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April 8, 2014

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ARTICLE 1 GENERAL PROVISIONS

SECTION 101 ENACTMENT

Whereas the Village of Woodstock, Vermont has created a Planning Commission and has adopted and has in effect a plan under the Vermont Municipal and Regional Planning and Development Act, 24 V.S.A., Chapter 117 herein referred to as the Act, these Zoning Regulations for the Village of Woodstock are hereby established.

SECTION 102 TITLE

This by-law shall be known and cited as the Zoning Regulations for the Village of Woodstock.

SECTION 103 PURPOSE

It is the purpose of these Regulations to implement the Woodstock Plan by providing for the appropriate use of all lands in the Village of Woodstock in a manner which will promote and protect the public health, safety, prosperity, comfort, convenience, efficiency, and general welfare; to protect steep slopes, soils, forests, water and other natural resources; to encourage the healthful and convenient distribution of settlement; to protect the rural residential environment, agricultural and other land from undue concentrations of population, traffic congestion, inadequate parking and from the loss of peace, quiet, and privacy; and to further the purposes established in Section 4302 of the Act.

SECTION 104 REPEALER

The Village of Woodstock Zoning Regulations adopted October 24, 2005 are hereby repealed and replaced by this document. This repealer provision will be implemented upon the day that these Regulations become effective.

SECTION 105 EFFECTIVE DATE

These Regulations shall take effect in accordance with the procedures contained in Section 4442 of the Act.

SECTION 106 INTERPRETATION

In their interpretation and application, the provisions of these Regulations shall be held to be minimum requirements.

Except for Section 4413 of the Act, and where these Regulations specifically provide to the contrary, it is not intended to repeal, annul, or in any way impair any regulations or permits previously adopted or issued.

SECTION 107 AMENDMENTS

The Regulations may be amended according to the requirements and procedures established in Section 4441and 4442 of the Act.

SECTION 108 PRECEDENCE OF REGULATION

The provisions of this regulation shall not in any way impair or remove the necessity of compliance with any other applicable ordinances. Where this regulation imposes a greater restriction, the provisions of this regulation shall take precedence.

SECTION 109 DEFINITIONS

For the purpose of these Regulations, meanings of the following words and terms shall be interpreted as defined below and all other words shall be presumed to have their normal meaning, unless such meaning runs counter to the purpose and objectives of these Regulations or the Woodstock Plan. The Definition of Terms defined in Section 4303 of the Act is hereby incorporated and made part thereof.

Doubt as to the precise meaning of any word used in these Regulations shall be clarified by the Village Development Review Board (VDRB).

ACCESSORY STRUCTURE: A structure customarily incidental and subordinate to the principal building, except as otherwise provided, located on the same lot with such principal buildings. Examples are garages and garden sheds.

ACCESSORY USE: A use customarily incidental and subordinate to the principal use and located on the same lot. If there is a question whether the use is customary, determination shall be made by the VDRB.

ACRE: 43,560 square feet.

ADMINISTRATIVE PERMIT: Is a permit issued by the Administrative Officer that complies with the regulations and that does not require additional review by a municipal panel.

AFFORDABLE HOUSING: Housing on land owned or controlled by an organization organized for the purpose of providing housing in the Village of Woodstock to individuals and families with incomes which do not exceed the HUD Median Income Guidelines for Windsor County, Vermont. See Section 503.

AGRICULTURE: The activity of raising crops and animal husbandry.

ALTERATION: Structural change, rearrangement, change of location or addition to a building, other than repairs and modification within the building.

AS-BUILT PLANS: A plan detailing construction in its finished form, certified by a licensed architect, registered engineer, and licensed surveyor.

BED AND BREAKFAST: A residential dwelling, occupied by an owner of the business and involving not more than one full time employee, in which a portion of the home is adapted to use as lodging for travelers or transients as an accessory use to the residence. Breakfast only may be served. See Section 504.

BUFFER ZONE: A land area used to visibly separate one use from another or to block noise, lights or other nuisances.

BUILDING: A structure having a roof supported by columns or walls and intended for the shelter or enclosure of persons, animals or chattel, excluding fences.

BUILDING HEIGHT: The vertical distance measured from the average elevation of the proposed finish grade at the front wall of the building to the highest point of the coping of a flat roof or to the deckline of mansard roofs, and to the average height between eaves and ridges for other types of roofs.

CERTIFICATE OF OCCUPANCY: A statement signed by the administrative officer, setting forth that a building, structure, or use complies with the zoning regulations. See Section 713.

COMMERCIAL: Use of a building or land for the purchase, sale, exchange, storage or warehousing of goods and commodities, services or amenities.

COVERAGE: That percentage of the lot area covered by the building area.

CUL-DE-SAC: A dead-end road, street or right-of-way with a vehicular turn-around at the end.

DAY CARE, IN-HOME: A residential dwelling used to house and provide supervision and care for no more than six full-time and four part-time children. See Section 508.

DAY CARE / PRESCHOOL FACILITY: A facility or a residential dwelling, receiving seven or more children for group care and/or educational development. See Section 508.

DECLARATION OF COVENANTS, CONDITIONS, AND RESTRICTIONS: A governance document listing and describing the conditions of ownership placed upon the purchasers, owners, and long-term leaseholds in a Planned Development. See Section 312.

DENSITY: The number of dwelling units allowed in a particular zoning district.

DENSITY, BUILDING: The total footprint of a group of buildings in relation to the open space around the buildings.

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

DETACHED APARTMENT: An apartment in an accessory structure and not attached to the main structure. See Section 510.

DRIVE-IN-STAND: Any establishment or building where the customer is serviced within a motor vehicle, excepting gasoline stations.

DWELLING, MULTI-FAMILY: A building with more than two dwelling units.

DWELLING UNIT: Any building or portion thereof, designed or used exclusively as living quarters for one family, other than motels, hotels, tourist homes, clubs, schools, hospitals, or similar use.

FAMILY: One or more persons living, sleeping, cooking and eating on the same premises as a single housekeeping unit.

FILLING STATION: A retail establishment at which motor vehicles are serviced, and/or supplied with gasoline, diesel fuel, oil, air and water. Also called gas station, service station. See Section 516.

FOOTPRINT: An overhead view or depiction of a structure inclusive of all structural projections (decks, bay windows, etc.).

FORESTRY: The science and art of forming, caring for, or cultivating forest land, and the sale of forest products produced on-site.

FRONTAGE: That portion of a lot which is adjacent and parallel to a public road or street.

GRADING PLAN: A plan drawn to the same scale as the site plan, showing the proposed grading by contours at intervals not exceeding five (5) feet with spot elevations of proposed structures, the location and direction of surface water drainage and the location and elevation of all drainage structures such as drop inlets, catch basins and culverts.

HOME OCCUPATION: Any non-retail occupation customarily carried on in a residential area by a resident in his/her own dwelling place. Home occupations (i) involve not more than the equivalent of one (1) full-time employee other than the full-time residents of the dwelling, (ii) occupy a minor portion (less than 50%) of the dwelling, (iii) are secondary to the use of the house as a dwelling, and (iv) do not change the character of the area. Only items produced in the home may be sold from the home. See Section 514.

HOTEL/INN: An establishment designed or used for public lodging, meeting rooms, meals, service of legal beverages, and related amenities with all rooms accessible from a central point within the building. See Section 311.

INDUSTRY: Use of a building or land for the manufacture, production, assembly or storage of goods and commodities.

INTERESTED PERSON: For purposes of these Regulations, an interested person shall mean any of the following:

A. A person owning title to property, or a municipality or solid waste management district empowered to condemn it or an interest in it, affected by a bylaw, who alleges that the bylaw imposes on the property unreasonable or inappropriate restrictions of present or potential use under the particular circumstances of the case.
B. The municipality that has a plan or a bylaw at issue in an appeal brought under this chapter or any municipality that adjoins that municipality.
C. A person owning or occupying property in the immediate neighborhood of a property that is the subject of any decision or act taken under this chapter, who can demonstrate a physical or environmental impact on the person's interest under the criteria are viewed, and who alleges that the decision or act, if confirmed, will not be in accord with the policies, purposes, or terms of the plan or bylaw of that municipality.
D. Any ten persons who may be any combination of voters or real property owners within a municipality listed in "B" above who, by signed petition to the appropriate municipal panel of a municipality, the plan or a bylaw of which is at issue in any appeal brought under this title, allege that any relief requested by a person under this title, if granted, will not be in accord with the policies, purposes, or terms of the plan or bylaw of that municipality. This petition to the appropriate municipal panel must designate one person to serve as the representative of the petitioners regarding all matters related to the appeal.

E. Any department and administrative subdivision of this state owning property or any interest in property within a municipality listed in "B." above, and the agency of commerce and community development of this state.

JUNKYARD: Any place of outdoor storage or deposit, whether in connection with a business or not, which is maintained, operated as a scrap metal processing facility, or used for storing, keeping, processing, buying or selling junk (cars, equipment, appliances, waste, etc.)

LAND DEVELOPMENT: The division of a parcel into two or more parcels; the construction, reconstruction, conversion, structural alteration, relocation or enlargement of any building or other structure; any mining, excavation, land fill, or road building; any change in the use of any building or other structure, or land, or extension of use of land.

LANDSCAPING PLAN: A plan drawn to the same scale as the site plan, showing the location of existing and proposed types of vegetative plantings and any other landscape elements used to enhance the site.

LIGHT MANUFACTURING: Industrial uses whose activities do not usually constitute a fire hazard, emit smoke, glare, noise, odor or dust, or in other ways constitute a nuisance and/or are not detrimental to neighboring properties.

LOT: A single parcel of land which is not divided by a public street and which is occupied, or intended to be occupied, by one primary use or building and its accessories.

LOT AREA: The total area within the property lines of a lot, excluding public streets and roads, which lies within the municipal boundaries and meets the District requirements of these Regulations.

LOT LINE ADJUSTMENT: A method of increasing/decreasing one's lot size from an abutting lot without creating an additional lot. See Section 605.

LOT, SUBSIZED: A parcel of land containing less square footage than the minimum requirements of the district in which it lies.

MOTEL: A lodging facility for transients, usually having a private outside entrance for each room or suite of rooms, and for each room or suite a parking place provided on the premises.

NONCONFORMING STRUCTURE: A structure or part of a structure that does not conform to the present bylaws but was in conformance with all applicable laws, ordinances, and regulations prior to the enactment of the present bylaws, including a structure improperly authorized as a result of error by the administrative officer. See Section 606.

NONCONFORMING USE: A use of land that does not conform to the present bylaws, but did conform to all applicable laws, ordinances, and regulations prior to the enactment of the present bylaws, including a use improperly authorized as a result of error by the administrative officer. See Section 606.

OFFICE: A room, set of rooms, or buildings where the business of a commercial, industrial, professional or governmental person or organization is transacted.

OFF-STREET SHOPPING PLAZA: Four or more units located at least 100 feet from a village street.

OPEN SPACE: A portion of a development site that is permanently set aside for public or private use and will not be developed. Open space may be used as community open space or preserved as green space.

OUTDOOR FURNACE: A device located out-of-doors that burns wood or coal for the purpose of heating the interior space of a building. See Section 609.

PATIO: An enclosed courtyard with a paved (brick, stone, asphalt, etc.) area of no less than 100 square feet. See Section 518.

PERCOLATION RATE: The time required for water level to drop one inch, as determined by the procedures outlined in the Vermont Health Regulations.

PLAN, THE: Refers to the "Town and Village of Woodstock Plan - 2007" and/or subsequent amendments.

PLANNING COMMISSION: Town of Woodstock Planning Commission.

PLANNED RESIDENTIAL DEVELOPMENT (PRD): An area for which the design and development is done in such a manner as to promote the most appropriate use of the land, to facilitate the adequate and economical provision of streets and utilities, and to preserve the natural and scenic qualities of the land. See Section 312.

PLANNED UNIT DEVELOPMENT (PUD): An area of land, controlled by a landowner, to be developed as a single entity for a number of dwelling units, and commercial and industrial uses, if any; the plan for which does not correspond to the regulatory requirements for lot size, bulk or type of dwelling, commercial or industrial use, density, lot coverage and open space as established for any one or more zoning districts. See Section 312.

PLANTING PLAN: A plan drawn to the same scale as the site plan, showing the location of existing and proposed types of tree and shrub plantings and any other landscape elements used to enhance the site.

PORCH: An independently roofed platform that is attached to a building and provides a sheltered entrance to it, excluding doorways and areas below awnings.

PUBLIC/ QUASI-PUBLIC BUILDING: A building owned by a municipality, county, state or federal government or a quasi-public building that is occupied by a non-profit entity such as a church, private school, medical clinic, hospital, library or museum.

PUBLIC OPEN SPACE: Public or community-owned land available for limited public or park-like uses.

QUASI-PUBLIC USE: A non-profit use such as that of a church, private school, medical clinic, hospital, library or museum.

RECREATIONAL FACILITIES: Includes, but is not limited to, parks, playgrounds, ski slopes, golf courses, tennis courts, swimming pools, etc.

REPAIR SERVICE and BODY SHOP: A shop where work is done commercially to repair and recondition objects and machinery.

RETAIL SALES: An establishment whose principal use is the sale of products for consumption or use by the customer off the premise. This shall include but not be limited to the sale of clothing, hardware and paint, office and electronic equipment, automotive supplies, major household appliances and groceries.

SCENIC RIDGELINE DISTRICT: All lands within 500 horizontal feet of primary ridges in the Town and Village of Woodstock, as depicted on the Scenic Ridgeline Map located in the Planning and Zoning Office. See Section 406.

SCHOOL: Includes public, private, and nursery school, college, university and accessory uses, but shall not include commercial business establishments such as schools of business, dancing, driving, beauty culture, or similar commercial establishments.

SETBACK: The minimum horizontal distance of a structure, or any portion thereof, required for its location from the respective lot line or road centerline where a lot abuts a road, street, or right of way. The side and rear setback for a residential accessory structure may be half that of the district's required setback. See Section 502.

SHORT TERM RENTAL: Rental of a home or apartment for a period of time less than thirty (30) days. See Section 522.

SIGN, AREA: Area of a sign shall be calculated by the rectangular form it fits within, even when sign has an irregular shape. A double-faced (back-to-back) projecting sign with no more than a 45-degree angle of separation shall be calculated as one sign.

SIGN, BANNER: Any fabric or cloth-like material meant to convey a message, excluding state or national flags.

SIGN, BUSINESS: A structure (fixed or flexible) which calls attention to and/or acts as an advertisement for an establishment, property, or the services and products provided therein.

SIGN, COMMUNITY: A structure erected in a central location in Village areas by a community group for the purpose of posting notices and items of local information.

SIGN, INSTRUCTIONAL: A structure whose sole purpose is the instruction of the general public as to traffic directions, traffic hazards, safety hazards, etc.

SITE PLAN: A plan, drawn at an appropriate scale, illustrating the overall proposed site development including the location of proposed buildings, in and adjacent to the site including the location of streets, driveways, parking and loading areas, traffic circulation patterns, loading docks, septic and sewer systems, pedestrian paths and walks, and landscaping.

SKYLINE: The natural ground outline of a range of hills or mountains as viewed from or immediately adjacent to a point on a public highway. See Section 406.

SOIL, HYDRIC: A soil which has excessive wetness as a result of a seasonal high water table within four (4) feet of the ground surface. See Section 403.

SOIL, SHALLOW: A soil which has a depth of forty (40) inches or less to bedrock or other impervious material.

SPECIAL CARE FACILITY: A place licensed by the State of Vermont providing lodging, board, and continuous nursing care under professional supervision to the elderly, sick, invalid, infirm, mentally or physically disabled or convalescent person. See Section 520.

STEEP SLOPE: A slope which is 25% or more in gradient, (25 vertical feet in 100 horizontal feet).

STORAGE: Safekeeping of goods in a warehouse or other enclosed area.

STORE FRONT: The main portion of a commercial establishment which faces a street, excluding porches, sheds, and other exterior spaces.

STRUCTURE: An assembly of materials for occupancy or use, including, (but not limited to) a building, mobile home or trailer.

SUBDIVISION or SUBDIVIDE: The partitioning or dividing of a parcel or tract of land, where the act of division creates two or more separate lots. See Section 612.

SUBSURFACE SEWAGE DISPOSAL SYSTEM: Any sewage disposal system which treats and disposes of domestic sewage underground and whose proper installation and safe functioning is, therefore, dependent on suitable conditions of soils, slopes, bedrock, and water table. See Section 521.

SURFACE WATER: Any body of water, such as brooks, streams, rivers, ponds or lakes, including natural channels of intermittent brooks, streams and rivers.

SURVEY: A plan drawn to the same scale as the site plan showing bearings, distances, and angles of the property boundaries, connecting lot lines, identifying owners of all adjoining properties and including the important existing features such as structures, roads, easements and rights-of-way.

TOPOGRAPHIC MAP: A map drawn to the same scale as the site plan showing contours at intervals not exceeding five (5) feet, the location of rock out-crops, water bodies, wetlands, other important site features including the location and data from any test pits or borings made to determine soil conditions as required by Vermont Health Regulations.

UNDUE ADVERSE VISUAL IMPACT: A two-step test used by the VDRB to determine an unacceptable impact on the Town's and Village's Scenic Ridgeline. See Section 406.

USE, CONDITIONAL: A use permitted only after a public hearing and VDRB Approval.

USE, PERMITTED: A use allowed as set forth by these Regulations.

VDRB: Village Development Review Board.

VANTAGE POINT: A point designated by the Woodstock Conservation Commission that is located on a Village Street, Class I, II or III highway from which a proposed land development will be visible. See Section 406.

VARIANCE: A deviation from the strict application of these Regulations which is granted by the VDRB in cases where unique physical conditions exist. See Section 715.

WETLANDS: Lands where the water table is at, near, or above the surface long enough during the growing season to promote the formation of special (hydric) soils or to support the growth of hydrophytes (special water loving plants). The wetland map is on file in the Planning and Zoning office. See Section 403.

WINDMILL: A device driven by the wind for the purpose of generating electricity. See Section 609.

YARD, FRONT: The open space extending across the full width of the lot between the highway or road right-of-way and the nearest line or point of the principal building.

ZONING DISTRICT: A part of the territory of the Village of Woodstock within which certain uniform regulations and requirements or various combinations thereof apply under the provision of these Regulations.

ARTICLE II ZONING DISTRICTS

SECTION 201 ESTABLISHMENT OF BASE ZONING DISTRICTS AND MAP

A. For the purpose of these Regulations, the following Base Zoning Districts are hereby established within the Village of Woodstock:

1.	Community	COM
2.	Residential Three Acre	R3
3.	Residential One Acre	R1
4.	Residential Low Density	RLD
5.	Residential Medium Density	RMD
6.	Residential High Density	RHD
7.	Residential/Office	RO
8.	Central Commercial	CC
9.	Commercial/Light Industrial	CLI
10.	Light Commercial	LC
11.	Inn	INN

B. The areas and boundaries of the Base Zoning Districts are established as shown on the attached map which is hereby designated as the Base Zoning Map for the Village of Woodstock and made a part of these Regulations and all future Amendments. The official zoning map shall remain on file in the office of the Administrative Officer.

SECTION 202 ESTABLISHMENT OF OVERLAY ZONING DISTRICTS AND MAP

A. For the purposes of these Regulations, in addition to the Base Zoning District the following Overlay Zoning Districts are hereby established within the Village of Woodstock:
   1. Conservation District: Steep slopes, shallow and wet soils.
   2. Flood Hazard District: An area of special flood hazard on the Federal Insurance Administration (FIA) Flood Insurance Rate Maps (FIRM) effective September 28, 2007.
   3. Design Review District: An area of the Village of Woodstock important for its visual and historic character.
   4. Scenic Ridgeline District: Land within 500 horizontal feet of primary ridgelines.

B. The areas and boundaries of the Overlay Zoning Districts are established as shown on the maps which are on file in the office of the Zoning Administrative Officer and are hereby designated as the Overlay Zoning Map

for the Village of Woodstock and made a part of these Regulations, together with all future amendments.

SECTION 203 INTERPRETATION OF ZONING DISTRICT BOUNDARIES
If uncertainty exists with respect to the boundary of any Zoning District on the Zoning Map, the location of such boundary shall be determined by the Administrative Officer. If the Administrator cannot make such a determination, or if the applicant or other interested party is not satisfied with the decision, the matter shall be determined by the VDRB. In making such determination, the applicant may be required to submit information specified in Section 708 of these Regulations.

As guidance for use in their determination, zoning district boundaries shall normally be coterminous with property lines, centerlines of roads, or centerlines of water courses.

In the case of the Flood Hazard overlay, a LOMA shall determine the boundary uncertainty.

SECTION 204 APPLICATION OF REGULATIONS
Except for maintenance, repair or replacement of existing uses of land or structures which are permitted and conform to the requirements of their respective zoning districts, no building or structure shall be erected, moved, altered or extended; and no land, building or structure or part thereof, shall be occupied or used unless in conformity with the regulations herein specified.

SECTION 205 CONSTRUCTION APPROVED PRIOR TO AMENDMENT OF REGULATIONS
Nothing contained in these Regulations shall require any change in plans or construction of a noncomplying structure for which a zoning permit has been issued and which has been completed within one year from the effective date of an amendment to these Regulations.

ARTICLE III ZONING DISTRICTS REGULATIONS

SECTION 301 COMMUNITY (COM) 5,445 sq. ft.

A. Purpose: To provide for the continued use and services of community institutions and community open spaces and to allow for continued use of buildings that are architecturally important to the community.

B. Uses Requiring an Administrative Permit:
1. Structural alterations or additions.

C. Uses Requiring a Conditional Use Permit:
1. Public buildings
2. Quasi-public buildings
3. Accessory uses and structures
4. Parking
5. Subdivision (See Section 612)

D. Land, Area and Structural Requirements:

1.	Minimum Lot Area:	5,445 square feet
2.	Minimum Lot Frontage:	None (See Section 611)
3.	Front Setback Minimum:	50 feet from street centerline
4.	Rear Setback Minimum:	20 feet
5.	Side Setback Minimum:	10 feet
6.	Building Height Maximum:	35 feet
7.	Parking Requirements:	(See Section 517)

SECTION 302 RESIDENTIAL THREE ACRE (R3) 3 Acres

A. Purpose: To designate areas of lower density residential development in the more open regions of the community.

B. Uses Not Requiring a Permit:
1. Agriculture
2. Forestry
3. Exempt home occupation (See Section 514)

C. Uses Requiring an Administrative Permit:

1. Buildings and structures for forestry
2. Single-family dwelling
3. Structures accessory to a single-family dwelling
4. Two-family dwelling

D. Uses Requiring a Conditional Use Permit:

1. Detached apartment (See Section 510)
2. Multi-family dwelling
3. Public and quasi-public building
4. Public utility
5. Home occupation (See Section 514)
6. Special care facility (See Section 520)
7. Day care facility (See Section 508)
8. Private and public parking (See Section 517)
9. Bed and breakfast (See Section 504)
10. Commercial recreation facility
11. Subdivision (See Section 612)

E. Land, Area, and Structural Requirements:

1. Minimum Lot Area: 3 acres per dwelling unit or two-family dwelling
2. Minimum Lot Frontage: 100 feet along Routes 4, 12, or 106; 75 feet along a street; 50 feet at the end of a cul-de-sac. (See Section 611)
3. Front Setback Minimum: 80 feet from centerline of Routes 4, 12, or 106, 60 feet from street centerline
4. Rear Setback Minimum: 25 feet
5. Side Setback Minimum: 25 feet
6. Building Height Maximum: 35 feet
7. Parking Requirements: (See Section 517)

SECTION 303 RESIDENTIAL ONE ACRE (R1) One Acre

A. Purpose: To designate areas of the community which are compatible with one-acre residential development.

B. Uses Not Requiring a Permit:

1. Agriculture
2. Forestry
3. Exempt home occupation (See Section 514)

C. Uses Requiring an Administrative Permit:

1. Buildings and structures for forestry
2. Single-family dwelling
3. Structures accessory to a single-family dwelling
4. Two-family dwelling

D. Uses Requiring a Conditional Use Permit:

1. Detached apartment (See Section 510)
2. Multi-family dwelling
3. Public and quasi-public building
4. Public utility
5. Home occupation (See Section 514)
6. Special care facility (See Section 520)
7. Day care facility (See Section 508)
8. Private and public parking (See Section 517)
9. Bed and breakfast (See Section 504)
10. Subdivision (See Section 612)

E. Land, Area, and Structural Requirements:

1. Minimum Lot Area: One acre per dwelling unit or two-family dwelling
2. Minimum Lot Frontage: 75 feet or 50 feet along the perimeter of a cul-de-sac (See Section 611)

3. Minimum Front Setback: 60 feet from street centerline
4. Minimum Rear Setback: 25 feet
5. Minimum Side Setback: 25 feet
6. Maximum Building Height: 35 feet
7. Parking Requirements: (See Section 517)

SECTION 304 RESIDENTIAL LOW DENSITY (RLD) 20,000 sq. ft.

A. Purpose: To designate areas of the community which are compatible with low density residential development.

B. Uses Not Requiring a Permit:
1. Agriculture
2. Exempt home occupation (See Section 514)

C. Uses Requiring an Administrative Permit:
1. Single-family dwelling
2. Structures accessory to a single-family dwelling
3. Two-family dwelling

D. Uses Requiring a Conditional Use Permit:
1. Detached apartment (See Section 510)
2. Multi-family dwelling
3. Public and quasi-public building
4. Public utility
5. Home occupation (See Section 514)
6. Special care facility (See Section 520)
7. Day care facility (See Section 508)
8. Private and public parking (See Section 517)
9. Bed and breakfast (See Section 504)
10. Subdivision (See Section 612)

E. Land, Area, and Structural Requirements:
1. Minimum Lot Area: 20,000 square feet per dwelling unit or two-family dwelling, 40,000 square feet per three dwelling units
2. Minimum Lot Frontage: 75 feet (See Section 611)
3. Minimum Front Setback: 50 feet from centerline of Routes 4, 12, or 106 or 35 feet from street centerline
4. Minimum Rear Setback: 25 feet
5. Minimum Side Setback: 15 feet
6. Maximum Building Height: 35 feet
7. Parking Requirements: (See Section 517)

SECTION 305 RESIDENTIAL MEDIUM DENSITY (RMD) 8,000 sq. ft.

A. Purpose: To designate areas of the community which are compatible with medium density residential development.

B. Uses Not Requiring a Permit:
1. Agriculture
2. Exempt home occupation (See Section 514)

C. Uses Requiring an Administrative Permit:
1. Single-family dwelling
2. Structures accessory to a single-family dwelling
3. Two-family dwelling

D. Uses Requiring a Conditional Use Permit:
1. Detached apartment (See Section 510)
2. Multi-family dwelling
3. Public and quasi-public building
4. Public utility

5. Home occupation (See Section 514)
6. Special care facility (See Section 520)
7. Day care facility (See Section 508)
8. Private and public parking (See Section 517)
9. Bed and breakfast (See Section 504)
10. Subdivision (See Section 612)

E. Land, Area, and Structural Requirements:

1. Minimum Lot Area: 8,000 square feet per dwelling unit or two-family dwelling, 16,000 square feet per three unit dwelling
2. Minimum Lot Frontage: 50 feet (See Section 611)
3. Minimum Front Setback: 35 feet from centerline of Route 4, 12, or 106, or 25 feet from street centerline
4. Minimum Rear Setback: 20 feet
5. Minimum Side Setback: 10 feet
6. Maximum Building Height: 35 feet
7. Parking Requirements: (See Section 517)

SECTION 306 RESIDENTIAL HIGH DENSITY (RHD) 5,445 sq. ft.

A. Purpose: To permit designated areas of the community which are compatible with higher density residential development.

B. Uses Not Requiring a Permit:

1. Agriculture
2. Exempt home occupation (See Section 514)

C. Uses requiring an Administrative Permit:

1. Single-family dwelling
2. Structures accessory to a single-family dwelling
3. Two-family dwelling

D. Uses Requiring a Conditional Use Permit:

1. Detached apartment (See Section 510)
2. Multi-family dwelling
3. Public and quasi-public building
4. Public utility
5. Home occupation (See Section 514)
6. Special care facility (See Section 520)
7. Day care facility (See Section 508)
8. Private and public parking (See Section 517)
9. Bed and breakfast (See Section 504)
10. Subdivision (See Section 612)

E. Land, Area, and Structural Requirements:

1. Minimum Lot Area: 5,445 square feet per dwelling unit or two-family dwelling 10,890 square feet per three unit dwelling
2. Minimum Lot Frontage: 50 feet (See Section 611)
3. Minimum Front Setback: 25 feet from street centerline
4. Minimum Rear Setback: 15 feet
5. Minimum Side Setback: 10 feet
6. Maximum Building Height: 35 feet
7. Parking Requirements: (See Section 517)

SECTION 307 RESIDENTIAL/OFFICE (RO) 5,445 sq. ft.

A. Purpose: To provide for a mixed-use district which is limited to residential and office uses within the Village.

B. Uses Not Requiring a Permit:

1. Agriculture

2. Exempt home occupation (See Section 514)

C. Uses Requiring an Administrative Permit:
1. Single-family dwelling
2. Structures accessory to a residential dwelling
3. Two-family dwelling

D. Uses Requiring a Conditional Use Permit:
1. Detached apartment (See Section 510)
2. Multi-family dwelling
3. Public and quasi-public use
4. Public utility
5. Home occupation (See Section 514)
6. Special care facility (See Section 520)
7. Day care facility (See Section 508)
8. Bed and breakfast (See Section 504)
9. Office
10. Subdivision (See Section 612)

E. Land, Area and Structural Requirements:
1. Minimum Lot Area: 5,445 square feet per residential unit or two-family dwelling
2. Minimum Lot Frontage: 75 feet (See Section 611)
3. Minimum Front Setback: 30 feet from road centerline
4. Minimum Side Setback: 15 feet
5. Minimum Rear Setback: None
6. Maximum Building Height: 35 feet
7. Parking Requirements: (See Section 517)
8. For purposes of calculating allowable office density, an office may be any configuration or size as long as all applicable criteria above (including Section 517) are satisfied.

SECTION 308 CENTRAL COMMERCIAL (CC) 5,445 sq. ft.

A. Purpose: To allow a compatible mix of residential and commercial uses within the Village core.

B. Uses Not Requiring a Permit:
1. Agriculture
2. Exempt home occupation (See Section 514)

C. Uses Requiring an Administrative Permit:
1. Single-family dwelling
2. Structures accessory to a single-family dwelling
3. Two-family dwelling
4. Existing retail-to-office conversion or existing office-to-retail conversion

D. Uses Requiring a Conditional Use Permit:
1. Detached apartment (See Section 510)
2. Multi-family dwelling
3. Public and quasi-public building
4. Public utility
5. Home occupation (See Section 514)
6. Special care facility (See Section 520)
7. Day care facility (See Section 508)
8. Private and public parking (See Section 517)
9. Bed and breakfast (See Section 504)
10. Commercial uses:
    a. Restaurant
    b. Bakery
    c. Bank
    d. Office
    e. Medical clinic

f. Pottery and/or ceramics
g. Furniture making
h. Storage/warehouse
i. Physical fitness facility
j. Theater
k. Retail sales and services, excluding filling station, automobile sales and service, dry cleaning, laundry and other similar establishments

11. Subdivision (See Section 612)

E. Land, Area and Structural Requirements:

1.	Lot Area Minimum:	5,445 square feet
2.	Lot Frontage Minimum:	50 feet - residential, 20 feet - all other uses (See Section 611)
3.	Front Setback Minimum:	30 feet from street centerline or equal to abutting buildings on Elm and Central Streets.
4.	Side Setback Minimum:	None, other than a firewall barrier constructed according to State Fire Marshall standards.
5.	Rear Setback Minimum:	None
6.	Building Height Maximum:	35 feet
7.	Buffer Strip Requirements:	(See Section 506)
8.	Parking Requirements:	(See Section 517)

F. Inactive Conditional Use Permit

If a Conditional Use permit has been inactive for a period of more than one year, a new Conditional Use permit including site plan Review is required.

SECTION 309 COMMERCIAL/LIGHT INDUSTRIAL (CLI) 10,000 sq. ft.

A. Purpose: To provide for concentrated commercial development.

B. Uses Not Requiring a Permit:

1. Agriculture
2. Exempt home occupation (See Section 514)

C. Uses Requiring an Administrative Permit:

1. Single-family dwelling
2. Structures accessory to a single-family dwelling
3. Two-family dwelling

D. Uses Requiring a Conditional Use Permit:

1. Detached apartment (See Section 510)
2. Multi-family dwelling
3. Public and quasi-public building
4. Public utility
5. Home occupation (See Section 514)
6. Special care facility (See Section 520)
7. Day care facility (See Section 508)
8. Private and public parking (See Section 517)
9. Bed and breakfast (See Section 504)
10. Commercial Uses:
    a. Office
    b. Medical clinic
    c. Physical fitness facility
    d. Hotel, motel
    e. Restaurant
    f. Retail store
    g. Research establishment
    h. Design and drafting establishment
    i. Insurance company
    j. Filling station (See Section 516)

k. Auto dealership, repair service and body shop
l. Other similar commercial uses, upon determination by VDRB that such use is of same general character as those listed above and will not be detrimental to adjoining land uses or to other permitted uses within the District.

11. Industrial Uses:
    a. Bakery
    b. Storage/warehouse
    c. Light manufacturing and assembly
    d. Printing, publishing
    e. Pottery and/or ceramics
    f. Furniture making
    g. Garden supplies and equipment
    h. Agricultural supplies
    i. Building or road construction establishment
    j. Stone work (tombstones, flagstones, slate), excepting quarries
    k. Greenhouse
    l. Other industrial uses which, upon determination by VDRB that such use is of same general character as those listed above and will not be detrimental to adjoining land uses or to other permitted uses within the District.
12. Subdivision (See Section 612)

E. Land, Area and Structural Requirements:

1.	Minimum Lot Area:	10,000 square feet
2.	Residential Density:	5,445 square feet per unit or two-family dwelling
3.	Commercial Density:	To be determined by other criteria within the regulations.
4.	Minimum Lot Frontage:	50 feet (See Section 611)
5.	Minimum Front Setback:	30 feet from street centerline
6.	Minimum Side Setback:	15 feet
7.	Minimum Rear Setback:	None
8.	Maximum Building Height:	35 feet
9.	Buffer Strip Requirements:	(See Section 506)
10.	Parking Requirements:	(See Section 517)

F. Specific Land, Area and Structural Requirements pertaining to Light Industrial Development:
1. Maximum Building, Parking and Access Coverage: 75% of lot.

G. Inactive Conditional Use Permit
If a Conditional Use permit has been inactive for a period of more than one year, a new Conditional Use permit including Site Plan Review is required.

SECTION 310 LIGHT COMMERCIAL (LC) 10,000 sq. ft.

A. Purpose: To provide for light commercial development outside of the Village center.

B. Uses Not Requiring a Permit:
1. Agriculture
2. Exempt home occupation (See Section 514)

C. Uses Requiring an Administrative Permit:
1. Single-family dwelling
2. Structures accessory to a single-family dwelling
3. Two-family dwelling

D. Uses Requiring a Conditional Use Permit:
1. Detached apartment (See Section 510)
2. Multi-family dwelling
3. Public and quasi-public use
4. Public utility
5. Home occupation (See Section 514)
6. Special care facility (See Section 520)

7. Day care facility (See Section 508)
8. Bed and breakfast (See Section 504)
9. Light Commercial Uses:
   a. Office
   b. Retail store (limited to a 2,000 square feet footprint)
   c. Restaurant (limited to a 2,000 square feet footprint)
   d. Research/engineering establishment
   e. Design and drafting establishment
   f. Insurance company
   g. Other Commercial uses, upon the determination by the VDRB that such use is of the same general character as those permitted and will not be detrimental to adjoining land uses or other permitted uses within the District.
10. Subdivision (See Section 612)

E. Land, Area and Structural Requirements:

1.	Minimum Lot Area:	10,000 square feet
2.	Residential Density:	5,445 square feet per unit or two-family dwelling
3.	Commercial Density:	To be determined by other criteria within the regulations.
4.	Minimum Lot Frontage:	50 feet (See Section 611)
5.	Minimum Front Setback:	50 feet from road centerline
6.	Minimum Side Setback:	15 feet
7.	Minimum Rear Setback:	When abutting a residential zone, 20 feet, otherwise none
8.	Maximum Building Height:	35 feet
9.	Buffer Strip Requirements:	(See Section 506)
10.	Parking Requirements:	(See Section 517)

F. Inactive Conditional Use Permit

If a Conditional Use permit has been inactive for a period of more than one year, a new Conditional Use permit including Site Plan Review is required.

SECTION 311 INN (INN) Two Acres

A. Purpose: To provide a designation for hotels/inns.

B. Uses Not Requiring a Permit:

1. Agriculture
2. Exempt home occupation (See Section 514)

C. Uses Requiring an Administrative Permit:

1. Single-family dwelling
2. Structures accessory to a single-family dwelling
3. Two-family dwelling

D. Uses Requiring a Conditional Use Permit.

1. Detached apartment (See Section 510)
2. Multi-family dwelling
3. Public and quasi-public building
4. Public utility
5. Home occupation (See Section 514)
6. Special care facility (See Section 520)
7. Day care facility (See Section 508)
8. Private and public parking (See Section 517)
9. Bed and breakfast (See Section 504)
10. Inn
11. Accessory uses to an inn
12. Subdivision (See Section 612)

E. General Requirements:

1. Shall have a minimum of 10 guest rooms.
2. Retail shop permitted conditioned on the following:

a. Shall not exceed 800 square feet.
b. Shall be located only within the main structure.

3. Restaurant permitted conditioned on the following:
   a. Kitchen shall be licensed by the State of Vermont.
   b. Dining room shall be separate from kitchen and living areas.
   c. Shall be located only within the main structure.
   d. May be open to the public, but shall abide by all applicable provisions of these Regulations.
   e. Maximum capacity of three (3) seats per guest room.
4. Expansion requires Conditional Use Approval following Site Plan Approval by Planning Commission.

F. Land, Area, and Structural Requirements:

1. Minimum Lot Area:	2 acres	
2. Minimum Lot Frontage:	150 feet	(See Section 611)
3. Minimum Front Setback:	50 feet from street centerline	
4. Minimum Side Setback:	25 feet	
5. Minimum Rear Setback:	25 feet	
6. Maximum Building Height:	35 feet	
7. Buffer Strip Requirements:	(See Section 506)	
8. Parking Requirements:	(See Section 517)	

SECTION 312 PLANNED DEVELOPMENT

Planned Residential (PRD) & Planned Unit (PUD)

To enable innovation in design, layout and efficient use of land, encourage energy efficient construction, assure adequate provision of public services, streets, and utilities, and preserve Woodstock's open, natural and scenic qualities, the VDRB may modify these Regulations, simultaneously with the approval of a subdivision plat, to allow for Planned Development. Such modification(s) shall be in accord with the following standards for evaluating and approving a Planned Development proposal.

In addition to evaluation and approval by the VDRB under this Section's requirements, a Planned Development proposal shall also be subject to Design Review and Conditional Use Approval.

A. General Standards

1. The proposed development must be designed to create a stable and desirable environment that is in harmony with the density and type of adjacent land uses.
2. In addition to information required in Section 708, the application shall include a statement setting forth all proposed modifications, changes or supplementation to applicable zoning regulations.
3. The density of the underlying District(s) may be increased by twenty-five (25) percent or up to fifty (50) percent for an affordable housing development if, in the judgement of the VDRB, community facilities and site conditions can support that level of development. Site conditions that reduce the amount of developable land shall be used when determining the appropriate density increase. Such conditions include wetlands, severe slopes, and the 100-year floodplain.
4. The VDRB may require that areas be designated as future sites for educational facilities if 100 dwelling units or more are proposed.
5. The installation or construction of any necessary community facilities or utilities such as storm and sanitary sewage lines, sewage treatment plants, water lines, lighting, and so forth, shall be the responsibility of the developer.
6. To assure that the community is not unduly affected, the project may be subject to requirements regarding traffic.
7. If land is to be subdivided into lots which will not conform with the zoning regulations for the districts in which the development is situated, it must be demonstrated that adequate conditions and methods exist or will be made for the treatment of sewage and the provision of a safe supply of drinking water prior to approval.
8. The project land may be owned, leased or controlled either by a single person or corporation or by a group of individuals or corporations. The approved project plan shall be binding on the project land and on present and successive owners. To assure adequate property management and compliance with conditions of project approval:
   a. If owned by a group of individuals or corporations, an association shall be formed to assure that all properties and common areas are properly maintained.
   b. The filing of a Declaration of Covenants, Conditions, and Restrictions (or its equivalent) may be required.

9. The proposal shall provide for the preservation of open space, agricultural land, forested areas, significant views, streams and stream banks, steep slopes, wet areas, soils unsuitable for development, and other unique natural features.
10. The percentage of land dedicated to open space shall be 33% of total acreage if the total acreage of the parcel is less than 50 acres and at least 50% of total acreage if the parcel is greater than 50 acres.
    a. Land set aside as open space shall be of a size, type and location to meet its intended use.
    b. Open space should be contiguous to other existing or potential open space areas.
    c. Ownership of open space should be consistent with the best means of maintaining the resources on site.
11. If the proposed project results in lands available for municipal purposes, the VDRB, as a condition of its approval, may establish conditions on the ownership, use, and maintenance of such lands as it deems necessary to assure the preservation of such lands for their intended purposes.
12. Land reserved as private open space shall be protected from future development and environmental damage through an appropriate legal mechanism approved by the VDRB. Such mechanism shall:
    a. Restrict future building and removal of soil, trees, and other natural features, except as is consistent with conservation, recreation, or agricultural uses or uses accessory to permitted uses;
    b. Provide that residents have access to the open space at all times;
    c. Dictate whether open space is for the benefit of residents only, or may be open to residents of Woodstock.
13. Any modification of these Regulations approved under this Section shall be noted on or appended to the subdivision plat, specifically setting forth standards and criteria for the required (a) design, bulk, and spacing of buildings and (b) location and size of designated lots and open spaces.
14. In evaluating PRD and PUD proposals, the VDRB, in addition to finding that the foregoing requirements are met, shall consider:
    a. The objectives and policies set forth in the Town/Village Plan.
    b. The relationship and compatibility of residential and non-residential uses, taking into consideration the location, arrangement, and size of lots, recreation areas, school sites, and open space.
    c. The relationship of the proposed built development to the site's natural features.
    d. The densities proposed for the entire area.
    e. Such other considerations that will contribute to the orderly and harmonious development of the land.
15. Amendment to an approved plan shall follow the procedures and conditions stated herein.

B. General Design Standards

1. Roadways & Parking

a. Roadways should be designed to minimize site disturbance by following existing contours and site features and shall not exceed an average of 10% grade.
b. Areas for off-street parking adequate for the proposed occupancy, at least equivalent to the requirements of Section 517 of these Regulations, must be provided.

2. Open Space & Development

a. Open space should preserve agricultural, recreational or natural resources, and where feasible, serve as buffers to adjoining land and uses.
b. Buildings should be located in wooded areas or on field edges and should not include sensitive areas such as wetlands, floodplains or steep slopes.

3. Energy Conservation

a. To conserve energy, the development plan must use the least amount of area for roads and the least length of sewer, water and utility lines within environmentally and economically sound limits;
b. Clustered development should be considered wherever feasible;
c. The siting of buildings should maximize solar access where feasible, and
d. Landscaping should be effectively used to provide wind barriers and reduce heat loss.

4. Landscaping and Screening

The preservation, planting and maintenance of trees, ground cover or other vegetation, of a size and type deemed appropriate by the VDRB, may be required in the following instances:

a. To provide an undisturbed vegetated buffer between developed and undeveloped portions of the site to protect water quality and/or other natural features. At a minimum, a fifty (50) foot buffer shall be established from the mean water level of any stream or lake and /or the delineated boundary of an identified wetland.
b. To provide privacy screening, reduce noise and glare, or to otherwise soften and/or lessen the visual

impacts of development.

c. To preserve existing specimen trees, tree lines, critical wildlife habitat, or wooded areas of particular natural or aesthetic value to the site,

d. To establish a barrier between incompatible land uses.

C. Application Materials and Procedure

1. Prior Approval

When a Planned Development is proposed, before any contract is made for the sale of any part of the parcel(s) involved, before any zoning permit shall be granted and before any subdivision plat may be filed in the Office of the Town Clerk, the prospective developer shall apply for and secure approval of the development in accordance with the following procedures.

2. Preliminary Application

a. The applicant shall apply in writing to the VDRB to discuss the proposed project at a regularly scheduled public hearing. The application shall minimally include a narrative description of the project, setting forth its purpose, desirability and impact on the neighborhood in which the project is proposed.

b. The VDRB shall have thirty (30) days to respond in writing to the applicant's proposal with a favorable or unfavorable decision. A favorable decision shall authorize the applicant to proceed to the formal application and approval stages.

c. In considering the preliminary application, the VDRB shall consider, conceptually, the project scale, proposed use configuration, compatibility with the goals and objectives of the Town/Village Plan, compatibility and relationship to the adjacent land uses and impact on public facilities and services.

3. Formal Application

a. Upon a favorable decision and authorization to proceed by the VDRB, the applicant shall submit:

b. Sketch plan, drawn to scale, clearly showing the following:

i. Location, size and uses of the various proposed buildings.

ii. General outlines of existing and proposed interior roadways, parking areas, all existing rights-of-way and easements, whether public or private, location of existing utilities and infrastructure.

iii. Principal relationships to and impact on public services such as highways, Village roads, water supply and sewage disposal.

iv. Interior and peripheral open space.

v. Location of significant vegetation, water bodies, wetlands, desirable and objectionable views, sources of noise, odors and other potential nuisances, existing buildings and structures.

vi. Existing topography and proposed final grading at contour intervals no more than 5 feet of elevation, noting areas of potential erosion, flooding, and ponding.

vii. The location of facilities for the control and disposal of stormwater.

viii. Traffic and circulation analysis, including trip generation, internal circulation, ingress and egress points and sight distances.

4. Phasing Plan

Projects that will take more than 24 months to complete must present a description and clear plan for the project's phasing, including the area, uses, and timing of each phase. In any case, the sketch plan shall show the complete project.

5. Competence

Evidence demonstrating the competence of the applicant to carry out the plan, both physically and financially.

D. Public Hearings

1. Within sixty (60) days of receipt of the Sketch Plan and accompanying documentation, the proposal for Planned Development shall be reviewed by the VDRB in a public hearing, preceded by public notice.
2. Hearings may be adjourned from time to time provided that the date and place of the adjourned hearing are announced at the hearing. Decisions on an application shall be made no later than sixty (60) days from the date of the last public hearing.

E. Final Approval

1. Final Approval of the Planned Development proposal shall be conditioned on preliminary and final Site Plan and Conditional Use Approval by the VDRB.
2. The VDRB can condition final approval as deemed appropriate. Such conditions may pertain, but are not limited, to the following areas of concern:

a. Visual and acoustical screening
b. Land use mix
c. Schedule of construction
   i. If project phasing is desired or required as a condition of approval, the plan for each phase shall be subject to public hearing by the VDRB.
   ii. The time allotted to complete the entire project or phases.
d. Pedestrian and vehicular circulation system
e. Parking and snow removal
f. Protection of natural and/or historical resources
g. Performance guarantees assuring completion, compliance with the approved plan or conditions of approval
h. Submission of a Declaration of Covenants, Conditions and Restrictions or equivalent document
   i. If required, the document shall be (1) filed with the Town Clerk prior to final approval and (2) provided at closing to purchasers of each unit of ownership or leasehold.
   ii. Such document shall:
      (a) specify that deeds, leases or any other instrument conveying buildings, units, or parcels are subject to the terms of the Declaration.
      (b) identify the parties responsible for the cost to maintain common and open areas
      (c) be reviewed by an attorney representing the Village to assure that the Village's interests are protected.

3. Upon final approval of the siting and uses involved in the Planned Development, the architectural portion of the project becomes subject to Design Review Approval.

F. PUD Specific Standards

1. **Purpose:** A PUD is intended to achieve a mix of residential and commercial uses at a scale, spacing and design which complements the essentially residential character of Woodstock.
2. **Setbacks:** To minimize adverse effects on surrounding areas, a buffer zone of at least 20' around the PUD's periphery shall be established and kept free of all structures. The area must provide natural screening or must be landscaped. The VDRB may increase the required buffer zone if deemed appropriate.
3. **Uses:** Permitted uses include and shall be limited to:
   a. Dwelling units in detached, semi-detached, or multi-storied structures or any combination thereof.
   b. Any commercial or non-residential use permitted in the zoning district within which the development is proposed.
   c. Public and private educational facilities.
   d. Industrial uses and buildings that are permitted in the zoning district within which the development is proposed.

ARTICLE IV OVERLAY ZONING DISTRICTS

SECTION 401 PURPOSE

A. Conservation District: To protect natural areas and their inherent values from adverse development. Such areas are: steep slopes, shallow and hydric soils.

B. Flood Hazard District: To lessen or avoid the hazards or damage to property resulting from flood waters and to provide for the maintenance and improvement of agriculture and other non-structural uses adjacent to the Ottauquechee River and its related tributaries.

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.

D. Scenic Ridgeline District: To protect the rural and pastoral character of Woodstock by preserving and conserving Woodstock's ridges and hillsides from unregulated land development.

SECTION 402 APPLICATION

The Overlay Zones are provisions in addition to, and, when contradictory requirements occur, take precedence over the requirements of the underlying Districts. All subdivision, commercial uses, and multi-family dwellings in the Overlay Zone shall be subject to Conditional Use Review to ensure adequate protection of the resource. Residential structures in flood zones shall also be subject to Conditional Use Review. In considering an application, the VDRB shall evaluate the immediate and long range impact of the proposed use of the resource. Specific standards for review involving each resource are listed below.

SECTION 403 CONSERVATION DISTRICT

A. Surface Waters and Aquatic Protection Zones

To protect the quality of Woodstock's water resources and associated habitat, vegetated buffers are to be maintained within all riparian, wetland and vernal pool protection zones.

Proposed development of land adjacent to a river, stream, wetland, or vernal pool shall require prior review by the Conservation Commission and Conditional Use Approval by the VDRB. For purposes of this Section 403 B., land development includes subdivisions, construction of roads, structures, walls and solid fences.

1. RIPARIAN WATER QUALITY & AQUATIC HABITAT PROTECTION ZONE

a. Purpose

The objective of this regulation is to promote the establishment and protection of heavily vegetated areas of native vegetation and trees along the Village's water bodies to reduce the impact of stormwater runoff, prevent soil erosion, protect wildlife and fish habitat, and maintain water quality.

b. Applicability

The requirements of this regulation shall apply to all riparian buffers in the Village of Woodstock, described as follows:

i. All land within 100 feet horizontal distance measured from the top of slope, for the following water bodies: Ottauquechee River, Gulf Stream, Barnard Brook and the Kedron Brook.

ii. All land within 50 feet horizontal distance measured from the top of slope, for all streams identified on the Critical Areas Inventory Map.

c. General Standards

i. Except as provided in Subsection (ii) below, all lands within a riparian buffer shall be left in an undisturbed, vegetated condition.

ii. Removal of dead trees or trees of immediate threat to human safety as well as reasonable pruning of existing trees and shrubs as permitted.

iii. The creation of new lawn areas within riparian buffers is not permitted. Property owners already encroaching on the riparian buffer are encouraged to return mowed areas to their naturally vegetated state. Supplemental planting with appropriate native vegetation to restore and enhance the effective filtering and bank stabilization functions of a riparian buffer is encouraged.

iv. Any areas within a riparian buffer that are not vegetated or that are disturbed during construction shall be replanted with a mix of naturalized grasses, perennials and/or shrubs.

d. New Uses and Encroachments Within Riparian Buffers

i. Exempted Uses:

1. Agriculture and Forestry Uses per Chapter 117, 4413 (D) of the Vermont Statutes.
2. Removal of vegetation not to exceed 5% of the riparian buffer areas.
3. The following may be conducted without permit:
   a. Trees may be trimmed as long as the overall canopy is maintained.
   b. Underbrush may be replaced with native vegetation that is more appropriate to a riparian zone.

ii. Permitted Uses:

1. The control of noxious weeds as identified by the Vermont Agency of Natural Resources.
2. Buffer re-establishment projects which use current best practices for riparian zones.
3. Encroachments necessary to rectify a natural catastrophe for the protection of the public health safety and welfare.

e. **Before granting Conditional Use Approval for development within the Riparian Buffer Area, the VDRB shall find:**
   i. The development within the Area will, whenever feasible, maintain the natural condition of the stream and will not endanger the health, safety and welfare of the public or adjoining landowners.
   ii. The development must by necessity be located within the designated buffer area in order to fulfill the intended purposes of the development and will, insofar as possible and reasonable in light of its purpose maintain or enhance water quality and protect wildlife and fish habitat.
   iii. That all feasible and reasonable means of preventing or lessening the loss to the public have been applied.
   iv. That no reasonable acceptable alternative exists on the site which would allow the development to fulfill its intended purpose.
   v. In the event the development is determined to imperil the function of the riparian buffer, the economic, social, cultural, recreational, and other benefits to the public resulting from the development will outweigh the economic, environmental and recreation losses to the public from the imperilment of the riparian buffer.

f. **Standards for Review:**
   i. Reduce impact of stormwater runoff.
   ii. Prevent soil erosion.
   iii. Protect wildlife and fish habitat.
   iv. Maintain water quality.

2. **WETLANDS, WATER QUALITY & AQUATIC HABITAT PROTECTION AREA**
   a. Lands identified as wetlands on the Towns Critical Areas Inventory map shall not be drained, filled, or altered without prior review by the Conservation Commission and Conditional Use Approval by the VDRB.

   b. A minimum 100-foot Water Protection Buffer prohibiting disturbance of vegetation, soils or the forest canopy shall be established from the spring high water mark or delineated boundary of all vernal pools identified on the Critical Areas Inventory Map.

3. **VERNAL POOLS, WATER QUALITY & AMPHIBIAN LIFE PROTECTION AREA**
   a. A minimum 100-foot Water Protection Buffer prohibiting disturbance of vegetation, soils and the forest canopy shall be established for vernal pools identified on the Critical Areas Inventory Map as supporting uncommon, state listed amphibian species for a critical part of their life cycle or notable breeding populations of vernal pool-dependent species.

B. Steep Slope: Lots with steep slope characteristics as identified in the overlay zone shall be reviewed for suitable sewage disposal, access for emergency vehicles, drainage, and erosion control. The goal for new development that adds more than 10,000 sq. ft. of impervious area - roofs, decks, patios and driveways - shall be reviewed to ensure on-site retention of stormwater.

C. Shallow Soils: Lots with shallow soil characteristics as identified in the overlay zone shall be reviewed for suitable sewage disposal systems and erosion controls.

SECTION 404 FLOOD HAZARD AREA

To effect the purposes of 10 V.S.A., Chapter 32, and in accord with the Vermont Planning and Development Act, 24 V.S.A., Chapter 117, Section 4424, zoning regulations are hereby established for areas of special flood hazard in the Village of Woodstock.

A. Official Flood Hazard Area Map

These regulations shall apply to all areas in the Village of Woodstock, Vermont identified as areas of special flood hazard in and on the most current flood insurance studies and maps published by the Department of Homeland Security (DHS), Federal Emergency Management Agency (FEMA), National Flood Insurance Program (NFIP), as provided by the Secretary of the Agency of Natural Resources pursuant to 10 V.S.A. § 753, which are hereby adopted by reference and declared to be part of these regulations.

B. Records

The Administrative Officer shall maintain a record of:

1. All permits issued and denied for development in areas of special flood hazard;
2. The as built elevation, in relation to the mean sea level of the lowest habitable floor, including basement, of all new construction or substantial improvement of structures, within the designated special flood hazard areas; and
3. The elevation, in relation to mean sea level, to which such structures have been floodproofed.
4. All floodproofing certifications required.
5. All variance actions, including justification for their issuance.

C. Development Review Board

Upon receiving an application for a permit under these Regulations, and prior to holding a hearing and rendering a decision, the VDRB shall obtain from the applicant the following:

1. A description of the extent to which any watercourse will be altered or relocated as a result of the proposed development.
2. Written comment on the project from the Department of Environmental Conservation.
3. Subdivisions and New Development must also furnish base flood elevation data.
4. New Construction or Substantial Improvement to Structures must also furnish:
   a. Where applicable, a site plan that depicts the proposed development, all water bodies, Special Flood Hazard Areas, floodways, any existing and proposed drainage, any proposed fill, and pre and post development grades, and the elevation of the proposed lowest floor, as referenced to the same vertical datum as the elevation on the current Flood Insurance Rate Maps;

   b. Where floodproofing is used in lieu of elevation, the elevation, in relation to mean sea level, to which any structure or substantial improvement has been floodproofed;

   c. Certification from a registered professional engineer or architect that the floodproofed structure meets the floodproofing criteria of subsection 9.1 of the National Flood Insurance Program.

All applications for proposed development in the FH Overlay shall be sent by the Administrative Officer to the State National Floodplain Insurance Program Coordinator at the Vermont Agency of Natural Resources, Department of Environmental Conservation, River Management Section for comment in accordance with 24 V.S.A. § 4424. For any permit application involving the alteration or relocation of a watercourse, the Administrative Officer shall notify adjacent communities, the Administrator of the National Flood Insurance Program, and the Stream Alteration Engineer at the Vermont Agency of Natural Resources, Department of Environmental Conservation, River Management Section. A permit application will only be considered complete and ready for action following the receipt of comments or the expiration of 30 days from the date the application was mailed to the Agency, whichever is sooner.

D. Development Standards

1. Floodway Areas

a. Development within the floodway is prohibited unless a registered professional engineer certifies the proposed development will not result in any increase in flood levels during the occurrence of the base flood.

b. No new construction, substantial improvement, or development (including fill) shall be permitted within zones A1-30 and AE on the Village's FIRM, unless it is demonstrated the cumulative effect of the proposed development will not increase the water surface elevation of the base flood zone more than one foot at any point within the village. This provision applies until a Regulatory floodway is designated.

c. Junkyards, landfill, and storage areas or facilities for floatable materials, chemicals, explosives, flammable liquids or other hazardous or toxic materials are prohibited within the floodway.

2. Floodway Fringe Areas (i.e., special flood hazard areas outside the floodway)

a. <u>All Development</u> - All development shall be reasonably safe from flooding and

i. designed (or modified) and adequately anchored to prevent flotation, collapse, or lateral movement of the structure during the occurrence of the base flood,
ii. constructed with materials resistant to flood damage,
iii. constructed by methods and practices that minimize flood damage, and
iv. constructed with electrical, heating, ventilation, plumbing and air conditioning equipment and other service facilities that are designed and/or located so as to prevent water from entering or accumulating within the components during conditions of flooding.

b. Residential Development:
i. New construction and existing buildings to be substantially improved that are located in Zones A, A1-30 and AE shall have the lowest floor, including the basement, elevated to at least one foot above the base flood elevation.
ii. Manufactured homes to be placed and existing manufactured homes to be substantially improved that are:
(a) located in a new manufactured home park or subdivision, outside of a manufactured home park or subdivision, in an expansion to an existing manufactured home park or which has incurred substantial damage from flood shall be elevated on a permanent foundation such the lowest floor of the manufactured home is elevated to at least one foot above the base flood elevation and be securely anchored to an adequately anchored foundation system to resist floatation, collapse, and lateral movement during the occurrence of the base flood.
(b) located in an existing manufactured home park, where elevating a replacement home to or above base flood elevation is not possible, the lowest floor shall be supported by reinforced piers or other foundation elements of at least equivalent strength that are no less than 48 inches in height above grade and be securely anchored to an adequately anchored system to resist floatation, collapse, and lateral movement.

c. Non-Residential Development:
i. New Construction located in Zones A, A1-30, and AE shall have the lowest floor, including basement, elevated to at least one foot above the base flood elevation.
ii. Existing buildings to be substantially improved located in Zones A, A1-30, AE shall have the lowest floor, including basement, elevated to at least one foot above the base flood elevation or together with attendant utility and sanitary facilities be designed so that below the base flood elevation the structure is watertight with walls substantially impermeable to the passage of water and with structural components having the capability of resisting hydrostatic and hydrodynamic loads and effects of buoyancy.
iii. A permit for a building proposed to be floodproofed wall not be issued until a registered professional engineer or architect has reviewed the structural design, specifications and plans, and has certified that the design and proposed methods of construction are in accordance with accepted standards of practice for meeting the provisions of this subsection.

d. Subdivisions:
i. New subdivision proposals and other proposed development (including proposals for manufactured home parks and subdivisions) that are greater than 50 lots or 5 acres, whichever is the lesser, shall include base flood elevation data.
ii. Subdivisions (including manufactured home parks) shall be designed to assure:
(a) such proposals minimize flood damage within the flood-prone area,
(b) public utilities and facilities, such as sewer, gas, electrical, and water systems are located and constructed to minimize or eliminate flood damage.
(c) adequate drainage is provided to reduce exposure to flood hazards, and
(d) any access roads to habitable structures or critical facilities shall be at least one foot above base flood elevations and able to withstand a 100-year event without failure or overtopping.

e. Enclosed Areas Below the Lowest Floor:
i. Enclosed areas below the lowest floor which are subject to flooding shall be used solely for parking of vehicles, building access, or storage and such a condition shall clearly be stated in any permits.
ii. New construction and existing buildings to be substantially improved with fully enclosed areas

below the lowest floor that are subject to flooding shall be designed to automatically equalize hydrostatic flood forces on exterior walls by allowing for the entry and exit of floodwaters.

iii. Designs for meeting this requirement must either be certified by a registered professional engineer or architect or meet or exceed the following minimum criteria: A minimum of two openings having a total net area of not less than one square inch for every square foot of enclosed area subject to flooding shall be provided. The bottom of all openings shall be no higher than one foot above grade. Openings may be equipped with screens, louvers, valves or other coverings or devices provided that they permit the automatic entry and exit of floodwaters.

f. Recreational Vehicles: Recreational Vehicles placed on sites with special flood hazard areas shall either:
   i. be on the site for fewer than 180 consecutive days,
   ii. be fully licensed and ready for highway use, or
   iii. be permitted in accordance with the elevation and anchoring requirements for "manufactured homes" in section B.2.(b).

g. Accessory Structures: A small accessory building that represents a minimal investment need not be elevated to the base flood elevation provided the building:
   i. shall not be used for human habitation,
   ii. shall be designed to have low flood damage potential,
   iii. shall be constructed and placed on the building site so as to offer the minimum resistance to the flow of floodwaters,
   iv. shall be firmly anchored to prevent flotation, and
   v. shall have service facilities such as electrical and heating equipment elevated or floodproofed.

h. Water Supply Systems: New and replacement water supply systems shall be designed to minimize or eliminate infiltration of flood waters into the systems.

i. Sanitary Sewage Systems: New and replacement sanitary sewage systems shall be designed to minimize or eliminate infiltration of flood waters into the systems and discharges from the systems into flood waters.

j. On-site Waste Disposal Systems: On-site waste disposal systems shall be located to avoid impairment to them or contamination from them during flooding. The lowest elevation of the wastewater distribution field shall be located at least 1 foot above the base flood elevation.

k. Watercourse Carrying Capacity: The flood and sediment carrying capacity within any altered or relocated portion of a watercourse shall be maintained.

l. Flood Storage Capacity: The net post-development flood storage capacity shall not be less than the pre-development capacity. If cuts and fills are used under this provision than a certification by an engineer of the net change in flood storage and that the modifications do not create any increase in erosion or flood hazard is required.

E. Violations and Penalties

In the case of violations in the Flood Protection Overlay District, the seven-day warning notice shall also state that failure to cure may result in loss of flood insurance. If the violation is not remedied within 7 days, or appealed, the Administrative Officer shall also mail a copy to the alleged violator, the state NFIP Coordinator and the Administrator of the National Flood Insurance Program. Section 1316 of the National Flood Insurance Act of 1968, as amended, authorizes FEMA to deny flood insurance to a property declared by a community to be in violation of their flood hazard area regulations. The notice shall consist of:

a. the name of the property owner and address or legal description of the property sufficient to confirm its identity or location,
b. a clear and unequivocal declaration that the property is in violation of a cited State or local law, regulation, or ordinance,
c. a clear statement that the public body making the declaration has authority to do so and a citation to that authority,

d. evidence that the property owner has been provided notice of violation and the perspective denial of insurance, and
e. a clear statement that the declaration is being submitted pursuant to Section 1316 of the National Flood Insurance Act of 1968, as amended.

FLOOD HAZARD DISTRICT DEFINITIONS

BASE FLOOD ELEVATION (BFE) is the elevation of the water surface elevation resulting from a flood that has a 1 percent chance of equaling or exceeding that level in any given year. It is also the height of the base flood, usually in feet, in relation to the National Geodetic Vertical Datum of 1929, the North American Vertical Datum of 1988, or other datum referenced in the Flood Insurance Study report, or average depth of the base flood, usually in feet, above the ground surface.

DEVELOPMENT means any human-made change to improved or unimproved real estate, including but not limited to buildings or other structures, mining, dredging, filling, grading, paving, excavation or drilling operations, or storage of equipment or materials.

EXISTING MANUFACTURED HOME PARK OR SUBDIVISION means a manufactured home park or subdivision for which the construction of facilities for servicing the lots on which the manufactured homes are to be affixed (including, at a minimum, the installation of utilities, the construction of streets, and either final site grading or the pouring of concrete pads) is completed before the effective date of the floodplain management regulations adopted by a community.

EXPANSION TO AN EXISTING MANUFACTURED HOME PARK OR SUBDIVISION means the preparation of additional sites by the construction of facilities for servicing the lots on which the manufacturing homes are to be affixed (including the installation of utilities, the construction of streets, and either final site grading or the pouring of concrete pads).

FILL means any placed material that changes the natural grade, increases the elevation, or diminishes the flood storage capacity at the site.

FLOOD means:
A. A general and temporary condition of partial or complete inundation of normally dry land areas from: the overflow of inland or tidal waters; the unusual and rapid accumulation or runoff of surface waters from any source; and mudslides which are proximately caused by flooding and are akin to a river of liquid and flowing mud on the surfaces of normally dry land areas, as when earth is carried by a current of water and deposited along the path of the current.
B. The collapse or subsidence of land along the shore of a lake or other body of water as a result of erosion or undermining caused by waves or currents of water exceeding anticipated cyclical levels or suddenly caused by an unusually high water level in a natural body of water, accompanied by a severe storm, or by an unanticipated force of nature, such as flash flood or abnormal tidal surge, or by some similarly unusual and unforeseeable event which results in flooding.

FLOODWAY means the channel of a river or other watercourse and the adjacent land areas that must be reserved in order to discharge the base flood without cumulatively increasing the water surface elevation more than one foot at any point.

HISTORIC STRUCTURE means any structure that is:
A. Listed individually in the National Register of Historic Places (a listing maintained by the Department of the Interior) or preliminarily determined by the Secretary of the Interior as meeting the requirements for individual listing on the National Register;
B. Certified or preliminarily determined by the Secretary of the Interior as contributing to the historical significance of a registered historic district or a district preliminarily determined by the Secretary to qualify as a registered historic district;
C. Individually listed on a state inventory of historic places in states with historic preservation programs which have been approved by the Secretary of the Interior; or (d) Individually listed on a local inventory of historic places in communities with historic preservation programs that have been certified either:

1. By an approved state program as determined by the Secretary of the Interior or
2. Directly by the Secretary of the Interior in states without approved programs.

LEGISLATIVE BODY means the Select Board in the case of a town, the Trustees in the case of an incorporated village, and the Mayor, Alderpersons, and City Council Members in the case of a city, and the supervisor in the case of an unorganized town or gore.

LETTER OF MAP AMENDMENT (LOMA) is a letter issued by the Federal Emergency Management Agency officially removing a structure or lot from the flood hazard zone based on information provided by a certified engineer or surveyor. This is used where structures or lots are located above the base flood elevation and have been inadvertently included in the mapped special flood hazard area.

MANUFACTURED HOME PARK OR SUBDIVISION means a parcel (or contiguous parcels) of land divided into two or more manufactured home lots for rent or sale.

NEW CONSTRUCTION means, for the purposes of determining insurance rates, structures for which the "start of construction" commenced on or after the effective date of an initial FIRM or after December 31, 1974, whichever is later, and includes any subsequent improvements to such structures. For floodplain management purposes, *new construction* means structures for which the *start of construction* commenced on or after the effective date of the floodplain management regulation adopted by a community and includes any subsequent improvements to such structures.

NEW MANUFACTURED HOME PARK OR SUBDIVISION means a manufactured home park or subdivision for which the construction of facilities for servicing the lots on which the manufactured homes are to be affixed (including at a minimum, the installation of utilities, the construction of streets, and either final site grading or the pouring of concrete pads) is completed on or after the effective date of the floodplain management regulations adopted by a community.

NON-RESIDENTIAL includes, but is not limited to: small business concerns, churches, schools, nursing homes, farm buildings (including grain bins and silos), pool houses, clubhouses, recreational buildings, government buildings, mercantile structures, agricultural and industrial structures, and warehouses.

RECREATIONAL VEHICLE means a vehicle which is:

A. Built on a single chassis;
B. 400 square feet or less when measured at the largest horizontal projection;
C. Designed to be self-propelled or permanently towable by a light duty truck; and
D. Designed primarily not for use as a permanent dwelling but as a temporary living quarters for recreational, camping, travel, or seasonal use.

SPECIAL FLOOD HAZARD AREA is the land in the floodplain within a community subject to a 1 percent or greater chance of flooding in any given year. The area may be designated a Zone A on the Flood Hazard Boundary Map (FHBM). After detailed rate making has been completed in preparation for publication of the Flood Insurance Rate Map (FIRM), Zone A usually is refined into Zones A, AO, AH, A1-30, AE, A99, AR, AR/AI-30, AR/AE, AR/AO, AR/AH, AR/A, VO or V1-30, VE, or V. For purposes of these regulations, the term "special flood hazard area" is synonymous in meaning with the phrase "area of special flood hazard".

START OF CONSTRUCTION includes substantial improvement, and means the date the building permit was issued, provided the actual start of construction, repair, reconstruction, rehabilitation, addition placement, or other improvement was within 180 days of the permit date. The actual start means either the first placement of permanent construction of a structure on a site, such as the pouring of slab or footings, the installation of piles, the construction of columns, or any work beyond the stage of excavation; or the placement of a manufactured home on a foundation. Permanent construction does not include land preparation, such as clearing, grading and filling; nor does it include the installation of streets and/or walkways; nor does it include excavation for a basement, footing, piers, or foundations or the erection of temporary forms; nor does it include the installation on the property of accessory buildings, such as garages or sheds not occupied as dwelling units or not part of the main structure. For a substantial improvement, the actual start of construction means the first alteration of any wall, ceiling, floor, or other structural part of a building, regardless whether that alteration affects the external

dimensions of the building.

STRUCTURE means, for floodplain management purposes, a walled and roofed building, including a gas or liquid storage tank, that is principally above ground, as well as a manufactured home. *Structure*, for insurance purposes, means:

A. A building with two or more outside rigid walls and a fully secured roof, that is affixed to a permanent site;
B. A manufactured home ("a manufactured home," also known as a mobile home, is a structure: built on a permanent chassis, transported to its site in one or more sections, and affixed to a permanent foundation); or
C. A travel trailer without wheels, built on a chassis and affixed to a permanent foundation, that is regulated under the community's floodplain management and building ordinances or laws. For the latter purpose, "structure" does not mean a recreational vehicle or a park trailer or other similar vehicle, except as described in (c) of this definition, or a gas or liquid storage tank.

SUBSTANTIAL DAMAGE means damage of any origin sustained by a structure whereby the cost of restoring the structure to its before damaged conditions would equal or exceed 50 percent of the market value of the structure before the damage occurred.

SUBSTANTIAL IMPROVEMENT means any reconstruction, rehabilitation, addition, or other improvement of a structure, the cost of which, from the date of adoption of this ordinance, cumulatively equals or exceeds 50 percent of the market value of the structure. This term includes structures which have incurred "substantial damage", regardless of the actual repair work performed. The term does not, however, include either:

A. Any project for improvement of a structure to correct existing violations of state or local health, sanitary, or safety code specification which have been identified by the local code enforcement official and which are the minimum necessary to assure safe living conditions or
B. Any alteration of a "historic structure", provided that the alteration will not preclude the structure's continued designation as a "historic structure".

VIOLATION means the failure of a structure or other development to be fully compliant with the community's floodplain management regulations. A structure or other development without the elevation certificate, other certifications, or other evidence of compliance required in 44 CFR 60.3 is presumed to be in violation until such time as that documentation is provided.

WALKOUT-ON-GRADE BASEMENT means a basement whose floor is at ground level on at least one side of the house, usually with a door on that side. This is considered the lowest floor as defined by these regulations.

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. 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 shall be complementary to the configuration of existing buildings and streetscape, which respects 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:

1. **Height:**
   The height of buildings or alterations shall be considered in relation to the height of existing adjacent 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 the facades 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.

4. **Pattern:**
   The visual pattern established by the alternation of solids (walls) and openings (windows and doors) in the facade of buildings create a rhythm. These patterns of solids and openings 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.
5. **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.
6. **Architectural Features:**
   Architectural features, including but not limited to: cornices, windows, shutters, fanlights, and entablature, 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.
7. **Site Features :**
   Non building features such as walls, fences, gates, gazebos, trellises, walkways, parking treatments, hedges, screen planting and major trees, shall be considered whether 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.
8. **Continuity:**
   Physical elements such as yards, fences, evergreen masses or building facades may combine to form lines of continuity along a street. These elements shall be considered in the construction or alteration of a building.
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.

SECTION 406 SCENIC RIDGELINE DISTRICT

There is a two step test to determine whether proposed land development constitutes an "undue adverse visual impact" to the Scenic Ridgeline District: (1) does the proposed development visually affect the existing scenic and natural beauty of the land proposed to be developed as viewed from the public highways in the Town and Village of Woodstock, and (2) does the proposed development offend the sensibilities of the average person and significantly diminish the existing scenic qualities of Woodstock as viewed from the public highways in the Town and Village.

A. Statement of Character

1. The undeveloped ridges and hillsides are one of Woodstock's principal scenic qualities and contribute significantly to the maintenance and enjoyment of the rural and pastoral character of the village. It is in the public good and welfare to protect the rural and pastoral character of Woodstock by preserving and conserving Woodstock's ridges and hillsides from unregulated land development.
2. The development and uses of ridge and hillsides must be regulated in a fair and consistent manner that permits reasonable development in those areas when such development will have an adverse visual impact on the principle scenic qualities of Woodstock.
3. Change is and should be part of the village and can be a positive contribution to the community. It is not the intention of this regulation to prohibit construction on all ridges and hillsides. Rather, it is the intention to regulate and curtail land development in those areas within Scenic Ridgeline Districts which are highly visible to the public and which are found to have an adverse visual impact on the natural environment and character of Woodstock.

B. Statement of Objectives

1. The purpose of the Scenic Ridgeline District regulation is to encourage and allow land development within the district primarily in existing wooded areas outside of existing or created open areas. Such development shall be adequately screened and landscaped in order to avoid undue adverse visual impact on the existing views of the Scenic Ridgeline Districts from public highways, regardless of the season.
2. These regulations shall not affect:
   a. routine forestry management,
   b. pasture restoration, and agricultural uses (including construction of woods or fields access roads),
   c. an existing structure when modification and expansion of the structure is clearly subordinate in size (less than 25%) and impact to the original structure,
   d. a structure for agricultural, forestry and occasional non-residential use.

C. Description of Scenic Ridgeline Districts

1. General Description: Scenic Ridgeline Districts shall consist generally of all land within five hundred (500) feet (horizontal distance) of the primary ridgelines within the Village of Woodstock.
2. Scenic Ridgeline District Overlay Map: The official overlay map of the Scenic Ridgeline District which delineates boundaries is on file in the office of the Administrative Officer. A reduced photocopy is attached to these Regulations and referenced in Section 202.
3. Final Determinations of Districts: In the event an applicant questions the determination that a proposed development is within such district, upon request and following notice and public hearing, the VDRB shall determine whether or not such planned development is located within the Scenic Ridgeline District. The landowner requesting such determination shall have the burden of proof.
4. Overlapping: A Scenic Ridgeline District may overlap the zoning districts outlined in Article III.

D. Plan Approval

1. Prohibition Without Approval: Notwithstanding any other provisions in these Regulations, except as hereinafter provided, no land development shall take place in any Scenic Ridgeline District without the

applicant first obtaining Conditional Use Approval of a plan for such development from the VDRB.

2. Other Conditional Use requirements may be reviewed concurrently with Scenic Ridgeline requirements at the applicant's request.
3. Land Development Defined: For purposes of this section, land development shall be defined as any of the following:
   a. Construction or placement of any building, except those exempted in Subsection B;
   b. An addition to or any alteration of a building which increases the square footage of the building by more than 25% in a five year period, including unenclosed areas such as porches, decks or other similar structures;
   c. Alteration to a roof of a building which increases the height of the building by more than four (4) feet within a five year period;
   d. Addition of skylights, solar panels or other large reflective surfaces excluding roofing materials;
   e. Construction or modification of an access road or driveway, excluding normal driveway maintenance;
   f. Construction of a tower, satellite dish or any other type of antenna;
   g. Excavation or extraction of any kind of solid matter exceeding 200 cubic yards;
   h. Installation of above-ground power or telephone utility lines, including creation or widening of cleared portions of a right-of-way related to proposed or existing power or telephone lines.

E. Procedures For Plan Application and Review

1. **Application**

   In addition to Section 710, Conditional Use Permit, Section 708 Application Information and any other application procedures required by these Regulations, an application for Scenic Ridgeline Plan Approval shall be submitted on the form provided and shall include at least the following information:
   a. Name and address of the record landowner and any duly appointed agents of the parties.
   b. Location of the proposed land development depicted on a Scenic Ridgeline District Overlay Map to be provided with the application form.
   c. A map or sketch of the property proposed to be developed, drawn to scale, with the area to be developed clearly indicated.
   d. A detailed description, including type and extent of the proposed land development.
   e. The location of the proposed structure on a USGS Topographic Map or Survey.
   f. A utility plan.
   g. A tree plan, showing where trees will remain, be thinned and be removed.
2. **Pre-hearing Preparation and Review**

   Within 21 days following receipt by the Zoning Administrator of a complete application for land development within a Scenic Ridgeline District, the Conservation Commission shall take the following actions:
   a. Determine whether the proposed land development will be visible to the naked eye from at least one vantage point on Class I and II town or village highways, or from at least two vantage points on Class III town or village highways, with those two vantage points being separated by at least 500 feet. Land development that will not be visible from any town or village highway is exempt from this Section 406 and the Conservation Commission shall so report to the VDRB, which shall direct that the application proceed under other sections of these Regulations.
   b. Prepare a report to the VDRB if the proposed land development is visible as set forth in (a), above. This report shall state whether or not the proposed land development will break the skyline when viewed from any vantage point or points under (a), above. The report shall also indicate the extent to which development would be visible to the passing motorist and as well as distances from the vantage point[s].
   c. Include in the report all appropriate comments and recommendations relative to the criteria for approval listed under Subsection F.
   d. Meet with the applicant at his or her option and review the report. This meeting may be continued upon mutual consent by the Conservation Commission and the applicant. All changes agreed to by the applicant shall be appended to the final report which shall contain the recommendations of the Conservation Commission.
3. The Clerk of the Woodstock Conservation Commission shall mail to the applicant a copy of the Commission's recommendation and transmit a copy to the VDRB.
4. VDRB Review: The VDRB, after reviewing the Conservation Commission's report and all supporting materials, and after receiving comments from the applicant and Conservation Commission, and after an

optional on-site inspection, upon close of testimony, shall issue to the applicant a written decision granting or denying the application for Plan Approval within the Scenic Ridgeline District with or without conditions under Subsection F.

5. Notwithstanding the recommendation from the Conservation Commission, 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 of Subsection F. The decision issued by the VDRB may, but need not, adopt by reference the recommendations of the Conservation Commission. The VDRB shall render its decision within 60 days from the close of testimony.
6. Limitations: The failure of the Conservation Commission to prepare its report, or the VDRB to issue its decision within the time and in the manner so specified shall constitute an automatic granting of the application for Plan Approval and the Administrative Officer shall so certify in writing to the applicant. This section refers only to Ridgeline Plan Approval required hereunder and not to additional zoning requirements.
7. Nothing herein shall be construed to prohibit the modification, extension, or waiver of any time or notice provision herein above where written mutual agreement has been made between the VDRB and the applicant.

F. Criteria For Approval

Before granting approval for land development in the Scenic Ridgeline District which has been determined to be visible under Subsection E 2.(a), the VDRB shall find that the proposal conforms substantially to the following criteria.

1. **General Standards**
   The VDRB shall find that the proposed land development does not have an undue adverse visual impact on the scenic and natural beauty of the land when viewed from Woodstock's public highways, taking into account the elements set forth in §4406(G).
2. **Specific Standards**
   a. Skyline: If a structure would break a skyline when viewed from vantage points, alternative locations for the structure may be considered, if available and practical, to minimize any undue adverse visual impact.
   b. Screening and Landscaping: Vegetative screening and landscaping may be required for structures, and alternate locations for access roads and utility lines, when no other concealment options are available to minimize any undue adverse visual impact.
   c. Minimization of Glare: Materials utilized for the exterior of any structures shall be of a kind and positioned on structures so as to minimize glare if necessary to avoid undue adverse visual impact. Particular attention may be given as to the number, position, and type of window and door glass, skylights, etc. so as to minimize glare, without undue cost or burden.

G. Elements to be Considered

In determining whether a proposed development would have an adverse visual impact on the natural environment and character of Woodstock, the VDRB shall consider:

1. The period of time during which the proposed development would be viewed by the traveling public;
2. The frequency of the view of the proposed development as experienced by the traveling public;
3. The degree to which the view of the proposed development is screened by existing vegetation, the topography of the land, and existing structures;
4. Contributing or detracting background features in the view of the proposed development;
5. The distance to the view from the vantage point; and
6. The number of cars traveling on the public highway at or near the critical vantage point.
7. The difference in elevation between the proposed development and the vantage point.

H. Authority to Condition

The VDRB shall have authority to impose conditions consistent with the intent and objectives of this Section 406 in approving a proposed plan for land development in the Scenic Ridgeline District. A notice of the approval with its conditions, along with notice that such conditions run with the land, shall be recorded in the Woodstock Land Records. Continued compliance with all conditions shall be the obligation of the current and subsequent owners of the land and improvements.

ARTICLE V ADDITIONAL SPECIFIC STANDARDS

SECTION 501 ACCESS AND SAFETY

To minimize traffic difficulties, and to safeguard adjacent properties from strip development, Title 19 V.S.A. authorizes the municipality to control access of public highways.

SECTION 502 ACCESSORY STRUCTURES WITHIN THE SETBACK

The side and rear setbacks for a residential accessory structure may be half that required. The structure shall only be used as an accessory to a residential structure. The nonconforming structure shall not be larger than 600 square feet. A VDRB hearing is required for nonconforming structures over 100 square feet in size. The Board shall review the structure based on character of area. A nonconforming structure less than 100 square feet requires an administrative permit.

SECTION 503 AFFORDABLE HOUSING

A. Purpose:

The existing development pattern of the Village has resulted in conditions which make it difficult for persons of low and moderate income to find suitable housing within the Village. The following special regulations have been enacted for the purpose of encouraging affordable housing units, while ensuring compliance with local planning standards and policies concerned with land use, building design, and requirements of the health, safety, convenience and general welfare of the inhabitants of the Village.

Permanent affordable housing (remaining affordable for 99 years or more) may receive up to a 25 % density bonus, in addition to applicable density bonuses permitted elsewhere in these Regulations. The VDRB may accept modification of setbacks and frontage as appropriate in view of design, location and character of the neighborhood.

SECTION 504 BED AND BREAKFAST ESTABLISHMENT

Bed and Breakfast establishments are limited to three guest rooms, unless located in the Central Commercial, Light Commercial, Commercial/Light Industrial, and Inn zones. Breakfast **only** may be served. The establishment shall not be used to cater parties or other events.

SECTION 505 BODIES OF WATER

Man-made bodies of water require an Administrative Permit and shall conform to the setback requirements of the District. Above-ground swimming pools less than three (3) feet deep shall be exempt from these Regulations. Bodies of water larger than 100,000 cubic feet require a certified site plan prepared by a licensed engineer or architect.

SECTION 506 BUFFER STRIP

If any Commercial or Industrial use abuts a Residential District or body of water, with the exception of access points, a buffer strip of land not less than ten (10) feet in depth shall be maintained along the common boundary. The buffer strip shall be used and maintained only as a fence or for the planting of trees, shrubs and flowers, and shall not obstruct visibility.

When a Commercial or Industrial lot fronts a Class I Highway, a similar buffer strip shall be planted twenty (20) feet in depth for the width of the lot except for the points of access. This buffer shall not obstruct the view of exiting or entering vehicles.

SECTION 507 CELLULAR/COMMUNICATION TOWERS

Regulations available upon request from the Planning and Zoning Office.

SECTION 508 DAY CARE HOME / FACILITY

A state registered or licensed family child care home serving six or fewer children shall require an administrative permit.

A State-registered or licensed family child care home serving no more than six full-time and four part-time children, shall require Site Plan Approval.

A state registered or licensed facility serving the full time equivalent of more than six children shall require a Conditional Use permit and Site Plan Approval .

SECTION 509 DENSITY

No more than two dwelling units are allowed per lot, either attached or detached, unless granted Conditional Use Approval for multi-family housing.

SECTION 510 DETACHED APARTMENT

Detached apartments are limited to either 900 square feet or 33% of the living area of the primary structure, whichever is larger. To determine zoning density, detached apartments shall be considered an additional family dwelling.

SECTION 511 DISH ANTENNAE

Dish antennae shall not be located in the front yard, and shall comply with all setback provisions, unless the owner can prove their only "window of reception" requires another location. Dish antennae located in a Design Review District require a Design Review Permit. Dish antennae measuring more than forty (40) inches in diameter require an Administrative Permit.

SECTION 512 EXTERIOR LIGHTING

A. Purpose

All new public and private outdoor lighting installed in the Village shall be in conformance with the requirements of this Section, unless specifically exempted. The purpose of this section is to avoid the discomfort and dangers of glare and the over-lighting of property, to encourage the energy conservation, and to reduce the intensity of night sky glow.

B. General Standards for All Uses

1. Land development shall be designed and used to provide adequate outdoor lighting for pedestrian and vehicular safety, but shall confine outdoor lighting to principally within the property, and to avoid glare and visual disturbance as seen from outside the property lines. All lighting shall be directed inwards towards on-site features, natural elements and not off-site.
2. All lighting fixtures shall be shielded downwards to minimize light from escaping into the darkened or night sky.
3. Outdoor security lighting shall be connected to motion detectors to avoid unnecessary high levels of lighting and to conserve energy.
4. To the extent that the standards or requirements of this Section are not contrary to or conflicting with the standards or design guidelines of the *Outdoor Lighting Manual for Vermont Municipalities (1996)* or its subsequent revisions, the VDRB and applicants shall comply with the standards or recommendation therein.

C. Conditional Uses and Site Plan Approval Standards

An application for land development requiring Conditional Use and/or Site Plan Approval and involving the installation of new or altered outdoor lighting, except as may be specifically exempted under this Section, shall including fixture types, mounting locations and heights, illumination levels and distribution patterns.

Prior to granting Conditional Use Approval or Site Plan Approval for land development, the VDRB shall find that the proposed project conforms substantially to the following general and specific standards:

1. Wherever practicable, lighting installations shall include timers, dimmers, and/or sensors to reduce overall energy consumption and eliminate unneeded lighting.
2. Electrical service to permanent outdoor lighting fixtures shall be underground unless the fixtures are mounted directly on utility poles.
3. Outdoor lighting installations shall be so designed to minimize glare, to limit direct light beyond the boundaries of the area being illuminated, particularly onto adjacent properties or streets, and to not result in excessive lighting levels.
4. Outdoor lighting fixtures shall be limited to recessed, shielded or fully cut-off fixtures so that the distribution of the light meets the Illuminating Engineering Society of North America (IESNA) standards for cut-off fixtures with a maximum initial lumen equivalent to a 150 watt incandescent bulb if the property is of historic value or within an historic setting or area.

property is of historic value or within an historic setting or area.

5. Outdoor lighting should include fixtures that reduce energy consumption through the use of energy efficient luminaries and the avoidance of high output luminaries.
6. In commercial or business districts or for all commercial or industrial uses, outdoor fixtures shall only be illuminated during the hours of operation, unless the VDRB finds that such fixtures are necessary to secure private property or are necessary to enhance public safety.

D. Parking Lot Lighting

In addition to the above general standards, the following specific standards shall apply to the lighting of parking areas:

1. Maximum mounting height: 18 feet
2. Maximum average illumination: 1.0 foot-candle
3. Minimum color rendering index: 30

E. Gasoline Station/Convenience Store Aprons & Canopy Lighting

In addition to the above general standards, the following specific standards shall apply to the lighting of gasoline station/convenience store aprons and canopies:

1. Areas on the apron away from the gasoline pump islands used for parking or vehicle storage shall be illuminated in accordance with the requirements for parking lots. If no gasoline pumps are provided, the entire apron shall be treated as a parking lot.
2. Maximum average illumination: 1.0 foot-candled
3. Lights shall not be mounted on the top or sides of the canopy and the sides of the canopy shall not be illuminated.
4. Light fixtures mounted on canopies shall be recessed so that the lens cover is recessed or flush with the bottom surface of the canopy and/or shielded by the fixture off the edge of the canopy so that light is restrained to no more than 85 degrees from vertical.
5. As an alternative or supplement to recessed ceiling lights, indirect lighting may be used where light is beamed upward and then reflected down from the underside of the canopy, provided that direct illumination is focused exclusively on the underside of the canopy.

F. Security Lighting

In addition to the above general standards, the following specific standards shall apply to security lighting:

1. All security lighting fixtures shall be shielded so that illumination is directed only onto the designated area and shall not be cast on other areas. In no case shall lighting be directed above the horizontal plane through the top of the lighting fixture and the fixture shall include shields that prevent the light source or lens from being visible from adjacent properties and streets.
2. Security lighting fixtures may be mounted on poles located no more than 10 feet from the perimeter of the designated secure area.

G. Building Facades Shall not be illuminated.

SECTION 513 FENCES

A permit (except in the Design Review District) is not required for a fence, or for a wall used as fence, if it complies with the following:

A. Shall not be higher than four feet in the front yard (as measured from original ground level).
B. Shall not be higher than six feet in all yards (as measured from original ground level) .
C. The good side of the fence shall face the neighbor.
D. An exception may be granted in special circumstances with Conditional Use Approval.

SECTION 514 HOME OCCUPATION

A. General

1. No regulation herein may infringe upon the right of any resident to use a minor portion of a dwelling for an occupation which is customary in residential areas and which does not change the character thereof nor create additional noise or nuisance.
2. Two Home Occupations per dwelling may be allowed provided that, combined, they occupy a minor portion of the building (as defined above) and do not change the character of the neighborhood. The total number of employees for both Home Occupations shall be limited to one (1), not including full time

residents of the household.

3. Outdoor storage and display is prohibited.
4. All Home Occupations except Subsection B. below require a Conditional Use Permit.

B. Exempt Home Occupation

1. A Home Occupation is exempt from these Regulations if it meets the following conditions:
   a. Not more than one employee in addition to the owner of the business.
   b. No clients on site.
   c. No signs.
   d. No deliveries.
   e. Office use only.

SECTION 515 LANDSCAPING/GRADING

Any addition, removal or redistribution of the soil in excess of 1,000 sq. ft. or nine (9) cubic yards, or substantial change in the grade of the land requires an Administrative Permit. Such activity shall not cause erosion, debris, and other material to flow into or fill any drainage course, body of water, street, or neighboring property.

A "before and after" plan shall be submitted with the Application. Excluded from permit requirements shall be grading and excavation necessary to implement an existing permit, including construction of a septic system and sewer lines, agricultural and forestry uses, driveway maintenance, and any grading necessary to repair damage caused by natural events or an Act of God.

SECTION 516 MOTOR VEHICLE REPAIR AND FILLING STATIONS

In Districts where motor vehicle repair and filling stations are permitted as conditional uses, they shall comply with the following:

A. Shall not be located within 300 feet of any lot occupied by a school, library, or religious institution.
B. Shall have adequate on-site space for six (6) vehicles waiting for service.
C. Shall have no more than two (2) access drives from the highway, with a minimum distance of 75 feet from the nearest (highway or road) intersection.
D. Open storage of material, equipment, and retired inoperable vehicles shall be screened from view by fencing or evergreen trees and shrubs. Artificial plants are prohibited for these screenings.
E. Shall maintain a buffer strip, at least 10 feet in depth, along all highways or road rights-of-way. The buffer strip shall be used only for a fence or the planting of trees, shrubs and flowers, and shall not obstruct visibility.
F. The total number of gas pumps shall be limited to four, serving no more than eight (8) vehicles at one time.

SECTION 517 OFF-STREET PARKING

For every building hereafter erected, altered, extended or changed in use, except in the Central Commercial or Residential/Office districts (see Subsection G.3&4 below), off-street parking spaces shall be provided as set forth below. A parking space shall be a minimum of nine (9) feet by eighteen (18) feet per car. A parking lot shall provide a minimum of 250 square feet of area per car to include access space.

In the case of mixed uses occupying the same building or structure, the total requirements for off-street parking areas shall be the sum of the requirements of the various uses computed separately.

A. Residential Uses
Shall have two parking spaces per residential dwelling unit.

B. Bed & Breakfast/Inns
Shall have one space per rental unit and per employee, and two spaces for the resident household.

C. Home Occupations
Shall be determined by the VDRB.

D. Places of Public Assembly/Restaurants/etc.
One parking space for every three seats, or capacity thereof, plus one space per employee vehicle.

E. Commercial and Business Uses
One parking space for every business and employee vehicle, plus one parking space for every two hundred square feet of floor area.

F. Industrial Uses
One parking space for every business and employee vehicle.

G. Special Requirements

1. Parking spaces for any number of nonconcurrent uses may be combined in one parking area, but the spaces required of one use may not be assigned to another, except upon approval by the VDRB. In exceptional circumstances, upon petition to the VDRB, the Board may waive or reduce any of the above-stated parking requirements. The petition shall prove to the Board either the Parking Requirements are not applicable or that parking needs can be met through other means.
2. Where any non-residential district or use abuts a residential district or use, the parking area shall not be closer than ten (10) feet to the property line of the residential district or use, and shall be adequately planted and screened from view; plant species shall be evergreen trees and shrubs.
3. The Parking Requirements noted above do not apply to the Central Commercial zone, however any new construction in the Central Commercial district may relocate but not eliminate existing parking spaces.
4. Office use in the Residential/Office district on Central Street shall not require parking spaces. There shall be no parking for office use on the rear of the lot. Office use in other Residential/Office districts shall require one parking space per 400 sq. ft. of office space.
5. Any parking area built within fifty (50) feet of the Ottauquechee River or the Kedron Brook shall require Site Plan Review.
6. There shall be no parking in front yards in the Light Commercial district.

SECTION 518 OUTDOOR DISPLAYS

A. General

Except as hereinafter provided, outdoor displays of goods for sale, other than farm produce, automobiles and farm equipment, shall be prohibited, except for the display of one item located immediately in front of the establishment. All items must be brought in at closing and no later than night fall. No items may be illuminated nor create a glare. No items shall obstruct public rights of way, sidewalks or parking areas.

B. Commercial/Light Industrial District

Hardware, feed stores and similar establishments (as determined by the VDRB) may display items as follows:

1. Only items that are normally used out-of-doors, excluding clothing apparel.
2. Display area is limited to 10% of the interior retail space, excluding storage areas.
3. Display area is restricted to one side of the building and (a) is not to exceed five (5) feet in width measured from the building's foundation edge, (b) is not to exceed 250 square feet and (c) shall comply with setback requirements.

C. Central Commercial District

Retail establishments with a patio or porch may display up to five (5) items representative of items for sale on said patio or porch. For purposes of these Regulations, a commercial patio or porch is at least 100 square feet in size per establishment. The display area shall not exceed a contiguous ten (10) square feet per establishment. Driveways, sidewalks, lawns, doorways and right of way areas may not be used for display purposes. Exceptions (one per year) may be granted by the Board of Trustees.

SECTION 519 SIGNS

A. General Rules and Limitations:

No outdoor sign shall be permitted which does not pertain to the use of the premises on which it is located, with the exception of temporary signs which give notice of a specific current event. An outdoor sign which pertains directly to the use of the premises on which it is to be located shall be considered incidental to such primary use and subject to the following requirements.

1. All signs shall be maintained in good condition and repair at all times.
2. All defunct signs shall be removed within ninety (90) days of cessation or abandonment of business.
3. Nonconforming signs shall be brought into conformance if removed for a period of more than one year.
4. All nonconforming interior signs shall be removed after one year from the adoption date of these regulations.
5. All signs not specifically allowed, are prohibited.
6. Signs shall be placed on the property side of sidewalks.
7. Types and placement of signs shall not obstruct or impede traffic visibility or otherwise cause a dangerous distraction.
8. Illuminated signs shall be shielded, with light precisely focused on the sign to avoid both illumination of

the night sky and creation of a dangerous distraction.

9. **Sign Requirements:**
   a. Free standing signs shall be located between three (3) and ten (10) feet above ground level.
   b. Wall signs shall not exceed the highest point of a building roof.
   c. Projecting signs shall not extend more than half the width of an adjoining public walkway to a maximum of three (3) feet and shall not be larger than ten (10) square feet in area. The lowest point shall not be less than nine (9) feet above the walkway nor the highest point including the bracket located above the sill of the second story window.
   d. Signage placed on an awning may only be placed on the valance.
10. **Prohibitions:**
   a. Flashing or moving signs.
   b. Internally-illuminated or neon-type signs.
   c. Signs which illuminate any part of a building such as a gable, roof, sidewalk, or corner.
   d. Illumination of signs after 11:00 P.M., with the exception of hotels, motels, Bed and Breakfasts, restaurants, and emergency facilities.
   e. Excessive illumination which constitutes a nuisance.
   f. Exception to (a) and (b): These provisions do NOT apply to traditional barber poles when displayed by licensed barbers which is expressly allowed.
11. **Signs and Changes in Signs Requiring an Administrative Permit:**
   a. All signs and any change in size or location of a sign, except those listed in Sections 519(A)(10), 519(B)(1)(e) and 519(C)(3). See 519(E) for Design Review signage restrictions.
   b. Interior signs affixed to or less than twelve inches away from a window, which are intended for view from the outside. Temporary (seven (7) days per calendar quarter) signs are exempt.
   c. Instructional Signs: are those whose sole purpose is instructional and which contain no commercial message. An Administrative Permit may be issued for up to two (2) instructional signs, provided neither exceeds two (2) square feet in size.
12. **Signs Not Requiring a Permit:**
   a. Temporary Signs:
   are those announcing current events, such as retail store sales, garage sales, auctions, church fairs, rummage sales, produce sales, blood bank collections, and polling places. Only one (1) sign, not to exceed twelve (12) square feet in size, may be displayed on the premises for a period not to exceed seven (7) days per calendar quarter. Retail signs shall be placed within the window. Non-profit organizations located in the Community district may place one temporary sign to advertise events for seven days not to exceed two events per month, same day event signs are exempt, only one sign permitted per property.
   b. Real Estate Signs:
   are those announcing property "for sale." One (1) sign per lot, not to exceed four (4) square feet, may be erected without a permit. One additional six inch insert placed within the sign frame is allowed.
   c. Contractor Signs:
   are those announcing a firm/individual actively engaged in construction on the property. One (1) sign per lot, not to exceed twelve (12) square feet in size, is allowed without a permit while construction is being diligently pursued.
   d. "Open" Banners:
   are flag-like signs for use by business establishments and display only the word "open." One (1) banner per lot or establishment, not to exceed 12 square feet, is allowed without a permit. Open Banners are NOT allowed for Home Occupations or home enterprises.
   e. Open / Closed Signs:
   are those which display only the words "Open" and/or "Closed." One such sign, not to exceed one (1) square foot in size, may be displayed per establishment, with the exception of Bed and Breakfasts.
   f. Home occupation, bed and breakfast and home businesses may have one additional "Open/Closed" or "Vacancy/No Vacancy" sign not to exceed 36 (36") square inches.
   g. Interior signs located more than 12" from window do not require a permit.
   h. Political signs may be placed no sooner than three weeks before an election and shall be removed the day after the election.

B. Commercial, Community and Inn Districts/Uses

1. **Size by Business Location and Type:**
   a. An individual ground floor business may have on premises:
      i. Up to two (2)affixed signs OR

ii. One (1) affixed plus either one projecting or one (1) free-standing sign (see below).
iii. **Maximum size per sign** is limited to fifty (50) square feet.
iv. **Total sign area** shall not exceed that determined by the following formula:
Linear feet of establishment's frontage multiplied by 0.8 feet.
For example, a store with 40 foot front (40' x 0.8' = 32 square feet) would be allowed a total of 32 square feet of sign area.

b. Businesses occupying other than ground floor may have on premises:
i. One (1) affixed or projecting sign not to exceed ten (10) square feet in size, and
ii. An affixed ground floor entry sign, not to exceed two (2) square feet in size.
iii. Total signage for multiple businesses (3 or more) shall be no more than twenty (20) square feet. There shall be no more than two separate signs. Each sign shall not exceed ten (10) square feet.

c. An off-street shopping plaza or mall may have one (1) free-standing Directory Sign, not to exceed fifty (50) square feet. No other free standing sign is allowed.
i. Each business within the plaza or mall may have a sign within the Directory, all of which shall be equal in shape and size, which is not to exceed three (3) square feet.

d. Restaurants will be allowed one menu board sign not to exceed two (2) square feet including the frame.

e. A site with multiple businesses may place a freestanding directory sign. Shall not exceed 10 square feet in Central Commercial zone and 20 square feet in all other commercial zones. Shall be placed on private portion of property. Shall not hinder pedestrian movement or sight distances. Shall be counted as one of the two signs allowed per regulations, the other sign shall be mounted on the facade.

f. Business identification (logo) signs, two maximum, shall not exceed 36 square inches and shall be permanently affixed to the entrance door(s).

2. **Size and Placement by Sign Type:**
a. Free-standing signs:
i. Shall be located between three (3) feet and ten (10) feet above ground level.
ii. Size is limited to ten (10) square feet in the Central Commercial and twenty (20) square feet in all other Commercial and Community districts.
iii. Free-standing and directory signs, shall require Site Plan Review Approval, and Design Review Approval if illuminated.
iv. There shall be only one free-standing sign per property.

C. Residential Districts

1. Only affixed, freestanding or projecting permanent signs are permitted and shall not exceed two (2) square feet in size. Projecting signs shall not extend more than three (3) feet from the building. All signs must be less than ten (10) feet above ground level.
2. Home Occupations shall have only one (1) sign not to exceed two (2) square feet. Two Home Occupations in one structure may have a total signage of no more than three (3) square feet. Home occupations with frontage on Route 4 are allowed one sign not to exceed four (4) square feet.
3. Items such as house dates and names do not require a permit if affixed and do not exceed one (1) square foot in size.
4. Uses located in the Residential Office zone shall have only one (1) sign not to exceed two (2) square feet. Where more than one use is located within the same structure such uses may have one additional sign provided that the total sign area does not exceed three (3) square feet.

D. Agricultural Uses

Permanent signs shall not exceed eight (8) square feet in size and shall not be located more than ten (10) feet above ground level from its highest point as measured from the base of the post.

E. Design Review District

All illuminated signs in these districts shall be reviewed by the Design Review Board. Refer to Sections 405.

SECTION 520 SPECIAL CARE FACILITY

A state licensed or registered residential care home or group home, serving not more than eight persons who are developmentally disabled or physically handicapped, shall be considered by right to constitute a permitted single-family residential use of property, except that no such home shall be so considered if it locates within 1,000 feet of another such home - Section 4412 of the Act. Special care facilities not exempted by the above shall require a Conditional Use permit.

SECTION 521 SUBSURFACE DISPOSAL OF SEWAGE

Municipal sewer hookup is required unless structure is more than one thousand (1000) feet from the sewer line in which case a State-approved septic system may be required. Sewer connection permits, where applicable, must be granted by the municipality before any permit is issued to construct a new structure or for any change of use.

SECTION 522 SHORT-TERM RENTALS

Short-term rentals in all districts require a permit. The following provisions shall apply to ensure that the commercial use of residential property does not adversely affect the neighborhood in which short-term rentals are located.

A. Conditional Use Approval is required for rental periods of fewer than thirty days.
B Short-term rentals are allowed no more than six times a calendar year, excluding foliage season.
C. All associated parking shall be on site.
D. Garbage service shall be provided and garbage containers shall be maintained out of sight.
E. Notice to renters of regulations pertaining to parking, garbage, noise, parties etc. shall be visibly displayed in the dwelling.
F. Name, address and telephone number of a manager shall be filed with the application and kept up to date.
G. Prohibitions
    1. Parties and/or catered events etc.
    2. Signs and other outside indications that dwelling is used as a short-term rental.
    3. Outdoor activities between 9 PM and 7 AM.
H. A change in ownership shall require a new permit.
I. Exception: No permit is required during foliage season (September 15 - October 21) if the owner or primary tenant is in residence throughout the rental period and provisions C., D., E. & G. above are met.

SECTION 523 TEMPORARY RAMP

A temporary ramp, based on emergency need, may be placed for a sixty day period without permit. An extension may be granted for an additional 30 days if warranted. Ramps placed longer than this shall require permit. The ramp shall be placed in a manner that allows for easy removal without damage to the main structure.

ARTICLE VI. GENERAL REGULATIONS

SECTION 601 CORNER LOTS

Structures on corner lots have two (2) front yards; the front setback requirements of the District applies to both street frontages. Other than these two areas, other yards surrounding the building shall be deemed to be a rear and side yard.

SECTION 602 DIVISION OF LOTS

No lot shall hereafter be subdivided into two or more lots unless all lots resulting from such division conform with all the applicable regulations of the zoning district in which the property is located.

SECTION 603 EXISTING SMALL LOTS

Any lot in individual, separate and non-affiliated ownership from surrounding properties in existence at the time zoning was adopted (2/14/77) may be developed for the purposes permitted in the District in which it is located. This provision also applies to lots not conforming to minimum lot size requirements if such lot is not less than one-eighth acre in area and has a minimum width or depth dimension of forty (40) feet. Nothing in this Section shall be construed so as to prevent the sale and transfer of such a lot. All lots shall comply with Section 4406(1) of the Act. See Section 607 below.

SECTION 604 HEIGHT EXCEPTIONS

The height limitations of these Regulations shall be waived for barns and silos in the Residential Three Acre zone, spires, belfries, steeples, cupolas, chimneys in all zones.

SECTION 605 LOT LINE ADJUSTMENT

A lot line adjustment requires an Administrative Permit. A certified survey is required of both the land to be transferred and the remaining land, UNLESS the remainder is more than three times the minimum lot size of the district. The transferred land shall be made a part of the receiver's deed and shall not be considered a separate lot.

SECTION 606 NONCONFORMING USES and NONCONFORMING STRUCTURES

Any nonconforming use or nonconforming structure existing prior to February 14, 1977, and all uses that in the future do not conform by reason of any subsequent amendment to these Regulations may be continued subject to the following provisions:

A. Nonconforming Use:

1. A nonconforming use may be changed and/or expanded to another nonconforming use with the approval of the VDRB, but only to a use which is of the same or a more conforming nature. A more conforming use is one that more closely approximates the approved uses in that zoning district. The use shall not expand by more than twenty-five (25) percent within a five year period. Any change or expansion of use requires a Conditional Use permit.
2. If a nonconforming use has been terminated, it may be reestablished within six (6) months. After this six (6) month period, a nonconforming use may be reestablished within twelve (12) months following its discontinuance only with VDRB approval. In their review, the VDRB shall consider the criteria listed below in "B.1".

B. Nonconforming Structure

1. A nonconforming structure shall not be moved, enlarged, altered, extended or reconstructed without prior review from the VDRB, except that nonsubstantial changes which will clearly not increase or extend the noncompliance of the structure may be permitted by the Administrative Officer. In their review process, the VDRB shall consider the following:
   a. That the proposed changes do not impinge upon a public right-of-way that adjoins or crosses the lot on which the structure exists,
   b. That the proposed change create no danger to the public safety through traffic access, flow, and/or circulation,
   c. That the proposed change be in character with the traditional settlement and construction patterns of the area in which it exists, and
   d. That the proposed change not create an unreasonable infringement upon land uses in the immediate neighborhood.

2. If a nonconforming structure is destroyed, it may be rebuilt and the nonconforming use may be reestablished if started within one (1) year. Extension of this time period requires approval of the VDRB. If a nonconforming structure is located in a Flood Hazard Area and is destroyed by flood, it shall not be rebuilt, except in conformance with these Regulations as a new development within a Flood Hazard Area. If not located within a Flood Hazard Area and if destruction is caused by a natural event, the time period to start construction or to reestablish the use is extended to two years.

SECTION 607 OPEN STORAGE

The open storage of materials and equipment shall be screened from view by fences or evergreen trees or shrubs of a minimum height of five (5) feet. This screening provision is a continuing condition and responsibility of the owner.

SECTION 608 PERFORMANCE STANDARDS

In all Districts, uses shall meet State air and water pollution standards and shall not exceed the following standards, which are to be measured at individual property lines. The VDRB, under its powers of Site Plan Review, and VDRB Conditional Use Review, shall decide whether these standards are met:

A. Emit noise in excess of 70 decibels, dba scale, of a standard sound meter.
B. Emit odor which is considered offensive. Agricultural uses are exempt.
C. Emit dust or dirt which is considered offensive.
D. Emit smoke in excess of Ringlemann Chart No. 2.
E. Emit noxious gases which endanger health, comfort, safety. or welfare of any person, or have a tendency to cause injury or damage to property, business or vegetation.
F. Cause, as a result of normal operations, a vibration which creates a displacement of 0.003 of one inch at the property line.
G. Create glare by lighting or reflection of materials.
H. Cause a fire, explosion or safety hazard.
I. Cause harmful waste to be discharged into sewer, streams, or bodies of water, or to be stored on said property.

SECTION 609 PROHIBITED USES

The following uses shall be prohibited in all zoning districts:

A. Slaughterhouse
B. Rendering plant
C. Fertilizer plant
D. Public sidewalk displays
E. Excavation of sand, gravel, & minerals
F. Drive-through food service establishment
G. Free-standing retail stand
H. Race track
I. Outdoor movie
J. Outdoor Furnace
K. Junk yard
L. Commercial dump
M. Windmills
N. Trailer and mobile or home sales and service

SECTION 610 PUBLIC USE LIMITATIONS

A. The following uses may be regulated only with respect to location, size, height, building bulk, yards, courts, setbacks, density of buildings, off-street parking, loading facilities, traffic, noise, lighting, landscaping, and screening requirements, and only to the extent that regulations do not have the effect of interfering with the intended functional use:
1. State or community-owned and operated institutions and facilities.
2. Public and private schools and other educational institutions certified by the State Department of Education.
3. Churches and other places of worship, convents, and parish houses.
4. Public and private hospitals.
5. Regional solid waste management facilities certified under 10 V.S.A. chapter 159.
6. Hazardous waste management facilities for which a notice of intent to construct has been received under 10 V.S.A. § 6606a.

B. A bylaw under this chapter shall not regulate public utility power generating plants and transmission facilities regulated under 30 V.S.A. § 248.

C. Except as otherwise provided by this section and by 10 V.S.A. § 1976, if any bylaw is enacted with respect to any land development that is subject to regulation under state statutes, the more stringent or restrictive regulation applicable shall apply.

D. Zoning permits to develop land of the types or locations designated in § 4413 of the Act may not be granted until thirty (30) days after a report has been filed with the appropriate State Agency describing the proposed use and location, and an evaluation of how the proposed use affects both the Plan and the regional plan.

SECTION 611 REQUIRED FRONTAGE ON OR ACCESS TO PUBLIC ROADS

Except as hereinafter provided, no land development may be permitted on lots which do not have frontage on a public road. Notwithstanding the foregoing, with the approval of the VDRB, the minimum frontage requirement as set out in Section 300 may be satisfied by the existence or creation of a permanent easement or right of way at least 20 feet in width.

In the VDRB's review of the access road the following shall be taken into consideration: 1) drainage and culvert placement, 2) erosion control, 3) emergency vehicle access, and 4) site distance where the access road intersects a public road. The finished grade shall not exceed a 10% slope.

In a situation where a lot is to be developed that does not have frontage on a public road, the front setbacks shall be measured from the centerline of the right of way or lot line, whichever is the closest to the structure or use.

SECTION 612 SUBDIVISION

A. All lots created by or resulting from subdivision shall conform to all regulations governing the zoning district in which the property is located.

B. All subdivisions require a Conditional Use permit.

C. **Driveways:** During Subdivision Review, where the driveway is more than 500 feet in length, the Development Review Board shall condition approval on: a driveway grade of 10% or less, and
1. placement of a ten foot wide turnout every 500 feet along said driveway, or
2. exceptions that are recommended by the Fire Chief.

ARTICLE VII. ADMINISTRATION AND ENFORCEMENT

SECTION 701 ADMINISTRATIVE OFFICER

An Administrative Officer shall be appointed by the Planning Commission, with the approval of the Trustees, for a term of three years, to administer these Regulations as provided for in Section 4448 of the Act.

The Administrative Officer shall administer these Regulations literally, and shall not have the power to permit any land development which is not in conformance with these Regulations. The Administrative Officer may be removed for cause at any time by the Planning Commission, with approval of the Trustees.

SECTION 702 ACTING ADMINISTRATIVE OFFICER

The Planning Commission may appoint, with the approval of the Trustees, an acting Administrative Officer who shall have the same duties and responsibilities as the Administrative Officer in his/her absence.

SECTION 703 PLANNING COMMISSION

The Planning Commission shall be appointed jointly by the Selectmen and Trustees. It shall consist of 5 to 9 members. One member each of the Selectmen and Trustees shall be non-voting ex-officio members, and they shall not be so counted in the membership total. Rules concerning membership, terms, vacancies, etc. are further elucidated in Section 4321 thru 4328 of the Act.

SECTION 704 DEVELOPMENT REVIEW BOARD

A Development Review Board shall be appointed by the Trustees in accordance with the provisions of Section 4460 of the Act. It shall consist of 5 to 7 members. Rules of procedure, powers, nature of appeals, conditions for variance relief, conditional use, and all other matters pertaining to the VDRB shall be in accordance with Subchapter 8 of the Act.

Hearings on appeals and Conditional Use Permits shall be held within 60 days of the date of filing of a complete application as determined by the Administrative Officer. The VDRB shall give public notice of hearings and shall mail to the applicant a copy of such notice at least 15 days prior to the hearing date. Notices of the hearing shall also be sent to the owners of land immediately adjacent to and across the road from the property in question.

The VDRB may require as a condition of approval the filing of as-built plans.

SECTION 705 CONSERVATION COMMISSION

The Conservation Commission shall be appointed jointly by the Selectmen and Trustees in accordance with Section 4501 and 4502 of the Act. It shall consist of 5 to 9 members. Said commission shall provide the Planning Commission and the VDRB environmental evaluations, where pertinent, of applications for zoning permits made to those bodies and assist in formulating Town and Village Plans.

SECTION 706 DESIGN REVIEW BOARD

The Design Review Board shall be appointed by the Trustees in accordance with Section 4414 of the Act. Said Board shall assist the VDRB in administering the provisions contained in Section 405. The Board shall consist of 3 to 5 members appointed to three year staggered terms, not to include alternate members. Two alternate members may be appointed to substitute for vacationing or ill members when the need arises. Although applications for membership will be accepted from both Town and Village residents, Village residents will be given preference during the first 45 days of the selection process.

The board shall keep a written record of its discussions, resolutions and transactions, which shall be maintained as a public record of the municipality.

SECTION 707 ZONING PERMIT

No land development may be started unless a zoning permit has been duly issued by the Administrative Officer, as provided in Section 4449 of the Act.

A. The fees for zoning permits shall be established by the Board of Trustees.
B. All zoning permits issued must be in conformance with these Regulations.
C. Applications for permits shall be acted on within 30 days upon receipt of a completed application upon determination by the Administrative Officer.

D. Within 3 working days of issuance: 1 copy shall be posted in a public place; 1 copy shall be given to the Listers.

E. Notice of all permits issued shall be published within fourteen (14) days in the newspaper of record as designated by the Trustees.

F. The zoning permit shall not take effect for a period of 15 days in the case of an Administrative Permit and 30 days in the case of a board decision from the date of signature, during which time appeals from the decision may be filed.

G. The zoning permit shall be in effect for a period of (12) months. If during that time no diligent progress in construction has taken place, the permit will no longer be valid and a new permit must be applied for. In the case of a subdivision or a lot line adjustment, recording the final plat with the Town Clerk's Office constitutes compliance with this Section.

H. Land development shall not commence until a zoning permit card issued by the Administrative Officer is prominently displayed in a position visible from the road to remain until development is completed.

I. Any misrepresentation or incomplete representation of information can result in the postponement of the start of the legal time period for permit review.

J. Upon commencement of work within twelve (12) months and thereafter diligently pursued the permit shall vest.

SECTION 708 APPLICATION INFORMATION

A. Administrative Permit applications shall include but not be limited to the following information:

1. SUBDIVISION: (see Section 613)
    a. Survey map showing lots and access rights of way, if any.
    b. Town of Woodstock confirmation of sewer connection potential.
2. SINGLE-FAMILY AND TWO-FAMILY DWELLING:
    a. Building footprint with dimensions.
    b. Site plan (location of all existing and proposed structures on lot with setbacks indicated).
    c. Elevation drawing (showing all sides of building).
    d. Driveway access permit (issued by Board of Trustees).
    e. Town of Woodstock confirmation of sewer connection.
3. ACCESSORY STRUCTURE:
    a. Building footprint with dimensions.
    b. Site plan (location of all existing and proposed structures on lot with setbacks indicated).
    c. Elevation drawing (showing all sides of building).
4. LOT LINE ADJUSTMENT: Survey of parcels involved (see Section 605).
5. SIGNS:
    a. Drawing of sign with dimensions.
    b. Site plan with proposed sign location and establishment's linear frontage.
6. LANDSCAPING/GRADING: A before and after site plan.
7. One set of drawings shall be submitted in an eight and one-half inch by eleven (8 ½ x 11) inch format.

B. Every zoning application for a Conditional Use Permit, Variance, or Site Plan Review shall include the following plans and supporting information:

1. Name and address of owner of record.
2. One set of **map**(s) showing the location of the site within the community, including existing roads and highways, adjacent land uses, and a statement including the name and address of the owner of record of the property at issue.
3. One **site plan**, drawn at an appropriate scale, illustrating the overall proposed site development, including the location of proposed buildings in and adjacent to the site, including the location of streets, driveways, parking and loading areas, traffic circulation patterns, loading docks, pedestrian paths and walks, and landscaping.
4. Construction sequence and time schedule for completion of each phase of building, parking spaces, and landscaped areas of entire development.
5. One set of plans shall be submitted in an eight and half inch by eleven inch (8 ½ x 11) format.

C. Before the use is approved, the VDRB may require, without limitation, that any of the following additional information be submitted and certified by a person licensed in the State of Vermont:

1. A property survey with percolation site and alternate septic field.

2. A grading and drainage plan.
3. A topographic map.
4. A traffic and circulation plan.
5. A planting plan.

D. The VDRB shall act to approve or disapprove a site plan within 45 days of close of testimony; failure to act within such period shall be deemed approval.

SECTION 709 SITE PLAN APPROVAL

A. No zoning permit shall be issued by the Administrative Officer for any commercial, industrial, public and quasi-public use, multi-family dwelling (three (3) units or more), subdivision of three (3) lots or more, until the VDRB grants Site Plan Approval. Site plan approval is not required for Central Commercial District projects where no exterior changes are proposed.

B. In considering its action, the VDRB shall review the application information required under Section 708, taking into consideration the following objectives:

1. The maximum safety of vehicular and pedestrian circulation between the site and street network and adjacent traffic generators.
2. The adequacy and safety of circulation, parking and loading facilities.
3. Adequacy of landscaping, screening, and setbacks in regard to achieving maximum compatibility and protection of adjacent properties.
4. The avoidance of glare.
5. The adequacy of surface drainage facilities.
6. The protection of the utilization of renewable resources and natural resources.
7. The provision of municipal services.

C. The VDRB shall conform to the requirements of Section 4416 of the Act before acting on any application and shall impose appropriate conditions and safeguards only with respect to the above objectives. Such conditions may include, but are not be limited to, the following:

1. Limiting the number and nature of access points to a site from adjacent public highways.
2. Requiring fencing and/or plantings to screen outdoor lighting, outdoor storage areas, driveways, and parking from adjacent residential properties.
3. Requiring installation of surface drainage facilities to mitigate and control the runoff from parking areas and hard surfaces.
4. Requiring an as-built plan.

SECTION 710 CONDITIONAL USE

A. Any use and/or structure which requires a Conditional Use Permit shall not be granted a zoning permit by the Administrative Officer unless the VDRB determines that the proposed use shall conform to the general standards prescribed in these Regulations by not unduly adversely affecting:

1. The capacity of existing or planned community facilities.
2. The character of the area affected.
3. Traffic on roads and highways in the vicinity.
4. By-laws then in effect.
5. Utilization of renewable energy resources.
6. Promotion of use of existing buildings through adaptive re-use.

In addition, the VDRB shall find that the proposed use and/or structure adequately meets such specific standards with respect to:

1. Minimum lot size.
2. Distance from adjacent or nearby uses.
3. Minimum off-street parking and loading facilities.
4. Landscaping and fencing.
5. Design and location of structures and service areas.
6. Size, location, and design of signs.
7. Access and circulation.

B. In granting or denying a Conditional Use Permit, the procedures followed by the VDRB shall be in accordance with Section 4414 (3) of the Act.

C. As a condition of permitting a conditional use, the VDRB may attach such additional reasonable conditions and safeguards as it may deem necessary to implement the purposes of the Act and these Regulations.

D. Except as otherwise provided in Section 606, a change in use, expansion or contraction of land, area, or alteration of structures or uses which are designated as a conditional use within the district in which they are located and are existing therein, prior to the effective date of zoning regulation, shall conform to all regulations herein pertaining to Conditional Uses and shall not be commenced unless and until a permit is issued by the VDRB for such change, expansion, construction or alteration under Section 715.

E. The effective date of a zoning permit issued as a conditional use shall be thirty (30) days from the date of issuance, during which time, appeals from the decision may be filed; in which case, the result of the appeal shall determine the outcome.

SECTION 711 BOND TERM AND FORFEITURE

A performance bond or other surety may be required by the Development Review Board pursuant to Site Plan or Conditional Use Review. The amount, term and conditions of forfeiture shall be stated in the decision which requires the surety and shall be reflected in the surety contract. The surety contract shall be filed with the Town Clerk and shall be satisfactory to the legislative body as to form, sufficiency and manner of execution.

SECTION 712 INSPECTIONS

The Administrative Officer (or designee) shall have the right to make such inspections, at reasonable times as are necessary to assure compliance with these Regulations.

SECTION 713 CERTIFICATE OF OCCUPANCY

All change of use, new construction, substantial improvement or permits upon determination by the Development Review Board shall require a Certificate of Occupancy before such use is authorized. Said Certificate of Occupancy shall show that the premises comply with all applicable provisions of these Regulations and the permit as granted.

Said Certificate of Occupancy shall be granted or denied within fourteen (14) days after written notice of completion by the applicant to the Administrative Officer, and shall remain in effect as long as such building or use is in compliance with the standards and conditions authorized by the zoning permit. Applicant shall have the right to occupy said premises if Administrative Officer does not respond within the fourteen (14) day period. But this shall not be conclusive evidence that the premises comply with the provisions of these Regulations.

If the Administrative Officer, after such final inspection, refuses to issue a Certificate of Occupancy, he shall state such refusal and cause therefore in writing and immediately mail notice of such refusal to the applicant at the address indicated on the application. Appeals from decisions of the Administrative Officer shall be taken to the VDRB under Section 717 of these Regulations. Neither the Village nor the Administrative Officer is responsible for any Certificate of Occupancy issued in good faith after a reasonable inspection.

Owner-builders may apply for a temporary Certificate of Occupancy, to be reviewed annually, which will allow occupancy in the structure until completion of construction. In certain circumstances, to be determined by the Administrative Officer, a Conditional Certificate of Occupancy may be issued.

SECTION 714 VIOLATIONS AND PENALTIES

Violations of these Regulations shall be regulated as prescribed in Sections 4451 and 4452 of the Act.

SECTION 715 VARIANCES

A. The VDRB may grant a variance from the provisions of these Regulations pursuant to 4469 of the Act if all the following facts are found by the VDRB and such findings are specified in its decision:

1. That there are unique physical circumstances or conditions including irregularity, narrowness, or shallowness of lot size or shape, or exceptional topographical or other physical conditions peculiar to the particular property, and that the unnecessary hardship is due to such conditions, and not the

circumstances or conditions generally created by the provisions of these Regulations in the neighborhood or district in which the property is located.

2. That because of such physical circumstances or conditions, there is no possibility that the property can be developed in strict conformity with the provisions of these Regulations and that the authorization of a variance is therefore necessary to enable the reasonable use of the property.
3. That such unnecessary hardship has not been created by the appellant.
4. That the variance, if authorized, will not alter the essential character of the neighborhood or district in which the property is located, nor substantially or permanently impair the appropriate use of development of adjacent property, not be detrimental to the public welfare.
5. That the variance, if authorized, will represent the minimum variance that will afford relief and will represent the least modification possible of these Regulations and the Plan.

B. In granting a variance under this Section, the VDRB may attach such conditions to such variance as it may consider necessary and appropriate under the circumstances to implement purposes of these Regulations, the Plan or the Act.

C. The effective date of a zoning permit issued as a variance shall be thirty (30) days from the date of issuance, during which time, appeals from the decision may be filed; in which case, the result of the appeal shall determine the outcome.

SECTION 716 DEVELOPMENT REVIEW BOARD LIMITATIONS

Except as specifically provided herein, the VDRB may not amend, alter, invalidate or affect the Plan or by-law of the municipality or the implementation or enforcement thereof, or allow any use not permitted by these Regulations.

SECTION 717 APPEALS FROM DECISIONS OF ADMINISTRATIVE OFFICER

In accordance with Section 4465 of the Act, an interested person may appeal any decision or act taken by the Administrative Officer by filing notice of appeal with the clerk of the VDRB. If the appeal is taken with respect to a decision or act of an Administrative Officer, such notice of appeal must be filed within fifteen (15) days of the date of such decision or act, and a copy of the notice of appeal shall be filed with such officer.

If the Administrative Officer fails to act with regard to an application for a permit, within thirty (30) days, a permit shall be deemed issued on the 31st day.

SECTION 718 APPEALS FROM DECISION OF VILLAGE DEVELOPMENT REVIEW BOARD

An interested person may appeal a decision of the VDRB within 30 days of signature of the notice of decision to the Environmental Court in accordance with Section 4471of the Act.

SECTION 719 PUBLIC NOTICE

Any public notice required for public hearing under these Regulations shall be given by the publication of the date, place and purpose of such hearing in a newspaper of general circulation in the municipality, and the posting of a notice in three or more public places within the municipality not less than fifteen (15) days prior to the date of the public hearing.

Where such hearing is called in reference to any amendment of these Regulations or any other matter relating to written material, such public notice shall include either the full text or a brief summary describing the principal provisions and a reference to a place within the municipality where copies of the proposed material may be examined.

Woodstock, Vermont *The Shire Town of Windsor County*

TOWN-VILLAGE MANAGER GOVERNMENT

Town Hall • P.O. Box 488 • Woodstock, Vermont 05091 • 802/457-3456

Village Zoning Regulations
Amendments (underlined items)
Adopted by Board of Trustees - April 8, 2014

SECTION 109 DEFINITIONS

INN ANNEX - The use of an existing building or structure intended for guest occupancy or related activities, the use of which is subordinate to the principal use being an Inn situated within the District and under the same ownership of the principal use.

SECTION 311 INN (INN) Two Acres

A. Purpose: To provide a designation for hotels/inns.

B. Uses Not Requiring a Permit:

1. Agriculture.
2. Exempt home occupation. (See Section 514)

C. Uses Requiring an Administrative Permit:

1. Single-family dwelling.
2. Structures accessory to a single-family dwelling.
3. Two-family dwelling.

D. Uses Requiring a Conditional Use Permit.

1. Detached apartment. (See Section 510)
2. Multi-family dwelling.
3. Public and quasi-public building..
4. Public utility.
5. Home occupation. (See Section 514)
6. Special care facility (See Section 520)
7. Day care facility (See Section 508)
8. Private and public parking. (See Section 517)
9. Bed and breakfast. (See Section 504)
10. Inn.
11. Inn Annex.
12. Accessory uses to an inn.
13. Subdivision. (See Section 612)

E. General Requirements:

1. Shall have a minimum of 10 guest rooms.
2. Retail shop permitted conditioned on the following:
   a. Shall not exceed 800 square feet.
   b. Shall be located only within the main structure.
3. Restaurant permitted conditioned on the following:
   a. Kitchen shall be licensed by the State of Vermont.
   b. Dining room shall be separate from kitchen and living areas.
   c. Shall be located only within the main structure.

d. May be open to the public, but shall abide by all applicable provisions of these Regulations.

e. Maximum capacity of three (3) seats per guest room.

4. Inn Annex (to allow guest accommodations outside of the main inn building)

a. Shall be part of and under control of an existing inn.

b. Shall maintain residential character.

c. Off-street parking shall be required for all guest units.

d. Retail, restaurant, or conference center uses are not permitted.

5. Expansion requires Conditional Use Approval following Site Plan Approval by Planning Commission.

F. Land, Area, and Structural Requirements:

1. Minimum Lot Area: 2 acres.
2. Minimum Lot Frontage: 150 feet. (See Section 611)
3. Minimum Front Setback: 50 feet from street centerline.
4. Minimum Side Setback: 25 feet.
5. Minimum Rear Setback: 25 feet.
6. Maximum Building Height: 35 feet.
7. Buffer Strip Requirements: (See Section 506)
8. Parking Requirements: (See Section 517)

SECTION 522 SHORT-TERM RENTALS

Short-term rentals in all districts require a permit. The following provisions shall apply to ensure that the commercial use of residential property does not adversely affect the neighborhood in which short-term rentals are located.

A. Conditional Use Approval is required for rental periods of fewer than thirty days.

B. Short-term rentals are allowed no more than six times a calendar year, excluding foliage season.

C. All associated parking shall be on site.

D. Garbage service shall be provided and garbage containers shall be maintained out-of sight.

E. Notice to renters of regulations pertaining to parking, garbage, noise, parties etc. shall be visibly displayed in the dwelling.

F. Name, address and telephone number of a manager shall be filed with the application and kept up to date.

G. Prohibitions

1. Parties and/or catered events etc.
2. Signs and other outside indications that dwelling is used as a short-term rental.
3. Outdoor activities between 9 PM and 7 AM.

H. A change in ownership shall require a new permit.

I. Exceptions:

1. No permit is required during foliage season (September 15 - October 21) if the owner or primary tenant is in residence throughout the rental period and provisions C., D., E. & G. above are met.
2. Permitted use as an inn annex.

Section 524 Inn

Notwithstanding that the Inn Zoning District boundaries are depicted on the Base Zoning District Map, an Inn is not a permitted use within the area generally described as land on the easterly side of South Street, southerly of Cross Street and northerly of the Community District (COM). All other uses as listed under Section D of Section 311 are permitted within this area.

Zoning Map

Rezone the South Block (tax parcels: 23.56.43., 23.56.44., 23.56.45., 23.56.46., 23.56.47., 23.56.48., and 23.56.52.) from Residential Medium Density to Inn District.

Village Zoning

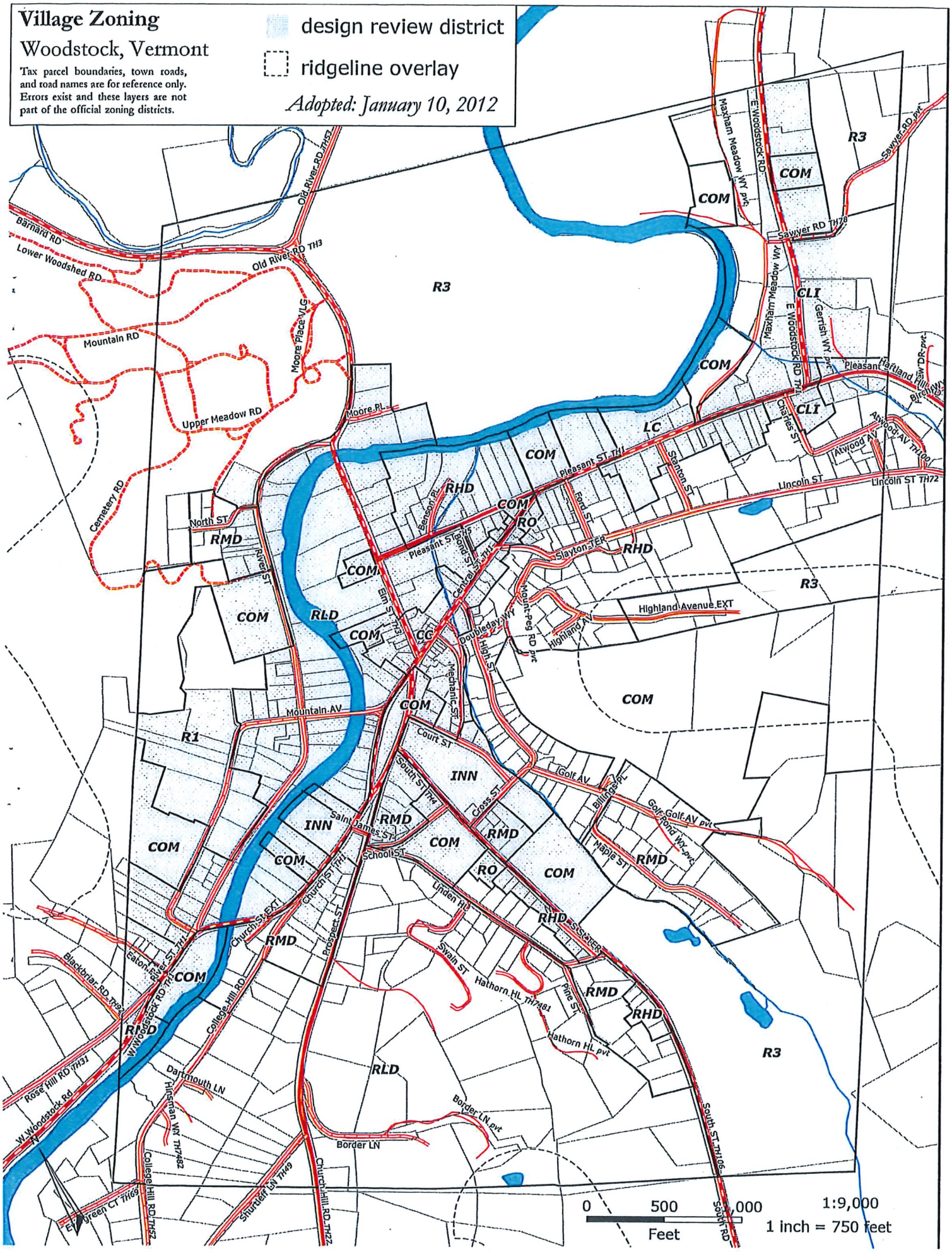
Woodstock, Vermont

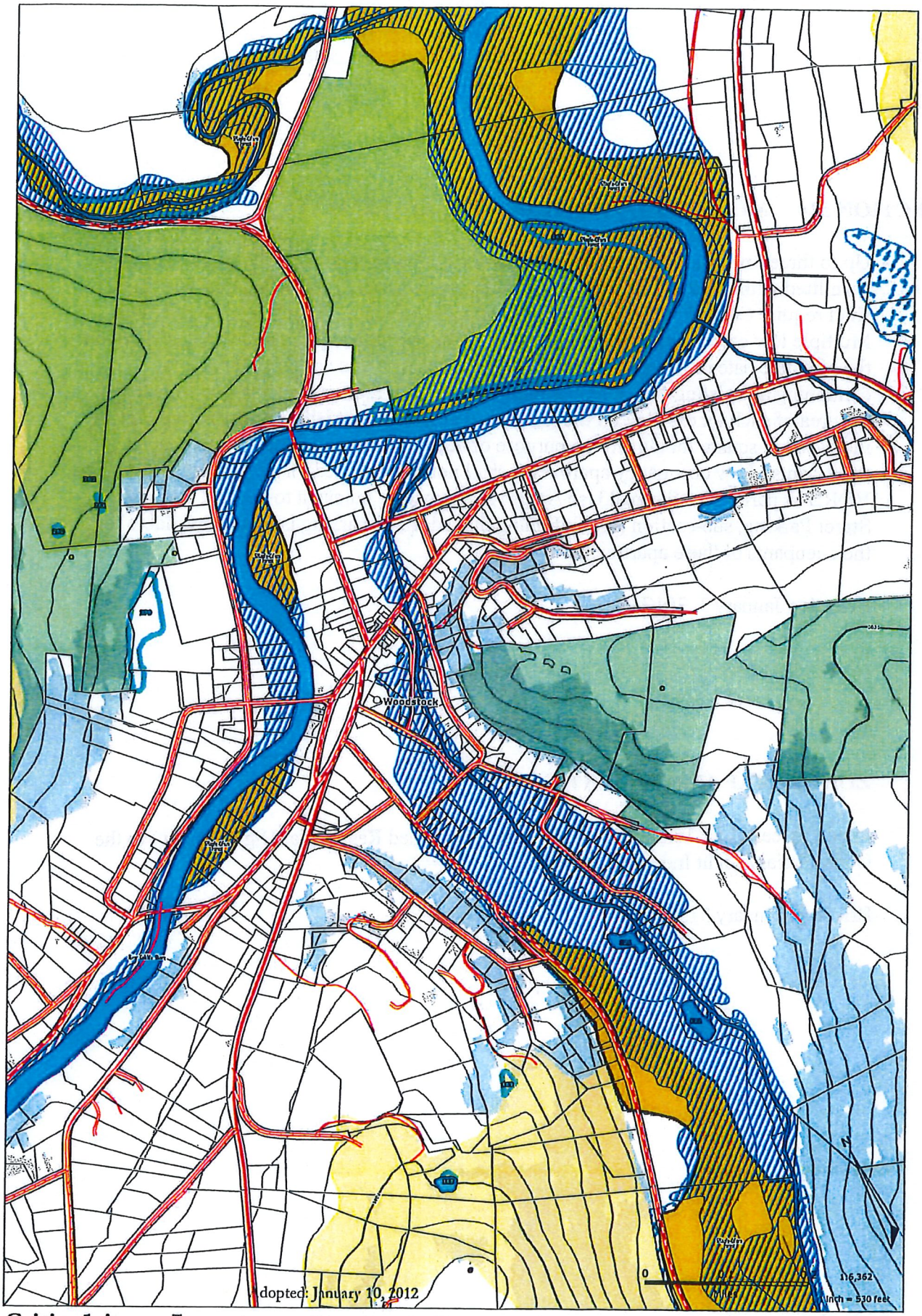
Tax parcel boundaries, town roads, and road names are for reference only. Errors exist and these layers are not part of the official zoning districts.

design review district

ridgeline overlay

Adopted: January 10, 2012





Critical Areas Inventory Woodstock, Vermont

- 100 yr flood plain
- 500 yr flood plain
- hydric soils
- 50' contour
- >25% slope
- 10" or less soil to bedrock and 15% or more slope
- Jefferson Salamander Sites
- Rivershore S1
- Swamps Floodplain Forests Fens S2
- vernal pool point locations with approximate 50' buffer
- wetlands from 2004 Arrowood Environmental Report
- VT Significant Wetland Inventory (VSWI): These data include both NWI and VANR Class II 3 acre min. mapping unit includes a 50' buffer. Refer to the VANR-DEC, Water Quality Division, Wetlands Section, Wetlands Coordinator for official determinations. (802) 241-3770

Two Rivers Ottauquechee Regional Commission
GIS Service Center
www.trorc.org

SECTION 524 MULTIPLE LOW OCCUPANCY APARTMENTS

Up to three low occupancy apartments (for a cumulative total of six bedrooms) may be permitted within the Commercial/Light Industrial District. Low occupancy apartments shall require Conditional Use Approval pursuant to Section 710 of these Regulations. Multiple low occupancy apartments shall only be permitted within structures existing on the effective date of this provision. For the purposes of this use only, for any lot containing an existing structure, the minimum lot area requirement shall be considered the area of such lot existing on the effective date of this provision. No structure may be increased in square footage to the purpose of accommodating multiple low occupancy apartments. Low occupancy apartments shall not be permitted for new construction. The VDRB as part of Conditional Use Approval may waive pursuant to Section 521 Off-Street Parking, sub-section (H) on finding that adequate parking is readily available for the occupants of these apartments.

Effective January 3, 2017

ZONING MAP AMENDMENT:

to add parcel 21.52.16. and 21.53.20. (currently zoned Residential High Density) to the Commercial / Light Industrial district.

Effective January 31, 2017

VILLAGE ZONING REGULATIONS
Design Review Amendments
Approved by Board of Trustees
May 12, 2015

From Definitions:
DESIGN REVIEW DISTRICT: A Design Control District as created under 24 VSA 4414; an area compromising 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 plantings, can significantly alter the continuity of this character. New construction, additions and alterations shall be complementary to the configuration of existing buildings and streetscape, which 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.

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 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 structures shall be considered in relation to the height of existing neighboring buildings.
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 shall be considered in relation to those features of neighboring buildings.
4. **Roof:**
   The similarity or compatibility of roof shapes in the immediate area shall be considered.
5. **Pattern:**
   A visual pattern or rhythm is established by the alternation of solids (walls), openings (windows and doors), and spacing between buildings. These patterns in the immediate area shall be considered.
6. **Materials:**
   The similarity or compatibility of existing materials on the exterior walls or roofs of buildings in the immediate area shall be considered.
7. **Architectural Features:**
   Existing architectural features, including but not limited to: shutters, cornices, windows, fanlights, and entablature, shall be retained where appropriate. New details shall consider those prevailing in the immediate area.

Site:

8. **Continuity:**
   Physical elements such as street trees, fences, evergreen masses and building facades combine to form lines of continuity in the streetscape and shall be considered in the site plan.
9. **Site Features:**
   Existing non building features such as sidewalk fences, gates, walls, steps, gazebos, trellises, screen fencing, walkways, and parking treatments, shall be retained or restored

when impacted by the construction or alteration of a building, or whether as part of landscaping improvements alone.

10. **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. **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.

H. Demolition of Buildings and Site Features

1. Demolition or removal of a building, 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.