

## Public Hearing Notice

### Village of Ludlow Zoning and Flood Hazard Regulation Amendments

Pursuant to 24 V.S.A. §4441 and §4444, notice is hereby given of a public hearing by the Ludlow Village Trustees to hear comments regarding proposed amendments to the Village of Ludlow Zoning and Flood Hazard Regulation Amendments. The public hearing will take place during the Village Trustees meeting on **Tuesday, September 5, 2023**, beginning at 6:00 pm.

You may attend the Public Hearing in-person at the following address:

Ludlow Town Hall  
37 Depot Street  
Ludlow, Vermont 05149

Comments regarding the proposed amendments to the Village of Ludlow Zoning and Flood Hazard Regulation Amendments may be submitted verbally at the Public Hearing. Written comments may also be submitted via email to Terry Carter, Ludlow Planning Commission Chair, at [tmgcarter@gmail.com](mailto:tmgcarter@gmail.com), or Martha Harrison, Mount Ascutney Regional Commission, at [mharrison@marcvt.org](mailto:mharrison@marcvt.org), or Bob Brandt, Village Trustee, at [bobjbrandt@gmail.com](mailto:bobjbrandt@gmail.com).

Pursuant to the requirements of 24 V.S.A. §4444(b):

#### Statement of purpose:

The purpose of the proposed amendments is as follows:

- to ensure that employee housing meets the needs of employees, employers, and abutting property owners;
- to clarify the difference between residential and commercial structures and uses;
- to establish permitting and review processes for employee housing and changes of use;
- to allow for reductions in minimum parking requirements for employee housing under certain circumstances;
- to add Boarding House/Rooming House to the Village R-C as a permitted use;
- to incorporate new and modified definitions in Article 7.
- to modify Section 520.14 Conversions and Changes of Use

#### Geographic areas affected:

Portions of these amendments apply to all areas of the Village.

#### List of section headings affected:

The proposed amendments make the following modifications to the Village of Ludlow Zoning and Flood Hazard Regulation Amendments:

- Article 4, Section 430 is modified to include, Boarding House/Rooming House to the permitted uses of the Village R-C District.
- Article 5 (General Regulations) is modified to include new Section 520.14 Conversions and Changes of Use, and new Section 520.15 Employee Housing.
- Article 7 is modified to include the following new definitions: employee housing, transient, short-term.
- Article 7 is modified to include the following revised definitions: Bed & Breakfast, Boarding House/Rooming House, Inn.

The full text of the amendments to the Village of Ludlow Zoning and Flood Hazard Regulations is available online at <https://www.ludlow.vt.us> The proposed amendments can be reviewed in hard copy format in the Town Clerk's Office in the Ludlow Town Hall located at 37 Depot Street, Ludlow, VT 05149.

# **Public Hearing Village Trustees 2023**

**Tuesday – September 5<sup>th</sup>, 6:00**

**Ludlow Municipal Building**

The Planning Commission will be participating at Public Hearing of the Village Trustees for the purpose of the following amendments:

- Add to Article 4 Section 430, Boarding House/Rooming House to the permitted uses of the Village R-C District
- Add a new section “Employee Housing” (Section 520.15) and a new section “Conversions and Changes of Use” (Section 520.14) in the Village of Ludlow’s Zoning & Flood Hazard Regulations
- Add new definitions to Article 7
- Modify existing definitions in Article 7

## SECTION 430 - VILLAGE R-C DISTRICT

The purpose of the Village R-C District is to serve as the focus of social and economic activities in the community. Served by public water and sewer services, sidewalks and an urban roadway network, this area provides for the highest-density of commercial, civic, residential and other compatible development in the community. Residential or professional office uses are encouraged in the upper floors above commercial uses in this area. This District includes the Village Center that serves as Ludlow's traditional, compact commercial center that has a mix of commercial, civic and residential uses, and public gathering places. This District also includes adjacent mixed use areas that are encouraged to redevelop as an extension of the traditional village center, following the same traditional village land development patterns with multi-modal transportation infrastructure (i.e. sidewalks, on-street parking, bus stops, street trees and other pedestrian amenities).

Description: Zoning Map is official delineation of District.

### Permitted Uses:

- 1) Single-unit dwelling
- 2) Two-unit dwelling
- 3) Accessory use or building
- 4) Home occupation
- 5) Home child care
- 6) Accessory apartment
- 7) Governmental recreation area
- 8) Additions or alterations
- 9) Boarding/Rooming House 9) Boarding/Rooming House

## **Proposed New Section**

### **SECTION 520.15 - EMPLOYEE HOUSING**

Any residential structure, including single-unit, two-unit and multi-unit dwellings, accessory dwelling units, and rooming/boarding houses, but excluding short-term commercial lodging facilities such as Tourist Homes, Bed & Breakfasts, Inns and Hotels, may be used for employee housing provided that it complies with the following standards:

- A. Converting a permitted residential use (single-unit, two-unit, or accessory dwelling unit) to a conditional residential use (multi-unit dwelling or rooming/boarding house) shall be considered a Change of Use in accordance with Section 520.14 of the Zoning Regulations.
- B. Employee housing shall comply with all district, specific, and general requirements of the Zoning Regulations, and all other applicable local regulations currently in effect, including, but not limited to, Section 530 (Parking & Loading Requirements) of the Zoning Regulations, which may be reduced at the discretion of the Development Review Board under the following conditions:
  1. The employer signs a written agreement to provide the employees occupying the housing with transportation to and from their place of employment; or
  2. The housing is within 0.25 miles of a stop for a public, or employer-provided, transportation system which also has a stop at the place of employment during the employee work hours.
- C. The applicant is obligated to obtain all necessary state permits, and provide all required certifications, including but not limited to:
  1. A Wastewater System & Potable Water Supply permit;
  2. Certification that the structure complies with the requirements of the Vermont Residential Building Energy Standards in accordance with 24 V.S.A. §4449 and 30 V.S.A. §51; and
  3. Any other permits or approvals, which may be required by:
    - a. The Vermont Department of Health's Rental Housing Health Code, as most recently adopted;
    - b. The Vermont Department of Public Safety's Division of Fire Safety;
    - c. Other state agencies.
- D. The minimum square footage for a single occupancy bedroom shall be 80 square feet. The minimum square footage for a double occupancy bedroom shall be 120 square feet.
- E. There shall be at least one bathroom including a sink, toilet and bathtub/shower for every 8 persons occupying a residential structure that is being used for employee housing.

**EMPLOYEE HOUSING:** Housing that is owned, leased, sub-leased, controlled or facilitated by an employer and provided for the occupancy of the employee in conjunction with their employment and, if applicable, the employee's family or household members. In addition, if an employer is receiving any remuneration from the housing of its employees then such housing is considered to be employee housing.

Current Definition:

**BED AND BREAKFAST:** An owner occupied home, in which the owner rents guest rooms and serves breakfast only to those guests as part of the room rent

Proposed Definition:

**BED AND BREAKFAST:** A residential structure with ten or fewer rooms for rent to transients for overnight lodging by the day or by the week. The structure must be the primary residence of the owner or operator of the bed and breakfast, who may provide meals only to guests, not to the general public.

Current Definition:

**BOARDING HOUSE/ROOMING HOUSE:** Buildings in which rooms are rented, with some or all meals provided, to three (3) or more persons. A boarding house shall have no more than eight (8) sleeping rooms for rent. See Lodging House.

Proposed Definition:

**BOARDING/ROOMING HOUSE:** A building in which the rooms that are rented serve as the renter's principal residence for more than 30 days. One or more meals, housekeeping, and/or laundry service may be provided. A rooming/boarding house shall have no more than eight (8) rooms for rent.

Current Definition

**INN:** A commercial facility for the housing of transients, and which may offer meal service.

**Proposed Definition:**

**INN:** An owner-occupied building used to provide overnight or short-term accommodations, and one or more meals, to transient guests. Inns shall not have more than 25 guest rooms, which shall be primarily accessed from inside the building.

**SHORT-TERM:** Less than thirty (30) days.

**TRANSIENT:** A short-term guest whose permanent address for legal purposes is not the lodging facility where they are staying.

## **SECTION 520.14 - CONVERSIONS AND CHANGES OF USE (new section)**

Conversions or changes in the use of land and/or existing structures are subject to the provisions of this bylaw as follows:

- A. The proposed use is subject to all the requirements of this bylaw pertaining to such use, including but not limited to any district, general or specific requirements, as well as subdivision regulations and all other municipal regulations currently in effect.
- B. An accessory structure, such as a garage or barn, may be converted to a principal use allowed within the district in which it is located only:
  - 1. If the structure is located on a subdivided lot which conforms to the lot size, setback, parking, and other requirements applicable to the relevant district and proposed use; or,
  - 2. If the zoning district in which it is located allows more than one principal use on a lot and all requirements applicable to the relevant district and proposed use can be met.
- C. A conversion or change of use from one permitted use to another permitted use which involves the creation of new floor space or outdoor storage space, requires additional on-site parking, or has different minimum lot size or dimensional requirements, will require a zoning permit issued by the Administrative Officer under Section 220.
- D. A conversion or change from a permitted use to a conditional use, or from a conditional use to a different conditional use, may be approved by the Development Review Board subject to conditional use review under Section 260.
- E. A conversion or change of use involving a nonconforming use and/or structure is also subject to review under Section 261.

## Village Trustees Reporting Form for Municipal Bylaw Amendments

This report is in accordance with 24 V.S.A. §4441(c) which states:

“When considering an amendment to a bylaw, the planning commission shall prepare and approve a written report on the proposal. A single report may be prepared so as to satisfy the requirements of this subsection concerning bylaw amendments and subsection 4384(c) of this title concerning plan amendments..... The report shall provide (:)

(A) brief explanation of the proposed bylaw, amendment, or repeal and include a statement of purpose as required for notice under §4444 of this title,

The proposed amendment would:

- Add to Article 4 Section 430, Boarding House/Rooming House to the permitted uses of the Village R-C District
- Add a new section “Employee Housing” (Section 520.15) and a new section “Conversions and Changes of Use” (Section 520.14) in the Village of Ludlow’s Zoning & Flood Hazard Regulations
- Add new definitions to Article 7
- Modify existing definitions in Article 7

The purpose of the proposed amendments is to ensure that employee housing meets the needs of employees, employers, and abutting property owners; to clarify the difference between residential and commercial structures and uses; to establish permitting and review processes for changes of use; and to allow for reductions in minimum parking requirements for employee housing under certain circumstances.

(A)nd shall include findings regarding how the proposal:

1. Conforms with or furthers the goals and policies contained in the municipal plan, including the effect of the proposal on the availability of safe and affordable housing:

As stated in the Municipal Plan for the Town and Village of Ludlow, VT “one of the most significant challenges to local economic development efforts is a lack of available quality housing that workers can afford, considering the average wages of residents.” To address this challenge, the Municipal Plan establishes the following policies:

- Encourage the rehabilitation of larger buildings located within the village for safe and affordable housing;
- Expand housing options that support local businesses, such as increasing the availability of rental properties for seasonal employees, and
- Expand housing options by adding Boarding House/Rooming House to the permitted uses in the commercial district.

2. Is compatible with the proposed future land uses and densities of the municipal plan:  
The Village Center and the adjacent mixed-use areas are identified in the future land use section of the municipal plan as providing “for the highest density of commercial, civic, residential and other compatible development in the community.” The Village Residential/Commercial neighborhoods are also identified as an “area [that] shall allow for a mix of compatible housing types that serve a broad spectrum of income levels.” Allowing employee housing in multi-unit dwellings and rooming/boarded houses in these districts is compatible with the uses and densities outlined in the municipal plan.
3. Carries out, as applicable, any specific proposals for any planned community facilities.”

The proposed amendments are not specifically applicable to planned community facilities.

#### Please Note:

- The Planning Commission shall hold at least one public hearing within the municipality after public notice on any proposed bylaw, amendment or repeal and;
- At least 15 days prior to the first hearing, a copy of the proposed plan or amendment and the written report shall be delivered with proof of the receipt, or mailed by certified mail, return receipt requested, to each of the following:
  1. the chairperson of the Village Trustees of each abutting municipality, or in the absence of any planning commission in an abutting municipality, to the clerk of that abutting municipality;
  2. the executive director of the regional planning commission of the area in which the municipality is located;
  3. the Department of Economic, Housing and Community Development within the Agency of Commerce and Community Development.
- The Village Trustees may revise the proposed bylaw, amendment, or repeal and to the written report, and shall then submit the proposed bylaw, amendment or repeal and the written report to the legislative body of the municipality. If requested by the legislative body or supported by petition the planning commission shall promptly submit the amendment with changes only to correct technical deficiencies, together with any recommendations.
- Simultaneously, with the submission, the Village Trustees shall file with the clerk of the municipality a copy of the proposed bylaw, amendment, or repeal, and the written report for public review.