**Summary of Proposed Changes to Vinalhaven Land Use Ordinance**

**2023**

**Purpose:**

A) to align the Ordinance with current State regulations

B) to clean up or clarify unclear portions of the Ordinance

C) to add to or change parts of the Ordinance to better meet current needs of the Town; the last revisions were 13 years ago

**Note:** this summary does not outline *every* change; only the more significant changes or additions. Some changes were minor to clarify wording or were an elimination of something no longer needed. This summary is intended to simplify consideration of Ordinance changes without having to read through the entire Document. A full copy of the Ordinance with *all* changes in red is available from the Town Office.

**Housing Density:**

There is an increase of allowed housing density to encourage creation of additional housing (*Tables; Section 16 Land Use Standards § B(2) Accessory Structures and Uses and § P Commercial Use in Residential Zone; and Section 13 Establishment of Districts § II (C) Overlay Districts*). Some of the increase is dictated by the State. Additional density is allowed for low-income year-around housing. Minimum lot size in the Village Overlay District is reduced from 40,000 sq. ft. to 20,000 when served by town water & septic. The conversion of existing structures to multi-family structures is allowed regardless of lot size (with some requirements).

**Commercial Uses:**

Commercial Use permits are no longer part of the “Home Occupation” provision and have requirements more clearly defined (*Section 16* *Land Use Standards § P Commercial Use in Residential Zone; Section 17 Administration § D Permit Application; Section 17 Administration § E Procedure for Administering Permits, 3. Public Hearing and 6. Performance Standards for Review, a-l* ). Existing requirements for commercial activity remain. Commercial activity will be allowed in RM1 or RC zones (most of the island) if all requirements from the Planning Board review process are met.

**Lodging Facilities:**

Lodging Facilities such as guest houses, tourist homes, bed & breakfasts, multi-unit rentals, hotels are more clearly defined as commercial uses and broken down into four different types (*Definitions, Tables, Section 16 Land Use Standards § Q Lodging Facilities*). The purpose of this is to facilitate review of Permit Applications and enforcement of the Ordinance.

**Contract Zoning:**

A provision for “Contract Zoning” is created (*Section 16* *Land Use Standards § II Contract Zoning*). This specifies the procedure for allowing an activity in a zone where that activity would not normally be allowed. This is not an easy nor simple procedure and requires a Town vote, but this addition to the Ordinance provides a framework to spell out how it should be done.

**Permit Expiration:**

Permit Expiration (*Section 17* *Administration § F Expiration of Permit*) specifies how long a permit is good for. It gives the applicant 2 years to complete the exterior and specifies what actions are to be taken by both the Town and the applicant should this timeline be exceeded.

**Demolition Permit:**

Permits will be required for demolition (*Section 17 Administration § B(1.a)* *Permits Required*). This enables the town to keep track of what structures still exist. A 30-day waiting period will be required before the permit is issued and neighbors are to be notified. This allows time for anyone who might be interested in moving and saving all or part of the structure to negotiate with the owner rather than immediate destruction of the structure.

**Septic Field set-back:**

Septic field setback from coastal wetlands or normal high water is reduced from 125 to 100 feet (*Tables*). This makes it uniform around the island and makes it agree with mainland Shoreland Zone standards.

**Cemeteries**

Setback distances from cemeteries is defined (Section 21 § 2(H) *Subdivisions Review Criteria and Table Footnotes*). This adds to the Ordinance State regulations regarding disturbing land near cemeteries and burial grounds.