

Addison County Regional Planning Commission

14 Seminary Street Middlebury, VT 05753 • www.acrpc.org • Phone: 802.388.3141

Lincoln Bylaw Modernization Grant Recommended Updates- 8/7/2023

Introduction

The Planning Commission was awarded a grant by the Vermont Department of Housing and Community Development for zoning bylaw updates that increase housing choice, affordability, and opportunity in areas that are or could be pedestrian-oriented, specifically in Lincoln's four Village Districts. The Commission conducted a community-wide survey, and it showed that housing affordability and opportunity are major concerns. In partnership with Addison County's Regional Planning Commission, current Zoning Regulations were reviewed.

Following are proposed zoning bylaw updates that would make it easier to build a variety of housing types on smaller parcels in the Village Districts, creating opportunities for more housing that would be more affordable, as well as reducing existing non-conformities.

Project objectives

To increase opportunities for housing in Lincoln. To make it easier to build affordable, smaller homes on smaller parcels in the Village Districts.

- Update the dimensional standards to enable increased density in Lincoln's four Village Districts. Bring non-conforming lots into conformance.
- Create more permitted uses to be reviewed with a **Site Plan review** process.
- Make the permitting process more clear. Create a "**use table**" for the bylaws and expand and refine the definitions chapter.

Recommended Updates to Zoning Bylaws

The following recommendations for changes to Lincoln's zoning bylaws are based on an analysis of existing patterns of development, the results of the recent Lincoln housing survey, and feedback from Lincoln's Municipal Boards. Lincoln currently has four Village Planning Districts; Lincoln Center, West Lincoln, Downingsville, and South Lincoln.

Dimensional Standards Recommendations:

Village Districts Only

- Reduce the minimum Lot size in the **Lincoln Center District** to ¼ acre. Reduce the minimum Lot size in the other three village districts to ½ acre. (SEC. 310/314, page 11-12).
- Reduce the minimum side yard setbacks in all of the four districts, Lincoln Center; 10', West Lincoln: 15', Downingsville: 15', South Lincoln: 15'.
- Propose a minimum lot frontage of 70'. For example, a ¼ acre lot with 70' of frontage would have a lot depth of 155.5' Lincoln currently has no minimum lot frontage.
- Include a parking requirement for Accessory Dwelling Units (ADUs) and/or 1-2 bedroom apartments of 1 space /dwelling unit. (SEC. 532).

Permitting Process Recommendations:

- Adopt **Site Plan Review** for certain uses in the Village Districts.
- Site Plan Review is the review of a permitted use, focusing on the proper development within the site so as to meet the objectives of the Town Plan.
- Develop **review criteria** to use for the Site Plan review process (same as Conditional criteria).

Allowable Uses and Use Table Recommendations:

- Allow **multi-family, 3-5 units** as permitted with Site Plan Review in all of the Village Districts .
- Allow **Senior/ADA Compliant Housing** as permitted with Site Plan Review in all zoning districts.
- Develop a comprehensive **Use Table** (see below) that combines all zoning districts and proposed uses in one chart. Certain uses should be broken down in order to better categorize application review, i.e., Industrial- Light/ Industrial- Heavy)

Proposed Table of Permitted and Conditional Uses

Blue rows indicate a suggested change to either the current review process (permitted, conditional, site plan review, or not permitted) or a use definition/ addition. **Residential uses only.**

Land Development Uses	Lincoln Center	West Lincoln	Downin-gsville	South Lincoln	Transiti-onal	Outlying
E= exempt, P=permitted, SP= site plan review, C= conditional, X= not permitted						
Residential Uses						
One-family dwelling (mobile/manufactured included)	P	P	P	P	P	P
Two-family dwelling	P	P	P	P	P	P
Multi-family dwelling (3-5)	SP	SP	SP	SP	C	C
Multi-family dwelling (6+)	C	C	C	C	C	C
Senior/ ADA Compliant Housing (formally Multifamily for the Elderly)	SP	SP	SP	SP	SP	SP
Nursing Home/ Assisted Living Facility	C	C	C	C	C	C
Accessory Dwelling Unit (ADU) <i>See definitions</i>	P	P	P	P	P	P
Group Home (no definition in bylaws)	P	P	P	P	P	P

Allow density bonuses for affordable housing and senior independent housing and in the Village Districts:

- The following points outline the conditions that must be met for a project/ development to be eligible for bonus dwelling units. All bonus dwelling units are required to be 1 bedroom or 0-bedroom efficiency apartments (see definitions).

Affordable Housing:

- The property is eligible for **bonus units** based on the number of affordable **base units** and the district's **level of bonus** up to the maximum number of allowed bonus units. The bonus unit(s) are also required to be affordable. **Below is an example of an affordable unit bonus calculation.**

Level of Bonus	Bonus Unit Calculation	Maximum Allowable Units
25%	Base units x 0.25=# of Bonus units	Base Units+Bonus Units

- The affordable nature of the base and bonus units must be perpetual and recorded in the town land records.
- The maximum rent allowed for each affordable unit will be calculated annually based on Area Median Income (AMI) numbers . **Below is an example of said calculation**

Household Size	80% AMI	Monthly Income	Max Rent
1	\$50,350	\$4195	\$1258
2	\$57,550	\$4795	\$1438
3	\$64,750	\$5395	\$1618

Senior Independent and ADA accessible Housing:

- The property is eligible for 1 bonus unit for every 1 base unit that is simultaneously elderly and ADA accessible, up to the maximum number of allowed bonus units. The bonus unit(s) are required to be elderly/ADA accessible.
- The base units being utilized for the bonus must be on the street or ground level floor and cannot require an elevator to access.
- The base units being utilized for the bonus must be perpetually ADA accessible.

Definition Section additions and updates:

Affordable: An affordable housing unit is a housing unit where the monthly rent, based on household size, does not exceed 30% of the monthly income of a household making 80% of the Area Median Income.

Accessory Dwelling Unit: Use existing definition but add, 'can be a one or two bedroom unit.'

Base Unit- A dwelling unit allowed by the base residential density of a zoning district.

Bonus Unit- A dwelling unit allowed in addition to base units.

Density Bonuses: Additional dwelling units allowed, in addition to base units, due to development of affordable and/or senior/ADA compliant housing. See Section 600.(PUD section of the regulations)

Level of Bonus- the percentage of the number of base units allowed to be utilized in the calculation of the density bonus.

Group home/ Residential Care Home: A residence for persons requiring care or supervision. A residential care home or group home to be operated under State licensing or registration, serving not more than eight persons who have a disability as defined in 9 V.S.A. § 4501, shall be considered by right to constitute a permitted single-family residential use of property.

Senior Independent Housing/ADA Compliant : Independent living housing designed exclusively for older adults, generally those aged **55** and over. Housing can be apartment-style living to single-family detached homes. **Density bonuses allowed.**

Short Term Rental: A "short-term rental" is a rental of sleeping accommodations that is for less than thirty consecutive days. Vermont Rooms and Meals tax apply.

Site Plan review: Site Plan Review constitutes a review by the Development Review Board of a specific application that constitutes a permitted use within the district in which it is proposed. Site Plan review is limited in scope to focus solely on proposed development characteristics within the site. The Development Review Board may impose conditions on how the site is developed pursuant to the criteria contained in Section 700. The Development Review Board shall conduct the Site Plan review pursuant to the procedure outlined in Section 700.

