

Town of Shaftsbury Proposed Rooming House bylaw amendment

Proposed changes are underlined

Definitions:

Dwelling unit: A dwelling or part of a dwelling occupied or intended to be occupied for residential purposes, containing full housekeeping facilities for the exclusive use of the occupants.

Hotel (shall also include the term “motel”): A building or group of buildings providing commercial lodging for persons with or without meals, and intended for the accommodation of the traveling public. A hotel room is not a dwelling unit.

Rooming House: A single-room rental occupancy without full housekeeping facilities that does not cater to the traveling public. Multiple unit conversions of former motels are envisioned in this occupancy. This occupancy is not defined by the length of the client’s stay.

Zoning Bylaw:

7.2.3 Permitted Uses in the RC District Requiring Site Plan Review

h. Motels, hotels, bed and breakfast inns, and similar lodging establishments.

7.2.4 Uses in RC District Requiring Site Plan and Conditional Use Review

a. Adaptive reuse of existing transient lodging properties, constructed prior to the year 2000, that front on Route 7A to one, two, or multifamily dwellings subject to the following conditions:

i. The maximum number of dwelling units permitted in said buildings shall be determined by the number of units allowed pursuant to approved and valid (as of January 1, 2011) Vermont state permits for water supply and wastewater disposal issued by the Vermont Department of Environmental Conservation and not by the dimensional requirements otherwise applicable to this district.

ii. Existing buildings or parts thereof shall be exempt from setback (minimum yard) requirements and from any requirements for separation distances between buildings. The DRB may waive or modify other dimensional requirements, at its discretion, to achieve an efficient and attractive residential development. All new construction shall comply with setback requirements.

iii. 10% of the total number of units, rounded up to the nearest whole unit, or a minimum of one unit, whichever is greater, shall be legally defined and protected as “affordable” consistent with the current Vermont Housing Finance Agency (VHFA) income limits and purchase price limits for Bennington County. All units designated as affordable, whether offered as an ownership or rental housing option, shall include all relevant costs as defined by VHFA guidelines. Prior to

the issuance of any permits under this bylaw, the applicant must demonstrate to the DRB the legal and binding mechanism which will be put in place to affirm compliance with this affordability provision. Prior to the issuance of any Certificate of Occupancy associated with the project, the applicant must demonstrate and affirm the affordable housing protections are in place.

b. Adaptive reuse of existing transient lodging properties, constructed prior to the year 2000, that front on Route 7A to Rooming House occupancy, subject to the following conditions:

- i. that an onsite manager live in the development if it comprises ten or more units.
- ii that as part of the change of use process all code requirements for public buildings including but not limited to carbon monoxide/smoke detection systems, size and location of required egresses, lighted exit signs, emergency lighting, ventilation and electrical systems must be met. Prior to occupancy, the owner shall file an inspection report from the Division of Fire Safety with the Shaftsbury Zoning Administrator affirming that all requirements have been satisfied.
- iii. that as part of the change of use process, the building(s) shall be upgraded to comply with the Vermont Commercial Buildings Energy Standards (latest edition).
- iv. that common space available to all residents be provided with full cooking facilities and separate living/recreation space equal to or greater than a typical unit.
- v. that a change of use shall have occurred when a hotel's occupancy exceeds 50% in long term rentals to clients who are not the traveling public. The owner of the property shall apply to the DRB for a Conditional Use Review.