

## ENOSBURG FALLS & ENOSBURGH TOWN HOUSING BYLAW AUDIT

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*Housing Choice and Affordability: Reducing Regulatory Barriers at the Local Level*

*Prepared by the Northwest Regional Planning Commission*

*Funded by a Bylaw Modernization grant from the Vermont Department of Housing and Community Development*

### Introduction and Methodology

The Northwest Regional Planning Commission (NRPC) completed an audit of the Enosburg Falls Village Land Use Development Regulations & the Town of Enosburgh Development Bylaw, adopted December 19, 2017 and January 7, 2019, respectively. The bylaw audit is a component of the project: Housing Choice and Affordability: Reducing Regulatory Barriers at the Local Level, funded by a consortium Bylaw Modernization grant to St. Albans Town (lead), Highgate, Enosburgh, Sheldon and Montgomery. The bylaw audit records the type and level of each bylaw development standard that impacts housing design and permitting in the town, assesses how each standard compares to applicable “target” standards for housing choice and affordability and makes recommendations on what changes Enosburgh should consider to reduce barriers to housing development.

The audit includes several components. First, each applicable standard is recorded in a matrix that includes dimensional standards, parking standards, allowed use regulations, street standards and development review processes. Each type of regulation is recorded in standardized categories that can be compared across towns.

Second, NRPC completed an assessment of standards for each local zoning district intended for housing development; districts where only low-density residential development is permitted were not assessed. The assessment compares local bylaw standards with target standards to identify where potential bylaw changes would enable new housing options and/or reduce barriers to affordable housing development.

The final component to the audit is specific recommendations for revisions to the Town’s development regulations. The final recommendations will be developed based on this zoning audit, specific of local context, and the goals of the Planning Commission.

### Model Districts and Target Standards for Housing Choice and Affordability

Enabling Better Places: A Zoning Guide for Vermont Municipalities<sup>1</sup> establishes template districts and standards for Vermont municipalities to use as a basis for zoning amendments that would enable new housing options. NRPC has adapted the guide’s template district purpose statements and standards to serve as a target comparison for this zoning audit and assessment. Each local zoning district is assessed against the model district that is the closest match in terms of intent and purpose. The model district’s standards set a target for zoning changes that will enable new housing options. The local zoning district does not always align perfectly with a model district and target standards are not always appropriate; however,

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<sup>1</sup> Enabling Better Places: A Zoning Guide for Vermont Municipalities, August 2020. Congress of New Urbanism and the Agency of Commerce and Community Development.

[https://outside.vermont.gov/agency/ACCD/ACCD\\_Web\\_Docs/CD/CPR/Planning-Your-Towns-Future/CPR-Z4GN-Guide-Final-web.pdf](https://outside.vermont.gov/agency/ACCD/ACCD_Web_Docs/CD/CPR/Planning-Your-Towns-Future/CPR-Z4GN-Guide-Final-web.pdf)

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the assessment takes this into account and makes recommendations that suit the context and character of the local district. The purpose and intent of each model district is provided below.

<b>Model Districts for Housing Choice and Affordability (Adapted from Enabling Better Places: A Zoning Guide for Vermont Municipalities)</b>
<b>Downtown District</b>
The Model Downtown District applies to core areas of a village, town, or city to integrate a mix of business, residential, public, and institutional uses. It is targeted for a high density and intensity of housing integrated with mixed uses. Development has a strong orientation to sidewalks and the street (public realm) and contributes to a walkable area.
<b>Town Center District</b>
The Model Town Center District encompasses the central mixed-use areas of small cities and towns. It is intended to provide a place of civic pride and a focal point for development in the community. Town Center Districts enable a higher-density and more compact settlement pattern than other places in town with a compatible mix of appropriately-scaled residential and business uses in a pedestrian-friendly setting.
<b>Village Center District</b>
The Model Village Center District encompasses the central mixed-use areas of small towns and hamlets. Village Center Districts are intended to provide a place of civic pride and a focal point for development in the community. Village Center Districts enable a variety of housing opportunities with a mix of small-scale commercial in a pedestrian-friendly setting. There is typically a focus on maintaining an established historic character and/or settlement pattern. Lack of water and wastewater infrastructure may limit potential.
<b>Neighborhood District</b>
The Neighborhood District encompasses the blended density of residential areas adjacent to village, town, and city centers. Neighborhood Districts are intended to permit one, two, three, and four household residences as well as neighborhood commercial uses while complementing and connecting to the adjacent centers. Water and wastewater infrastructure may limit development potential.

### **Enosburgh Zoning District Purpose Statements**

The audit has recorded zoning standards for all local zoning districts; however, only those intended for substantial and/or high-density residential development were included in the assessment. Rural residential, conservation, agricultural and other districts where only low-density residential development is permitted were not assessed. The purpose and intent of each Enosburgh zoning district included in the assessment is provided below.

<b>St. Albans Town Zoning District Purpose Statements</b>
<b>Central Business District (CB)</b>
The purpose of the central business district is to provide a concentrated area to serve the business, service, and social needs for the community as well as the region. The historical character of the district focuses upon pedestrian access to a mixture of retail sales, personal services, professional services, business

offices, and high-density residences tightly spaced with minimal setback from the street. Residential uses add interest and vitality to the area and accommodate those who desire high-density housing.

Pedestrian travel will be encouraged by well-maintained and landscaped walkways which connect the district to other commercial and residential areas of the village. Public open space is provided for rest and recreation, and to increase the district's scenic quality. Public events such as art exhibits, musical events, craft fairs, and farmers' markets are encouraged. See Section 3.2 and 3.3 for specific standards for the Central Business District.

**Commercial District (CM)**

The purpose of the commercial districts is to provide areas with public water and sewer for larger-scale, land-intensive retail, commercial, and high-density residential development which may not be suited to location in the central business district.

These areas are intended to complement the central business district, and efforts will be made to connect them by attractive pedestrian paths, internal roadways, and landscaping.

The commercial districts are located at entrances to the village, and they must be designed to create a positive first impression for visitors. Master planning will be encouraged in order to promote efficient and economic connection with existing services and facilities. Development within the district will be reviewed to ensure attractiveness of sight design and signs. Strip development will be controlled by limiting the number of curb cuts and requiring consolidated access points onto RTE 105. See Section 3.2 and 3.3 for specific standards for the Commercial District.

**High Density Residential District (HD)**

The purpose of this district is to maintain the privacy, and property values in established traditional residential neighborhoods. Appropriate commercial, cultural and recreational uses may be allowed to serve local residents without compromising the residential character of the district. This area is served by public services and facilities. Efforts to retain and improve the quality and vitality of older neighborhoods through restoration of deteriorating buildings should be encouraged. Residential development in this district should provide for a variety of dwelling types and for the needs of people of all income levels and ages.

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## **Key to New Zoning Standards and Terms**

The following key provides definitions for less common or new zoning terms that may be considered or recommended as part of the audit.

### **Build-To Zone/Flexible Setback**

A zoning requirement that specifies a range of allowable distances between a front property line and the front of a building. Build-to zones may also be expressed as a minimum and a maximum front setback.

### **Building Coverage (Lot Coverage)**

The percentage of a lot that can be covered by a building (sometimes referred to as maximum building footprint). Some municipalities regulate lot coverage, which includes building coverage plus other impervious surfaces such as driveways and parking spaces.

### **Cottage Court**

A series of small, detached structures. Cottage courts provide multiple units arranged to define a shared court that is typically perpendicular to the street. Vermont towns often include small historic cottages scattered across neighborhoods, and introduction of this type would reflect the scale of those dwellings in a compact and concentrated way.

### **Townhouse**

Small- to medium-sized dwellings, townhouses typically consist of two to eight (usually) attached single-family homes placed side by side.

### **Character-Based Frontage Requirements**

Frontage requirements define how buildings should meet the street, such as requiring functional sidewalk-facing entries and requiring a minimum percentage of windows (transparent glass) on the front of buildings.

### **Public Realm**

Areas that are available for common use without charge, including streets, sidewalks, parks, public spaces, and public buildings.

### **Administrative Review of Site Plan**

Under 24 V.S.A. 4464 (c) a zoning administrator or other staff member may be responsible for completing site plan review if the standards are non-discretionary. This may simplify the review process.

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Zoning Assessment for Housing Choice and Affordability

Town Zoning District:	Model District	Standard	Target Standards Met	Comments	
Central Business District (CB)	Town Center	Dimensional	Height	?	<p><b>Height.</b> Height is required to be proportional to existing buildings on either side and along the streetscape with a minimum of 2 stories required for uses requiring site plan review. Consider changing to height range of 2 to 4 or 2 to 5 stories. Height standards for permitted uses in CB district not referenced.</p> <p><b>Setbacks.</b> Enosburgh uses a flexible setback standard, which is appropriate for this context, however the maximum setback of 25 feet is too much for the CB District. Consider implementing a “build-to-zone” by setting a more appropriate maximum front setback. There are no side or rear setbacks for this district, which is appropriate for a dense village. Discuss measurement from edge of ROW vs edge of road.</p> <p><b>Lot size and Frontage.</b> There are no minimum lot size or frontage requirements for this district, form-based guidance is used to guide development. This is appropriate for this district.</p> <p><b>Lot coverage.</b> Enosburg Falls does not regulate by lot coverage. This is acceptable for this district; however, some on-site stormwater may be needed if not handled at a district level.</p>
			Front setback	Y	
			Yard Setback	Y	
			Frontage	Y	
			Lot coverage	N/A	
			Min lot size/density	Y	
		Allowable Uses	Allowed by right	Y	<p><b>Allowed by right.</b> Enosburg allows duplexes by right, which is appropriate for a dense village.</p> <p><b>Allowed P/S and C/S.</b> Any size multi-unit is allowed with site plan review, which is appropriate for this district. Consider whether administrative site plan review could be used for smaller multi-units – 3–8-unit dwellings for example. Discuss character-based frontage and applicability of existing form-based standards as administrative standards.</p> <p><b>Uses/Structures per lot.</b> Multiple uses are allowed as a conditional review. Consider allowing multiple uses as permitted if all the associated uses are permitted. Multiple structures are allowed but consider clarifying definitions of multi-unit housing to reflect this, and including different types of multi-unit housing.</p> <p><b>Definition.</b> Note: Change from family to unit.</p>
			Allowed P/S	Y	
			Allowed C/S	Y	
			Uses per lot	Y	
			Structures per lot	Y	
		Parking	Spaces per unit	N	<p><b>Spaces per unit.</b> Enosburgh’s bylaws allow for certain commercial uses to use on-street parking instead of requiring off-street parking in the CB District. Reduce parking requirements to 1.5 spaces/unit and clarify that on-street and shared parking can count towards off-street parking space requirement.</p> <p><b>Location.</b> Allow parking only on the side and back of building for permitted uses in the Central Business District, it is already required for uses with site plan review.</p>
Location	N				

Town Zoning District:	Model District	Standard	Target Standards Met		Comments
Commercial District (CM)	Town Center	Dimensional	Height	?	<p><b>Height.</b> Height is required to be proportional to existing buildings on either side and along the streetscape with a minimum of 2 stories required for uses requiring site plan review. Does this standard work in the relatively undeveloped commercial district? Consider changing to height range of 2 - 4 stories. Height standards for permitted uses in CM district not referenced.</p> <p><b>Setbacks.</b> Consider regulating front setback from the edge of ROW rather than edge of road. If the Village regulated from the edge of the ROW, setbacks could be reduced to as little as 0 feet. Reduce yard setback to 5' or less.</p> <p><b>Lot size and Frontage.</b> Reduce minimum lot size to no more than 1/5 acre. If lot size is reduced consider reducing frontage requirements to 60'.</p> <p><b>Lot coverage.</b> Enosburg Falls does not regulate by lot coverage. This is acceptable for a town center area; however, some on-site stormwater may be needed if not handled at a district level.</p>
			Front setback	N	
			Yard Setback	N	
			Frontage	N	
			Lot Coverage	N/A	
			Min lot size/density	N	
		Allowed Uses	Allowed by Right	N	<p><b>Allowed by right.</b> No uses are allowed by right because single-unit and two-unit structures are prohibited in this district. Consider whether two-unit dwellings could be permitted if part of a mixed-use development.</p> <p><b>Allowed P/S and C/S.</b> Any size over 2 units is permitted with site plan review standards which is appropriate for this district. Consider administrative site plan review standards for small multi-unit dwellings (2-8 units).</p> <p><b>Uses/Structures per lot.</b> Multiple uses are allowed as a conditional review. Consider allowing multiple uses as permitted if all the associated uses are permitted. Multiple structures are allowed but consider clarifying definitions of multi-unit housing to reflect this, and including different types of multi-unit housing.</p> <p><b>Definition.</b> Note: Change from family to unit.</p>
			Allowed P/S	Y	
			Allowed C/S	Y	
			Uses/Structures	Y	
		Parking	Spaces per unit	N	<p><b>Spaces per unit.</b> Reduce parking requirements to 1.5 spaces/unit, and clarify that any onsite or shared parking may count towards requirement. At a minimum, reduce parking requirements for senior housing to 1 space/unit. Add specific provisions to allow shared parking between commercial and residential uses to reduce the total number of spaces required.</p> <p><b>Location.</b> Parking is allowed only on the sides and backs of buildings under site plan review, which is required for all residential uses in this district.</p>
			Location	Y	

Town Zoning District:	Model District	Standard	Target Standards Met		Comments
High Density Residential District (HD)	Neighborhood	Dimensional	Height	N	<p><b>Height.</b> Consider regulating by story instead of by height and increasing height to allow for 3 stories, which would exceed 35 feet.</p> <p><b>Setbacks.</b> Enosburg Falls regulates with a flexible build-to zone in this district. Has this been an effective tool so far? 25' setback from edge of road seems high for existing structures, are there significant numbers of nonconformities? Would it be more effective to set minimum and maximum setback distances, rather than relying on a review of adjacent structures? Reduce side and back setbacks to 5'.</p> <p><b>Lot size and Frontage.</b> Currently, the regulations require double the lot size for multi-unit structures (20,000 sq. ft.) as single unit structures (10,000 sq. ft.). Do not require a larger lot size for multi-unit structures than single-unit structures. A 10,000 square foot minimum is ok, but consider reducing to 8,000 sq. ft. Consider reducing frontage requirement to 60' – 70'.</p> <p><b>Lot coverage.</b> Enosburg Falls does not regulate by lot coverage. Is lot coverage a concern in this district?</p>
			Front setback	N/A	
			Yard Setback	N	
			Frontage	N	
			Lot Coverage	N/A	
			Min lot size/density	N	
		Allowable Uses	Allowed by Right	Y	<p><b>Allowed by right.</b> Duplexes are allowed by right which is appropriate for this district.</p> <p><b>Allowed P/S and C/S.</b> Any size over 2 units is permitted with site plan review standards which is appropriate for this district. Consider administrative site plan review standards for small multi-unit dwellings (2-8 units).</p> <p><b>Uses/Structures per lot.</b> Multiple uses are allowed as a conditional review. Consider allowing multiple uses as permitted if all the associated uses are permitted. Multiple structures are allowed but consider clarifying definitions of multi-unit housing to reflect this, and including different types of multi-unit housing.</p> <p><b>Definition.</b> Note: Change from family to unit.</p>
			Allowed P/S	Y	
			Allowed C/S	Y	
			Uses/Structures	Y	
		Parking	Spaces per unit	N	<p><b>Spaces per unit.</b> Reduce parking requirements to 1.5 spaces/unit, and clarify that any onsite or shared parking may count towards requirement. As a minimum, consider reducing parking requirements for senior housing to 1 space/unit. Add specific provisions to allow shared parking between commercial and residential uses to reduce the total number of spaces required.</p> <p><b>Location.</b> Consider regulating parking location in this district, especially for multi-units of 3 units or more.</p>
			Location	N	

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Other Standards

Standard	Comments
<b>Street Standards</b>	<p><b>Connectivity.</b> Enosburgh’s bylaws generally address connectivity. The Village bylaws general standards limit the length of dead-end streets and encourage connectivity. The Town bylaws discourage long dead-ends and address connectivity. Additionally, there are specific connectivity standards for the Central Business and Commercial District in the site plan review section of the Village bylaws. Consider specific provisions requiring that ROW be set aside for all dead-end streets for future connections.</p> <p><b>Sidewalks/complete Streets.</b> Sidewalks are required in the Central Business District and High-Density Residential District. Sidewalks are required for major subdivision in the Commercial and Low-Density Residential District, and must be made if a connection to the Village system is possible. Require sidewalks for uses requiring site plan review, or for a certain size commercial and residential developments in the Commercial District. In the Town bylaws, the DRB may require sidewalks if appropriate under site plan &amp; subdivision review.</p> <p><b>Street/road design standards.</b> The Village’s bylaws reference the A-76 standards, the Town’s bylaws do not make it clear if there is a standard for development roads that are not intended to be accepted by the Town. Consider reviewing when state updates its design standards to ensure restrictions are appropriate. Generally, 11’ lane width is adequate.</p>
<b>Accessory Dwelling Units</b>	<p>Both sets of regulations need to be updated to meet state minimum regulations, which are 30% or 900 square ft (whichever is larger) and to remove the requirement that the ADU be an efficiency or one-bedroom. ADUs could be further encouraged by allowing more than 1 ADU per lot if setback and parking standards are met.</p>
<b>Development Review Provisions</b>	<p>There may be opportunities to streamline the development review process for housing in a way that reduces the time and cost of getting a zoning permit while at the same time producing development that aligns with the town plan and development regulations. Many opportunities for streamlining the review process involve reducing the amount of discretionary review by the DRB and increasing administrative review by staff. There is a cost-benefit in moving in this direction since it requires careful crafting of prescriptive standards that can be applied administratively and may require that your town hire additional staff. Consider and discuss the following tools:</p> <ul style="list-style-type: none"><li data-bbox="352 987 1959 1084">• Administrative Review for Site Plan Review, especially for 3-8 multi-unit dwellings in the Central Business District, Commercial and High-Density Residential District. This could include a modified version of the form-based standards specific to multi-unit residential structures.</li></ul>