor or elevator
- b. Step-in shower and handrails in bathroom
- c. Doors \_\_\_\_\_ “ wide and hallways 42” wide
- d. Levers on doors
- e. Accessible (low) kitchen cabinets
- f. Window sills and controls low (ADA)
- g. Smooth floors, flat carpeting

h. Any other amenities required for ageing-in-place (?)

**“workforce**

a. Rent at 80% AMI for 10 years guaranteed (can increase as AMI increases over time)

**“condos”**

a. encourages ownership? - **discuss**

4. Variety of studio, 1- and 2-bedroom apartments to be offered in building 2 - **agreed**

5. Parking: **discuss**

- requirement reduced to 1 space per residential unit (so 72 spaces residential total for buildings 1 and 2) - **Act 47 requires**
- commercial parking space requirement – how many spaces would be needed for 2-3,000 sf of small offices, cafes and gym?
- Provide parking for RCK - 4 spaces
- What is Buttermilk’s arrangement with the Railroad concerning parking spaces?
- paid public parking spaces – is this an option? how many?

6. More grass, trees, sidewalks tenant amenities – **discuss**

- must meet Multifamily Housing Development Standards 6.13 including 1 EV charging parking space per 10 DU’s – do we want to work on these standards? – this would be 6 chargers for 69 Dus – **discuss**

**Plan going forward for Buttermilk: decide what further information is needed to come to decisions:**

- **from Buttermilk**
- **from experts or others**