

**Addendum to the
WARREN PLANNING COMMISSION REPORT ON
PROPOSED LAND USE AND DEVELOPMENT REGULATIONS AND
ZONING MAP AMENDMENTS**

– Select Board Hearing Draft –

This addendum to the Planning Commission's report on proposed **Town of Warren Land Use and Development Regulations (LUDRs) and accompanying Zoning Maps**, as warned by the Select Board for public hearing on February 17, 2026, has been submitted by the Warren Planning Commission (PC) in compliance with state law [24 V.S.A. § 4442(b)], following a review of proposed changes to the draft bylaws in advance of the Select Board's scheduled public hearing.

I. Description of Proposed Changes: Legal Review

Following the Planning Commission's public hearing last April, the Select Board forwarded the draft bylaw to the Town Attorney for a legal review to ensure that it is consistent with federal and state law. In response, the following sections were updated to more specifically comply with statutory language, requirements, and limitations:

1. **1103. Farm Structures.** In response to a 2025 VT Supreme Court decision which clarified that municipalities may regulate farm structures, language was added that reserves the right of the town to independently determine whether a farm structure qualifies for any exemption under the regulations.
2. **1104. Government and Community Facilities.** Updated listed facilities and review criteria applicable to the local review of government facilities for greater consistency with statutory limitations.
3. **1105. Group Homes.** Edited for consistency with statutory language and case law, to clarify that under state law, as a “by right” use no permits are needed for the conversion or use of a single-family dwelling as a “group home” that meets the statutory definition, including a recovery residence as defined.
4. **2006, 3205. Accessory Dwelling.** Instead of allowing up to two ADUs on a lot, in association with a duplex; this reverted to one ADU per lot in association with a single-family dwelling, as provided in statute. By law, duplexes are now also allowed anywhere a single-family dwelling is allowed – which also allows for the conversion of an existing single family-dwelling to a duplex.
5. **3021. Stormwater Management.** This section was updated and streamlined in response to concerns raised in the legal review regarding the amount of discretion given to zoning administrator, potential conflicts with state stormwater management rules, and the cost of compliance for smaller projects. As a result, this section now applies only to projects that otherwise require DRB review (major site plan, conditional use, and subdivision review) – single and two-family dwellings are exempt. State stormwater permits, where applicable, are accepted as meeting the requirements of this section.

6. **3226. Child Day Care.** Added reference to Section 3209 (Child Care Home) to more clearly differentiate between a commercial day care center under this section from in-home childcare as protected by statute under Section 3209.
7. **4204. Administrative Amendments.** Updated to establish a more formal process for issuing administrative permit amendments, like that required for zoning permits, that allows for notice and appeals.
8. **4206. Certificate of Compliance.** Updated to clarify that only documents applicable to a specific project are required for submission to apply for a certificate of occupancy.
9. **4311. Subdivision Review—Applicability.** Clarified that subdivision approval is required prior to the sale of a subdivided parcel (not an existing parcel).
10. **4601. Civil Ordinance.** Corrected statutory citations under B.
11. **5003.E – Energy Facility.** Updated definition to reference applicable solar screening requirements under Section 3011.

II. Description of Proposed Changes: Select Board

The following edits to the Planning Commission's initial draft were made by the Select Board in response to board discussion and feedback received from the Planning Commission following their public hearing.

1. **3207. Home Occupation.** Deleted prohibitions on outdoor storage and use areas, and outdoor storage of vehicles and equipment in association with a home occupation.
2. **3211. Short-term Rental.** Updated this section to reference and require compliance with the Town of Warren's Short-Term Rental Ordinance. For the purposes of zoning, a short-term rental will be considered an allowed accessory use of a residential property, for which an administrative zoning permit that runs with the property will be required after the effective of the regulations.

III. Description of Proposed Changes: Zoning Map

In response to specific requests, and at the recommendation of the Planning Commission, the Select Board's proposed Zoning Map amendments include four parcels that were initially designated as being in the Resource Protection District but have since been assigned, as proposed, to the Rural District, allowing for limited development more characteristic of this district. These include:

- Two large parcels that are undeveloped, but could support some development and still retain significant natural resource areas,
- A subdivided parcel that had not been accounted for in the initial draft, and
- A fourth parcel with an existing home that could also support some additional development while keeping most of the parcel open.

For more information, please see the proposed zoning map.

IV. Conclusion

Given the nature of proposed changes to the Planning Commission's hearing draft, largely in response to the town's legal review, and as requested by the Planning Commission following public hearing, the Planning Commission believes that proposed bylaw, as presented by the Select Board for hearing:

- Conforms with and furthers the goals and policies contained in the municipal plan;
- Continues to provide for the availability of safe and affordable housing, consistent with plan policies and more recent statutory requirements,
- Is compatible with future land uses and densities of development proposed in the town plan, and with existing and planned community facilities.

Submitted by the Warren Planning Commission

Date: _____

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