

HOME Act and Act 181 Zoning Compliance Checklist: Fairfield

Standards for All Zoning Districts

Accessory Dwelling Units (ADUs) & Multi-Unit Dwellings		
§ 4303. §4412(1)(E)	1) ADUs are permitted use within/appurtenant to a single unit dwelling with a maximum size of 30% or 900 square feet, with no restrictions on number of bedrooms	<input type="checkbox"/>
§4412(1)(E)	2) ADUs are subject to the same review, dimensional and other controls as required for single unit house	<input checked="" type="checkbox"/>
§4412(1)(E)	3) The criteria for conversion of an existing detached nonresidential building to an ADU is not more restrictive than the criteria used for a single unit dwelling without an accessory dwelling unit.	<input checked="" type="checkbox"/>
§4412(1)(D)	4) Duplexes are an allowed use in all zoning districts where year-round residential development is allowed (may be permitted or conditional use)	<input type="checkbox"/>
§4412(1)(D)	5) Duplex dimensional standards and lot size are not more restrictive than a single unit dwelling (no additional land or lot area required)	<input checked="" type="checkbox"/>
Notes: 1) Add 900 sq. ft. to the definition of ADU, 4) Make duplex an allowed use in the uplands district to match the Uplands District.		
Hotels and Emergency Shelters		
§4412(1)(H)	1) Bylaws do not prevent or penalize the use of hotels to rent rooms with public funds for the purpose of providing Vermont General Assistance	<input checked="" type="checkbox"/>
§4413(a)(1)(G) & §4413(a)(1)(H)	2) Shelters and hotels/motels converted to permanently affordable housing developments must be regulated similarly to state or community-owned and operated institutions, including not interfering with the daily or seasonal hours of operation or otherwise interfere with its functional use	<input type="checkbox"/>
Notes: 2) Add shelters and hotels/motels converted to permanently affordable housing developments to the list of public facilities in Section 6.12		
By-Right Development Review		
§4464(b)(7)	1) Bylaw does not contain discretionary provisions that allow the AMP to require a larger lot size, more parking spaces, limit the building size (including footprint/height) or, limit the density below that allowed by the underlying bylaw (Non-discretionary standards are permissible).	<input type="checkbox"/>
§4414(3)(D)	2) If applicable, the bylaw states that 3–4-unit multi-unit dwellings cannot be denied solely on the basis of character of the area.	<input type="checkbox"/>
Notes: 1) Add standards to by-right development review into Section 2.6 Decisions. 2) Add to conditional use review standards under Section 3.3. 2) Update definition of interested person under Article 10		
Decisions, Appeals & Process		
§4464(b)(1)	1) Bylaw notes that AMP must hold hearing within 120 days of the application being deemed complete	<input type="checkbox"/>
§4465(b)(4)	2) In the list of interested parties to appeal bylaws allow for any <u>20</u> persons to be any combination of voters, residents, or real property owners	<input type="checkbox"/>
§4471(e)	3) Optional: Bylaw may note that conditional use review appeals related to a project found to meet the character of the area standard are not appealable for residential development seeking conditional use approval in designated downtown, village center or neighborhood development area	<input type="checkbox"/>
§4465(b)(4)	4) Optional: Bylaw may note that the conditional use review appeals related to a project found to meet the character of the area standard are not appealable for subdivisions that contain a residential affordable housing component.	<input type="checkbox"/>
§4418(2)(E)	5) Optional: Bylaw may define a minor subdivision and allow the administrative officer (ZA) to approve minor subdivisions.	<input type="checkbox"/>

Notes: 1) Add to standards under Section 3.5 for public hearings, 2) update definition in Article 10		
Parking		
§4428	1) The required parking spaces size is 9' x18' or smaller, with the exception of ADA spaces.	<input checked="" type="checkbox"/>
§4428	2) Existing non-conforming parking spaces count towards requirements for the # of spaces when expanding existing residential uses.	<input type="checkbox"/>
§4428(d)	3) Optional: Allow for the use of parking spaces on an adjacent or nearby lot to count as parking requirements for a residential building (with valid legal agreement).	<input type="checkbox"/>
Notes: 2) Add standard to Section 5.8, 2) added standard to Section 5.8		
Accessory On-Farm Businesses		
§4412(11)	1) Bylaw allows as a permitted use on-farm commercial operations that include either one or both of the following: the storage, preparation and sale of qualifying products, promotional merchandise, and baked goods or education, recreational and social events that feature agricultural practices or qualifying products, or both. Bylaw may include site plan review.	<input type="checkbox"/>
Notes:1) Add as standard to use Table 4.1 and definition in Article 10. Consider whether Town should require site plan review.		
Other		
§4412(14)	1) Does not have the effect of prohibiting unrelated occupants from residing in the same dwelling unit.	<input checked="" type="checkbox"/>
Notes:		