

NOTICE OF HEARING

BOARD OF VILLAGE TRUSTEES

Pursuant to 24 V.S.A. §§ 4441 and 4444, notice is hereby given of a public hearing by the Woodstock Village Board of Trustees to hear comments on the proposed amendments to the Village Zoning Regulations. The public hearing will take place during the Board of Village Trustees' regularly scheduled meeting on October 10, 2023 at 6:30 PM.

You may access the hearing as follows:

To join virtually by computer, please click this URL: www.zoom.us/join enter the Meeting ID and password:

Meeting ID: 885-7962-2419

Passcode: 412048

To join virtually by phone, please dial 646-931-3860 and enter the Meeting ID and password:

Meeting ID: 885-7962-2419

Passcode: 412048

To join the meeting in person: Woodstock Town Hall, Large Conference Room (Second Floor), 31 The Green, Woodstock, VT 05091

Pursuant to the requirements of 24 V.S.A. §4444(b):

Statement of purpose:

The purpose of the proposed amendments is to improve housing access and affordability throughout the Village of Woodstock. Informed by the Department of Housing and Community Development's *Enabling Better Places: A Zoning Guide for Vermont Neighborhoods*, the Woodstock Planning Commission, alongside the Woodstock Economic Development Commission ("EDC"), EDC Housing Group, Woodstock Community Trust, The Thompson Center, Two Rivers-Ottawaquechee Regional Commission, and Twin Pines Housing Trust, have identified specific regulatory barriers to the development of attainable housing. These amendments propose to reduce or remove those barriers.

Geographical areas affected:

The proposed amendments apply to all areas and zoning districts within the Village of Woodstock.

List of sections headings affected:

Section 109: Definitions
Section 302: Residential Three Acre
Section 303: Residential One Acre
Section 304: Residential Low Density
Section 305: Residential Medium Density
Section 306: Residential High Density
Section 307: Residential/Office
Section 308: Central Commercial
Section 309: Commercial/Light Industrial
Section 310: Light Commercial
Section 502: Accessory Structures within a Setback
Section 503: Affordable Housing
Section 506: Buffer Strip
Section 509: Density
Section 510: Detached Apartment
Section 514 Home Occupation
Section 517: Off-Street Parking
Section 612: Subdivision

The full text of the Village Zoning Regulations and the proposed amendments is available for review online at <https://townofwoodstock.org/planning-zoning>. The proposed amendments can also be reviewed in hard copy posted on the second floor of Town Hall, 31 The Green, Woodstock, VT 05091.

PLANNING COMMISSION REPORT

BOARD OF VILLAGE TRUSTEES

VILLAGE OF WOODSTOCK

31 The Green

Woodstock, VT 05091

Pursuant to 24 V.S.A. §4441, the Planning Commission has prepared and approved this written report on the proposed amendments to the Village Zoning Regulations.

Statement of purpose:

The purpose of the proposed amendments is to improve housing access and affordability throughout the Village of Woodstock. Informed by the Department of Housing and Community Development's *Enabling Better Places: A Zoning Guide for Vermont Neighborhoods*, the Woodstock Planning Commission, alongside the Woodstock Economic Development Commission ("EDC"), EDC Housing Group, Woodstock Community Trust, The Thompson Center, Two Rivers-Ottawaquechee Regional Commission, and Twin Pines Housing Trust, have identified specific regulatory barriers to the development of attainable housing. These amendments propose to remove some of those barriers.

Findings:

1. The Planning Commission finds that these proposed amendments further the goals and policies contained in the 2023 Woodstock Comprehensive Plan. Specifically, the amendments eliminate barriers that in effect will "provide additional affordable owner-occupied and [/or] rental housing units." Town Plan, Housing Chapter, Goal 2. By focusing on areas that have existing sewer and water and areas that are logical for future expansion, the proposed amendments further the goal of encouraging "new residential construction to areas which are contiguous to existing development and within easy access to existing services." Town Plan, Housing Chapter, Goal 4. Additionally, the proposed amendments will increase density, thus making it more economically feasible to development multi-family housing. Town Plan, Housing Chapter, Goal 5.
2. The Planning Commission finds that these proposed amendments are compatible with the proposed future land uses and densities of the 2023 Woodstock Comprehensive Plan. Specifically, the proposed amendments aim to increase the allowed density in the village to encourage clustering residential development to help retain open space and other environmental resources that are scenic and located away from the Village center.

3. The Planning Commission finds that these proposed amendments do not hinder or burden any specific proposals for any planned community facilities. Instead, the proposed amendments will rationalize the potential acquisition and expansion for future planned facilities. since focused on increasing density would likely serve more citizens because of their centralized nature.

Respectfully submitted on behalf of the Woodstock Planning Commission by:

Steven Bauer

Steven Bauer

Director of Planning & Zoning
Town of Woodstock, Vermont
(802) 457-7515

SECTION 109: DEFINITIONS

Article I. Sec. 109 is amended to read:

SECTION 109. DEFINITIONS

ACCESSORY DWELLING UNIT (ADU): A distinct unit that is clearly subordinate to a one- or two-household residential building and has facilities and provisions for independent living, including sleeping, food preparation, and sanitation, provided there is compliance with all the following:

(A) the property has sufficient wastewater capacity; and

(B) the unit does not exceed 50 percent of the total habitable floor area of the one- or two-household dwelling or 1,200 square feet, whichever is greater.

~~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.~~

AFFORDABLE HOUSING: is either of the following:

(A) Owner-occupied housing for which the total annual cost of ownership, including principal, interest, taxes, insurance, and condominium association fees, does not exceed 30 percent of the gross annual income of a household at 120 percent of the highest of the following:

1. Windsor County median income, as defined by the U.S. Department of Housing and Urban Development; or
2. The statewide median income, as defined by the U.S. Department of Housing and Urban Development.

(B) Rental housing for which the total annual cost of renting, including rent, utilities, and condominium association fees, does not exceed 30 percent of the gross annual income of a household at 80 percent of the highest of the following:

1. Windsor County median income, as defined by the U.S. Department of Housing and Urban Development; or
2. The statewide median income, as defined by the U.S. Department of Housing and Urban Development.

AFFORDABLE HOUSING DEVELOPMENT: A housing development of which at least 33 percent of the units or a minimum of five units, whichever is greater, are affordable housing units. Affordable units shall be subject to covenants or restrictions that preserve their affordability for a minimum of 15 years.

SECTION 109: DEFINITIONS

Article I. Sec. 109 is amended to read:

SECTION 109. DEFINITIONS

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

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

HOUSEHOLD: A group of one or more people who occupy a dwelling unit.

HOUSEHOLD DWELLING, ONE: A residential building that contains one dwelling unit.

HOUSEHOLD DWELLING, TWO: A residential building that has two dwelling units in the same building and neither unit is an accessory dwelling unit.

HOUSEHOLD DWELLING, SMALL MULTI: A residential building that has three or four dwelling units in the same building and no unit is an accessory dwelling unit.

HOUSEHOLD DWELLING, MULTI: A building that contains five or more dwelling units in the same building and no unit is an accessory dwelling unit.

RESIDENTIAL BUILDING: A building specifically intended for the use of human habitation.

SECTION 302: RESIDENTIAL THREE ACRE

Article III. Sec. 302 is amended to read:

SECTION 302. RESIDENTIAL THREE ACRE (R3) ~~3 Acres~~

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

B. Uses Not Requiring a Permit:

1. Agriculture
2. Forestry
3. Buildings and structures for forestry
4. Exempt home occupation

(See Section 514)

C. Uses Requiring an Administrative ~~Permit~~ Permit Approval:

- ~~1. Single family dwelling~~
- ~~2. Structures accessory to a single family dwelling~~
- ~~3. Two family dwelling~~
4. Structures accessory to a residential building
5. ADUs to single- and two-household dwellings
6. Home occupation

1. One- household dwelling
 2. Two-household dwelling
 3. Small multi-household dwelling
- (See Section 502)
(See Section 510)
(See Section 514)

D. Uses Requiring a Conditional Use Permit Approval:

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

E. Land, Area, and Structural Requirements:

1. Minimum Lot Area: ~~3 acres per dwelling unit or two family dwelling.~~
8,000 S.F. per one- or two-household dwellings.
Small multi- and Multi-household dwellings require an additional
8,000 S.F. per unit.
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.~~ 50 feet. (See Section 611)
3. Front Setback Minimum: ~~80 feet from centerline of Routes 4, 12, or 106, 60 feet from street centerline.~~ 50 feet from street centerline.
4. Rear Setback Minimum: 25 feet.
5. Side Setback Minimum: 25 feet.
6. Building Height Maximum: ~~35 feet.~~ 40 feet.
7. Parking Requirements: (See Section 517)

SECTION 303: RESIDENTIAL ONE ACRE

Article III. Sec. 303 is amended to read:

SECTION 303. RESIDENTIAL ONE ACRE (R1) ~~One Acre~~

A. Purpose: To designate areas of lower residential density ~~the community which are compatible with one-acre residential development.~~ in the Village.

B. Uses Not Requiring a Permit:

1. Agriculture
2. Forestry
3. Buildings and structures for forestry
4. Exempt home occupation (See Section 514)

C. Uses Requiring an Administrative ~~Permit~~ Approval:

- | | |
|--|--|
| 1. Buildings and structures for forestry. | <u>1. One-household dwelling</u> |
| 2. Single family dwelling. | <u>2. Two-household dwelling</u> |
| 3. Structures accessory to a single family dwelling | <u>3. Small multi-household dwelling</u> |
| 4. Two family dwelling. | <u>4. Structures accessory to a residential building</u> |
| <u>5. ADUs to one- and two-household dwellings</u> | (See Section 502) |
| <u>6. Home occupation</u> | (See Section 510) |
| | (See Section 514) |

D. Uses Requiring a Conditional Use Permit Approval:

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

E. Land, Area, and Structural Requirements:

1. Minimum Lot Area: ~~One acre per dwelling unit or two family dwelling.~~
8,000 S.F. per one- or two-household dwellings.
Small multi- and Multi-household dwellings require an additional 5,445 S.F. per unit.
2. Minimum Lot Frontage: ~~75 feet or 50 feet along the perimeter of a cul-de-sac.~~
50 feet. (See Section 611)
3. Front Setback Minimum: ~~60 feet from street centerline.~~
35 feet from street centerline.
4. Rear Setback Minimum: ~~25 feet.~~ 15 feet.
5. Side Setback Minimum: ~~25 feet.~~ 15 feet.
6. Building Height Maximum: ~~35 feet.~~ 40 feet.
7. Parking Requirements: (See Section 517)

SECTION 304: RESIDENTIAL LOW DENSITY

Article III. Sec. 304 is amended to read:

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

A. Purpose: ~~To designate areas of the community which are compatible with lower density residential development.~~ To designate areas of lower residential density near the Village Center.

B. Uses Not Requiring a Permit:

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

C. Uses Requiring an Administrative ~~Permit~~ Approval:

- | | |
|--|--|
| 1. Single family dwelling. | <u>1. One-household dwelling</u> |
| 2. Structures accessory to a single family dwelling | <u>2. Two-household dwelling</u> |
| 3. Two family dwelling | <u>3. Small multi-household dwelling</u> |
| <u>4. Structures accessory to a residential building</u> | (See Section 502) |
| <u>5. ADUs to one- and two-household dwellings</u> | (See Section 510) |
| <u>6. Home occupation</u> | (See Section 514) |

D. Uses Requiring a Conditional Use Permit ~~Approval~~:

- | | |
|---|------------------------------------|
| 1. Detached apartment | (See Section 510) |
| 2. Multi family dwelling | <u>1. Multi-household dwelling</u> |
| 3. 2. Public and quasi-public building | |
| 4. 3. Public utility | |
| 5. Home occupation | (See Section 514) |
| 6. 4. Special care facility | (See Section 520) |
| 7. 5. Day care facility | (See Section 508) |
| 8. 6. Private and public parking | (See Section 517) |
| 9. 7. Bed and Breakfast | (See Section 504) |
| 10. 8. 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.~~
8,000 S.F. per one-, two-, or small multi-household dwellings.
Multi-household dwellings require an additional 4,356 S.F. per unit.
2. Minimum Lot Frontage: ~~75 feet.~~
50 feet. (See Section 611)
3. Front Setback Minimum: ~~50 feet from centerline of Routes 4, 12, or 106 or 35~~
~~feet from street centerline.~~
35 feet from street centerline.
4. Rear Setback Minimum: ~~25 feet.~~ 10 feet.
5. Side Setback Minimum: ~~15 feet.~~ 10 feet.
6. Building Height Maximum: ~~35 feet.~~ 40 feet.
7. Parking Requirements: (See Section 517)

SECTION 305: RESIDENTIAL MEDIUM DENSITY

Article III. Sec. 305 is amended to read:

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

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

B. Uses Not Requiring a Permit:

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

C. Uses Requiring an Administrative Permit Approval:

- ~~1. Single family dwelling.~~
 - ~~2. Structures accessory to a single family dwelling~~
 - ~~3. Two family dwelling~~
 4. Structures accessory to a residential building
 5. ADUs to one- and two-household dwellings
 6. Home occupation
1. One-household dwelling
 2. Two-household dwelling
 3. Small multi-household dwelling
- (See Section 502)
(See Section 510)
(See Section 514)

D. Uses Requiring a Conditional Use Permit Approval:

- ~~1. Detached apartment~~
 - ~~2. Multi family dwelling~~
 - ~~3. 2. Public and quasi-public building~~
 - ~~4. 3. Public utility~~
 - ~~5. Home occupation~~
 - ~~6. 4. Special care facility~~
 - ~~7. 5. Day care facility~~
 - ~~8. 6. Private and public parking~~
 - ~~9. 7. Bed and Breakfast~~
 - ~~10. 8. Subdivision~~
- (See Section 510)
1. Multi-household dwelling
(See Section 514)
(See Section 520)
(See Section 508)
(See Section 517)
(See Section 504)
(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.~~
5,445 S.F. per one-, two-, or multi-household dwellings.
Multi-household dwellings require an additional 4,356 S.F. per unit.
2. Minimum Lot Frontage: 50 feet. (See Section 611)
3. Front Setback Minimum: ~~35 feet from centerline of Route 4, 12, or 106, or 25 feet from street centerline.~~
25 feet from street centerline.
4. Rear Setback Minimum: ~~20 feet.~~ 10 feet.
5. Side Setback Minimum: 10 feet.
6. Building Height Maximum: ~~35 feet.~~ 40 feet.
7. Parking Requirements: (See Section 517)

SECTION 306: RESIDENTIAL HIGH DENSITY

Article III. Sec. 306 is amended to read:

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

A. Purpose: ~~To permit designated areas of the community which are compatible with higher density residential development.~~ To designate areas of high residential density near the Village Center.

B. Uses Not Requiring a Permit:

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

C. Uses Requiring ~~an~~ Administrative ~~Permit~~ Approval:

- | | |
|--|--|
| 1. Single family dwelling. | <u>1. One-household dwelling</u> |
| 2. Structures accessory to a single family dwelling | <u>2. Two-household dwelling</u> |
| 3. Two family dwelling | <u>3. Small multi-household dwelling</u> |
| <u>4. Structures accessory to a residential building</u> | <u>(See Section 502)</u> |
| <u>5. ADUs to one- and two-household dwellings</u> | <u>(See Section 510)</u> |
| <u>6. Home occupation</u> | <u>(See Section 514)</u> |

D. Uses Requiring ~~a~~ Conditional Use ~~Permit~~ Approval:

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

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.~~
4,536 S.F. per one-, two-, or small multi-household dwellings.
Multi-household dwellings require an additional 2,750 S.F. per unit.
2. Minimum Lot Frontage: 50 feet. (See Section 611)
3. Front Setback Minimum: 25 feet from street centerline.
4. Rear Setback Minimum: ~~15 feet.~~ 10 feet.
5. Side Setback Minimum: 10 feet.
6. Building Height Maximum: ~~35 feet.~~ 40 feet.
7. Parking Requirements: (See Section 517)

SECTION 307: RESIDENTIAL/OFFICE

Article III. Sec. 307 is amended to read:

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

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~~ Permit Approval:

- ~~1. Single family dwelling.~~ 1. One-household dwelling
- ~~2. Structures accessory to a single family dwelling~~ 2. Two-household dwelling
- ~~3. Two family dwelling~~ 3. Small multi-household dwelling
4. Structures accessory to a residential building (See Section 502)
5. ADUs to one- and two-household dwellings (See Section 510)
6. Home occupation (See Section 514)

D. Uses Requiring a Conditional Use Permit Approval:

- ~~1. Detached apartment~~ (See Section 510)
- ~~2. Multi family dwelling~~ 1. Multi-household building
- ~~3. 2. Public and quasi-public building~~
- ~~4. 3. Public utility~~
- ~~5. Home occupation~~ (See Section 514)
- ~~6. 4. Special care facility~~ (See Section 520)
- ~~7. 5. Day care facility~~ (See Section 508)
6. Private and public parking (See Section 517)
- ~~8. 7. Bed and Breakfast~~ (See Section 504)
- ~~9. 8. Office~~
- ~~10. 9. 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.~~
5,445 S.F. per one-, two- or small multi-household dwellings.
Multi-household dwellings require an additional 2,750 S.F. per unit.
2. Minimum Lot Frontage: ~~75 feet.~~
50 feet. (See Section 611)
3. Front Setback Minimum: ~~30 feet from street centerline.~~
25 feet from street centerline.
4. Rear Setback Minimum: None.
5. Side Setback Minimum: ~~15 feet.~~ 10 feet.
6. Building Height Maximum: ~~35 feet.~~ 40 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.~~
8. Buffer Strip Requirements: (See Section 506)

SECTION 308: CENTRAL COMMERCIAL

Article III. Sec. 308 is amended to read:

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

- A. Purpose: To allow a compatible mix of residential and commercial uses within the Village ~~Center, core.~~
- B. Uses Not Requiring a Permit:
 - 1. Agriculture
 - 2. Exempt home occupation (See Section 514)
- C. Prohibited Uses
 - 1. Short Term Rentals (See Section 522)
 - 2. One-household dwelling
 - 3. Bed and Breakfast (See Section 504)
- ~~C.~~ D. Uses Requiring an Administrative Permit Approval:
 - ~~1. Single family dwelling.~~ 1. Two-household dwelling
 - ~~2. Structures accessory to a single family dwelling~~ 2. Small multi-household dwelling
 - ~~3. Two family dwelling~~ 3. Multi-household dwelling
 - 4. Existing retail-to-office conversion or existing office-to-retail conversion.
 - 5. ADUs to residential buildings (See Section 510)
 - 6. Home occupation (See Section 514)
- ~~D.~~ E. Uses Requiring a Conditional Use Permit Approval:
 - ~~1. Detached apartment~~ (See Section 510)
 - ~~2. Multi family dwelling~~
 - ~~3. 1. Public and quasi-public building~~
 - ~~4. 2. Public utility~~
 - ~~5. Home occupation~~ (See Section 514)
 - ~~6. 3. Special care facility~~ (See Section 520)
 - ~~7. 4. Day care facility~~ (See Section 508)
 - ~~8. 5. Private and public parking~~ (See Section 517)
 - ~~9. Bed and Breakfast~~ (See Section 504)
 - 6. Conversion from residential use to commercial use

- ~~10. 7.~~ 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 establishment.
- ~~11. 8.~~ Subdivision (See Section 612)

- ~~E.~~ F. Land, Area, and Structural Requirements:
 - 1. Minimum Lot Area: ~~5,445 square feet.~~ None.
 - 2. Minimum Lot Frontage: ~~50 feet – residential, 20 feet – all other uses.~~ 20 feet. (See Section 611)
 - 3. Front Setback Minimum: ~~30 feet from street centerline or equal to abutting buildings on Elm and Central Streets.~~
 - 4. Rear Setback Minimum: ~~None.~~
 - 5. Side Setback Minimum: ~~None, other than a firewall barrier constructed according to State Fire Marshall standards.~~
 - 6. Building Height Maximum: ~~35 feet.~~ 40 feet.
 - 7. Buffer Strip Requirements: (See Section 506)
 - 8. Parking Requirements: (See Section 517)

~~F.~~ G. Inactive Conditional Use Permits:
 If a conditional use permit use permit has been inactive for a period of more than one year, a new conditional use permit including site plan review is required. Any permit that remains inactive for a period of twenty-four (24) months after issuance, shall be void and the applicant must reapply.



SECTION 309: COMMERCIAL/LIGHT INDUSTRIAL

Article III. Sec. 309 is amended to read:

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

- A. Purpose: To provide for concentrated ~~commercial~~ mixed-use development.
- B. Uses Not Requiring a Permit:
 - 1. Agriculture
 - 2. Exempt home occupation (See Section 514)
- C. Uses Requiring ~~an~~ Administrative Permit Approval:
 - ~~1. Single family dwelling.~~ 1. One-household dwelling
 - ~~2. Structures accessory to a single family dwelling~~ 2. Two-household dwelling
 - ~~3. Two family dwelling~~ 3. Small multi-household dwelling
 - ~~4. Structures accessory to a residential building~~ (See Section 502)
 - ~~5. ADUs to one- and two-household dwellings~~ (See Section 510)
 - ~~6. Home occupation~~ (See Section 514)
- D. Uses Requiring a Conditional Use Permit Approval:
 - ~~1. Detached apartment~~ (See Section 510)
 - ~~2. Multi family dwelling~~ 1. Multi-household building
 - ~~3. 2. Public and quasi-public building~~
 - ~~4. 3. Public utility~~
 - ~~5. Home occupation~~ (See Section 514)
 - ~~6. 4. Special care facility~~ (See Section 520)
 - ~~7. 5. Day care facility~~ (See Section 508)
 - ~~8. 6. Private and public parking~~ (See Section 517)
 - ~~9. 7. Bed and Breakfast~~ (See Section 504)
 - ~~10. 8. 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. Other similar commercial uses, as determined by the VDRB.~~

- ~~11.9. 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. Stonework (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. Other similar industrial uses, as determined by the VDRB~~
- ~~12. 10. Subdivision~~ (See Section 612)

- E. Land, Area, and Structural Requirements:
 - 1. Minimum Lot Area: ~~10,000 square feet.~~ 5,445 S.F.
 - ~~1. Residential Density: 5,445 square feet per unit or two family dwelling.~~
 - ~~2. Commercial Density: To be determined by other criteria within the regulations.~~
 - 2. Density:
 - a. Residential: 1,500 S.F. per residential unit.
 - b. Commercial: As determined by other criteria of the regulations.
 - ~~4. 3. Minimum Lot Frontage:~~ 50 feet. (See Section 611)
 - ~~5. 4. Front Setback Minimum:~~ 30 feet from street centerline.
 - 4. Rear Setback Minimum: None.
 - 5. Side Setback Minimum: ~~15 feet.~~ 10 feet.
 - 6. Building Height Maximum: ~~35 feet.~~ 40 feet.
 - 7. Buffer Strip Requirements: (See Section 506)
 - 8. Parking Requirements: (See Section 517)

- F. Specific Land, Area, and Structural Requirements pertaining to Light Industrial Development:
 - ~~1. Maximum Building, Parking and Access Coverage: 60% of lot.~~
 - 1. Maximum Lot Coverage: 70 percent of the lot remaining after any required setbacks or buffers are removed.

- G. Inactive Conditional Use Permits:

If a conditional use permit use permit has been inactive for a period of more than one year, a new conditional use permit including site plan review is required. Any permit that remains inactive for a period of twenty-four (24) months after issuance, shall be void and the applicant must reapply.

SECTION 310: LIGHT COMMERCIAL

Article III. Sec. 310 is amended to read:

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

A. Purpose: To provide for light commercial and residential 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~~ Approval:

- | | |
|--|----------------------------------|
| 1. Single family dwelling. | <u>1. One-household dwelling</u> |
| 2. Structures accessory to a single family dwelling | <u>2. Two-household dwelling</u> |
| 3. Two family dwelling | <u>3. Small multi-household</u> |
| <u>dwelling</u> | |
| <u>4. Structures accessory to a residential building</u> | <u>(See Section 502)</u> |
| <u>5. ADUs to one- and two-household dwellings</u> | <u>(See Section 510)</u> |
| <u>6. Home occupation</u> | <u>(See Section 514)</u> |

D. Uses Requiring a Conditional Use Permit ~~Approval~~:

- | | |
|--|--------------------------|
| 1. Detached apartment | <u>See Section 510)</u> |
| 2. Multi family dwelling | |
| 3.1. Public and quasi-public building | |
| 4.2. Public utility | |
| 5. Home occupation | <u>(See Section 514)</u> |
| 6.3. Special care facility | <u>(See Section 520)</u> |
| 7.4. Day care facility | <u>(See Section 508)</u> |
| <u>5. Private and public parking</u> | <u>(See Section 517)</u> |
| 8.6. Bed and Breakfast | <u>(See Section 504)</u> |

~~9.7.~~ Light Commercial Uses:

- a. Office
- b. Retail store (limited to a 2,000 square foot footprint)
- c. Restaurant (limited to a 2,000 square foot 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~~
- g. Other similar commercial uses, as determined by the VDRB

~~10.9.~~ Subdivision (See Section 612)

~~E.~~ F. Land, Area, and Structural Requirements:

1. Minimum Lot Area: ~~10,000 square feet.~~ 4,356 S.F.
- ~~1. Residential Density: 5,445 square feet per unit or two family dwelling.~~
- ~~2. Commercial Density: To be determined by other criteria within the regulations.~~
2. Density:
 - a. Residential: 4,356 S.F. per one-, two- or small multi-household dwellings.
Multi-household dwellings require an additional 2,750 S.F. per unit.
 - b. Commercial: As determined by other criteria of the regulations.
- ~~4.3.~~ 3. Minimum Lot Frontage: 50 feet. (See Section 611)
- ~~5.4.~~ 4. Front Setback Minimum: ~~50 feet from road centerline.~~ 30 feet from centerline.
4. Rear Setback Minimum ~~When abutting a residential zone, 20 feet, otherwise none.~~ None.
5. Side Setback Minimum: ~~15 feet.~~ 10 feet.
6. Building Height Maximum: ~~35 feet.~~ 40 feet.
7. Buffer Strip Requirements: (See Section 506)
8. Parking Requirements: (See Section 517)

~~F.~~ G. Inactive ~~Conditional Use~~ Permits:

If a conditional use permit use permit has been inactive for a period of more than one year, a new conditional use permit including site plan review is required.

Any permit that remains inactive for a period of twenty-four (24) months after issuance, shall be void and the applicant must reapply.

SECTION 502: ACCESSORY STRUCTURES WITHIN A SETBACK

Article V. Sec. 502 is amended to read:

SECTION 502. ACCESSORY STRUCTURES WITHIN A SETBACK

The side and rear setbacks for structures accessory to a residential building, 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~~ 600 S.F. A VDRB hearing is required for nonconforming structures over ~~100 square feet in size~~ 150 S.F. The Board shall review the structure based on character of area. A nonconforming structure less than ~~100 square feet~~ 150 S.F. requires an administrative permit.

SECTION 503: AFFORDABLE HOUSING

Article V. Sec. 503 is amended to read:

SECTION 503. AFFORDABLE HOUSING

~~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.~~

In all districts, affordable housing developments shall receive a minimum density bonus of 50% and a bonus of one habitable floor above the height maximum.

The Administrative Officer may waive any setback or frontage requirements for affordable housing development up to 50% of that required. The Administrative Officer shall not issue a waiver beyond 50% of that required without Conditional Use Approval from the VDRB. Any waiver shall not be granted unless the Administrative Officer or VDRB determines that the proposed waiver does not cause an undue adverse effect on the character of the area affected.

SECTION 503: AFFORDABLE HOUSING (*continued*)

Article V. Sec. 503 is amended to read:

SECTION 503. AFFORDABLE HOUSING

As used in this subchapter:

“Habitable floor” means: Any floor of an a residential building used for living purposes, which includes working, sleeping, eating, cooking, recreation, or any combination thereof that does not exceed 12 feet in height from floor to ceiling.

SECTION 506: BUFFER STRIP

Article V. Sec. 506 is amended to read:

SECTION 506. BUFFER STRIP

If any Commercial or Industrial use abuts a Residential District or body of water, ~~with the exception of~~ except for access points, a buffer strip of land not less than ~~ten (10)~~ fifteen (15) 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 509: DENSITY

Article V. Sec. 509 is amended to read:

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.~~

Density is determined by the stated minimum lot area in each district. See Article III. Two dwelling units are allowed on all lots. In all districts, a minimum of five (5) dwelling units per acre is allowed.

Commercial and industrial densities are determined by during the Conditional Use Review process by the VDRB.

SECTION 510: ACCESSORY DWELLING UNITS

Article V. Sec. 510 is amended to read:

~~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 510. ACCESSORY DWELLING UNITS (ADUs)

A. One ADU is allowed for each single- or two- household dwellings provided these requirements are followed:

1. The ADU must be located on the same lot as the single- or two-household dwelling.
2. The ADU may be located or attached to a primary residential:
 - a. Single-household dwelling, converting it into a two-household dwelling; or
 - b. Two-household dwelling, converting it into a three-household dwelling.
3. The ADU may be in a detached residential building.
4. The ADU may be in a pre-existing accessory building, converting the accessory building to an ADU.
5. No additional parking spaces are required for an ADU.

SECTION 514: HOME OCCUPATION

Article V. Sec. 514 is amended to read:

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 517: OFF-STREET PARKING

Article V. Sec. 517 is amended to read:

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.~~ Shall have a minimum of one parking space per residential dwelling unit.

1. The VDRB may reduce or waive on-site parking requirements if conditions exist which mitigate parking need and still provide safe and sufficient access.
2. The VDRB may reduce or waive on-site parking requirements if the need for parking can be met because:
 - a. The site is located within 1,000 feet of a transit route;
 - b. There are parking facilities for abutting businesses which, due to size and times of use, are sufficient to meet parking demand and a written agreement exists to share such parking;
 - c. Mitigation efforts such as bicycle parking, ridesharing or innovative measures (e.g., the provision of transit passes or sponsoring car sharing for tenants/ employees) reduces parking demand;
 - d. There is safe and adequate on- or off-street parking available within 500 feet of the residential building.

SECTION 517: OFF-STREET PARKING

Article V. Sec. 517 is amended to read:

* * *

G. Special Requirements

1. Parking spaces for any number of ~~nonconcurrent~~ mixed 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 must shall prove to the Board either~~ if the Parking Requirements are not applicable or the ~~that~~ parking ~~needs~~ requirements can be met through other means.
2. 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.

SECTION 612: SUBDIVISION

Article VI. Sec. 612 is amended to read:

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.~~
- B. Subdivision Review:
 1. Minor subdivision: A division of land resulting in no more than two lots within a three (3) year period, requires administrative review.
 2. Major subdivision: A division of land resulting in more than two lots within a three (3) year period, or where a portion of land falls within an overlay zone as noted in the Critical Areas Inventory Map, requires Conditional Use Approval.
- 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.