



VILLAGE OF
MANCHESTER
VERMONT

Memorandum

NOTICE OF SPECIAL MEETING

VILLAGE OF MANCHESTER

PLANNING COMMISSION

PLEASE TAKE NOTICE that the **MANCHESTER VILLAGE PLANNING COMMISSION** will hold a **SPECIAL MEETING** at **11:00 A.M.** on **WEDNESDAY, JULY 26, 2023**, at the **Village Office**, located at 45 Union Street, on the following matters:

- **Review DRAFT Manchester Village Land Use and Development Regulations**
- **Municipal Energy Resilience Program (MERP) Grants Available**

Dated: July 24, 2023

Deborah Towslee
Zoning Administrative Officer

Gperquwtg<'HOME Act Summary

Join Zoom

<https://us02web.zoom.us/j/84433774073>

Meeting ID: 844 3377 4073

Via Phone: 1-305-224-1968

Bylaw Category	Effective Date	New Act 47 (HOME Act) Standard	Act 47 Section	24 VSA Section
Duplexes	7/1/2023	Duplexes must be allowed wherever year-round single-unit dwellings are allowed.	2	4412
Duplexes	7/1/2023	Dimensional standards for duplexes cannot be more restrictive than for single-unit dwellings.	2	4412
Duplexes	7/1/2023	Defined to mean two-unit dwelling with shared wall or floor/ceiling.	4	4303
Multiunit Dwelling	7/1/2023	Defined to mean three or more dwelling units in the same building.	4	4303
3- and 4-unit Dwelling	7/1/2023	In areas with municipal sewer/water service that allow residential development, 3- and 4-unit dwellings must be allowed as permitted uses.	2	4412
Accessory Dwelling Unit (ADU)	7/1/2023	Dimensional standards for ADUs cannot be more restrictive than for single-unit dwellings.	2	4412
ADU	7/1/2023	Criteria to convert existing space/building to ADU cannot be more restrictive than for a single-unit dwelling without an ADU.	2	4412
ADU	7/1/2023	Accessory Dwelling Unit is defined.	4	4303
Residential Density	7/1/2023	In areas with municipal sewer/water service that allow residential development, five or more dwelling units per acre must be allowed.	2	4412
Multiunit Residential Density	7/1/2023	In areas with municipal sewer/water service, residential density requirements for multiunit cannot be more restrictive than those for single-unit development.	2	4412
Housing Development	7/1/2023	Cannot require restrictive modifications to residential development projects beyond what is required by established dimensional and density standards.	10	4464
Hotels as Housing	7/1/2023	Hotels may participate in the state's emergency housing program without penalization or restriction by local zoning.	2	4412
Affordable Housing	7/1/2023	Affordable housing development may exceed density limit by 40%, which may include an additional floor in areas with municipal sewer/water service.	2	4412
Sewer/Water Service Areas	7/1/2023	Area served by municipal sewer/water infrastructure means an area where residential connections are available and not prohibited by other factors.	4	4303
Subdivisions	7/1/2023	Minor subdivisions may be approved administratively without a public hearing.	7/8	4463/ 4418
Appeals	7/1/2023	Municipal residents may petition to appeal zoning approvals (in addition to property owners or voters).	6	4465
Appeals on Affordable Housing	7/1/2023	For affordable housing development, prohibits 10-person "character of the area" appeals.	6	4465
Residential Development Appeals	7/1/2023	For residential development, prohibits appeals of conditional use approvals in state designated areas (village centers, downtowns, growth centers, NDAs)	9	4471
Bylaw Adoption	7/1/2023	Bylaws change requires approval by legislative body; direct to Australian ballot no longer allowed.	13	4442
Emergency Shelters	7/1/2023	Emergency shelter defined to mean temporary shelter for homeless.	4	4303
Emergency Shelters	9/1/2023	Emergency shelters must be allowed and cannot be restricted by hours of operation or otherwise in a way that would affect functional operation.	3	4413
Residential Parking with Sewer/Water	12/1/2024	Cannot require more than one parking space per dwelling unit in areas served by municipal sewer/water.	1	4414
Residential Parking Requirements	12/1/2024	Cannot require more than 1.5 parking spaces per dwelling unit for multiunit development outside of sewer/water service areas (may round up).	1	4414
Property Law Category	Effective Date	New Act 47 (HOME Act) Standard	Act 47 Section	27 VSA Section
Covenants & Deed Restrictions	7/1/2023	Cannot establish minimum dwelling unit size or require more than one parking space per dwelling unit in areas served by municipal sewer/water.	20	545
Covenants & Deed Restrictions	7/1/2023	Cannot require more than 1.5 parking spaces per dwelling unit for multiunit residential development in areas outside of municipal sewer/water service.	20	545
Class 4 Roads	7/1/2023	A property owner selling property located on a class 4 road must disclose to the buyer that the municipality is not required to maintain the road.	21	617

Planning Element	Effective Date	New Act 47 (HOME Act) Standard	Act 47 Section	24 VSA Section
Regional Plan	7/1/2023	The housing element of a regional plan must provide regional and municipalized housing data, targets, needs, and assessment.	11	4348a
Municipal Plan	7/1/2023	The housing element of a municipal plan must include a recommended program for public and private actions as identified in the regional plan. The program should look at year-round and seasonal dwellings and address the needs of people with low and moderate income.	12	4382
Bylaw Modernization & Municipal Planning Grants	12/31/2023	Allows the Department of Housing & Community Development (DHCD) to use 20% of Municipal Planning Grant (MPG) funding for assistance to municipalities in meeting Neighborhood Development Area (NDA) requirements. Also extends the Bylaw Modernization Grant (BMG) program.	14	4306/ 4307

Act 250 Provision	Effective Date	New Act 47 (HOME Act) Standard	Act 47 Section	10 VSA Section
25/5/5 Rule	7/1/2023	Until July 1, 2026, a developer may construct up to 25 dwelling units within a 5 mile radius or within a designated area (downtown, village center, growth center, NDA), within 5 years without triggering Act 250 review. Construction of 4 units or fewer within an existing structure shall only count as 1 unit toward the 25.	16	6001
Priority Housing Project	7/1/2023	Until July 1, 2026, construction of a priority housing project within a designated downtown, NDA, or growth center will not trigger Act 250 review.	16	6001
Jurisdictional Opinion	7/1/2023	To qualify for the exemption, the developer must request a jurisdictional opinion before June 30, 2026, and construction must be complete by June 30, 2029.	16	6001
Master Plan Permits	7/1/2023	A municipality may apply for an Act 250 master plan permit for areas within a designated downtown or NDA. Subsequent development shall be considered a permit amendment. Amendments for development within an NDA shall only be made for housing.	17	6086b
Maximum Fee	7/1/2023	Clarification that the maximum fee for an Act 250 permit application shall be \$165,000.	18	6083a
Electrical Distribution Lines	7/1/2023	Until January 1, 2026, rebuilding of electrical distribution lines shall be exempt from Act 250 review.	49	6081y
Misc. Provision	Effective Date	New Act 47 (HOME Act) Standard	Act 47 Section	VSA Citation
ADU	7/1/2023	Establishes that an ADU shall be considered a public building if it is a rented, and therefore subject to fire and building safety codes.	26	20/2730
Increased Penalty	7/1/2023	Increases the criminal penalty from \$1000 to \$10,000 per violation of public accommodation and discrimination laws in the rental and sale of real estate.	27	9/4507
1st-generation Homebuyer	7/1/2023	The definition of 1st-generation homebuyer expanded to those who lost ownership due to foreclosure and have not owned a home since.	33	32/5930
Rental Housing Improvement Program	7/1/2023	The VHIP program was expanded to include accessibility improvements and existing occupied units and include provision of temporary relocation of residents to perform rehabilitation. Landlords must comply with affordability requirements and cannot offer the unit and an STR.	40	10/699
Lead Inspection	6/10/2023	Exempts owners of rental housing who perform lead abatement work themselves from the requirement to provide proof of liability insurance of at least \$300,000.	46	18/1764

Study Topic	Due Date	Description	Responsibility	Act 47 Section	VSA Title
Regional Planning Report	12/15/2023	VAPDA must report on statutory recommendations to better implement municipal, regional, and state plans, policies and investments by focusing on future land use maps and policies. New public engagement promoting equity and participation by impacted communities must	Vermont Association of Planning & Development Agencies (VAPDA)	15	NA
Housing Navigators	7/1/2023	Housing resource navigators will be hired to work with municipalities, housing organizations, and private developers to identify housing opportunities, match funding resources to projects, and provide project management support.	VAPDA	15a	NA
Act 250 Delegation	12/31/2023	Develop proposed framework for delegating administration of Act 250 permits to municipalities. RPC to hold public hearing on the framework.	VAPDA, Natural Resources Board (NRB), RPC	18a	10
NRB Report to House	12/31/2023	Added to the already required report to assess the affects of increasing the jurisdictional threshold for housing development to 25 units on affordability and environmental impacts.	NRB	19	10
Designated Area Report	12/31/2023	Deadline for report on state designation programs to general assembly extended to December.	DHCD, Consultant	19a	24
Utility Permit Exemption Report	1/15/2026	The utility shall report annually to the legislature on location of exempted projects and number of customers affected among other details.	Distribution Utility	19c	10
Energy Code Compliance	12/1/2023	Form recommendations to increase awareness of and compliance with Vermont's building energy standards.	Interagency Committee, Consultant	23	3
Rural Recovery & Development	12/15/2023	Form recommendations on strengthening coordination between agencies and stakeholders involved in rural development.	Rural Recovery Coordination Council	24	NA
Water & Wastewater Permits	7/1/2025	Assess opportunities for reducing administrative burden and costs incurred by municipalities and permit applicants to include identifying duplicative processes and requirements.	Agency of Natural Resources (ANR)	25	NA
Utility Disconnection	1/1/2024	PUC to revise utility service disconnection rules, including providing notice to the landowner, and submit to the legislature in the form of draft legislation. The proposed rules must assess utility disconnection not currently subject to PUC jurisdiction such as water and sewer	Public Utility Commission (PUC)	25a	NA
Fire Safety	1/15/2024	Report with recommendations to the general assembly on residential fire safety provisions that would facilitate housing development in the state.	Division of Fire Safety	29	NA
Mobile Homes	1/15/2023	A task force is established to assess the status of mobile homes/parks and residents of them, including numbers, condition, infrastructure needs, statutory treatment, energy efficiency, ownership structures and report to the legislature its findings with any recommendations for	Mobile Home Task Force	32	NA

Program	Effective Date	Description	Recipients	Act 47 Section
Home-sharing	7/1/2023	The legislature will appropriate funds to expand home-sharing opportunities.	DHCD	31
Mobile Homes	7/1/2023	The legislature will appropriate funds for home improvement, housing transition, park infrastructure, and legal and technical assistance to residents and owners of mobile homes/parks.	DHCD	32
Middle-income Homeownership	7/1/2023	The VHFA shall establish a program to provide subsidies for the development of owner-occupied housing for purchase by households with annual income not exceeding 150% of area median income. The legislature shall fund the program in FY24.	VHFA, DHCD	35-37
Rental Housing Loan Program	7/1/2023	The VFHA shall establish and administer a program to provide subsidized loans for rental housing development serving middle-income households (those with up to 150% AMI).	VHFA, DHCD	38-39
VHIP	7/1/2023	The legislature shall fund the Vermont Rental Housing Improvement Program in FY24.	DHCD	41
VHCB	7/1/2023	The legislature will increase funding for affordable mixed-income housing, improvements to mobile homes/parks, recovery residencies, refugee/farm worker housing, and shelter for those experiencing homelessness.	VHCB	42
Rental Housing Stabilization	7/1/2023	The Champlain Valley Office of Economic Opportunity will create and administer a program to assist landlords and tenants in preserving tenancy and avoiding eviction. Legislature will fund FY24.	CVOEO, DCF	43
Tenant Representation	7/1/2023	Vermont Legal Aid will create and administer a pilot program to represent residential tenants facing eviction in Lamoille and Windsor Counties. A final report will be submitted by July 30, 2025.	AHS, VLA	44
Rent Arrears Assistance	7/1/2023	The Vermont State Housing Authority will create and administer a residential rent arrears assistance program to prevent eviction in cases involving nonpayment of rent.	VSHA	45

DHCD = Department of Housing and Community Development

VHFA = Vermont Housing Finance Agency

VHIP = Vermont Rental Housing Improvement Program

VHCB = Vermont Housing and Conservation Board

CVOEO = Champlain Valley Office of Economic Opportunity

DCF = Department of Children and Families

AHS = Agency of Human Services

VLT = Vermont Legal Aid

VSHA = Vermont State Housing Authority