

City of St. Albans, Vermont

Title: Interim Bylaw Adopted for Compliance with Vermont Bill S.100 of 2023.

The St. Albans City Council hereby ordains the following interim bylaw.

Sec. 1. Enactment and Authority.

This Interim Bylaw is adopted as an emergency measure under the authority granted in 24 V.S.A. § 4415 in order to protect the public health, safety, and general welfare and provide for orderly physical and economic growth.

Sec. 2. Purpose.

Vermont bill S.100 of the 2023 session was signed by Governor Phil Scott on June 5, 2023. There are provisions of the bill that would amend 24 V.S.A. Ch. 117 on July 1, 2023, and effectively supersede certain provisions within the City Land Development Regulations. This timeline does not give the City adequate time to amend the City Land Development Regulations following the normal processes set out in 24 V.S.A. Ch. 117. The emergency purpose of this interim bylaw is to provide temporary direction on the administration of the new S.100-mandated land use provisions while the City engages in studies and activities to draft amendments to the City Land Development Regulations for compliance with the changes to 24 V.S.A. Ch. 117.

Sec. 3. Applicability.

The provisions of this interim bylaw shall be administered in addition to the provisions of the City Land Development Regulations and shall supersede the City Land Development Regulations where specifically noted. This interim bylaw shall be administered and enforced using the procedures established in the City Land Development Regulations and in 24 V.S.A. Ch. 117. Any development approved under this interim bylaw shall hold the same status as any development approved under the City Land Development Regulations.

Sec. 4. Definitions.

For the purposes of this Interim Bylaw, “Duplex” means a residential building that has two dwelling units in the same building, and neither unit is an accessory dwelling unit.

Otherwise, the definitions of terms provided within the City Land Development Regulations shall apply.

Sec. 5. Allowance for Duplexes.

In addition to all existing allowances in the City Land Development Regulations concerning Two-Family Dwellings, a Duplex may be allowed via Conditional Use Review, as per Sec. 602 of the City Land Development Regulations, within any Zoning District that allows Single-Family

Dwellings and subjected to the same Lot Area, Lot Width, Setback and Building Height requirements for a Single-Family Dwelling within that Zoning District. All other standards, limitations and requirements of the City Land Development Regulations shall apply.

Sec. 6. Allowance for Three- and Four-Unit Buildings.

In addition to all existing allowances in the City Land Development Regulations, Dwelling Units within a Principal Building that is proposed to contain a total of three (3) or four (4) Dwelling Units may be allowed as a Permitted Use, as per Sec. 601 of the City Land Development Regulations, within the following Zoning Districts and subject to the following Lot Area requirements:

- A. the Residential 9500 District, with 8,700 square feet of Lot Area required per Dwelling Unit;
- B. the Residential 7500 District, with 7,500 square feet of Lot Area required per Dwelling Unit;
- C. the Business-Neighborhood Transition District, with 8,700 square feet of Lot Area required per Dwelling Unit;
- D. the Central Business District, with no Lot Area requirement, except that Conditional Use Review, as per Sec. 602 of the City Land Development Regulations, shall be required for any residential uses proposed for the ground floor of a structure;
- E. the Transitional Business District, with 7,500 square feet of Lot Area required per Dwelling Unit; and
- F. the Residential-Professional District, with 7,500 square feet of Lot Area required per Dwelling Unit.

Except for the Lot Area requirements stipulated above in this section, all other standards, limitations and requirements of the City Land Development Regulations shall apply.

Sec. 7. Moratorium on Downtown First Floor Residential Uses.

Regardless of any allowances within the City Land Development Regulations, new dwelling units and bedrooms are prohibited on the first floors or ground floors of any properties with frontage along the following streets:

- a. North Main Street between Lake Street and Hoyt Street,
- b. South Main Street between Lake Street and Stebbins Street,
- c. Bank Street between North Main Street and Maiden Lane,
- d. Lake Street between North/South Main Street and the intersection with Federal Street and Catherine Street, and
- e. Kingman Street;

and any existing residential or lodging uses on first floors or ground floors within this area shall

not be expanded by the number of dwelling units or bedrooms.

Sec. 8. Fire Escapes and Refuges on Facades.

Regardless of any allowances within the City Land Development Regulations, the following rules shall apply to any building façade that faces lot frontage:

- A. New exterior stairways attached to the front façade to access upper stories are prohibited.
- B. Existing exterior stairways attached to the front façade to access upper stories are allowed to be maintained and repaired.
- C. Any new balconies and exterior areas of refuge to be attached to the front façade shall be constructed of materials and colors that match the existing façade and shall not reduce the number of window/door openings in the façade.
- D. Existing balconies and exterior areas of refuge attached to the front façade to access upper stories are allowed to be maintained and repaired, as long as such activity does not reduce the number of window/door openings in the façade.

Sec. 9. Demolition of Buildings for Parking or Storage.

The demolition of any building in the B1 Central Business District for the purpose of creating outdoor storage or a public parking lot as a principal use shall be prohibited, however this prohibition shall not apply to uses that are or will be owned by the City of St. Albans.

Sec. 10. [Reserved].

Sec. 11. [Reserved].

Sec. 12. [Reserved].

Sec. 13. [Reserved].

Sec. 14. [Reserved].

Sec. 15. Separability.

The invalidity of any provision of this interim bylaw shall not invalidate any other part.

Sec. 16. Effective Dates.

This interim bylaw shall take effect on July 1, 2023, and shall remain in effect until July 1, 2025, unless otherwise repealed, amended, reenacted or extended by the City Council as per 24 V.S.A. § 4415.

Sec. 17. Record of Adoption and Amendment.

This interim bylaw was adopted on June 12, 2023, effective on July 1, 2023, and amended on July 10, 2023.

End of interim bylaw.