



MEMO

To: Planning Commission

From: Chris Yuen, Community Development Director

Meeting Date: July 31, 2026

Agenda Item: 2026 Land Development Code (LDC) Amendments – Updated Draft

ISSUE:

Staff have prepared an updated draft of the Land Development Code (LDC) amendments for Planning Commission review.

DISCUSSION:

Background

This memorandum summarizes the full set of proposed 2026 LDC amendments as they currently stand. It is written to be understandable on its own, including for readers who are seeing this work for the first time, and it reflects the changes integrated since the July 2nd meeting, the consulting team's responses to outstanding questions, and ongoing technical review.

An updated draft of the amendments is provided separately by email in three formats: a Microsoft Word version with track changes, a PDF with markup, and a clean PDF without markup. The Word version allows commissioners to toggle the tracked changes on and off.

Updated Schedule

The anticipated adoption timeline has shifted by approximately one month to allow additional time to finalize the technical amendments and complete legal review. The revised schedule is:

- August: Planning Commission reviews a refined ("good copy") draft
- September: Planning Commission Public Hearing, if the Commission is satisfied with the August draft
- October: City Council Public Hearing and potential adoption, if no major changes result from the Planning Commission hearing

Commissioners should anticipate that adjustments may still arise as the draft moves through public hearings and legal review, which could extend this timeline further.

Public Outreach Underway

Public-facing materials focused on the form-based code have been released, since the form-based code is the component of these amendments most likely to draw public interest. A utility bill insert introducing the form-based code has been mailed to residents, a news release has gone out, and dedicated web pages on the City website are in development. These materials emphasize what the public is most likely to notice: building height, how buildings meet the street, and the overall look and feel of new development.

This memorandum is organized as follows: (1) the form-based code amendments to the Village Center and TOD districts, which are the most significant part of this package; (2) other code amendments by chapter; and (3) items still pending technical review.

FORM-BASED CODE AMENDMENTS (Sections 604 and 608)

1. Overview

The centerpiece of this package is a form-based code for the Village Center (VC) and Transit-Oriented Development (TOD) districts, developed through the Connect the Junction project with the consulting team. A form-based code differs from conventional zoning in what it focuses on. Conventional zoning mainly regulates the use of a property; a form-based code focuses on the physical form of buildings and how they shape the public realm, including height, how a building sits on its lot and meets the sidewalk, and street-level activity.

The central purpose is to replace today's subjective design review, which asks whether a building's design is "harmonious" with its surroundings, with clear, objective, measurable standards. This makes review more predictable for applicants and the City, applies consistently from project to project, and writes the community's design expectations into rules rather than leaving them to case-by-case judgment.

The standards are organized below by topic. The Planning Commission reviewed earlier versions of these standards at prior meetings; this section incorporates the refinements made since.

2. Building Height and Its Relationship to the Street ("Street Room")

The most prominent objective standard governs building height in relation to the width of the street. The code uses the concept of a "street room," the outdoor space framed by the buildings lining a street, and requires building height to stay in proportion to street width (a height-to-width ratio between 1:2 and 1:1) along the front of the building. Where a building would sit tall relative to its street, the upper floors must step back to bring the proportion back into range. This keeps the street-facing portion of buildings in human scale even where greater height is allowed behind it.

Several refinements resolve practical questions about how the ratio applies (Section 604.E.1 / 608.E.1): the standard applies on each frontage of a corner or double-frontage lot rather than just one face; it applies only to the principal building closest to the street, so rear buildings on larger sites are not caught by it; on streets with a right-of-way narrower than 50 feet, a 50-foot width is assumed for the calculation (with a 10-foot frontage setback that the City may use as sidewalk or pedestrian space, and relief where strict application would block an otherwise-permitted low-scale building); and rail right-of-way may be counted toward street width where a frontage is directly adjacent to rail, which is relevant in parts of the TOD district.

3. Residential Adjacency

To manage the transition between taller buildings and adjacent lower-scale residential neighborhoods, the code requires additional setbacks and landscaped buffers where a VC or TOD parcel directly abuts a residential district with a lower height limit (Section 604.D.3 / 608.D.3). A 10-foot minimum side and rear setback applies in those locations. Where the height difference between the abutting districts is four or more stories, the required setback increases to 30 feet with a landscaped buffer along the

shared property line, and any portion of a building within that 30-foot zone is held to the height permitted in the neighboring district. This is the primary tool, alongside the street room setbacks, for keeping added height from being felt at the edges of established neighborhoods.

4. How Buildings Meet the Sidewalk (Frontage Types)

The code regulates how a building meets the street through "frontage types," each with objective standards for setback, entrances, ground-floor transparency, weather protection, and pedestrian amenities (Section 604.E.2 / 608.E.2). An applicant selects an approved frontage type for each street-facing facade (for example, Linear, Plaza, Terrace, Landscape, or Stoop), matched to the building's ground-floor use and street context. The intent is to encourage storefronts, entrances, and windows along the sidewalk and to discourage blank walls and parking facing the street.

A Parking Frontage Type, requested by the Planning Commission at the March 31st meeting, has been added to the TOD district and refined to allow a screened building option along 100 percent of the frontage, with landscaping and screening required. Soft-edge design principles, encouraging permeable, pedestrian-friendly transitions between buildings and the public realm, have been integrated across the frontage types and emphasized in the Linear Frontage. The Linear Frontage also clarifies that active commercial uses are intended and suggested rather than strictly required, providing flexibility if a space is repurposed or sits vacant over time.

5. Façade Composition, Articulation, and Materials

For larger buildings, the code sets objective standards to prevent long, monotonous facades and to ensure a pedestrian-scaled rhythm (Section 604.F / 608.F). These address building materials (a minimum share of primary materials on each principal facade), vertical articulation at defined intervals for facades over a set length, visual differentiation of the building base from upper floors, limits on blank wall segments, upper-story window proportions, and screening of mechanical and service equipment. The Village Center standards are somewhat more detailed than the TOD standards, reflecting the historic character of the VC.

6. Parking

In both districts the code regulates where parking goes and how it is screened, so that parking does not detract from the pedestrian environment (Section 604.G / 608.G, referencing Chapter 7). Surface parking is directed to the rear of the lot behind the principal building; structured parking at the ground floor must be wrapped by a liner building along street frontages; and shared parking and joint access are encouraged.

New language in Section 604.F addresses a longstanding practical problem in the Village Center, where rental units often come without on-site parking and tenants have no clear way to lease nearby spaces. Where a residential development would provide less than 75 percent of the otherwise-required parking for its residential component, the DRB may require the applicant to demonstrate that reasonably accessible off-site parking is available and to take reasonable steps to help tenants access it (such as identifying specific facilities within 600 feet, providing evidence of the parking owner's willingness to lease, including parking information in leases, and designating a manager to assist tenants in the first year).

7. Landscaping (Points-Based Performance Score)

Rather than prescribing specific plantings, the code uses a Landscape Performance Score: a points-based system that assigns values to landscape elements based on environmental benefit, tree canopy contribution, and site quality, with a minimum score required for development in the VC and TOD districts (Section 604.H / 608.H). The minimum score is 30 points.

At the Planning Commission's request, the consulting team has further refined the scoring categories, adding line items aligned with best practices (for example, items related to bioretention, soil health, low-input species, and food cultivation). These are relatively minor additions; the principle and structure are the same as the version the Commission saw in the spring.

The code now defines how the score applies to retrofits and additions. For additions, alterations, and expansions to existing development, the Landscape Performance Score may be calculated based on the "impacted area," now expressly defined as the portion of the site directly subject to the proposed improvements (new or modified buildings, parking, circulation, grading, and landscaped areas in the project), rather than the entire parcel (Section 604.H.2(c) / 608.H.2(c), with a corresponding clarification in the Applicability section). This resolves the open question from the June 4th memo about how to define the "affected area" for the scoring denominator.

8. Unit Mix Requirements

To encourage a broader diversity of unit sizes, the code requires that larger residential developments include a minimum share of multi-bedroom units (Section 604.D.2 / 608.D.2). At the June 4th meeting the Planning Commission asked whether the previously proposed 20 percent minimum could be strengthened. The consulting team advised that, given current market conditions and the local mix of household sizes, a requirement of up to 40 percent two-or-more-bedroom units is reasonable, but that going higher is not recommended. **At the July meeting, the Planning Commission decided to require a minimum of 25 percent two-or-more-bedrooms in developments of 20 units or more. The draft now sets the minimum at 25 percent, with a DRB alternative-mix pathway where a different mix better supports the district's housing goals.**

9. Applicability, Retrofits, and Waivers

The form-based standards are written to be scalable, so they work for small and large projects alike, and they include a Waivers and Exemptions provision giving the DRB flexibility to waive specific standards for good cause in unusual situations (Section 604.C / 608.C). Retrofits and additions that do not increase gross floor area by more than 30 percent may be permitted without full compliance, provided the degree of nonconformity is not increased and the intent of the standards is met. Site plan and landscaping plan submittals in these districts follow the existing Chapter 5 procedures (Section 502).

10. Single-Family Dwellings and the DRO Boundary

Single-family dwellings remain a permitted use in the Village Center and are exempt from the street room and frontage type standards, with a separate setback standard, so the area's many existing single-family and historic homes are not made nonconforming. The Design Review Overlay (DRO) district is retained but its boundary is clipped to exclude the VC and TOD areas now covered by form-based standards; properties elsewhere in the DRO continue under design review as before.

11. Formula-Based Retail and Restaurants

Formula-based ("chain format") retail and restaurant standards are retained in the Village Center, consistent with the Planning Commission's and DRB's interest in preventing generic chain-format development from dominating the character of the VC. The language is carried over from the existing code.

12. Street Design and Infrastructure (TOD)

For the redevelopment of large parcels in the TOD district, the code carries forward the substance of the prior transit and bicycle infrastructure standards: new streets must incorporate bus stops coordinated with Green Mountain Transit (GMT), with written GMT comments required, and must include five-foot bike lanes where needed for connectivity across the district.

13. Chapter 2 Definitions and Purpose Statement

Definitions supporting the form-based code have been added to Chapter 2, completing the consulting team's cross-reference of the new standards against the existing definitions. The form-based code purpose statement has also been revised to read more clearly for a lay audience (primarily in Section 600, with minor updates in Sections 604 and 608).

OTHER CODE AMENDMENTS

The following amendments are unrelated to the above form-based regulations.

Chapter 2 – Definitions

14. "Steps" added to the definition of "structure" (201.C.212); definition of "802 Homes Catalogue" added (201.C.1).

Chapter 5 – Development Review Procedures

15. Zoning Permit Requirement (502.A): Clarified to include any increase in habitable living space (attics, bedrooms, basements, garages, enclosed/winterized porches), and to require a permit for soil disturbance over 400 square feet.
16. Zoning Permit Extensions (502.A.9): A second one-year extension is available for larger projects (up to three years total) where substantial improvement has occurred; not available for projects without a principal structure.
17. Access to Public Roads (509.B.2): The Zoning Administrator may approve walkway connections to a sidewalk or street in the City's right-of-way.
18. Application Response Timelines (504, 512, 513, 514, 516): Standardized to 10 days for completeness and 30 days to approve or deny.
19. Minor Site Plan Amendments – Change of Use (502.F.11(b)): Staff may administratively approve a change of use that increases the parking requirement where existing on-site spaces already meet the new requirement without a waiver and no other major-amendment criteria are triggered.

Chapter 6 – Zoning Districts (Non-Form-Based Provisions)

20. 802 Homes Catalogue Exemption from Design Review (620.B): New language exempts a new building that the Administrative Officer determines is selected from and conforms to the 802 Homes Catalogue from DRB design review, subject to three conditions: the parcel contains no structure listed or eligible for the State or National Register of Historic Places or identified on Map 2 of the Comprehensive Plan; the applicant submits the applicable catalogue plan set annotated to demonstrate conformance with all dimensional and use standards; and all other development review requirements remain in effect. The intent is that these catalogue designs are pre-vetted for design quality and do not need additional local design scrutiny. (Reviewed at the June 4th meeting; included here for completeness.)
21. Primary Pedestrian Entrance in R1 and R2 (618.H.1 / 619.H.1): The requirement that the principal building's primary pedestrian entrance face the street has been broadened, based on feedback from the 802 Homes team and PC member input, to accommodate certain catalogue home designs (including rotated layouts). The standard now offers three compliance paths: an entrance facing the street; an entrance accessed through a porch, deck, or stoop with an entry or defined access way facing the street; or an entrance on a side elevation within ten feet of the front building facade. Because these are independent alternatives, a design needs to satisfy only one.

Chapter 7 – Development Standards

22. Parking Waiver Criteria (703.L): Waiver and joint-parking provisions reorganized into a standalone Section 703.L, with the off-site distance increased from 200 to 600 feet, a condition preventing waiver-relied-upon spaces from being gated or reserved out of availability, and a new pathway for unbundled residential parking. (Confirmed acceptable by the Planning Commission on May 7th.)
23. Long-Term Bicycle Storage (703.M.2): Closes a gap by requiring that shared bicycle storage rooms actually contain racks (one per required space), meeting APBP guidance and excluding "Racks to Avoid." (Bicycle standards renumbered from 703.L to 703.M as part of the waiver reorganization.)
24. Window Wells (706.C.6): New language allows a window well within a setback no closer than three feet from the property line. (Confirmed acceptable by the Planning Commission on May 7th.)
25. Signs (Section 714): Erroneous Non-Essex Junction district references removed; Directional Sign definition (714.C.14) updated; projection standards adjusted for sloped surfaces.
26. Stormwater Management (Section 716): The stormwater regulations have been reorganized and combined under Section 716. In addition, stricter requirements for impervious surface and construction were drafted.
27. Landscaping (719.E): Reorganized into numbered subsections (applicability, plan preparation, minimum cost) with no substantive change; new 719.E.1 confirms the minimum landscaping cost requirements do not apply in the VC and TOD districts (which use the Landscape Performance Score), while the percentage-of-construction-cost standard continues to apply elsewhere, including

for primarily interior site plan amendments. (Reflects the Planning Commission's May 7th direction to leave the underlying applicability standard as written.)

28. Driveway Apron Surfacing (703.K.3): The driveway surfacing standard has been revised. The current code allows residential driveways serving up to five homes to be gravel but requires the apron to be paved 20 feet beyond the right-of-way, which forces most of a driveway to be paved on shallow lots even though the only purpose is to keep gravel off the sidewalk and road. The revised standard requires a short paved apron, the greater of five feet from the nearest road surface, sidewalk, or shared-use path, or the right-of-way line, with an additional 10 feet of paving where the average grade just inside the right-of-way (measured over a 15-foot run) exceeds 5 percent, and preserves DRB waiver authority. This follows the regional norm among neighboring Vermont municipalities.
29. Minimum Driveway Width for Small Residential (705.B): A new provision allows residential uses up to a four-family dwelling to use a single-lane, two-way driveway with a minimum width of 10 feet, and clarifies that the parking-lot aisle width standards of Section 703.C.2 do not set the minimum width for these driveways. The de facto 24-foot requirement came from the aisle standards being applied by default in the absence of an express residential driveway minimum; this is most relevant where parking is at the side or rear of a home. A companion passing-area/turnout provision (705.B.5) addresses longer shared driveways, and a conforming note was added to Section 703.C.2. (These two driveway items were listed as "pending technical review" in the June 4th memo and have now been drafted and integrated.)
30. Section 724 – Farming, Agriculture, and Poultry: Section 724 has been substantially revised to comply with Vermont Act 166 (2026), which restores and expands the state farming exemption under 24 V.S.A. § 4413(d) and adds a poultry mandate under 24 V.S.A. § 4412(15). The revised section preserves as much municipal authority as the statute allows while meeting its requirements: it retains a general prohibition outside the agricultural districts, recognizes the state farming exemption (including the carve-out allowing municipal regulation of livestock on farms under one contiguous acre), expressly carves out plant cultivation as required by statute (while excluding cannabis and hemp and preserving generally applicable health and safety standards such as the visibility triangle), and addresses poultry by deferring to Municipal Code Chapter 17 and the statute. Conforming updates were made to the Section 201 definitions and the Section 622 use chart. The corresponding amendments to Municipal Code Chapter 17 (the backyard chicken ordinance) are still being drafted and are not part of this LDC package.
31. VTrans Town Road and Bridge Standards (Appendix A, Section 122): A reference to the VTrans Town Road and Bridge Standards has been added to Appendix A.

Chapter 11

32. The Sewer Regulations have been revised for clarity. Some of the sewer requirements have also been removed from the Land Development Code into the Sewer Ordinance.

Chapter 14

33. Section 1414 updated to align with City policy and state statute.

Formatting and Technical Corrections

34. Various formatting and cross-reference corrections throughout, including the Food Truck definition italics (201.C.103); renaming Section 503 to "Approval of Subdivisions"; Table of Contents page numbering; the "HC"-to-"HA" reference in 704.D.10; cross-references in 714.C.10.a.ii and 714.C.10.d; a typo in 601.F; clarification in 502.F.8 that Chapter 6 waivers apply; parking waiver references in 703.K.1 and 703.K.3; a missing word in 502.A.2.c; and Chapter 9 subchapter numbering.

CHANGES PENDING TECHNICAL REVIEW

The following items are still under review and are not yet in the draft:

- Modifications/changes recommended following continued legal review.

At the recommendation of the City Engineer, the previously contemplated change to allow CTE HDPE pipe for water service as an alternative to copper has been dropped; there is no change from existing regulations on that point.

The 802 Homes team, including the Agency of Commerce and Community Development (ACCD) and their consultant Utile, may provide additional suggestions on some items in the coming weeks.

COST:

There is no direct cost associated with the proposed LDC amendments.

RECOMMENDATION:

The Planning Commission should review the updated draft and provide comments. The Commission should give particular attention to highlighted items.

ATTACHMENTS:

Draft LDC Amendments (provided separately by email in Microsoft Word with track changes, PDF with markup, and clean PDF)