

VILLAGE ZONING REGULATIONS
Design Review Amendments
PC Public Hearing - March 4, 2015

From Definitions:

DESIGN REVIEW DISTRICT: A Design Control District as created under 24 VSA 4414; an area comprising a portion of the Village of Woodstock wherein Design Plan Approval may be necessary. See Section 405.

From Overlay Zoning Districts

- C. **Design Review District:** To protect the natural beauty and the architectural, cultural and historic character of the Village for both residents and visitors. In order to protect these characteristics, it is necessary to insure that structures are properly related to their sites, to surrounding sites and structures and that proper attention is given to the exterior appearances of buildings as permitted under Section 4414 (1.E) of the Act.

SECTION 405 DESIGN REVIEW DISTRICT

A. Statement Of Character

Every community has a unique character found in buildings, streetscape and landscape. Character is what gives a community its identity. Character is found in whatever identifies the community, whatever references the way life has been, its history and its resources; it is expressed in many small and large things and is vulnerable to change.

Woodstock is a community that is treasured and admired for its unique character. The purpose in the Design Review Regulations is to allow for growth while preserving the integrity and character of the community. These Regulations are implemented to insure design compatible with Woodstock's historic, architectural and tourist resources through architectural and site review. The Design Review District includes two related zones: the Village and the East End. Regulation goals for the Village seek to preserve and enhance its established character.

Village

The Village of Woodstock has an international reputation as one of the finest examples of a traditional New England village whose visual character has evolved over time. This character is presented, not by single buildings or site features, but by the collective view which defines the streetscape of the village. Incremental change to specific features, such as shutters, porches, picket fences and planting, can significantly alter the continuity of this character. Change is and should be a part of the community. Sympathetic new design can be a positive contribution to the character of a district. Historical, architectural and visual integrity can be maintained while present and future needs are met. To acknowledge both growth and character, existing buildings and their sites should be recognized as products of their own time. New construction, additions and alterations shall be complementary to the configuration of existing buildings and streetscape, which respects reflects the traditional scale, proportions, shapes and rhythms of the surrounding neighborhood.

East End

The East End of the Village of Woodstock along Route 4 is a primary entrance into the Village. Review of this area's buildings and sites will protect and enhance the Village's attraction to tourists and visitors, and will support and stimulate complimentary development appropriate to the prominence afforded properties contiguous to Route 4.

The Village's East End is substantially a mixed use area. Therefore, the Design Review Board should allow a more balanced blend of design in this area. It is important, however, that the architectural design of proposed buildings be compatible with the Woodstock architectural and streetscape character.

B. Design Plan Approval

1. Except as hereinafter provided, no person shall do or cause to be done any of the following acts with respect to any building located within the Design Review District without first obtaining Design Plan Approval from the VDRB:
 - a. Construction of a building.
 - b. Relocation of a building or structure.
 - c. Addition to or alteration of the exterior of a building which increases or decreases the square footage of the building, whether enclosed or not.
 - d. Alteration of the exterior wall of a building by tearing down or removing any portion thereof, or, by filling in, sealing, boarding up, closing or enclosing any portion of an existing window, door space, porch or breezeway thereon.
 - e. Alteration of the roof line or chimney, or the addition of roof accessories such as satellite dishes, solar panels and skylights.
 - f. Addition or removal of materials to or from the exterior of a building where materials so added or exposed are of a kind or type different from those existing, but specifically excluding differences in color only.
 - g. Addition, alteration or removal of exterior site features such as permanent fences, stone walls, awnings, arbors, canopies, gazebos, garden sheds, mechanical equipment, and lighting.
 - h. Illuminated signs.
2. Except as otherwise provided in these Regulations, a change in use or type of occupancy shall not require Design Plan Approval.

C. Design Review District Overlay Map

The official overlay map of the Design Review District delineating the boundaries is on file in the office of the Zoning Administrator and a copy is attached to these Regulations.

D. Plan Application Procedures

1. Application
 - a. In addition to the standard application procedures, the applicant shall include all information that is relevant and necessary for proper consideration of the application. This shall include a written and graphic description of the proposed construction, alteration or removal - sufficient to fully describe the context of existing conditions, as well as the overall intent and design character of the proposed work. This may require information on specific details, including sizes and shapes of exterior trim and construction components, material specifications, overall and detailed dimensions, etc. Photographs, sketches or line drawings are acceptable. The scope of the information required will depend on the scope of the proposed work.
 - b. See Design Review Worksheet for further instructions
 - c. The Design Review Board may request additional material if it feels that the information provided is insufficient for full consideration of the application. In such case, the review of the application will be extended until the next scheduled meeting of the Board.

2. Design Review

The Board shall meet within twenty-one (21) days after a completed application is filed. The applicant shall meet with the Design Review Board to present and review a design that meets the criteria in Subsection (F). Said meeting may be continued upon mutual consent by the Board and applicant. The clerk of the Design Review Board shall notify the applicant of the Board's recommendation and transmit a copy to the clerk of the VDRB. The applicant and abutters shall be notified by first class mail at least three (3) working days before the date of VDRB's review of the proposal, which meeting shall take place within twenty-one (21) days of the Design Review Board's Recommendation.

3. VDRB Review

The VDRB, after reviewing the report of the Design Review Board and all supporting materials and after

receiving comments from the applicant and board, upon close of testimony shall issue to the applicant a written decision granting or denying the application for Design Plan Approval.

Notwithstanding the Recommendation from the Design Review Board, the applicant shall have the primary responsibility of presenting the proposal to the VDRB and shall have the burden of proof to establish that the design meets the criteria in Subsection (F). The decision issued by the VDRB may, but need not, adopt by reference the recommendations of the Design Review Board. The VDRB shall render its decision within 30 days from the close of testimony.

4. Limitations

Failure of the VDRB to issue its decision within the time and in the manner so specified shall constitute automatic approval of the Application as submitted and the Administrative Officer shall so certify in writing to the Applicant. The provisions of this Section refer only to Design Review and not to any other zoning requirements

Nothing in this Section shall be construed to prohibit the modification, extension, or waiver of any time or notice requirement where written mutual agreement has been made between the VDRB or Design Review Board and the applicant.

E. Minor Application:

Minor changes such as the following: conversion to energy efficient windows, installation of seasonal air conditioning, and minimal alterations not visible to the passing public may be applied for as an administrative permit. The following would not be eligible for an administrative permit: additional square footage, dormers, new buildings, skylights, and other similar items. Once a completed application is filed, the Administrative Officer (AO) shall present this to the Design Review Board for an informal review. If recommended for approval, the AO will issue a permit, if not a full Design Review process would be required. The AO shall inform the VDRB of all minor applications.

F. Design Review Limitations

In administering these provisions, the Design Review Board and the VDRB shall focus their attention upon the compatibility of a proposed change, the location, anticipated use of the structure and other relevant factors, in light of the criteria noted below. ~~It is not intended to insist that new construction or alterations should copy either existing architectural styles or existing decorative details.~~

The Design Review Board and VDRB shall be less restrictive in their judgment of proposals involving structures of little historic or design value or of structures not highly visible from a public street or area, except where such construction or alteration would seriously impair the historic or architectural value of the surrounding buildings or area.

The Design Review Board and the VDRB shall be less restrictive in their consideration of proposals involving energy conservation.

G. Criteria For Approval

Before granting Design Plan Approval, the VDRB shall find that the proposal conforms ~~substantially~~ to the following design criteria. New construction shall consider these items as design guidelines. For additions and alterations, these design items shall be retained where appropriate. Although all the criteria are important, those items which are easily visible in the context of streetscape are particularly sensitive.

Buildings:

1. **Height:**

The height of ~~buildings or alterations~~ structures shall be considered in relation to the height of existing neighboring buildings. ~~, and the building being constructed or altered.~~

2. **Setback:**

The front, side and rear setbacks shall be considered in relation to the prevailing setback existing in the immediate area.

3. **Proportion:**

The relationship between the width and height of facades, windows and doors of adjacent buildings shall be considered in the construction or alterations of a building. ~~The relationship of width to height of windows and doors of adjacent buildings shall be considered in the construction or alteration of a building in relation to those features of neighboring buildings.~~

~~4. 11.~~ **Roof Shape**

The similarity or compatibility of roof shapes in the immediate area shall be considered. ~~in the construction or alteration of a building.~~

~~5. 4.~~ **Pattern:**

~~The A visual pattern or rhythm is established by the alternation of solids (walls), and openings (windows and doors), and spacing between buildings in the facade of buildings create a rhythm. These patterns in the immediate area of solids and openings. These patterns in the immediate area shall be considered. in the construction or alteration of a building. Variation of spacing between the buildings in the immediate area shall be considered in the construction or alteration of a building.~~

6. **Materials:**

The similarity or compatibility of existing materials on the exterior walls or roofs of buildings in the immediate area shall be considered. ~~in the construction or alteration of a building. A building or alteration shall be considered to be compatible if the building materials used possess a kind or type which are appropriate to that building.~~

7. **Architectural Features:**

Existing architectural features, including but not limited to: shutters, cornices, windows, ~~shutters,~~ fanlights, and entablature, shall be retained where appropriate. New details shall consider those prevailing in the immediate area. ~~shall be considered in the construction or alteration of a building. It is not intended that the details of old buildings be duplicated precisely, but they should be regarded as suggestive of the extent, nature and scale of details that would be appropriate on new buildings or alterations.~~

Site:

8. **Continuity:**

Physical elements such as street trees, yards, fences, evergreen masses and or building facades may combine to form lines of continuity along a street. ~~in the streetscape and These elements shall be considered in the site plan. construction or alteration of a building.~~

~~9. 7.~~ **Site Features:**

Existing non building features such as walls, sidewalk fences, gates, walls, steps, gazebos, trellises, screen fencing, walkways, and parking treatments, hedges, screen planting and major trees, shall be retained or restored ~~considered whether when~~ impacted by the construction or alteration of a building, or whether as part of landscaping improvements alone. ~~Street trees shall be considered of primary importance when property is developed.~~

10. 9. **Landscaping:**

Landscaping, such as street trees, other shade or decorative trees, hedges, foundation plantings, flower borders, and screen plantings shall be retained or altered to complement the architecture in a manner consistent with the building and adjacent streetscape.

11. 9: **Site Treatment:**

For commercial properties where parking and service is required, the layout of shade trees and other landscaping to break-up large areas of paving, shall be considered together with the placement of lighting. The view from Route 4 is of particular significance in the provision of a streetscape compatible with the image of Woodstock Village.

~~10.~~ **Direction of Front Facade:**

~~Structural shape, placement of openings and architectural features gives a predominantly vertical, horizontal or angular character to the building's front facade and shall be considered in the~~

~~construction or alteration of a building.~~

~~11. **Roof Shape:**~~

~~The similarity or compatibility of roof shapes in the immediate area shall be considered in the construction or alteration of a building.~~

H. Demolition of Buildings and Site Features

1. Demolition or removal of a building, or structure or site feature shall require Design Plan approval from the VDRB.
2. Before a building, structure or site feature is demolished or moved, the Applicant shall in good faith prepare a detailed plan for the re-use of the vacated site for use by the Design Review Board to determine whether the proposal will meet the criteria established in "B" above. Said meeting shall be warned and the abutters notified.
3. In the event the VDRB determines upon testimony offered that there may be a valid reason for preservation, the Commission may impose a waiting period of no more than forty-five (45) days to afford a person or organization the opportunity to acquire or to arrange for the preservation of such a building.
4. Notwithstanding the above, any building with substantial structural instability resulting from fire or natural disaster and this condition was neither caused by nor perpetrated upon the owner, shall be exempt from the provisions of this Section.
5. Structures on or eligible for the National Register of Historic Places may be demolished only if the VDRB finds all of the following standards are met:
 - a. The structure cannot be rehabilitated or reused on site as part of any economically beneficial use of the property;
 - b. The structure proposed for demolition is structurally unsound despite efforts by the owner to properly maintain the structure;
 - c. The structure cannot be reasonably moved to another site within the historic district;
 - d. The demolition proposal mitigates to the greatest extent practical any impact to the character of the "neighborhood" of the property on which the demolition is proposed to occur;
 - e. The historical integrity and architectural character of the area where the proposed demolition of a structure is to take place will not be substantiality diminished or compromised. For the purposes of this Section, the term "architectural character" shall include, but not be limited to, height, coverage, setbacks, massing, siting, fenestration, streetscape, alleyscape, materials, and scale of materials.