

Sample Language for NDA compliant bylaw provisions

Current language in black, proposed changes in blue

§2.4 Purposes of Overlay Areas

G. Neighborhood Development Area: The mapped area designated by the Vermont Agency of Commerce and Community Development that is eligible for specific Community Development Block Grant Program funding for housing and economic development funding and the location for the densest development in the Town of Fairlee.

§2.3 Classification of Lots

For purposes of these regulations, lots are classified as follows:

- Class A Lot: Off-lot water supply and on-lot sewage disposal.
- Class B Lot: On-lot water supply and on-lot sewage disposal.
- **Class C Lot: Off-lot water supply and off-lot sewage disposal or community system disposal.**

-Waiving minimum lot sizes for parcels with off lot disposal and setback requirements

§3.1.1 Village Area

These uses shall be permitted upon site plan approval by the DRB and with an issuance of a Zoning Permit by the Zoning Administrator:

- 1. Primary retail 3,500 square feet or less. Second floor occupancy is required.**
- 2. Professional offices and services.**
- 3. Personal services.**
- 4. Restaurant (70 seat maximum).**
- 5. Apartment houses.**
- 6. Home-based businesses or services.**
- 7. Arts and cultural facilities.**
- 8. Apartment buildings.**
- 9. Single family dwellings, semi-detached.**

C. Conditional Uses

The following uses may be permitted upon issuance of a conditional use permit and site plan approval by the DRB and issuance of a Zoning Permit by the Zoning Administrator:

- 1. Vehicle fuel sales.**
- ~~**2. Apartment buildings.**~~
- ~~**3. Single family dwellings, semi-detached.**~~

D. Land Area and Structural Requirements

Class A Lots:

1. Lot Area Minimum: 20,000 square feet per principal use.
2. Lot Frontage Minimum: 75 feet.
3. Building Setback Minimum: 50 feet from center of highway right-of-way.
4. Side and Rear Setback Minimum: 15 feet.
5. Maximum height for all structures: 3 full stories not more than 40 feet from street grade.

Class B Lots: *None in this zone.*

Class C Lots: Lot area, frontage, and setback minimums, shall be waived as a conditional use

1. **Maximum height for all structures: 3 full stories not more than 40 feet from street grade.**

-Elimination of front setback requirements for all lots in the Village Area

-More defined landscape and sidewalk requirements for the Village Area

§5.6.7 Village and Interchange Area Site Plan Provisions

F. Front setback requirements shall be waived where an applicant has specified a sidewalk and landscape installation appropriate to the district.

§3.9 Neighborhood Development Area

As delineated as an overlay district on the Zoning Map, otherwise qualified Class C lots may have minimum lot sizes for principle uses and setback requirements waived for purposes of site plan review and approval as a stand alone application, as a part of a Planned Unit Development, or master plan.

§5.5.5 Waiver Review Criteria

E. In the Neighborhood Development Area, as a part of the Site Plan Approval process where a lot has received an Agency of Natural Resources permit for wastewater disposal off-lot or in a community system, the DRB shall waive setback and minimum lot size requirements.

Article VIII Definitions

Class C Lot – A parcel with a potable water supply sourced by the public water system (see definition of *Public Water System*) and off-lot or community wastewater disposal. Class C lots shall have minimum area and setback requirements waived in the Neighborhood Development Area.

Neighborhood Development Area -- The mapped area designated by the Vermont Agency of Commerce and Community Development that is eligible for specific Community Development Block Grant Program funding.