

**NOTICE OF PUBLIC HEARING  
ST. ALBANS CITY PLANNING COMMISSION  
MONDAY, SEPTEMBER 21, 2020, 6:00 PM  
VIA REMOTE CONNECTION**

The St. Albans City Planning Commission will hold a public hearing to consider proposed amendments to the City's Land Use Development Regulations.

The purpose of the amendments is to enable the rehabilitation of blighted homes, preserve the City's built heritage in ways that are compatible with neighborhoods, and affirmatively further the availability of housing opportunities in the community.

The proposed amendments would add definitions for Blighted Home and Building Enclosure to Section 202 and create Section 418 to allow a number of dwelling units in excess of what would typically be allowed under the City's Land Development Regulations if the applicant can prove that the additional units would make it financially feasible to rehabilitate a blighted home in compliance with the development review standards in Section 418, as well as other applicable standards throughout the Regulations.

The proposed amendments would affect blighted residential properties and their immediate neighborhoods.

The proposed amendments may be viewed by appointment at St. Albans City Hall or online at [www.StAlbansVT.com/Development](http://www.StAlbansVT.com/Development).

To connect to the remote meeting, go to [www.stalbansvt.com/pc](http://www.stalbansvt.com/pc). If you cannot connect online, please call into the meeting by dialing (929) 205-6099 and using meeting code 864-624-127#. Note: If you want to use the phone connection for the meeting, please be aware there may be a standard long-distance charge, depending on your phone's calling plan.

If special accommodations are required, please contact Chip Sawyer at 802-524-1500 ext. \*259 or [c.sawyer@stalbansvt.com](mailto:c.sawyer@stalbansvt.com). Those with impaired hearing are welcome to call (TTY) # 1-800-253-0191.



1  
2  
3 **Sec. 2.** Article 4, Section 418 Dwelling Unit Bonus Program for Neighborhood  
4 Rehabilitation is added to read:

5  
6 **Section 418 Dwelling Unit Bonus Program for Neighborhood Rehabilitation**

7  
8 **A. Purpose.**

9 This program is intended to enable the rehabilitation of Blighted Homes, preserve the  
10 City’s built heritage in ways that are compatible with existing neighborhoods, and  
11 affirmatively further the availability of housing opportunities in the community.

12  
13 The program is designed to allow the approval of a number of dwelling units in excess of  
14 what would typically be allowed under the Regulations if the applicant can prove that the  
15 additional units would make it financially feasible to rehabilitate a Blighted Home to the  
16 required standards.

17  
18 **B. Under Sec. 418, the Development Review Board (DRB) can grant the following bonuses**  
19 **and exemptions.**

- 20  
21 1. Enable approval of Dwelling Units in excess of two, even if the zoning district  
22 normally allows no more than two under Sec. 304.  
23  
24 2. Allow a density bonus of Dwelling Units that would be the greater of the  
25 following:  
26 a. 2 total Dwelling Units on the property when the project is finished or  
27 b. a 50% increase (rounded up at 0.5 of a whole number) above the normally  
28 allowed number of Dwelling Units based on the lot size for the property  
29 under Sec. 306.  
30  
31 3. Exempt the application from the minimum lot width requirement under Sec. 306.  
32  
33 4. Exempt the application from the maximum lot coverage requirement under Sec.  
34 306 for the purpose of ensuring that there is at least one parking space for each  
35 final unit.  
36  
37 5. Exempt the application from the off-street parking requirements in Sec. 515.7.

38  
39 **C. Code Requirements.**

40 As part of this program, the property must be improved to the following standards:

- 41  
42 1. Brought into compliance with all relevant City and State public residential  
43 building codes, subject to approval of variances by the State Access Board.  
44

- 1                   2. Brought into compliance with the Vermont Residential Building Energy Code for  
2 the applicable year of the renovation, subject to the Historic Buildings Exemption  
3 process.

4  
5 **D. Financial and Feasibility Analysis.**

- 6  
7                   1. An application seeking bonuses and/or exemptions under Sec. 418 shall require a  
8 recommendation from the City Manager, or their designee, hereafter referred to as  
9 “the City,” before it can be deemed complete for review by the Development  
10 Review Board.
- 11  
12                   2. The City’s recommendation may include an analysis of:
- 13                   a. The projected financial costs of rehabilitation, professionally estimated.  
14                   b. The financial gap that would be addressed by allowing additional dwelling  
15 units.  
16                   c. The feasibility of the applicant to complete and maintain the work,  
17 including the applicant’s demonstrated history with rehabilitation and  
18 maintenance of other properties and management of any tenant issues.  
19                   d. Proposed conditions for the DRB to consider.
- 20  
21                   3. The City’s recommendation must be issued within 60 calendar days from the date  
22 upon which the City determines that the application includes all of the  
23 information needed to carry out their analysis. If the City does not meet the 60-  
24 day deadline for their review, then the applicant may request that the  
25 Development Review Board deem the application complete without the City  
26 recommendation. The applicant may voluntarily extend, in writing, the City’s  
27 deadline for a recommendation.
- 28  
29                   4. The City may charge to the applicant any costs and fees associated with the  
30 analysis.
- 31  
32                   5. Once the City’s analysis is complete, the application can move forward with a  
33 favorable, conditional, or unfavorable recommendation.

34  
35 **E. Design Review.**

- 36  
37                   1. An application seeking bonuses and/or exemptions under Sec. 418 shall require a  
38 recommendation from the Design Advisory Board (DAB) before it can be deemed  
39 complete for review by the Development Review Board.
- 40  
41                   2. The following design standards shall be the basis of the DAB’s recommendation  
42 and the Development Review Board’s review:
- 43                   a. The plans to rehabilitate the exterior of the home shall neither remove nor  
44 detract from any architectural and historical contributions that exist on the  
45 building at the time of application.  
46

- 1  
2  
3  
4  
5  
6  
7  
8  
9  
10  
11  
12  
13  
14  
15  
16  
17  
18  
19  
20  
21  
22  
23  
24  
25  
26  
27  
28  
29  
30  
31  
32  
33  
34  
35  
36  
37  
38  
39  
40  
41  
42  
43  
44  
45  
46
- b. No fenestration and other architectural details that remain on the building, nor any remaining historic materials that still exist in serviceable condition, shall be proposed for elimination.
  - c. Any additions to the facade, including those required by safety codes, shall complement the colors, materials and architectural stylings of the overall building plan. The construction of these additions shall not include any exposed lumber that is not painted, stained, or otherwise treated to complement the building's facade.
  - d. Any exterior stairways and multi-story accesses, including those required by safety codes, shall be fully enclosed, shall not cover any existing fenestration, and shall complement the colors, materials and architectural stylings of the overall building plan. The construction of these additions shall not include any exposed lumber that is not painted, stained, or otherwise treated to complement the building's facade. Stair tower additions shall be preferred over stairways that cross a facade diagonally.
  - e. Any new proposed accessory structures shall complement the colors, materials and architectural stylings of the principal building.
  - f. Any proposed rehabilitation and additions shall use materials from the Recommended Materials list in Section 706A.7. of the Regulations, except that vinyl or metal siding cannot be used as the majority component of any facade face of the building if it is not already present as the majority component. The proposed amount of total facade surface of the building covered with vinyl or metal siding cannot be increased from the existing amount.
  - g. The application shall address any issues around the outside portion of the property, including the elimination of clutter, excessive paved areas, dirt/mud areas, and brush.
  - h. The application shall provide fencing, landscaping or other methods to screen gathering areas, parking, trash receptacles and other service areas from public view.
  - i. Interior layouts will require certification by a licensed architect.
  - j. If the property is located within a Design Review District, then any other design review standards assigned to that district shall also apply.
3. The DAB's recommendation must be issued within 60 calendar days from the date upon which the DAB determines that the application includes all of the information needed to carry out their analysis. If the DAB does not meet the 60-

1 day deadline for their review, then the applicant may request that the  
2 Development Review Board deem the application complete without the DAB  
3 recommendation. The applicant may voluntarily extend, during an open hearing  
4 and/or in writing, the DAB's deadline for a recommendation.

- 5  
6 4. If the DAB is not able to give a fully favorable recommendation for approval,  
7 based on what has been submitted., the DAB may approve a conditional  
8 recommendation with objections and suggestions.  
9

10 **F. Development Review.**

- 11  
12 1. Review by the Development Review Board (DRB) of the application and any  
13 bonuses and exemptions granted under Sec. 418 shall follow the process of  
14 Conditional Use Review, per Sec. 602 of the Regulations. Site Plan Review, per  
15 Sec. 603 of the Regulations, may also be required, based on the work proposed in  
16 the application.  
17  
18 2. The application will require DRB approval of all exemptions and bonuses, the  
19 Design Review requirements, and any other approvals and conditions associated  
20 with the application.  
21  
22 3. Along with all of the existing standards of Conditional Use Review and Site Plan  
23 Review that an application may be subject to under the Regulations, the DRB  
24 shall consider the following:  
25  
26 a. Whether the bonuses and exemptions sought by the applicant are  
27 necessary for the reasonable rehabilitation and use of the property, based  
28 on the financial and feasibility analysis, and not solely for the purposes of  
29 highest and best use and/or owner profit.  
30  
31 b. Whether the applicant could feasibly complete the work and maintain the  
32 property, also taking into account the applicant's demonstrated history  
33 with rehabilitation and maintenance of other properties and management  
34 of any issues arising from residents.  
35  
36 c. Whether the amount of parking proposed would be no more and no less  
37 that what is necessary for the anticipated demand of the property and the  
38 parking capacity of the property and neighborhood. Evidence shall be  
39 brought about demonstrated parking needs for the type of development  
40 proposed, the capacity of on-street parking, and other offsite parking  
41 solutions proposed by the applicant. Solutions could include covenants  
42 governing number of cars allowed per dwelling unit in leases issued for  
43 the property.  
44  
45 i. The DRB may approve an amount of off-street parking that differs  
46 from what would be required by Sec. 515.7. That approval shall be

1 based upon professional parking requirement standards, such as  
2 those issued by the Institute of Transportation Engineers or by  
3 comparing similar properties in the City based on # bedrooms,  
4 square footage and/or density of the surrounding neighborhood.  
5

6 ii. The DRB may require more off-street parking for projects located  
7 on streets that are effectively reduced to one travel lane when on-  
8 street parking is utilized and that currently exhibit regular  
9 utilization of the on-street parking in the area of the subject  
10 property during daytime or nighttime hours.

11  
12 d. The design and architectural aspects of the application.

13  
14 e. Whether or not any additional conditions, legal covenants or financial  
15 guarantees are necessary to ensure compliance with the aspects of the  
16 application that merit the bonuses and exemptions allowed under Sec. 418.

17  
18 4. If requested, the DRB may stipulate that not all conditions of the approval are  
19 necessary to be implemented until the property owner seeks to market, lease,  
20 and/or sell the dwelling units that are provided as a bonus under Sec. 418. If this  
21 option is pursued by the DRB, a specific phasing plan shall be included in the  
22 final decision.

23  
24 **G. Implementation and Jurisdiction.**

25  
26 1. Upon commencement of a project that has been granted bonuses or exemptions  
27 under Sec. 418, all approval conditions and review jurisdiction will remain with  
28 the property, including the obligation of the property owner to maintain all  
29 architectural aspects of the approved rehabilitation.

30  
31 2. Any subsequent alterations to architecture and facades on the property that do not  
32 alter items specifically mentioned in the Development Review Board's decision  
33 and that do not require Site Plan Review under Sec. 603, will not require DRB  
34 approval. However, the Zoning Administrator shall solicit a recommendation  
35 from the Design Advisory Board before issuing a building permit. The DAB's  
36 review shall follow the provisions of Sec. 418E, except that the review timeline  
37 shall be limited to the 30-day limit established by Sec. 903A.3. If the DAB does  
38 not grant a favorable recommendation, then the application shall be referred to the  
39 Development Review Board for a final determination following the standard  
40 warned hearing process.

41  
42 3. Any subsequent alterations to architecture and facades on the property that would  
43 alter items specifically mentioned in the Development Review Board's decision  
44 or that require Site Plan Review under Sec. 603, will require DRB approval. The  
45 DRB shall apply the provisions of Sec. 418E.  
46

- 1                   4. If the property owner ever certifies to discontinuation of all of the bonuses,  
2                   exemptions and other allowances granted under Sec. 418, then the jurisdiction of  
3                   Sec. 418 over the property, including any maintenance requirements specific to  
4                   Sec. 418, may be dissolved by the DRB at a duly warned hearing.  
5  
6                   5. If the Regulations are ever amended so that all of the bonuses, exemptions and  
7                   other allowances granted under Sec. 418 would thereby be available as standard  
8                   Permitted or Conditional Uses, then the jurisdiction of Sec. 418 over the property,  
9                   including any maintenance requirements specific to Sec. 418, may be dissolved  
10                  by the DRB at a duly warned hearing.

11  
12 **Sec. 3. Effective Date**

13  
14 These amendments shall take effect twenty-one (21) days after the date of adoption by the St.  
15 Albans City Council.  
16

17  
18 **Sec. 4. APPROVAL AND ADOPTION:**

19  
20 Adopted this \_\_\_\_ day of \_\_\_\_\_, \_\_\_\_\_.

21  
22 **City Council Signatures:**

23  
24 \_\_\_\_\_  
25  
26 \_\_\_\_\_  
27  
28 \_\_\_\_\_  
29  
30 \_\_\_\_\_  
31  
32 \_\_\_\_\_  
33  
34 \_\_\_\_\_  
35  
36 \_\_\_\_\_  
37

38  
39  
40  
41 **### End of proposed amendments. ###**  
42

**ST. ALBANS CITY PLANNING COMMISSION  
REPORT ON PROPOSED BYLAW AMENDMENTS  
Report Version 2020-09-01**

The St. Albans City Planning Commission is considering proposed amendments to the City's Land Use Development Regulations.

**Explanation of Proposed Amendments:**

Section 202 Defined Terms: Amend this section to add definitions for Blighted Home and Building Enclosure.

Section 418: Add this section to allow a number of dwelling units in excess of what would typically be allowed under the City's Land Development Regulations if the applicant can prove that the additional units would make it financially feasible to rehabilitate a Blighted Home in compliance with the development review standards in Section 418, as well as other applicable standards throughout the Regulations.

**Purposes of Proposed Amendments:**

These amendments are intended to enable the rehabilitation of Blighted Homes, preserve our City's built heritage in ways that are compatible with our neighborhoods, and affirmatively further the availability of housing opportunities in our community.

**Statutory Findings of Planning Commission in Fulfillment of 24 V.S.A. § 4444:**

The proposed amendments would implement the 2017 St. Albans City Plan, specifically:

- ✓ Policy 1.1B.4. The City's Plan and permitting regulations will be amended with a problem-solving focus whenever regulatory contradictions or unintended consequences are revealed or when better ways of accomplishing the City's objectives and policies are discovered.
- ✓ Objective 2.1A.1. Keep as many historic buildings fully utilized as economically feasible.
- ✓ Objective 2.1A.3. Ensure that historic buildings and other forms of contributing architecture are well-maintained.
- ✓ Policy 2.1B.1. Efforts to identify, protect, and preserve important historical and architectural resources within the City will be welcomed and supported where appropriate.
- ✓ Policy 2.1B.2. City regulations will direct new construction to be sensitive to context and historic architecture and patterns.
- ✓ Policy 2.1B.3. City regulations will first favor re-use and restoration of existing historic structures over demolition for new construction.
- ✓ Policy 2.2B.3. City regulations will first favor re-use and restoration of existing historic structures over demolition for new construction.
- ✓ Objective 3.1A.1. Reduce and prevent long-term vacancies and housing blight.
- ✓ Objective 3.1A.2. Preserve the integrity and character of our neighborhoods.

- ✓ Policy 3.1B.5. Encourage compatible infill residential development in existing neighborhoods.
- ✓ Objective 3.2A.1. All residents of the City of St. Albans have access to affordable, safe and sanitary housing.
- ✓ Objective 3.2A.2. Existing City housing will be retrofitted for energy efficiency.
- ✓ Objective 3.2A.3. Universally accessible, or otherwise ADA compliant, housing units in the City will increase over time.
- ✓ Objective 3.3A.1. Maintain the ability of residential parcels to meet the needs of modern households.
- ✓ Objective 3.3A.2. Protect the aesthetics and historical architectural heritage of our neighborhoods.
- ✓ Policy 3.3A.2. Residential regulations shall be designed, implemented, and/or supported in ways that recognize the need to maintain the residential viability of the historically small or crowded parcels in our neighborhoods.

The proposed amendments may have the effect of increasing the amount of safe and affordable housing in the City.

The proposed amendments would not be incompatible with the proposed future land uses and densities of the St. Albans City Plan.

The proposed amendments would neither inhibit nor carry out any specific proposals for any planned community facilities.

**For more information, please contact:**

Chip Sawyer  
Director of Planning & Development  
City of St. Albans  
100 North Main St.  
St. Albans, VT 05478  
Email: [c.sawyer@stalbansvt.com](mailto:c.sawyer@stalbansvt.com)  
Phone: 802-524-1500 ext. \*259