PUBLIC MEETING AGENDA

MUNICIPALITY OF WOODSTOCK, VERMONT
WOODSTOCK PLANNING COMMISSION
31 The Green
Woodstock, VT 05091

The Woodstock Planning Commission will hold a meeting at:
6:00 PM on Wednesday, February 4th, 2026.

The Meeting will be held in person at Town Hall (31 The Green Woodstock, Vermont) and on Zoom at CLICK HERE TO JOIN. The login information is at the bottom of this agenda.

Administrative Tasks

1. Call to Order
2. Adjustments to Agenda
3. Approve Minutes
   (a) 1/12/2026
4. Public Comment

The goal of this meeting is to:

- *Continue bylaw analysis.*

Business

1. Continuation of Village bylaw analysis and revisions with Harry Falconer.
2. Discussion regarding the possibility of modifying section 508 in the Town Bylaws.
3. Discussion regarding the design review process as part of development review.

Identify Action Items (what we each need to do before the next meeting)

Other Business

Adjournment

To join the Planning Commission Meeting via Zoom, **CLICK HERE** then enter the following:

Meeting ID: 886 4885 1165
Passcode: 345452

2.4.26 PC Meeting DRAFT

Village
of
Woodstock, Vermont

Zoning Regulations

Adopted 10/10/2023
Effective 10/31/2023

DRAFT

Table of Contents

ARTICLE I: GENERAL PROVISIONS **1**
101 ENACTMENT 1
102 TITLE 1
103 PURPOSE 1
104 SEVERABILITY 1
105 INTERPRETATION 1
106 AMENDMENTS 1
107 PRECEDENCE OF REGULATION 1
ARTICLE II: ZONING DISTRICTS **12**
201 ESTABLISHMENT OF BASE ZONING DISTRICTS AND MAP 12
202 ESTABLISHMENT OF OVERLAY ZONING DISTRICTS AND MAP 12
203 INTERPRETATION OF ZONING DISTRICT BOUNDARIES 12
204 APPLICATION OF REGULATIONS 13
205 CONSTRUCTION APPROVED PRIOR TO AMENDMENT OF REGULATIONS 13
ARTICLE III: ZONING DISTRICTS REGULATIONS **14**
301 SUMMARY TABLE
302 USES EXEMPT FROM PERMITTING
303 COMMUNITY (CO) 14
304 RESIDENTIAL THREE ACRE (R3) 14
305 RESIDENTIAL ONE ACRE (R1) 15
306 RESIDENTIAL LOW DENSITY (RL) 16
307 RESIDENTIAL MEDIUM DENSITY (RM) 16
308 RESIDENTIAL HIGH DENSITY (RH) 17
309 RESIDENTIAL/OFFICE (R/O) 18
310~~08~~ CENTRAL COMMERCIAL (CC) 19
311~~09~~ COMMERCIAL/LIGHT INDUSTRIAL (CL) 20
312~~0~~ LIGHT COMMERCIAL (LC) 22
313~~1~~ INN (IN) ~~Two Acres~~ 23
314~~2~~ PLANNED DEVELOPMENT 24
ARTICLE IV: OVERLAY ZONING DISTRICTS **29**
401 PURPOSE 29
402 PRECEDENCE 29
403 CONSERVATION OVERLAY DISTRICT 29
404 FLOOD HAZARD ~~AREA~~OVERLAY DISTRICT 31
405 DESIGN REVIEW OVERLAY DISTRICT 36

DRAFT

406 SCENIC RIDGELINE OVERLAY DISTRICT
ARTICLE V: GENERAL REGULATIONS **55**
501 ACCESS AND SAFETY
502 CORNER LOTS 55
503 DENSITY 55
504 NONCONFORMING LOTS
505 HEIGHT EXCEPTIONS 55
506 OFF-STREET PARKING REQUIREMENTS 55
507 NONCONFORMING USES and NONCONFORMING STRUCTURES 55
508 OPEN STORAGE 56
509 PERFORMANCE STANDARDS 56
510 PROHIBITED USES 57
511 PUBLIC USE LIMITATIONS 57
512 SUBSURFACE DISPOSAL OF SEWAGE 57
513 MULTIPLE USE OF LOTS 58
ARTICLE VI: ADDITIONAL SPECIFIC ~~STANDARDS~~PROVISIONS **46**
601 ACCESSORY STRUCTURES WITHIN THE SETBACK 46
602 AFFORDABLE HOUSING DENISTY BONUS 46
603 BED AND BREAKFAST ESTABLISHMENT 46
604 BODIES OF WATER 46
605 BUFFER STRIP 46
606 CELLULAR/COMMUNICATION TOWERS 47
607 DAY CARE HOME / FACILITY 47
608 ACCESSORY DWELLING UNITS (ADUs) 47
609 DISH ANTENNAE 47
610 EXTERIOR LIGHTING 47
611 FENCES 48
612 HOME OCCUPATION 48
613 LANDSCAPING/GRADING 48
614 MOTOR VEHICLE REPAIR AND FILLING STATIONS 48
615 OUTDOOR DISPLAYS 50
616 SIGNS 51
617 SPECIAL CARE FACILITY 53
618 SHORT-TERM RENTALS 54
619 TEMPORARY RAMP
ARTICLE VII: SUBDIVISION
701 APPLICABILITY 46
702 MINOR SUBDIVISION REVIEW PROCEDURE 46

DRAFT

703 MAJOR SUBDIVISION REVIEW PROCEDURE
704 APPLICATION MATERIALS
705 BOUNDARY ADJUSTMENTS
706 GENERAL STANDARDS
707 ROAD AND ACCESS STANDARDS
708 DRAINAGE AND EROSION CONTROL
709 FIRE PROTECTION
710 ADDITIONAL CONDITIONS
711 AS-BUILT PLANS
712 REVISION OF APPROVED PLAT
713 PUBLIC ACCEPTANCE OF ROADS AND OPEN SPACES
714 PERFORMANCE BOND
715 LEGAL ARRANGEMENTS

ARTICLE VIII: ADMINISTRATION AND ENFORCEMENT 59

801 ADMINISTRATIVE OFFICER 59
802 ACTING ADMINISTRATIVE OFFICER 59
803 PLANNING COMMISSION 59
804 DEVELOPMENT REVIEW BOARD 59
805 HEARINGS
806 CONSERVATION COMMISSION 59
807 DESIGN ADVISORY REVIEW BOARD 59
808 ZONING PERMIT 60
809 APPLICATION INFORMATION 60
810 SITE PLAN REVIEW 61
811 CONDITIONAL USE 62
812 BOND TERM AND FORFEITURE 63
813 INSPECTIONS 63
814 CERTIFICATE OF OCCUPANCY 63
815 PENALTIES 64
816 VARIANCES 64
817 WAIVERS
818 DEVELOPMENT REVIEW BOARD LIMITATIONS 64
819 APPEALS FROM DECISIONS OF ADMINISTRATIVE OFFICER 64
820 APPEALS FROM DECISION OF VILLAGE DEVELOPMENT REVIEW BOARD 65
821 PUBLIC NOTICE 65

ARTICLE IX: DEFINITIONS

DRAFT

ARTICLE I 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 herein and cited as the Zoning Regulations for the Village of Woodstock, or simply "the Regulations.".

SECTION 103 PURPOSE

It is the purpose of these Regulations to implement the Woodstock Town & Village 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 24 V.S.A.Section § 4302 of the Act.

SECTION 104 SEVERABILITY

The invalidity of any article or section of this Bylaw shall not affect the validity of any other article or section thereof.

Commented [HF1]: This is a standard disclaimer clause needed to ensure that the whole bylaw is not deemed invalid if part of it is deemed illegal.

~~SECTION 104 REPEALER~~

~~The Village of Woodstock Zoning Regulations adopted December 28, 1998 are hereby repealed and replaced by this document. This repealer provision will be implemented upon the day that these Regulations become effective.~~

Commented [HF2]: This is not necessary.

~~SECTION 105 EFFECTIVE DATE~~

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

Commented [HF3]: Effective date will appear on the title page when adopted.

SECTION 105~~6~~ INTERPRETATION

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

Except for Section 24 V.S.A. § 4413 of the Act, and where these Regulations specifically provide to the contrary, they~~it~~ are~~is~~ not intended to repeal, annul, or in any way impair any regulations or permits previously adopted or issued.

SECTION 106~~7~~ AMENDMENTS

The Regulations may be amended according to the requirements and procedures established in Section 24 V.S.A. § 4403 and 4442 of the Act.

SECTION 107~~8~~ PRECEDENCE OF REGULATION

DRAFT

The provisions of these~~is~~ R~~r~~egulations shall not in any way impair or remove the necessity of compliance with any other applicable ~~ordinances~~local, state, or federal requirements. Where these~~is~~ R~~r~~egulations impose~~s~~ a greater restriction, the provisions of these~~is~~ R~~r~~egulations shall take precedence. Contact the Administrative Officer for a list of permits that may apply to your proposed development.

DRAFT

ARTICLE II ZONING DISTRICTS

SECTION 201 ESTABLISHMENT OF BASE ZONING DISTRICTS AND MAP

A. For the purposes 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

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: Riparian Buffers, Wetlands, and 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 May 2, 2002.
   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.

Commented [HF4]: These are extremely difficult to administer in practice; TRORC recommends using driveway standards to achieve the same outcome.

Commented [HF5]: This is also difficult to enforce (not as important to address in re: housing), but could cause issues.

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

DRAFT

coterminous with property lines, centerlines of roads, or centerlines of water courses.
In the case of the FH 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~~ two years from the effective date of an amendment to these Regulations.

DRAFT

ARTICLE III ZONING DISTRICTS REGULATIONS

SECTION 301 SUMMARY TABLE

The following table summarizes the required dimensional standards and use schedule by district. For brevity, only the most common uses are shown. For full details, please reference the district regulations in the subsequent sections of this Article. Additional regulations may apply if the applicant parcel is located in one or more Overlay Districts. For more information on Overlay Districts, please see Article IV.

KEY:
P = Permitted
C = Conditional Use Review
S = Site Plan Review
X = Prohibited

	COM	R3	R1	RLD	RMD	RHD	RO	CC	CLI	LC	INN
1 Unit Residential		P	P	P	P	P	P	X	C	P	P
2 Unit Residential		P	P	P	P	P	P	P	C	P	P
Small Multi-Unit Residential (3-4 Units)		P	P	P	P	P	P	P	P	P	P
5+ Unit Residential		C	S	C	S	S	S	P	S	S	C
Accessory Dwelling Unit	P	P	P	P	P	P	P	P	P	P	P
Mixed Use Development								P	S	S	
Retail	C	C	C	C	C	C	C	C	C	C	C
Restaurant	C	C	C	C	C	C	C	C	C	C	C

Commented [HF6]: To address the blank spaces in the table, the PC should either add these uses to the use schedule for each district OR add a section clarifying that uses not listed in the use schedule for a given district will be treated as conditional.

DRAFT

Bed & Breakfast	C	C	C	C	C	C	C	X	C	C	S
Office	C	C	C	C	C	C		C	C	C	C
Minimum Lot Area	5,445 sq ft	See Sec. 304	See Sec. 305	See Sec. 306	See Sec. 307	See Sec. 308	See Sec. 309	None	See Sec. 311	See Sec. 312	2 ac
Minimum Frontage	None (see Sec. 501)	50’	50’	50’	50’	50’	50’	20’	50’	50’	150’
Front Setback Minimum	50’	50’	35’	35’	25’	25’	25’	None	30’	30’	50’
Rear Setback Minimum	20’	25’	15’	10’	10’	10’	10’	None	10’	10’	25’
Side Setback Minimum	10’	25’	15’	10’	10’	10’	10’	None (see Sec. 310)	10’	10’	25’
Height Maximum	40’	40’	40’	40’	40’	40’	40’	40’	40’	40’	40’

SECTION 302~~1~~ USES EXEMPT FROM PERMITTING

The following uses are exempt from permitting in all Districts:

1. Agriculture
2. Forestry
3. Exempt Home Occupations (See Section 514)

SECTION 303 COMMUNITY (COM)

A. Purpose: To provide for the continued use and services of community institutions and community open spaces.

B. Uses Requiring a~~n Administrative~~ Permit:

1. ~~1.~~ Structural alterations or additions.
2. Accessory Dwelling Units

DRAFT

C. Uses Requiring ~~a~~ Conditional Use ~~Permit~~Approval Prior to Permitting:

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: 40~~35~~ feet.
7. Parking Requirements: (See Section 517)

Commented [HF7]: Changed at PC request Jan. '26 meeting.

SECTION 30~~4~~2 RESIDENTIAL THREE ACRE (R3)

A. Purpose: To designate areas of low residential density in the ~~more open regions~~outlying areas of 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.~~B. Uses Requiring ~~an Administrative Approval~~a Permit:

1. One-~~household~~ unit dwelling
2. Two-~~household~~ unit dwelling
3. Small multi-~~household~~ unit dwelling
4. Structures accessory to a residential building (See Section 502)
5. ADU~~s~~ to single- ~~and~~ or two-~~household~~ unit dwelling~~s~~ (See Section 510)
6. Home occupation (See Section 514)

~~D.~~C. Uses Requiring ~~a~~ Conditional Use Approval Prior to Permitting:

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

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

DRAFT

1. Minimum Lot Area:	8,000 S.F. ~~per~~ for one- or two-~~household~~ unit dwellings. Small multi-unit and Multi-~~household~~ unit dwellings require an additional 8,000 S.F. for each unit over two~~per unit~~.
2. Minimum Lot Frontage:	50 feet. (See Section 611)
3. Front Setback Minimum:	50 feet from street centerline.
4. Rear Setback Minimum:	25 feet.
5. Side Setback Minimum:	25 feet.
6. Building Height Maximum:	40 feet.
7. Parking Requirements:	(See Section 517)

Commented [HF8]: We should separate minimum lot area from density throughout this article.

Commented [HF9]: Not all R3 areas have water and sewer access, so the whole district doesn't necessarily have to comply with **24 V.S.A. § 4412** (D), but projects in areas with water and sewer access would.

Commented [HF9R2]: Duplexes must be allowed with the same dimensional standards as single unit.

SECTION 30~~5~~3 RESIDENTIAL ONE ACRE (R1)

A. Purpose: To designate areas of lower residential density 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.~~B. Uses Requiring ~~an Administrative Approval~~a Permit:

1. One-~~household~~ unit dwelling
2. Two-~~household~~ unit dwelling
3. Small multi-~~household~~ unit dwelling
4. Structures accessory to a residential (See Section 502)
5. ADU~~s~~ to one- ~~and~~ or two-~~household~~unit dwelling~~s~~ (See Section 510)
6. Home occupation (See Section 514)

C. Uses Requiring Site Plan Approval Prior to Permitting:

1. Multi-unit dwelling

Commented [HF10]: Act 47 of 2023 requires bylaws to allow at least five units per acre in areas served by water and sewer. There is only one R1 area of the village, and it is within the water and sewer service area. https://legislature.vermont.gov/Documents/2024/Docs/ACTS/ACT047/ACT047%20As%20Enacted.pdf (Page 4)

D. Uses Requiring ~~a~~ Conditional Use Approval Prior to Permitting:

~~1. Multi-household dwelling~~
2. Public and quasi-public building
3. Public utility
4. Special care facility (See Section 520)
5. Day care facility (See Section 508)
6. Private and public parking (See Section 517)
7. Bed and Breakfast (See Section 504)
8. Subdivision (See Section 612)

E. Land, Area, and Structural Requirements:

1. Minimum Lot Area:	8,000 S.F. ~~per~~ for one-, two-, or small multiunit ~~- or two-household~~ dwellings.

DRAFT

	~~Small multi- and~~ Multiunit ~~household~~ dwellings require an additional 5,445 S.F. ~~per~~ for each unit over four.
2. Minimum Lot Frontage:	50 feet. (See Section 611)
3. Minimum Front Setback:	35 feet from street centerline.
4. Minimum Rear Setback:	15 feet.
5. Minimum Side Setback:	15 feet.
6. Maximum Building Height:	40 feet.
7. Parking Requirements:	(See Section 517)

Commented [HF11]: Per 24 VSA 4412 (12), I don't think we can actually do this in water and sewer served areas: "Density and minimum lot size standards for multiunit dwellings shall not be more restrictive than those required for single-family dwellings." As written, this requires a larger lot area for multiunit. I get that it's trying to function as a density requirement, but if you're going to have a density requirement, it needs to be a flat number per unit, like in the CLI district. It cannot specify a density requirement for units over four and have no density requirement for buildings with fewer units.

SECTION 30~~6~~4 RESIDENTIAL LOW DENSITY (RLD)

A. Purpose: 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.~~B. Uses Requiring a Permit~~n Administrative Approval~~:

1. One-~~household~~ unit dwelling	
2. Two-~~household~~ unit dwelling	
3. Small multi-~~household~~ unit dwelling	
4. Structures accessory to a residential building	(See Section 502)
5. ADU~~s~~ to one- ~~and~~ or two- ~~household~~unit dwelling~~s~~	(See Section 510)
6. Home occupation	(See Section 514)

~~D.~~C. Uses Requiring ~~a~~ Conditional Use Approval Prior to Permitting:

1. Multi-~~household~~ unit dwelling	
2. Public and quasi-public building	
3. Public utility	
4. Special care facility	(See Section 520)
5. Day care facility	(See Section 508)
6. Private and public parking	(See Section 517)
7. Bed and breakfast	(See Section 504)
8. Subdivision	(See Section 612)

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

1. Minimum Lot Area:	8,000 S.F. ~~per~~ for one-, ~~,~~ two-, or small multi-unit ~~household~~ dwellings. Multi-~~household~~ unit dwellings require an additional 4,356 S.F. for each unit over four.~~per unit~~.
2. Minimum Lot Frontage:	50 feet. (See Section 611)
3. Front Setback Minimum:	35 feet from street centerline.
4. Rear Setback Minimum:	10 feet.
5. Side Setback Minimum:	10 feet.
6. Building Height Maximum:	40 feet.

DRAFT

7. Parking Requirements: (See Section 517)

SECTION 307~~5~~ RESIDENTIAL MEDIUM DENSITY (RMD)

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.~~B. Uses Requiring a ~~n Administrative~~ Permit:
1. One-~~household~~ unit dwelling
2. Two-~~household~~ unit dwelling
3. Small multi-~~household~~ unit dwelling
4. Structures accessory to a residential building (See Section 502)
5. ADU~~s~~ to one- ~~and~~ or two-~~household~~unit dwelling~~s~~ (See Section 510)
6. Home occupation (See Section 514)

C. Uses Requiring Site Plan Approval Prior to Permitting:
1. Multi-Unit Dwelling

Commented [HF12]: Same comment as R1 district.

D. Uses Requiring ~~a~~ Conditional Use ~~Permit~~Approval Prior to Permitting:
~~1. Multi-household dwelling.~~
2. Public and quasi-public building
3. Public utility
4. Special care facility (See Section 520)
5. Day care facility (See Section 508)
6. Private and public parking (See Section 517)
7. Bed and Breakfast (See Section 504)
8. Subdivision (See Section 612)

E. Land, Area, and Structural Requirements:

1. Minimum Lot Area: 5,445 S.F. ~~per~~ for one-, two-, or small multi-unit~~household~~ dwellings. Multi-~~household~~ unit dwellings require an additional 4,356 S.F. per unit for each unit over four.~~.~~
2. Minimum Lot Frontage: 50 feet. (See Section 611)
3. Front Setback Minimum: 25 feet from street centerline.
4. Rear Setback Minimum: 10 feet.
5. Side Setback Minimum: 10 feet.
6. Building Height Maximum: 40 feet.
7. Parking Requirements: (See Section 517)

Commented [HF13]: There is no minimum lot size specified for non-residential uses throughout this article.

DRAFT

SECTION 308~~6~~ RESIDENTIAL HIGH DENSITY (RHD)

A. Purpose: 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.**~~**B. Uses requiring a~~n Administrative~~ Permit:**

1. One-~~household~~ unit dwelling
2. Two-~~household~~ unit dwelling
3. Small multi-~~household~~ unit dwelling
4. Structures accessory to a residential building (See Section 502)
5. ADU~~s~~ to one- ~~and~~ or two- ~~household~~unit dwelling~~s~~ (See Section 510)
6. Home occupation (See Section 514)

C. Uses Requiring Site Plan Approval Prior to Permitting:

1. Multi-unit dwelling

D. Uses Requiring ~~a~~ Conditional Use ~~Permit~~Approval Prior to Permitting:

~~1. Multi-household dwelling.~~
2. Public and quasi-public building
3. Public utility
4. Special care facility (See Section 520)
5. Day care facility (See Section 508)
6. Private and public parking (See Section 517)
7. Bed and Breakfast (See Section 504)
8. Subdivision (See Section 612)

E. Land, Area, and Structural Requirements:

1. Minimum Lot Area: 4,356~~5,445~~ S.F. ~~per~~ for ~~one-, two-, or multi-household dwellings. Multi-household dwellings require an additional 4,356 S.F. per unit.~~residential uses.
2. Minimum Lot Frontage: 50 feet. (See Section 611)
3. Front Setback Minimum: 25 feet from street centerline.
4. Rear Setback Minimum: 10 feet.
5. Side Setback Minimum: 10 feet.
6. Building Height Maximum: 40 feet.
7. Parking Requirements: (See Section 517)

SECTION 309~~7~~ RESIDENTIAL/OFFICE (R~~/~~O)

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:**~~

Commented [HF14]: Lot size requirements should get progressively smaller with each tier of "density" district to honor the intent of the FLU map and district purpose.

Commented [HF14R2]: You can let the small size of lots in this district and the dimensional standards naturally limit the number of units per parcel instead of creating a density requirement here.

Commented [HF15]: 24 V.S.A. 4412 (12) – minimum lot size can't be stricter for multiunit than single-unit in water and sewer served areas.

DRAFT

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

~~C.~~B. Uses Requiring a~~n Administrative~~ Permit:

1. One-~~household~~ unit dwelling
2. Two-~~household~~ unit dwelling
3. Small multi-~~household~~ unit dwelling
4. Structures accessory to a residential building (See Section 502)
5. ADU~~s~~ to one- ~~and~~ or two-~~household~~unit dwelling~~s~~ (See Section 510)
6. Home occupation (See Section 514)

C. Uses Requiring Site Plan Approval Prior to Permitting:

1. Multi-unit dwelling

D. Uses Requiring ~~a~~ Conditional Use ~~Permit~~Approval Prior to Permitting:

~~1. Multi-household dwelling.~~
2. Public and quasi-public building
3. Public utility
4. Special care facility (See Section 520)
5. Day care facility (See Section 508)
6. Private and public parking (See Section 517)
7. Bed and Breakfast (See Section 504)
8. Subdivision (See Section 612)

E. Land, Area and Structural Requirements:

1. Minimum Lot Area: 4,356~~5,445~~ S.F. ~~per one-, two-, or multi-household dwellings. Multi-household dwellings require an additional 4,356 S.F. per unit.~~for residential uses.
2. Minimum Lot Frontage: 50 feet. (See Section 611)
3. Front Setback Minimum: 25 feet from street centerline.
4. Rear Setback Minimum: 10 feet.
5. Side Setback Minimum: 10 feet.
6. Building Height Maximum: 40 feet.
7. Parking Requirements: (See Section 517)
8. Buffer Strip Requirements: (See Section 506)

SECTION 31~~008~~ CENTRAL COMMERCIAL (CC)

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

~~B. Uses Not Requiring a Permit:~~

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

~~C.~~B. Prohibited~~ive~~ Uses:

~~1. Short Term Rentals (See Section 522)~~

Commented [HF16]: Same comment as RMD and R1.

Commented [HF17]: Changed to make identical to RHD, per PC request.

Commented [HF18]: This should be much lower based on the location of the RO districts.

Commented [HF19]: 24 V.S.A. 4412 (12) – minimum lot size can't be stricter for multiunit than single-unit in water and sewer served areas.

Commented [HF20]: Regulated by local ordinance.

DRAFT

2. One-~~household~~ unit dwelling
3. Bed and Breakfast (See Section 504)
4. Filling stations
5. Automobile sales and service
6. Dry cleaning
7. Laundromats

Commented [HF21]: Moved from below

~~D.~~C. Uses Requiring a Permit~~Administrative Approval~~:

1. Two-~~household~~ unit dwelling
2. Small multi-~~household~~ unit dwelling
3. Multi-~~household~~ unit dwelling
4. Mixed use development
5.~~4~~. Existing retail-to-office conversion or existing office-to-retail conversion.
6~~5~~. ADU~~s~~ to one- ~~and~~ or two-~~household~~unit dwelling~~s~~ (See Section 510)
7.~~6~~. Home occupation (See Section 514)

~~E.~~D. Uses Requiring ~~a~~ Conditional Use Approval Prior to Permitting:

1. Public and quasi-public building
2. Public utility
3. Special care facility (See Section 520)
4. Day care facility (See Section 508)
5. Private and public parking (See Section 517)
6. Conversion from residential use to commercial use
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 establishments.~~
8. Subdivision (See Section 612)

Commented [HF22]: Moved to prohibited uses above.

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

1. Minimum Lot Area: None.
2. Minimum Lot Frontage: 20 feet. (See Section 611)
3. Front Setback Minimum: ~~30 feet from street centerline or equal to abutting buildings on Elm and Central Streets.~~None.
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: 40 feet.
7. Parking Requirements: (See Section 506)

DRAFT

8. Buffer Strip Requirements: (See Section 517)

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

SECTION 311~~09~~ COMMERCIAL/LIGHT INDUSTRIAL (CLI)

A. Purpose: To provide for concentrated mixed-use development.

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

~~C.~~B. Uses Requiring a~~n Administrative~~ Permit:
~~1. One-household dwelling~~
~~2. Two-household dwelling~~
1~~3~~. Small multi-~~household~~ unit dwelling
2~~4~~. Structures accessory to a residential building (See Section 502)
3~~5~~. ADU~~s~~ to one- ~~and~~ or two-~~household~~unit dwelling~~s~~ (See Section 510)
4~~6~~. Home occupation (See Section 514)

C. Uses Requiring Site Plan Approval Prior to Permitting:
1. Multi-unit dwelling
2. Mixed use development

D. Uses Requiring ~~a~~ Conditional Use Approval Prior to Permitting:
~~1. Multi-household building~~
1. One-unit dwelling
2. Two-unit dwelling
3~~2~~. Public and quasi-public building
4~~3~~. Public utility
5~~4~~. Special care facility
6~~5~~. Day care facility
7~~6~~. Private and public parking
8~~7~~. Bed and Breakfast
9~~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
10~~9~~. Industrial Uses:
a. Bakery
b. Storage/warehouse
c. Light manufacturing and assembly
d. Printing, publishing

DRAFT

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 similar commercial uses, as determined by the VDRB.

11~~0~~. Subdivision (See Section 612)

E. Land, Area and Structural Requirements:

1. Minimum Lot Area:	5,445 S.F.
2. Density	
a. Residential:	1,3~~5~~00 S.F. of lot area per residential unit.
~~b. Commercial:~~	~~As determined by other criteria of the regulations.~~
3. Minimum Lot Frontage:	50 feet. (See Section 611)
4. Front Setback Minimum:	30 feet from street centerline.
5. Rear Setback Minimum:	~~None~~10 feet.
6. Side Setback Minimum:	10 feet.
7. Building Height Maximum:	40 feet.
8. Buffer Strip Requirements:	(See Section 506)
9. Parking Requirements:	(See Section 517)

F. Specific Land, Area and Structural Requirements pertaining to Light Industrial Development:

Maximum Lot Coverage: 30 percent.~~70 percent of the lot remaining after any required setbacks or buffers are removed.~~

G. Inactive Conditional Use Permit

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

SECTION 31~~0~~20 LIGHT COMMERCIAL (LC)

A. Purpose: To provide for ~~light~~ commercial and residential development ~~outside of the Village center~~at a lower intensity than in the Central Commercial district.

~~**B. Uses Not Requiring a Permit:**~~

~~1. Agriculture~~

~~2. Exempt home occupation (See Section 514)~~

~~C.~~B. Uses Requiring a Permit~~n Administrative Approval~~:

1. One-~~household~~ unit dwelling
2. Two-~~household~~ unit dwelling
3. Small multi-~~household~~unit dwelling
4. Structures accessory to a residential building (See Section 502)

Commented [HF23]: This needs to allow a four-unit dwelling anywhere a single unit dwelling is allowed. Because the minimum lot area is less than 6,000 sf, there is a slight gap.

Commented [HF24]: It doesn't make sense to have a commercial density requirement.

Commented [HF25]: In other words, 30 percent coverage, excluding required setbacks and buffers. This is a bit low when we consider the size of some lots in this district.

Commented [HF26]: This should probably be in the Conditional Use Section.

Commented [HF27]: This district is part of the designated village center.

DRAFT

5. ADU~~s~~ to one- ~~and~~ or two- ~~household~~unit dwelling~~s~~ (See Section 510)
6. Home occupation (See Section 514)

C. Uses Requiring Site Plan Approval Prior to Permitting:

1. Multi-unit dwelling
2. Mixed use development

D. Uses Requiring ~~a~~ Conditional Use Approval Prior to Permitting:

1. Public and quasi-public building
2. Public utility
3. Special care facility (See Section 520)
4. Day care facility (See Section 508)
5. Private and public parking (See Section 517)
6. Bed and Breakfast (See Section 504)
7. Light Commercial Uses:
   a. Office ~~1,500 S.F. per residential unit~~.
   b. Retail store
   c. Restaurant
   d. Research/engineering establishment
   e. Design and drafting establishment
   f. Insurance company.
   g. Other similar commercial uses, as determined by the VDRB
8. Subdivision (See Section 612)

E. Land, Area and Structural Requirements:

1. Minimum Lot Area: 4,356 S.F.
2. Density 1,000 sq ft. per residential unit.
   ~~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.~~
3. Minimum Lot Frontage: 50 feet (See Section 611)
4. Front Setback Minimum: 30 feet from centerline.
5. Rear Setback Minimum: ~~None~~10 feet.
6. Side Setback Minimum: 10 feet.
7. Building Height Maximum: 40 feet.
8. Buffer Strip Requirements: (See Section 506)
9. Parking Requirements: (See Section 517)

F. Inactive Conditional Use Permit

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

Commented [HF28]: Moved to "density," below.

Commented [HF29]: 24 V.S.A. 4412 (12) – minimum lot size can't be stricter for multiunit than single-unit in water and sewer served areas.

Commented [HF29R2]: Same comment as CLI regarding density.

Commented [HF30]: Same as above—if the concern is regulating strip malls, just add it to the use schedule.

DRAFT

SECTION 313~~1~~ 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.~~B. Uses Requiring a~~n Administrative~~ Permit:
1. Accessory Dwelling Unit
~~1.~~2. Single-~~family~~ unit dwelling.
~~2.~~3. Structures accessory to a single-~~family~~ unit dwelling.
4. Two-~~family~~ unit dwelling.
5. Small multi-unit dwelling

C. Uses Requiring Site Plan Approval Prior to Permitting:
1. Hotel/Inn
~~3.~~2. Bed and breakfast

D. Uses Requiring ~~a~~ Conditional Use Permit Prior to Permitting~~.~~:
1. ~~Detached apartment.~~ (See Section 510)
2. Multi-~~family~~ unit 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)
13. Retail shop

E. General Requirements:
1. ~~Shall have a minimum of 10 guest rooms.~~
~~2.~~1. Retail shop permitted conditioned on the following:
   a. Shall not exceed 800 square feet.
   b. Shall be located only within the main structure.
~~3.~~2. 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.~~3. Expansion requires Conditional Use Approval following Site Plan Approval by Development Review Board~~Planning Commission~~.

Commented [HF31]: Added at PC request Jan. '26 meeting

Commented [HF32]: Even B&Bs need to have 10 rooms in this district?

Commented [HF32R2]: Removed at PC request.

DRAFT

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:	40~~35~~ feet.
7.	Buffer Strip Requirements:	(See Section 506)
8.	Parking Requirements:	(See Section 517)

Commented [HF33]: Changed at PC request 12.22.25

SECTION 314~~2~~ 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~~PUDs may receive the affordable housing density bonus per the requirements of Section 602 of this bylaw.
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 ensure 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 district~~s~~ 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

Commented [HF34]: Changed at PC request Jan. '26 meeting.

Commented [HF35]: Vague

DRAFT

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 at least 33% of the total acreage if the total acreage of the parcel is less than 50 acres and at least 50% of the 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
    a. The densities proposed for the entire area.
    b. 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

DRAFT

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~~ should 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. Cluster~~ed~~ development should be ~~considered~~ used 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**
   a. 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:
   b. 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,
   c. To provide privacy screening, reduce noise and glare, or to otherwise soften and/or lessen the visual impacts of development,
   d. To preserve existing specimen trees, tree lines, critical wildlife habitat, or wooded areas of particular natural or aesthetic value to the site,
   e. 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

Commented [HF36]: Changed at PC request Jan. '26 meeting.

Commented [HF37]: Potentially contradicts putting buildings in wooded areas

DRAFT

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

DRAFT

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.~~

Commented [HF38]: This will be the case if the parcel is in the Design Review Overlay District. No need to restate.

F. PUD Specific Standards

Commented [HF39]: This can be regulated as a mixed-use development

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.

DRAFT

ARTICLE IV OVERLAY ZONING DISTRICTS

SECTION 401 PURPOSE

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

B. Flood Hazard ~~District~~Overlay 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 Overlay 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~~ensure 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~~ 24 V.S.A § 4414 (1~~6~~)(E) of the Act.

D. Scenic Ridgeline Overlay 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~~PRECEDENCE

The specific regulations that apply within Overlay ~~Zones~~ Districts 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 OVERLAY DISTRICT

~~**RIPARIAN WATER QUALITY & AQUATIC HABITAT PROTECTION ZONE**~~
~~**Section §403 - Village Regulations (pg. 20)**~~

A. Purpose

The objective of this ~~regulation~~ overlay district is to ~~promote the establishment and protection of~~protect heavily vegetated areas of native ~~vegetation~~ plants 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

~~**B.**~~1. **Riparian Buffer Areas**

~~The requirements of this regulation shall apply to all riparian buffers in the Village of Woodstock, described as follows:~~Please note that applications for projects within the Riparian

Commented [HF40]: State septic permit jurisdiction. Town does not issue permits for this.

Commented [HF41]: This section needs to be reworked to establish a clear review procedure.

Commented [HF41R2]: What body conducts this review? What is the timeline and appeal procedure?

Commented [HF41R3]: I believe these are currently treated as Conditional Use permits with advisory ConCom review? Confirm with town staff.

DRAFT

Buffer Area are likely also subject to the Flood Hazard regulations in Section 404 of this bylaw. Work below the top of the bank is also subject to Stream Alteration permitting from the Vermont Agency of Natural Resources. The Riparian Buffer shall consist of:

- All land within 25~~100~~ feet horizontal distance measured from the top of ~~slope~~bank, for the following water bodies: Ottauquechee River, Gulf Stream, Barnard Brook and the Kedron Brook.
- All land within 1~~5~~0 feet horizontal distance measured from the top of ~~slope~~bank, for all other streams identified on the Critical Areas Inventory Map.

2. **Wetlands**

~~2.~~ Please note that applications for projects in or near wetlands are likely to be subject to state permitting by the Vermont Agency of Natural Resources. For the purposes of this bylaw, Wetlands consist of the following:

- Lands identified as Class 1 or 2 wetlands ~~on the Town's Critical Areas Analysis Map, hydric soils determined to be functionally significant under Vermont's Wetland Rules, and~~ or confirmed vernal pools ~~identified~~ on the Vermont State Wetlands Inventory ~~by the Conservation Commission~~ shall not be drained, filled, or altered without prior evaluation from the Agency of Natural Resources~~, review by the Conservation Commission,~~ and conditional use approval by the VDRB.
-

3. **Steep Slope**

Steep Slope areas consist of the following:

- ~~Lots with steep slope~~Areas with a grade of 25% or greater ~~characteristics~~ as identified in the ~~overlay zone~~Critical Areas Inventory Map.

C. APPLICATION REQUIREMENTS: In addition to the baseline application requirements listed in Section 708 and notwithstanding any additional requirements imposed as part of another review procedure and/or overlay district, the following items are required for review of applications within the Conservation Overlay District:

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.

Commented [HF42]: Lowered at PC request.

Commented [HF43]: Changed following June '25 PC mtg. State wetlands inventory is more accurate and updated.

Commented [HF44]: I strongly recommend cutting this. State regs take care of septic and new access standard covers emergency vehicle access and erosion.

DRAFT

D. REVIEW CRITERIA: The Village Development Review Board (VDRB) shall review the application in a warned public hearing for conformance with the following standards. The VDRB shall warn a hearing for review within forty-five (45) days of receiving a complete application. Hearings shall be warned according to the procedure required by 24 V.S.A § 4464 (a)(1). If the application requires other review processes, such as Site Plan or Conditional Use Review, the Conservation Overlay hearing shall take place concurrently with the hearing(s) required for the other reviews.

~~C.~~1. **General Standards**

- **Riparian Buffer Areas**

  ~~1.~~• Except as provided ~~in Subsection (2)~~ below, all lands within a riparian buffer shall be left in an undisturbed, vegetated condition.

  ~~2.~~• Removal of dead trees or trees of immediate threat to human safety as well as reasonable pruning of existing trees and shrubs i~~a~~s ~~permitted~~exempted.

  ~~3.~~• 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.

  • 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.

- **Wetlands**

  • Any land development adjacent to an identified ~~or functionally significant~~ Class 1 or 2 wetland or~~,~~ ~~including~~ vernal pool~~s,~~ shall provide a fifty (50) foot minimum setback ~~from the wetland.~~ See Vermont Wetland Rules, Buffer Zones.

  • Any proposal to excavate or locate within the required setback will require conditional use approval and may require approval from the ~~State~~Agency of Natural Resources.

~~4.~~• **Steep Slopes**

  • Shall be reviewed for ~~suitable sewage disposal, access for emergency vehicles~~compliance with the Access and Safety standards in Section 501 of this bylaw and all applicable permits from the Vermont Agency of Natural resources pertaining to erosion and drainage. Please see the ANR Permit Navigator for more information.~~, drainage, and erosion control.~~

~~D.~~2. **New Uses and Encroachments Within Riparian Buffers**

- **Exempted Uses:**

  ~~1.~~• Agriculture and Forestry Uses per ~~Chapter 117,~~ 24 V.S.A. § 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:~~

  ~~4.~~• Trees may be trimmed as long as the overall canopy is maintained.

  ~~5.~~• Underbrush may be replaced with native vegetation that is

Commented [HF45]: Added 1.27.26

Commented [HF46]: Do you actually want to issue permits for this or allow without permit?

Commented [HF46R2]: Changed at PC request.

Commented [HF47]: This contradicts subsection 1.

Commented [HF47R2]: Resolved 12.22.25

Commented [HF48]: Already covered by #2; if you want the opportunity for exceptions to #2, needs to be a waiver process defined in bylaw.

Commented [HF49]: Changed 1.27.26

Commented [HF50]: Make note of fact that riparian buffer areas probably fall within flood permitting jurisdiction also. Any work below top of bank also requires ANR stream alteration permit.

Commented [HF50R2]: Added above.

Commented [HF51]: This contradicts the general standards; also, how to measure 5% of area? Basal area?

Commented [HF51R2]: Removed at PC request.

DRAFT

more appropriate to a riparian zone.

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

E. AUTHORITY TO CONDITION

The VDRB shall have authority to impose conditions consistent with the intent and objectives of this Section in approving a proposed plan for land development in the Conservation Overlay 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.

F. EFFECTIVE DATE AND APPEALS: 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.

Commented [HF52]: Added 1.27.26.

~~**E. Shallow Soils**~~

~~1. Lots with shallow soil characteristics as identified in the overlay zone shall be reviewed for suitable sewage disposal systems and erosion control.~~

Commented [HF53]: Septic governed by state permit; if you want to regulate erosion control, need to say what standards are to prove minimal impact. Erosion control study produced by P.E., etc.

SECTION 404 FLOOD HAZARD ~~AREA~~OVERLAY DISTRICT

To effect the purposes of 10 V.S.A., Chapter 32, and in accordance 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 Resource pursuant to 10 V.S.A. § 753, which are hereby adopted by reference and declared to be part of these regulations.

The information presented on any maps, or contained in any studies, adopted by reference, is presumed accurate. If uncertainty exists with respect to the boundaries of the Special Flood Hazard Area or the floodway, the location of the boundary shall be determined by the Administrative Officer (AO). If the applicant disagrees with the determination made by the AO, a Letter of Map Amendment (LOMA) from FEMA shall constitute proof.

Where available, base flood elevations and floodway limits provided by the National Flood Insurance Program and in the Flood Insurance Study and accompanying maps shall be used to administer and enforce these regulations. In Special Flood Hazard Areas where base flood elevations and/or floodway limits have not been provided by the National Flood Insurance

DRAFT

Program in the Flood Insurance Study and accompanying maps, it is the applicant' responsibility to develop the necessary data. Where available, the applicant shall use data provided by FEMA, or State, or Federal agencies.

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. ~~Town~~ Village Development Review Board

Upon receiving an application for a permit under these Regulations, and prior to holding a hearing and rendering a decision, the V~~T~~DRB 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. A copy of the application shall be submitted to VT ANR at least 30 days prior to the date of the public hearing.

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

DRAFT

the Agency, whichever is sooner.

D. Development Standards

1. **Floodway Areas**
   a. Encroachments or development above grade and below the elevation of the floodway are prohibited unless hydrologic and hydraulic analyses are performed in accordance with standard engineering practice, by a registered professional engineer, certifying that the proposed development will:
      i. Not result in any increase in flood levels (0.00 feet) during the occurrence of the base flood;
      ii. Not increase any risk to surrounding properties, facilities, or structures from erosion or flooding.
   b. Public utilities may be placed underground, and the analyses may be waived, where a registered professional engineer certifies that there will be no change in grade and the utilities will be adequately protected from scour.
   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. All Development
      i. All development shall be reasonably safe from flooding and 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.
      v. adequately drained to reduce exposure to flood hazards;
      vi. located so as to minimize conflict with changes in channel location over time and the need to intervene with such changes; and,
      vii. required to locate any fuel storage tanks (as needed to serve an existing building in the Special Flood Hazard Zone) a minimum of ~~one foot~~two feet above the base flood elevation and be securely anchored to prevent flotation; or storage tanks may be placed underground, if securely anchored as certified by a qualified professional.
   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~~two feet 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

DRAFT

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~~two feet 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~~two feet 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~~two feet 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

DRAFT

be at least ~~one foot~~two feet 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

Commented [HF54]: Unless we want to define "minimal investment,' let's just stick with standards below.

Commented [HF55]: This is the "compensatory storage clause" that was previously mentioned at PC meetings.

DRAFT

not be less than the pre-development capacity. If cuts and fills are used under this ~~provision~~provision, ~~than~~then a certification by an engineer of the net change in flood storage is required; the engineer must also certify ~~and~~ that the modifications do not create any increase in erosion or flood hazard ~~is required~~.

m. Bridges and culverts, which by their nature must be placed in or over the stream, must have a stream alteration permit from the Agency of Natural Resources.

E. Warning of Disclaimer of Liability

This ordinance does not imply that land outside of the areas of special flood hazard or land use permitted within such districts will be free from flooding or flood damages. This ordinance shall not create liability on the part of the Town or Village of Woodstock or any ~~town~~ municipal official or employee thereof for any flood damages that result from reliance on this ordinance or any administrative decision lawfully made thereunder.

F. Permits

A permit is required from the Administrative Officer for all development in all areas defined in Section E. Development that requires conditional use approval, non-conforming use approval, or a variance under these flood hazard regulations, must have such approvals prior to the issuance of a permit by the AO. Any development subject to municipal jurisdiction in the designated hazard areas shall meet the criteria in Section C. Any permit issued will require that all other necessary permits from State or Federal Agencies have been received before work may begin. The VT ANR Project Review Sheet shall identify all State and Federal agencies from which permit approval is required for the proposal, and shall be filed as a required attachment to the municipal permit application. The identified permits, or letters indicating that such permits are not required, shall be submitted to the AO and attached to the permit before work can begin.

G. Variances to the Development Standards

Variances shall be granted by the appropriate municipal panel only in accordance with 24 V.S.A. § 4469 and in accordance with the criteria for granting variances found in 44CFR, Section 60.6, of the National Flood Insurance Program regulations.

Any variance issued in the Special Flood Hazard Area will not increase flood heights, and will inform the applicant in writing over the signature of a community official that the issuance of a variance to construct a structure below the base flood elevation increases risk to life and property and will result in increased flood insurance premiums up to amounts as high as $25 for $100 of coverage. Such notification shall be maintained with a record of all variance actions. A copy of such a variance shall be affixed to the deed of the property on file in the municipal clerk's office.

H. Precedence

The provision of these flood hazard bylaws shall not in any way impair or remove the necessity of compliance with any other local state or federal laws or regulations. Where this flood hazard regulation imposes a greater restriction the provision here shall take precedence.

I. Violations and Penalties

It shall be the duty of the Administrative Officer to enforce the provisions of this bylaw. Upon

DRAFT

determination that a violation exists, the Administrative Officer shall notify the alleged offender of the violation by certified mail.

1. The notice of enforcement shall state that:
    a. A violation exists;
    b. That the alleged offender has an opportunity to cure the violation within seven days of receipt;
    c. That failure to cure the violation may result in fines and/or loss of flood insurance;
    d. That the alleged offender will not be entitled to an additional warning notice for a violation occurring after the seven days within the next succeeding 12 months; and,
    e. That the notice of violation may be appealed as specified in this bylaw;
2. Copies of the notice of violation will be:
    a. Mailed to the Vermont NFIP Coordinator and, within 30 days be
    b. Filed in the land use permit files; and,
    c. Delivered to the municipal clerk for recording in the land records.

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.

SECTION 405 DESIGN REVIEW OVERLAY 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.~~

DRAFT

~~Regulation goals for the Village seek to preserve and enhance its established character.~~

~~B. 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.~~

~~C. 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.~~

A. Statement of Purpose

The Village of Woodstock regulates design to protect the architectural, historical, and aesthetic assets that contribute to its reputation as one of the most beautiful places in the country. This reputation forms the basis of Woodstock's tourism industry, which is the main driver of the local economy. While these regulations have been designed to encourage traditional architectural forms that are harmonious with the local vernacular, they do not mandate any particular style or encourage faux historicism, as Woodstock is in fact home to a wide variety of styles from a variety of eras. Rather, the process offers a streamlined path to approval for projects that meet a specific set of objective criteria based on common traits of traditional New England architecture, while also offering an alternative path for unique projects with features that do not conform strictly to those criteria.

~~D.~~B. ~~Design Plan Approval~~Applicability

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~~the following development activities within the Design Review District shall be subject to Design review by the Village Development Review Board (VDRB) or Administrative Officer (AO):~~:~~
   a. Construction of a ~~building~~structure.
   b. Relocation of a ~~building or~~ structure.
   c. Restoration or reconstruction of a structure.
   d. A change in use or type of occupancy.
   e. Substantial alteration of a structure. The following shall constitute substantial alteration:
      - Addition to or alteration of the exterior of a building which increases

Commented [HF56]: This does not mean anything in terms of regulation.

Commented [HF57]: The Village is also a mixed-use area.

Commented [HF58]: It doesn't make sense to only have one set of standards for two districts and simply say "we'll use the same standards for both districts, but enforce them a little bit less in the East End." Either delete this or create a second set of standards, one for each district. I recommended striking it.

Commented [HF58R2]: Board agrees on having two sets of standards at 4.2.25 meeting.

Commented [HF59]: Redrafted at PC request 12.22.25

DRAFT

or decreases the square footage of the building, whether enclosed or not.

- 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.
- Alteration of the roof line or chimney, or the addition of skylights.
- 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.
- Addition, alteration or removal of accessory structures such as permanent fences, stone walls, awnings, arbors, canopies, gazebos, garden sheds, mechanical equipment, and lighting.
- Installation of an illuminated sign.

~~b.~~f. Demolition of a 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. T~~Except as otherwise provided in these Regulations,~~ he following development activities shall NOT require design approval:

a. ~~a change in use or type of occupancy shall not require Design Plan Approval.~~Interior renovations.

b. Exterior repairs that only involve in-kind replacement of existing materials.

c. Exterior changes that cannot be seen from a public road.

d. Accessory structures not visible from a public road.

e. Roof-mounted equipment or structures not visible at the parcel frontage line.

f. Utility and HVAC equipment—including, but not limited to, heat pump condensers and transformers—provided that this equipment is not located in the parcel's front yard.

g. Commercial kitchen and restaurant equipment necessary to meet code and licensing requirements.

~~2.~~h. Temporary structures or alterations, including, but not limited to, scaffolding, construction barriers, window unit air conditioners, and seasonal decorations.

Commented [HF60]: Statute says you have to regulate this if you have a design review district.

Commented [HF61]: Requested by PC at May mtg.

Commented [HF62]: Caveat requested by PC at May mtg.

Commented [HF63]: Requested by PC at May mtg.

C. Design Review District Overlay Map

DRAFT

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. This map also depicts the boundary between the Village Center and East End Design Review Districts.

D. Design ~~Plan Application~~ Review Procedures

1. Application

a. Upon receipt of a complete application as described in Section 708, the municipal planning and zoning office shall transmit copies of the application materials to the Village Development Review Board (VDRB) and Village Design Advisory Committee (VDAC).~~In addition to the standard application procedures, the applicant shall include all information~~

b. The municipal planning & zoning office may require any of the following materials prior to the VDRB hearing, as deemed relevant and necessary for determining compliance with the criteria established in subsection F below. The planning & zoning office shall have sole discretion and authority for requiring additional application materials. If the applicant is unable to provide any of the required materials by the hearing date, the VDRB may vote to hold a continuation of the hearing at a later date.

- Site plan (new construction and additions only; NOT allowed for single- and two-unit dwellings)
- Elevation drawings depicting full façade detail
- Photographs, specification sheets, renderings, sketches, or drawings to illustrate detail of building components. Including, as relevant:
  - Fenestration
  - Ornamentation
  - Materials
  - ~~a.~~ Roofing~~ 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.~~c. ~~See Design Review Worksheet for further instructions~~The applicant may submit a Design Review Worksheet to inform the VDRB's decision.

~~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**~~

Commented [HF64]: There is no demarcation between the East End and Village design review districts shown on the official zoning map. A different map buried on the town website shows the boundary line between the two districts.

Commented [HF64R2]: Add the boundary to the official zoning map.

Commented [HF65]: Changed after 4.2.25 meeting

Commented [HF65R2]: Kevin: do we need to establish continuation procedures/when this info can be requested?

Commented [HF65R3]: Cite the prohibition on requiring for single and two unit.

Commented [HF65R4]: This section reworked following 5.7.25 mtg.

Commented [HF66]: The clock starts ticking when the application is deemed complete for any applicable approval processes. There cannot be delays to accommodate an advisory board.

DRAFT

~~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.~~

Commented [HF67]: Per 24 V.S.A. 4464 (d)(2) advisory panels are not enabled to compel applicants to meet with them, however, they can meet with the applicant voluntarily.

2. Expedited Review (Optional)

The applicant may request an expedited Design Review to be conducted by the Administrative Officer (AO). Applications will be evaluated by the AO for compliance with the criteria below. These stricter criteria are intended to offer a more streamlined path to approval for projects with clear aesthetic precedent in Woodstock.

The AO shall issue their decision within thirty (30) days of receiving a complete application. All decisions of the AO are appealable under Section 717 of this bylaw.

Nothing in this clause shall prevent the AO, at their discretion, from declining to issue a decision via expedited review and referring the application to the VDRB to be reviewed via the full hearing process. In such cases, the forty-five (45) day timeline to warn the VDRB hearing shall apply from the date of complete application receipt. An application for expedited review that is rejected by the AO will also be referred to the VDRB to be reviewed via the full hearing process.

Commented [HF68]: Redrafted 12.23.25 per PC request at November meeting.

Expedited Review Criteria:
Village Center Design Review Overlay District

- **Rhythm**: Repeated façade elements such as columns and windows shall be spaced according to a regular pattern. Nothing in this requirement shall prohibit the inclusion of standalone elements--such as a door, turret, or bay window--which break the pattern of a repeated element or the overall symmetry of the façade.

- **Cladding**:

  Only the following cladding materials are allowed:
  - Wood—may be clapboard, shakes, board & batten, flat board, or closed-joint
  - Natural stone or natural stone veneer
  - Natural clay brick or clay brick veneer
  - Other materials may be accepted with evidence of precedent within the Village Center Design Review Overlay District.

Commented [HF69]: Added at PC request, 12.22.25

- **Fenestration**: In new structures, windows shall be taller than they are wide, square, or circular with the exception of display windows for ground-floor commercial storefronts and

non-operable decorative windows including, but not limited to, stained-glass, fanlights, and oculi. Alterations to or replacements of existing windows shall retain the aesthetic of the existing window with respect to their materials, dimensions, mullions, trim, and shutters.

- **Ornamentation**: If the design includes decorative elements such as entablature, cornices, and shutters, these elements shall be built of wood, stone, brick, plaster, or metal. Ornamental elements shall appear symmetrical with respect to the façade on which they are located. Nothing in this requirement shall prohibit the inclusion of standalone elements--such as a door, turret, or bay window--which break the pattern of ornamental elements or the overall symmetry of the façade.

- **Accessory Structures**: Chain-link fences are not allowed. Solid (AKA privacy) fences are not allowed along the parcel frontage. Walls made of brick or stone are not considered fences for the purposes of this section, however, they are subject to all the requirements placed on fences in Section 513. Enclosed accessory structures such as sheds, garages, and barns shall adhere to all other criteria listed in this section. Open-air structures such as gazebos and pergolas do NOT need to comply with the other criteria in this section.

- **Roof Types and Roofing Materials:**

  Only the following roof types are allowed:
  - Gable (all sub-types including cross-gable, box gable, etc.), with or without dormers
  - Gambrel, with or without dormers
  - Mansard, with or without dormers
  - Flat roof with a decorative cornice or false front

  Only the following roofing materials are allowed:
  - Shingles—may be asphalt, wooden, or metal
  - Standing seam metal
  - Slate
  - White-colored membrane (only on buildings with flat roofs)

Expedited Review Criteria:
East End Design Review Overlay District

- **Rhythm**: Repeated façade elements such as columns and windows shall be spaced according to a regular pattern. Nothing in this requirement shall prohibit the inclusion of standalone elements--such as a door, turret, or bay window--which break the pattern of a repeated element or the overall symmetry of the façade.

- **Cladding**:

  The following cladding materials are NOT allowed:
  - Exposed Concrete Masonry Units (AKA cinder blocks)
  - Exposed concrete
  - Corrugated metal
  - Stucco or render

Commented [HF70]: Added at PC request 5.7.25 mtg.

Commented [HF71]: Added at PC request 5.7.25.

Commented [HF72]: Caveat pointed out by PC at 5.7.25 mtg.

Commented [HF73]: Added after 5.7.25

DRAFT

- Vinyl

- **Accessory Structures**: Chain-link fences are not allowed. Solid (AKA privacy) fences are not allowed along the parcel frontage. Walls made of brick or stone are not considered fences for the purposes of this section, however, they are subject to the same height limits placed on fences in Section 513. Enclosed accessory structures such as sheds, garages, and barns shall adhere to all other criteria listed in this section. Open-air structures such as gazebos and pergolas do NOT need to comply with the other criteria in this section.

- **Roof Types and Roofing Materials:**

Only the following roof types are allowed:
- Gable (all sub-types including cross-gable, box gable, etc.), with or without dormers
- Gambrel, with or without dormers
- Mansard, with or without dormers
- Flat roof with a decorative cornice or false front

Only the following roofing materials are allowed:
- Shingles—may be asphalt, wooden, or metal
- Standing seam metal
- Slate
- White-colored membrane (only on buildings with flat roofs)

3. Village Design Advisory Committee Review

The Village Design Advisory Committee (VDAC) may review proposals based on the design criteria enumerated in Subsection F of this Section and issue a written recommendation to be submitted as testimony at the VDRB hearing.

If the VDAC wishes to issue a recommendation on an application, they shall meet and issue a written recommendation within 30 days of a completed application being filed. This meeting shall be held in accordance with Vermont's Open Meeting Law, however, it is not to be conducted as a quasi-judicial public hearing. The applicant may choose to appear at this meeting on a voluntary basis but cannot be required to appear. The clerk of the VDAC shall notify the applicant of the Committee's recommendation and transmit a copy to the clerk of the VDRB and the AO.

~~3.~~4.Village Development Review Board ~~DRB~~ ~~Review~~Hearing

The VDRB shall warn a hearing for review within forty-five (45) days of receiving a complete application. Hearings shall be warned according to the procedure required by 24 V.S.A § 4464 (a)(1). If the application requires other review processes, such as Site Plan or Conditional Use Review, the Design Review hearing shall take place concurrently with the hearing(s) required for the other reviews.
~~The VDRB~~
The recommendation of the Village Design Advisory Committee (VDAC) shall be

Commented [HF74]: Requested by PC 5.7.25

Commented [HF75]: Caveat pointed out by PC at 5.7.25 mtg.

Commented [HF76]: If the Board of Trustees/PC wish to remove VDAC from the design review process, this section would be deleted and reference to VDAC review would be removed below.

Commented [HF77]: Per 24 V.S.A. 4464 (d)(2) advisory panels are not enabled to compel applicants to meet with them, however, they can meet with the applicant voluntarily.

DRAFT

considered by the VDRB, if VDAC has opted to issue a recommendation according to the procedure described above. VDAC recommendations are non-binding; however, design approvals issued by the VDRB may, but need not, adopt by reference the recommendations of the VDAC as conditions of the approval.

The VDRB shall deliberate upon the close of testimony.,~~, a~~ after reviewing ~~the report of the Design Review Board and~~ all ~~supporting~~ application materials and ~~after~~ receiving comments from the applicant and board.~~, upon close of testimony shall~~. The VDRB shall issue to the applicant a written decision granting or denying the application for Design ~~Plan Approval~~Review~~.~~ within thirty (30) calendar days of the close of testimony.

~~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 Boardapproval. The VDRB shall render its decision within 30 days from the close of testimony.~~

~~4.~~5. Limitations

Failure of the VDRB or AO to ~~issue its decision~~ take action 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 AO ~~or Design Review Board~~ and the applicant.

6. **Appeals**

Any interested person may appeal design review decisions of the VDRB and AO according to the procedures established in Section 717 or 718 of this bylaw, as applicable.

~~**E. 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~~

Commented [HF78]: Changed at PC request at 5.7.25 mtg.

Commented [HF79]: Changed after 5.7.25 mtg.

Commented [HF79R2]: Add citation?

Commented [HF80]: Criteria for judgement are necessarily limited to what is listed below. No need to say this.

DRAFT

~~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.~~

~~F.~~E. Criteria For ~~Approval~~Review

~~Before granting Design Plan Approval, the VDRB shall find that the proposal conforms substantially to the following design criteria~~There are two Design Review Overlay Districts within the jurisdiction of this bylaw: the Village Center Design Review Overlay District and the East End Design Review Overlay District.

The design criteria for the Village Center District have been crafted to ensure that new structures and changes to existing structures are designed to be harmonious with the overall aesthetic of Woodstock's historic village center, without mandating that proposals emulate a single architectural style, as the village center is, in fact, home to a wide variety of styles.

The criteria for the East End District have been crafted to allow a wider variety of architectural styles in this emerging area of Woodstock, while ensuring that proposed projects will be assets, rather than detriments, to the Town's aesthetics.

Design Review decisions issued by the VDRB and advisory design review recommendations issued by the VDAC shall find that the proposal meets, or does not meet, the following requirements:

Village Center Design Review Overlay District

(a) **All Projects**.

(i) Exterior design and materials of new construction or alterations of existing buildings shall be consistent and compatible with the characteristics of the existing building or other properties in the district;

1. Additions to existing buildings shall respect and be compatible with the size, scale, materials, detailing, and overall character of the primary building and its environs.
2. Additions shall not obscure or undermine the essential form and character of the original building, and should reflect the addition's period and style as appropriate.

(ii) Existing buildings shall be recognized as a physical record of its time, place, and use. Changes that create a false sense of historical development, such as adding conjectural features or architectural elements from other buildings, shall not be undertaken. New construction, additions, and alterations shall be of their own time and shall not create a false sense of historicity;

Commented [HF81]: Exempted development not visible from a public highway above.

Commented [HF82]: Definitions changed to align with architectural convention. The proposed design should also be judged on its own merit, based on the criteria established herein—not judged in relation to surrounding buildings.

Commented [HF82R2]: Separate criteria for EE and village center. Frame village center in terms of what we DO want; frame EE in terms of what we DON'T want.

Commented [HF83]: Changed at PC request 12.23.25; adapted from Montpelier https://www.montpelier-vt.org/DocumentCenter/View/10713/Unified-Development-Regulations-as-amended-through-07-09-2025?bidId=

DRAFT

(iii) Location and appearance of all utilities, mechanical equipment, trash storage, and fencing shall be sited to minimize adverse visual impact or adequately and appropriately screened from public view;

(iv) Alterations to buildings called for by public safety, accessibility, and fire codes shall be designed to maintain the character of the construction materials and features to the maximum extent feasible;

(v) **Rhythm.** The visual patterns established by the alterations of solid walls and openings (windows and doors) in the façade of buildings shall create a rhythm.

1. Proportional architectural details, a sense of rhythm, and regular spacing of fenestration shall be considered.
2. Scale and massing of architectural features shall present a variety in their composition.

(vi) **Roof Shape and Equipment.**

1. The similarity or compatibility of roof shapes in the immediate areas shall be considered in the alteration of a building.
2. Rooftop equipment and fixtures on flat roofs shall be concealed from eye level view from adjacent public rights-of-way, and from the ground level of any adjacent properties.

(vii) **Architectural Features.** Architectural features, including but not limited to, cornices, windows, shutters, fanlights, entablature, trim, and other forms of molding or character-defining detailing prevailing on the existing building shall be considered in the alteration of a building.

(viii) **Roof Drainage Systems.** Roof drainage systems shall not hide or obscure architectural character-defining features and shall run adjacent to building corners when possible.

(b) **Additions and Alterations to Existing Buildings**

(i) **Generally Applicable**

1. The historic character of a property shall be retained and preserved. The removal of historic materials or alteration of features and spaces that characterize a historic property shall be avoided.
2. Character-defining features, finishes, and construction techniques or examples of craftsmanship that characterize a historic building shall be preserved. For instance:
   a. Additions shall not obscure or undermine the essential form and character of the original building, and should reflect the addition's period and style as appropriate; and
   b. Additions to buildings shall not introduce style and features that are not compatible with the historic building.
3. Development shall not destroy Character Defining Features. Deteriorated Character Defining Features shall be repaired rather than replaced. Where the severity of deterioration requires replacement of a character-defining feature, the new feature shall be replaced in-kind.
4. Any new development shall be differentiated from the old but shall respect and be compatible with the massing, size, scale, architectural features, detailing and overall character of the primary historic building and nearby historic properties.

(ii) **Rhythm.** Patterns of solids and openings shall be preserved to the extent

DRAFT

feasible.

It is not appropriate to add, cover over, or remove a window or door opening on façades visible from a public street unless the applicant can demonstrate it is essential to operations occurring within the building. In those cases where a window or door opening must be added, covered or removed, a suitable design solution that maintains the architectural integrity of the façade shall be proposed, including retention of the window or door opening and trim, with any infill material set back within the opening.

(iii) **Materials.** Character Defining Materials should be preserved to the maximum extent practicable and replaced in-kind when they have deteriorated beyond repair. Replacement materials shall match existing materials to the maximum extent feasible. Covering Character Defining Materials with new materials shall be avoided.

1. An alteration shall be considered to be compatible if the building materials used possess a kind or type which are appropriate to that building. Materials selected shall either fit the context of the existing building and/or reflect the nature and use of the structure.
2. Materials shall be selected for their long-term performance and durability.
3. When composite materials are appropriate, they should be treated in the same manner of the replaced material(s).

(iv) **Roof Shape.** Roof forms and pitch shall not be altered on the primary façade.

(v) **Architectural Features.**

1. Architectural or Character Defining Features prevailing on the existing building shall be considered in the alteration of a building.
2. When an architectural feature on a historic building has deteriorated beyond repair, the replacement architectural feature shall match the existing in design, texture, other visual qualities, and materials.
3. Architectural features on an addition shall not duplicate, but shall respect the original building's architectural features.

(vi) **Windows and Doors.**

1. Character Defining window and door patterns, placement, sizes, proportions, and original features such as trim, sash and moldings, shall be preserved to the extent possible. When preservation is not possible, such Character Defining windows and doors must be rehabilitated or replaced in-kind.
2. Windows and doors that are not Character Defining, may be replaced, but such replacements must be compatible with the historic building's style, materials, and architectural features. .

(vii) **Porches and Stairs.**

1. The location of porches, ramps, and stairs shall be placed in a manner that does not impact or undermine the original and significant ornamentation or detailing of the existing building.
2. Stairs, ramps and porches shall employ suitable detailing to connect and be compatible with the historic and important design features of existing buildings and new construction.
3. Stairs and ramps shall be designed in a manner with details and materials that provide the most sensitive and compatible structure

DRAFT

and that fits the building design and layout.

(c) **New Development.**

(i) New development shall incorporate sustainable design and construction methods and materials compatible with historic materials and styles.

(ii) **Scale and Massing**. The scale and massing of new buildings shall be compatible with surrounding structures.

Compatible scale and massing can be achieved by incorporating a variety of shapes or materials, such as columns, windows and their placement, doorways, roof segments, and wall patterns.

(iii) **Orientation.** New buildings shall be oriented toward, and relate both functionally and visually to, public streets and/or common greens, parks, or plazas. To provide a uniform streetscape, new principal structures shall be located and oriented with their fronts parallel to the street and with the setback distance comparable to adjacent structures.

(iv) **Rhythm.** The visual patterns established by the alterations of solid walls and openings (windows and doors) in the façade of buildings create a rhythm. These patterns of solids and openings shall be compatible to the adjacent buildings in the construction of a new building.

In making this determination, proportional architectural details, a sense of rhythm, and regular spacing of fenestration shall be considered.

(v) **Materials**. The materials of new construction shall be compatible with materials of surrounding buildings.

1. New construction shall be considered to be compatible if the materials used possess a kind or type that are appropriate to the District.
2. Materials selected shall either fit the Neighborhood context of the proposed building and/or reflect the nature and use of the structure.
3. Materials may be selected for the long-term performance and durability.

(vi) **Roofs.**

1. **Shape.** The roof shape shall be compatible with roof shapes in the surrounding area.
2. **Equipment and Fixtures.** Rooftop equipment and fixtures on flat roofs shall be concealed from eye level view from adjacent public rights-of-way, and from the ground level of any adjacent properties.

(vii) **Architectural Features.** Architectural features including but not limited to cornices, windows, shutters, fanlights, entablature and other forms of molding or unique detailing prevailing in the surrounding area shall be regarded as suggestive of the extent, nature, and scale of details that are appropriate for new buildings.

This subsection does not require that the details of historic buildings be duplicated.

(viii) **Context and Connectivity.** Building design shall be sensitive to the overall character and context of the Design Review Overlay District and to adjacent buildings.

1. New construction shall incorporate architectural elements that reinforce or add to the character of the area.
2. Other building elements and components such as lighting fixtures, sign size, design and sign placement, paving patterns, and landscape

DRAFT

elements are to be selected and incorporated into new construction in a manner that provides compatibility with adjacent structures and sites.

(ix) **Accessory Buildings and Structures**.

1. New accessory buildings or structures shall be located within either the side yard or rear yard.
2. New accessory buildings shall not visually disrupt the streetscape or affect the integrity of the existing building or proposed new building.

East End Design Review Overlay District

a. **All Projects**.

i. Location and appearance of all utilities, mechanical equipment, trash storage, and fencing shall be sited to minimize adverse visual impact or adequately and appropriately screened from public view;

ii. **Rhythm.** The visual patterns established by the alterations of solid walls and openings (windows and doors) in the façade of buildings shall create a regular rhythm.

iii. Rooftop Equipment.

Rooftop equipment and fixtures on flat roofs shall be concealed from eye level view from adjacent public rights-of-way, and from the ground level of any adjacent properties.

b. Additions and Alterations to Historic Buildings

For the purposes of this section, historic buildings are defined as those listed as contributing resources to the Woodstock Village Historic District of the National Register of Historic Places.

i. Generally Applicable

1. The historic character of a property shall be retained and preserved. The removal of historic materials or alteration of features and spaces that characterize a historic property shall be avoided.
2. Character-defining features, finishes, and construction techniques or examples of craftsmanship that characterize a historic building shall be preserved. For instance:
   a. Additions shall not obscure or undermine the essential form and character of the original building, and should reflect the addition's period and style as appropriate; and
   b. Additions to buildings shall not introduce style and features that are not compatible with the historic building.
3. Development shall not destroy Character Defining Features.
   Deteriorated Character Defining Features shall be repaired rather than replaced. Where the severity of deterioration requires replacement of a character-defining feature, the new feature shall be replaced in-kind.
4. Any new development shall be differentiated from the old but shall respect and be compatible with the massing, size, scale, architectural features, detailing and overall character of the primary historic building and nearby historic properties.

ii. **Rhythm.** Patterns of solids and openings shall be preserved to the extent

Commented [HF84]: This leaves a regulatory gap for existing, non-historic buildings. We will have to fill this with exemptions or otherwise define the jurisdiction for such buildings.

Commented [HF84R2]: In-kind repairs are already exempt, but substantial alterations or additions to buildings like ACE or Pizza Chef fall between the cracks here. We could simply specify that those are to be treated as new development.

DRAFT

feasible.

It is not appropriate to add, cover over, or remove a window or door opening on façades visible from a public street unless the applicant can demonstrate it is essential to operations occurring within the building. In those cases where a window or door opening must be added, covered or removed, a suitable design solution that maintains the architectural integrity of the façade shall be proposed, including retention of the window or door opening and trim, with any infill material set back within the opening.

iii. **Materials.** Character Defining Materials should be preserved to the maximum extent practicable and replaced in-kind when they have deteriorated beyond repair. Replacement materials shall match existing materials to the maximum extent feasible. Covering Character Defining Materials with new materials shall be avoided.

1. An alteration shall be considered to be compatible if the building materials used possess a kind or type which are appropriate to that building. Materials selected shall either fit the context of the existing building and/or reflect the nature and use of the structure.
2. Materials shall be selected for their long-term performance and durability.
3. When composite materials are appropriate, they should be treated in the same manner of the replaced material(s).

iv. **Roof Shape.** Roof forms and pitch shall not be altered on the primary façade.

v. Architectural Features.

1. Architectural or Character Defining Features prevailing on the existing building shall be considered in the alteration of a building.
2. When an architectural feature on a historic building has deteriorated beyond repair, the replacement architectural feature shall match the existing in design, texture, other visual qualities, and materials.
3. Architectural features on an addition shall not duplicate, but shall respect the original building's architectural features.

vi. Windows and Doors.

1. Character Defining window and door patterns, placement, sizes, proportions, and original features such as trim, sash and moldings, shall be preserved to the extent possible. When preservation is not possible, such Character Defining windows and doors must be rehabilitated or replaced in-kind.
2. Windows and doors that are not Character Defining, may be replaced, but such replacements must be compatible with the historic building's style, materials, and architectural features. .

vii. Porches and Stairs.

1. The location of porches, ramps, and stairs shall be placed in a manner that does not impact or undermine the original and significant ornamentation or detailing of the existing building.
2. Stairs, ramps and porches shall employ suitable detailing to connect and be compatible with the historic and important design features of existing buildings and new construction.
3. Stairs and ramps shall be designed in a manner with details and materials that provide the most sensitive and compatible structure

DRAFT

and that fits the building design and layout.

c. New Development.

i. New development shall incorporate sustainable design and construction methods.

ii. **Orientation.** New buildings shall be oriented toward, and relate both functionally and visually to, public streets and/or common greens, parks, or plazas. To provide a uniform streetscape, new principal structures shall be located and oriented with their fronts parallel to the street.

iii. **Rhythm.** The visual patterns established by the alterations of solid walls and openings (windows and doors) in the facade of buildings create a rhythm. In making this determination, proportional architectural details, a sense of rhythm, and regular spacing of fenestration shall be considered.

iv. **Roof Equipment and Fixtures.** Rooftop equipment and fixtures on flat roofs shall be concealed from eye level view from adjacent public rights-of-way, and from the ground level of any adjacent properties.

v. **Architectural Features.** Architectural features including but not limited to cornices, windows, shutters, fanlights, entablature and other forms of molding or unique detailing prevailing in the surrounding area shall be regarded as suggestive of the extent, nature, and scale of details that are appropriate for new buildings.

This subsection does not require that the details of historic buildings be duplicated.

vi. **Accessory Buildings and Structures**.

1. New accessory buildings or structures shall be located within either the side yard or rear yard.
2. New accessory buildings shall not visually disrupt the streetscape or affect the integrity of the existing building or proposed new building.

~~**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~~

Commented [HF85]: The AMP cannot require dimensions stricter than the standards established in the underlying district (at least for housing proposals) per 24 V.S.A. 4464 (b)(7)(A)(iii-v). Therefore, there is no need/basis for the VDAC to comment on height and setback in their recommendation.

Commented [HF86]: This is actually trying to describe rhythm, which is different than pattern in architecture. Pattern refers to visual order and repetition in elements such as brick, tile, or ornamentation.

DRAFT

~~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.~~

~~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.~~

~~G.~~F. Demolition of Buildings and ~~Site Features~~Accessory Structures

1. Demolition or removal of a building or accessory structure within the Design Review District, including demolition required as part of a proposed redevelopment project~~,~~ ~~or structure or site feature~~ shall require Design ~~Plan approval from the VDRB~~review.
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, they~~ 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

Commented [HF87]: Moved to fenestration and ornamentation.

Commented [HF88]: This is more of a concept in architectural theory than in practice. Perhaps this is trying to get at the idea of visual harmony?

Commented [HF89]: This is part of site plan review.

Commented [HF90]: There should be a separate demolition clause elsewhere in the bylaw.

Commented [HF90R2]: Add language notifying applicants of mandatory asbestos testing prior to demolition.

Commented [HF91]: VDAC does not have the authority to hold hearings or issue approvals.

DRAFT

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.

Commented [HF92]: Regulatory Historic Districts are a different thing than Design Review Districts in statute (see 24 VSA 4414 (1)(F)). Woodstock Village does not have a regulatory historic district, and the National Register does not prevent demolition of listed structures except for projects that are federally-funded.

Commented [HF92R2]: "Eligible for" is very broad.

SECTION 406 SCENIC RIDGELINE OVERLAY 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.~~G. Statement of Character

~~1.~~a. 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.~~b. 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.~~c. 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.~~H. Statement of Objectives

~~1.~~a. 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.~~b. These regulations shall not affect:

~~a.~~i. routine forestry management,

DRAFT

~~b.~~ii. pasture restoration, and agricultural uses (including construction of woods or fields access roads),

~~c.~~iii. 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.~~iv. a structure for agricultural, forestry and occasional non-residential use.

~~C.~~I. Description of Scenic Ridgeline Districts

~~1.~~a. 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.~~b. 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.~~c. 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.~~d. Overlapping: A Scenic Ridgeline District may overlap the zoning districts outlined in Article III.

~~D.~~J. Plan Approval

~~1.~~a. 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.~~b. Other conditional use requirements may be reviewed concurrently with Scenic Ridgeline requirements at the applicant's request.

~~3.~~c. Land Development Defined: For purposes of this section, land development shall be defined as any of the following:

~~a.~~i. Construction or placement of any building, except those exempted in Subsection B;

~~b.~~ii. 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.~~iii. 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.~~iv. Addition of skylights, solar panels or other large reflective surfaces excluding roofing materials;

~~e.~~v. Construction or modification of an access road or driveway, excluding normal driveway maintenance;

~~f.~~vi. Construction of a tower, satellite dish or any other type of antenna;

~~g.~~vii. Excavation or extraction of any kind of solid matter exceeding 200 cubic yards;

~~h.~~viii. 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.~~K. Procedures For Plan Application and Review

~~1.~~**a.** **Application**

~~a.~~i. In addition to Section 710, Conditional Use Permit, Section 708 Application

DRAFT

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:

~~b.~~ii. Name and address of the record landowner and any duly appointed agents of the parties.

~~c.~~iii. Location of the proposed land development depicted on a Scenic Ridgeline District Overlay Map to be provided with the application form.

~~d.~~iv. A map or sketch of the property proposed to be developed, drawn to scale, with the area to be developed clearly indicated.

~~e.~~v. A detailed description, including type and extent of the proposed land development.

~~f.~~vi. The location of the proposed structure on a USGS Topographic Map or Survey.

~~g.~~vii. A utility plan.

~~h.~~viii. A tree plan, showing where trees will remain, be thinned and be removed.

~~2.~~**b. Prehearing Preparation and Review**

~~a.~~i. 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:

~~b.~~ii. 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.

~~c.~~iii. 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].

~~d.~~iv. Include in the report all appropriate comments and recommendations relative to the criteria for approval listed under Subsection F.

~~e.~~v. 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.~~c. 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.~~d. 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.~~e. 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.

DRAFT

6.f. 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.g. 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.L. 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.a. **General Standards**

a.i. 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 § 406(G).

2.b. **Specific Standards**

a.i. **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.ii. **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.iii. **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 to the number, position, and type of window and door glass, skylights, etc. so as to minimize glare, without undue cost or burden.

G.M. 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.a. The period of time during which the proposed development would be viewed by the traveling public;

2.b. The frequency of the view of the proposed development as experienced by the traveling public;

3.c. The degree to which the view of the proposed development is screened by existing vegetation, the topography of the land, and existing structures;

4.d. Contributing or detracting background features in the view of the proposed development;

5.e. The distance to the view from the vantage point; and

6.f. The number of cars traveling on the public highway at or near the critical vantage point.

7.g. The difference in elevation between the proposed development and the vantage point.

H.N. Authority to Condition

The VDRB shall have authority to impose conditions consistent with the intent and

DRAFT

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.

DRAFT

ARTICLE V GENERAL REGULATIONS

SECTION 501 ACCESS AND SAFETY

To minimize traffic conflicts, and to safeguard against strip development, Title 19 V.S.A. authorizes the municipality to control access of public highways. Access (A.K.A. "curb cut") permits for connecting to a village highway are issued by the Woodstock Village Board of Trustees. Permits for connecting to state highways are issued by the Vermont Agency of Transportation per 19 V.S.A. § 1111.

New roads, both public and private, along with access roads (AKA driveways) serving new development shall comply with the Vermont Agency of Transportation's Standard A-76, B-71A, or B-71B as applicable, along with the Town of Woodstock's Highway Ordinance or the Village of Woodstock's Driveway Ordinance, as applicable.

Except as hereinafter provided, no land development may be permitted on lots which do not have frontage on a public road~~. Notwithstanding the foregoing~~, however, with the approval of the VDRB, the development may be exempted from the minimum frontage requirement for the district as set out in ~~Section 300~~Article III ~~may be satisfied~~ by the existence or creation of a permanent easement or right of way at least 3~~2~~0 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 502 CORNER LOTS

~~Structures~~ If a structure ~~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.~~ fronts on two or more public roads, the front setback requirement shall apply on all sides that border the road. All other sides shall conform with the side setback requirement of the district.

SECTION 503 DENSITY

Two unit dwellings are allowed on all lots, per 24 V.S.A. § 4412 (1)(D). In all districts served by water and sewer, four unit dwellings are allowed on all lots and a density of at least five (5) dwelling units per acre is allowed per 24 V.S.A. § 4412 (12). Notwithstanding the above, the maximum density for any development within a given district shall be in accordance with the density listed in that district's dimensional standards in Article III.

~~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 504~~603~~ ~~EXISTING SMALL~~NONCONFORMING LOTS

Commented [HF93]: Moved from Article 5

Commented [HF94]: VTRANS engineering documents including maximum grade, intersections, drainage, etc.

Commented [HF95]: Moved from below.

Commented [HF96]: This should be part of the subdivision article.

DRAFT

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.

Commented [HF97]: This section was repealed in 2003 https://legislature.vermont.gov/statutes/section/24/117/04404a

SECTION 505~~604~~ HEIGHT EXCEPTIONS

The height limitations of ~~these Regulations~~this bylaw shall be waived for agricultural barns and silos in the Residential Three Acre ~~zone~~District and for~~,~~ spires, belfries, steeples, cupolas, chimneys, railings, roof access stairwells, and code-required equipment in all ~~zones~~districts.

Commented [HF98]: Added at PC request after 6/5 meeting.

~~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.~~

Commented [HF99]: Move to subdivision

SECTION 5~~6~~06 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~~ termination 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 non-substantial 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

DRAFT

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 50~~1~~7 OFF-STREET PARKING

For every building hereafter erected, altered, extended or changed in use, except in the Central Commercial ~~or Residential/Office~~ district~~s~~ (see Subsection G.2~~3&4~~ below), off-street parking spaces shall be provided as set forth below. A standard 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

1. Shall have a minimum of one parking space per residential dwelling unit.
2. The VDRB may reduce or waive on-site parking requirements if conditions exist which mitigate parking need and still provide safe and sufficient access.
3. 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.

B. ~~Bed & Breakfast/Inns~~Lodging (Hotels, Motels, Inns, Bed & Breakfasts)

Shall have one space per rental unit and per employee, and two spaces for the resident household, if applicable. The number of employee spaces required shall not exceed the maximum number of employees on-site during any given shift.

~~C. Home Occupations~~

~~Shall be determined by the VDRB.~~

~~D.~~C. ~~Places of Public Assembly~~/Restaurants~~/etc.~~

One parking space for every ~~three~~ four seats, or capacity thereof, plus one space per employee vehicle.

Commented [HF100]: Added at PC request Jan. '26 meeting.

Commented [HF101]: This is not a standard.

Commented [HF102]: Changed at PC request 12.22.25

DRAFT

~~E.~~D. ~~Commercial and Business~~Retail Uses

One parking space for every business and employee vehicle, plus one parking space for every ~~two~~ three hundred square feet of floor area.

E. Office Uses

One parking space for every business and employee vehicle.

F. Industrial Uses

One parking space for every business and employee vehicle.

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~~the Administrative Officer may waive or reduce any of the above stated parking requirements per Section 716. ~~The petition must shall prove to the Board either if the Parking Requirements are not applicable or that parking needs requirements can be met through other means.~~To waive or reduce the requirements, the Administrative Officer must find that either (1) the parking requirements cannot be met due to physical constraints of the parcel or (2) the requirement can be met by existing parking facilities in the near vicinity. These facilities may be either public parking lots, street parking, private parking for which the applicant has secured a shared use agreement, or some combination thereof.
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 508~~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 509~~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.

Commented [HF103]: Updated 12.22.25

Commented [HF104]: Look at statute for perf. Stds. Don't think these are usually enforced at time of permit.

DRAFT

I. Cause harmful waste to be discharged into sewer, streams, or bodies of water, or to be stored on said property.

SECTION 510~~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~~Racetrack
I. ~~Outdoor movie~~
J. ~~Outdoor Furnace~~
K. Junk yard
L. Commercial dump
M. ~~Windmills~~
N. Trailer and mobile or home sales and service

SECTION 511~~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.**~~**C.** Zoning permits to develop land of the types or locations designated in 24 V.S.A Section 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%~~

Commented [HF105]: Add strip malls and a definition?

Commented [HF105R2]: Kevin: Can you ban certain commercial uses, or only based on land use?

Commented [HF106]: As in drive-in movie theaters?

Commented [HF107]: This seems to contradict Section 518.

Commented [HF108]: Don't think you can ban a particular resource across the entire town per Act 174.

Commented [HF109]: Discussion at 6/5 PC meeting—no one sure what this means.

Commented [HF110]: This is weird and may run afoul of equal treatment of housing law

Commented [HF111]: Redundant of Section 108.

DRAFT

~~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. 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.~~

Commented [HF112]: Add subdivision article.

SECTION 512 SUBSURFACE DISPOSAL OF SEWAGE

Municipal sewer connection is required unless the structure is more than one thousand (1000) feet from an existing municipal sewer line, in which case a State-permitted 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 513 MULTIPLE USE OF LOTS

A combination of principal uses on a lot is permitted provided:

1. The lot is large enough to meet the area standards of the most intensive use, and
2. Setback requirements and all other applicable standards are met for all uses.

ARTICLE VI ADDITIONAL SPECIFIC ~~STANDARDS~~PROVISIONS

~~**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.~~

Commented [HF113]: Moved to General Standards.

SECTION 6~~5~~012 ACCESSORY STRUCTURES WITHIN THE SETBACK

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

Commented [HF114]: Add waivers section to Article VII and use statutory required language.

SECTION 6~~5~~023~~3~~ AFFORDABLE HOUSING DENSITY BONUS

In all districts, affordable housing developments (see: Definitions) shall receive a ~~minimum~~ density bonus of 50% and a bonus of one habitable floor above the height maximum. The

DRAFT

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. As used in this subchapter:

"Habitable floor" means: Any floor of 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 6~~5~~034 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.

Commented [HF115]: Definitions now says 3-9 guest rooms. Do we want to make this align?

SECTION 6~~5~~045 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 6~~5~~056 BUFFER STRIP

If an~~y Commercial or~~ Industrial use abuts a r~~R~~esidential ~~District~~ use or body of water, except for access points, a buffer strip of land not less than fifteen (15) feet in depth shall be maintained along the common boundary. The buffer strip shall be used and maintained only ~~as a~~for fences and/or ~~for~~ the planting of trees, shrubs and flowers. Fences, trees, and other vegetation in the buffer strip shall not obstruct the visibility of vehicles exiting from the parcel drive.~~, 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 6~~5~~067 CELLULAR/COMMUNICATION TOWERS

Regulations available upon request from the Planning and Zoning Office.

Commented [HF116]: Commercial telecom towers are exempt from local permitting per 30 VSA 248a (h)(1). Bylaws are allowed to have standards for telecom facilities, but towns cannot issue local permits. Any reasonable standards the town has in its town plan and/or bylaws are given "substantial deference" by the PUC in their telecom permitting proceedings, but they are not required to apply the town's standards as permit conditions.

Commented [HF116R2]: Technically, 248a does not stop towns from requiring local permits for amateur facilities (such as HAM radio), however, the FCC has jurisdiction over such facilities, and case law has significantly limited the ability of towns to regulate HAM towers in practice.

Commented [HF117]: This is a standalone document on the town website. I'm assuming it was made a separate document because it's very long, but it needs to be in the bylaw text.

SECTION 6~~5~~078 DAY CARE HOME / FACILITY

A state registered or licensed family ~~child care~~childcare home serving six or fewer children shall require a~~n administrative~~ permit.

A State-registered or licensed family ~~child care~~childcare home serving no more than six full-time and four part-time children, as defined in 33 V.S.A. § 3511(7), 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~~

~~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~~

DRAFT

~~allowed.~~

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

Commented [HF118]: Density is determined by number of units. Commercial uses are not regulated using density.

SECTION 608~~510~~ ACCESSORY DWELLING UNITS (ADUs)

A. One ADU is allowed for each ~~single~~one- or two- ~~household~~ unit dwelling~~s~~ provided these requirements are ~~followed~~met:

1. The ADU must be located on the same lot as the ~~single~~one- or two-~~household~~ unit dwelling.
2. The ADU ~~may~~ must be one of the following:
   - ~~2.~~a. L~~be l~~ocated within or attached to ~~a~~ the primary ~~residential~~dwelling.~~:~~
   - ~~a. Single-household dwelling, converting it into a two-household dwelling; or~~
   - ~~b. Two-household dwelling, converting it into a three-household dwelling.~~
   - ~~3.~~b.~~The ADU may be~~Located in a new detached ~~residential building~~structure appurtenant to the primary dwelling.
   - ~~4.~~c.~~The ADU may be~~Located in a pre-existing accessory building, converting the accessory building to an ADU.
3. ~~5.~~3.No additional parking spaces are required for an ADU.

Commented [HF119]: Redundant of above.

SECTION 609~~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 a~~n~~ ~~Administrative p~~Permit.

SECTION 610~~512~~ EXTERIOR LIGHTING

A. General

1. All lights shall be fully shielded and directed towards the ground, so light is not allowed to escape into the night sky.
2. Lighting shall be directed towards the~~an~~ owner's property and not towards their neighbor to protect neighboring properties from the effects of glare and or light trespass.~~his/her neighbor~~.
3. Facade illumination is prohibited.
4. All new exterior lighting must have a correlated color temperature (CCT) of 3000 K or below to protect the historical nighttime environment, prevent traffic hazards, and protect both human and animal health.
5. All new exterior security lighting must be either placed on a motion sensor, or a timer which shall turn lights off between 11pm-5am.
6. ~~3.~~ All new exterior lighting must follow the "Five Principles for Responsible Outdoor Lighting" as published by DarkSky and the Illuminating Engineering Society.

B. Temporary /Seasonal Lighting

1. Temporary lighting installations which are not fully shielded or capped are allowed from the beginning of October through the end of January for a maximum of 90 days total, with no more than 45 being consecutive. Examples of temporary lighting installations include string lights, and light-up holiday decorations.
2. Temporary lighting installations from the beginning of October to the end of January which are fully shielded or capped may be on at any time. Temporary lighting installations

DRAFT

which are not fully shielded or capped must be on a timer which shall turn lights off between 11pm-5am.

3. Lighting installations such as string lights, festoon lights, or bistro lights that are fully shielded or capped may be lit year-round, provided they are placed on a timer and turned off between the hours of 11pm-5am to prevent the effects of light trespass from disturbing the nighttime experience of neighboring properties.

~~B.~~C. Commercial/Industrial Uses

1. Lighting shall be directed downwards and fully shielded ~~placed~~ to avoid glare ~~or not create a traffic hazard~~for motorists.
2. ~~Lighting shall be minimized to reflect the character of the neighborhood.~~
3. Any substantial change in exterior lighting (to be determined by the Administrative Officer) requires Site Plan Review.
4. ~~All uses or changes in use shall comply with the recommendations of the "Outdoor Lighting Manual for Vermont Municipalities" published May 1996, available in the Planning and Zoning Office.~~

Commented [HF120]: Molly Maxham suggested language.

SECTION 611~~513~~ FENCES

A permit (except in the Design Review Overlay 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). Vertical support post heights are not measured.
B. Shall not be higher than six and a half (6.5') feet in all other yards (as measured from original ground level). Vertical support post heights are not measured.~~.~~
C. The good or finished side of the fence shall be positioned to face towards the outside of the parcel boundaries for improved public visibility.~~face the neighbor~~.
D. An exception may be granted in special circumstances with conditional use approval by the VDRB.
E. The proposed fence or any portion thereof does not extend into a riparian buffer or Special Flood Hazard Area.

Commented [HF121]: Mike Tuller suggestions.

SECTION 612~~514~~HOME OCCUPATION

A. **General**

1. Per 24 V.S.A. § 4412 (4), n~~N~~o ~~regulation hereinbylaw~~ 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~~full-time residents of the household.
3. Outdoor storage and displays ~~is~~are prohibited.

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.

DRAFT

~~d. No deliveries.~~
~~e.~~d. Office use only.

SECTION 613~~515~~ LANDSCAPING/GRADING

Any addition, removal or redistribution of the soil in excess of ~~1,000 sq. ft. or nine~~ twenty (20~~9~~) cubic yards, or ~~substantial change in the grade of the land~~grading an area of over 1,000 sq. ft. requires a~~n Administrative~~ p~~P~~ermit. 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 614~~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.~~

~~**H. Residential Uses**~~

DRAFT

1. Shall have a minimum of one parking space per residential dwelling unit.
2. The VDRB may reduce or waive on-site parking requirements if conditions exist which mitigate parking need and still provide safe and sufficient access.
3. 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.

I. Bed & Breakfast/Inns

Shall have one space per rental unit and per employee, and two spaces for the resident household.

J. Home Occupations

Shall be determined by the VDRB.

K. Places of Public Assembly/Restaurants/etc.

One parking space for every three seats, or capacity thereof, plus one space per employee vehicle.

L. 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.

M. Industrial Uses

One parking space for every business and employee vehicle.

N. 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 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 615~~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

Commented [HF122]: One item?

DRAFT

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 616 SIGNS

A. General Rules and Limitations:

All signs and any change in size or location of a sign, except those specifically exempted, require a zoning permit issued by the Zoning Administrator. All signs shall be considered an accessory structure. Where a sign is an accessory structure to a permitted use, the sign shall be considered permitted use. In such cases, a sign shall require the issuance of the zoning permit. Where a sign is an accessory structure to a conditional use, the sign shall be considered a conditional use. In such cases, a sign shall require conditional use review and approval by the Development Review Board prior to the issuance of the zoning permit. All signs not specifically allowed or exempted are prohibited.

All signs, including exempt signs, shall be subject to the following requirements:

~~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. No outdoor sign shall be permitted, which does not pertain to the use of the premises on which it is located.
2. All signs shall be maintained in good condition and repair at all times.

~~1.~~3. All signs shall adhere to the setbacks established for accessory structures for each applicable zoning district.

~~2.~~4. All signs shall be removed within ninety (90) days of cessation or abandonment of business.

~~3.~~5. Nonconforming signs shall be in compliance with Section 606 Nonconforming Structures.

~~4.~~6. ~~All signs not specifically allowed, are prohibited.~~All signs may not interfere with, imitate, or resemble any official traffic control sign, signal or device, or attempt or appear to attempt to interfere with, imitate, or resemble any official traffic control sign, signal or device. An official traffic control sign, signal or device shall have the same meaning as a "traffic control device" in the latest edition of the Manual of Uniform Traffic Control Devices.

Commented [BK123]: This aligns better with the schedule of permitted/conditional structures/uses for each zoning district in these Bylaws, Signs are a specific type of accessory structure. Not all accessory structures are allowed by right in these Bylaws.

Commented [BK123R2]: Alternatively, PC could revert to having signs permitted by right in all districts.

Commented [BK124]: PC could establish different setbacks for signs in each Zoning District. Otherwise this regulation should apply.

Commented [BK125]: These are regulated under the Manual of Uniform Traffic Control Devices, the federal code that all traffic signs, road surface markings, and signals nationwide must comply with under federal law. This does not mean instructional signs erected for traffic or pedestrian control on or around a property.

Commented [BK125R2]: Reed vs. Town of Gilbert case says that a content-based regulation like this may survive a test of strict scrutiny and therefore be a valid regulation of the content of a sign.

DRAFT

~~5. Signs shall be placed on the property side of sidewalks.~~

~~6.~~7. Types and placement of signs shall not driver of a motor vehicle from having a clear and unobstructed view of official traffic control signs and approaching or merging traffic~~obstruct or impede traffic visibility or otherwise cause a dangerous distraction~~.

~~7.~~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.

B. Specific Regulations by Type of Sign:~~Sign Requirements~~:

a. **Free standing signs:** A sign supported by a structure of one or more frames, poles, or other support structures permanently erected in or upon the ground. Free standing shall be located between three (3) and ten (10) feet above ground level.

b. **Wall signs:** A sign permanently affixed to, printed, or painted on any exterior wall or window of a structure that does not extend outward from structure. Wall signs shall not exceed the highest point of a building roof.

c. **Projecting signs:** A sign permanently affixed to any exterior wall of a structure that extends outward from structure. 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. **A-Frame Sign**: A sign ordinarily in the shape of an "A" or some variation thereof, which is readily moveable, and is not permanently attached to the ground or any structure. A-Frame signs shall not exceed eight (8) square feet in area per side, including the frame. No A-Frame sign may exceed four (4) feet in height or two (2) feet in width. Only a single A-Frame sign may be allowed per parcel. The placement of an A-Frame sign must be within ten (10) feet of the primary entrance of the structure where the business or temporary event is located. No A-Frame sign may obstruct an entryway to a structure. Any A-Frame sign placed on a sidewalk shall only be allowed where an unobstructed sidewalk width of at least 5 feet for pedestrian passage is maintained.

e. **Instructional Sign**: A sign whose sole purpose is instructional, including, but not limited to, traffic or pedestrian control, off-street parking or loading areas, safety or other warnings, ingress or egress from structures, or hours of operation; 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.

~~e.~~f. **Directory Sign**: An on-premise sign providing a listing of the particular uses or occupants of a structure or complex. A structure or complex containing multiple uses or occupants may have one (1) free-standing Directory Sign, not to exceed fifty (50) square feet. Each use or occupant of the structure may have a sign within the Directory Sign, all of which shall be equal in shape and size, which is not to exceed three (3) square feet.

~~d.~~g. **Awnings:** Signage placed on an awning may only be placed on the valance.

C. Prohibitions on Signs:

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 exterior 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.

~~e.~~f. Off-premise signs.

Commented [BK126]: This seems to contradict allowing projecting signs to overhang sidewalks.

Commented [BK127]: Made new section. These are not general standards like the above, but specific standards for each sign type.

Commented [BK128]: Proposed definition:

A sign that is in any manner affixed to, printed, projected, or painted on any exterior wall of a building or structure, including windows.

Commented [BK128R2]: There is no specific regulation around window signs, so I am including these within this definition.

Commented [BK129]: Proposed definition:

A sign of any material, including text, images, or both text and images, that is in any manner affixed to, printed, or painted on any exterior wall of a building or structure such that the sign extends outward from the face of the building or structure to which it is attached.

Commented [BK130]: Made new section.

Commented [BK131]: Subjective standard. Either strike or add a maximum illumination standard.

DRAFT

~~f.~~g. Exception to (a) and (b): These provisions do NOT apply to traditional barber poles when displayed by licensed barbers which is expressly allowed.

D. Signs and Changes in Signs Requiring an Administrative Permit:
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.
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.
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.
Signs Not Requiring a PermitExempt Signs:

a. Temporary Signs: are those non-permanent signs announcing or advertising 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) temporary 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 at a time. Retail signs shall be placed within the window. Temporary signs shall be promptly removed after the conclusion of the announced or advertised event. Subject to these conditions, temporary signs do not require a permit.

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.

c. Contractor Signs: are those announcing a firm/individual actively engaged in construction on the property. One (1) sign per lot, not to exceed four (4) 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, Residential Offices and home occupations.

f. Home occupation, bed breakfast and home businesses may have one additional "open/closed" or "vacancy/no vacancy" sign not to exceed 36 square inches.

~~g.~~b. Interior signs located more than 12" from a window do not require a permit. Interior signs affixed to or less than twelve inches away from a window, which are intended for view from the outside, are not considered an exempt sign under these regulations.

E~~B~~. Specific Regulations by Zoning Districts/Uses

1. **Commercial, Community and Inn Districts/Uses**
   A. **Size by Business Location and Type:**
      a. An individual ground floor business may have on premises:
         i. Up to two affixed signs OR
         ii. One affixed plus either one projecting or one 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.

Commented [BK132]: Made new section.

Commented [BK133]: Reformatted for easier reading.

Commented [BK134]: These are fine general standards and could be applied to all commercial, community, and inn districts/uses. That way, a business could not have a disproportionately large sign for a relatively small frontage area.

DRAFT

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 an affixed ground floor entry sign, not to exceed two (2) square feet in size.
   ii. 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. A structure or complex containing multiple uses or occupants may have ~~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 if a structure or complex has a directory sign.
   ~~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.~~

Commented [BK135]: Made general requirement above.

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

~~C.~~B. Size and Placement by Sign Type:

a. Free-standing signs:
   i. Size is limited to ten (10) square feet in the Central Commercial and twenty (20) square feet in all other Commercial and Community districts.
   ~~ii. Free-standing and directory signs, shall require Site Plan Review approval, and Design Review approval if illuminated.~~
   ~~iii.~~ii. There shall be only one free-standing sign per property.

2. ~~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.
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.

3. ~~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.

4. ~~E.~~ Design Review District

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

SECTION 617~~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

DRAFT

to constitute a permitted single-~~family~~ unit residential use of property, per 24 V.S.A 4412(1)(G). ~~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.

Commented [HF136]: Statute does not give you the power to make this restriction.

~~**SECTION 521 SUBSURFACE DISPOSAL OF SEWAGE**~~

~~Municipal sewer hook-up 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.~~

Commented [HF137]: Moved to General Standards.

SECTION 618~~522~~ SHORT-TERM RENTALS

Short-term rentals are regulated by local ordinance in the Village of Woodstock. Please see the Town website for more information. ~~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 619~~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 VII SUBDIVISION

SECTION 701 APPLICABILITY

A Subdivision is defined as the partitioning or dividing of a parcel or tract of land, where the act of division creates two or more separate lots. All subdivisions require filing a new plat with the Village to record them. However, not all of these are regulated under this bylaw. For the purposes of this section, the following are NOT regulated subdivisions:

DRAFT

- The filing of a plat for an existing lot that does not currently have a plat.
- The annexation of one lot onto another lot in its entirety.

For subdivision of parcels spanning the boundary of the Town and Village of Woodstock, the Administrative Officer shall issue a written opinion determining whether a permit is required.

Commented [HF138]: Added after July meeting.

SECTION 702 MINOR SUBDIVISON REVIEW PROCEDURE

The following are defined as minor subdivisions if they do not contain lands in the Special Flood Hazard Area, river corridor, and/or the Conservation Overlay District and do not require additional approval processes, such as conditional use, site plan, and/or design review.

- Dividing a parcel into no more than two parcels, where each parcel meets the minimum dimensional requirements for the underlying district.
- Boundary adjustments applied for jointly by both property owners.

Application Submission: Required application materials listed in Section 703 shall be submitted to the municipal planning & zoning office.

Notice of Decision by the Administrative Officer: Within 30 days of receiving a complete application, the Administrative Officer shall issue a written decision either approving the application or referring it to the DRB to be reviewed as a major subdivision.

SECTION 703 MAJOR SUBDIVISION REVIEW PROCEDURE

All other applications for subdivision not exempt from regulation under Section 701 or defined as minor subdivisions per Section 702 shall be defined as major subdivisions and subject to the following review procedure.

Application Submission: Required application materials listed in Section 703 shall be submitted to the municipal planning & zoning office. Prior to application submittal, applicants are encouraged, but not required, to meet with the Zoning Administrator to identify potential conflicts with the subdivision approval criteria stated in this article.

VDRB Public Hearing: Within 45 days of application receipt, the VDRB shall warn a public hearing. If the application requires other review procedures, such as conditional use, site plan, or design, the subdivision hearing shall be scheduled to take place concurrently.

The plat as presented shall meet all requirements of this article. At the conclusion of the hearing, the VDRB may:

A. Recess the hearing to a date certain to allow submission of an acceptable plat as required by this Article or to conform to VDRB conditions.
B. Accept the plat and sign any presented plat recording.

DRAFT

C. Accept the plat and require the submission of a plat recording for signing within 180 days of the closing of the hearing.

Notice of Decision by the VDRB: Within 45 days of the close of testimony, the VDRB shall issue a written decision.

Plat Recording Delivered to the Zoning Administrator: The plat recording (i.e. the final plat document) shall be submitted within 180 days of approval by the VDRB. Before a plat is recorded, it shall be inspected by the Zoning Administrator to ensure it complies with the approved plat and any VDRB conditions. The plat document shall be 24″ x 18″ in dimension.

Commented [HF139]: Town staff: should this be 11" x 17"?

SECTION 704 APPLICATION MATERIALS

All submitted plats shall conform to the following standards and requirements:

A. The submittal shall be made in three copies, plus a digital copy of the survey plat in portable document format (PDF) that meets the digital survey standards established by The Board of Land Surveyors for digital copies of survey plats, and such plats shall be compatible with Vermont Center for Geographic Information standards.

B. Maps shall be at a scale per Table 1, include boundaries of the subdivision parcel(s), date, true north point, and scale.

Table 1

Distance on Map (inches)	Feet on Ground	Scale
1	200	1:2400
1	400	1:4800
1	1000	1:12000
1	2000	1:24000

C. A description of the proposed water supply shall be provided. If the source is an existing community water supply system, evidence of the right to use such system and the adequacy of such a system to meet water supply requirements shall be shown. All design criteria shall be in accordance with applicable State and local health regulations.

D. Description of the proposed sewage disposal system(s) shall be provided. If on-site sewage disposal is proposed, a licensed professional engineer's or certified site technician's report and plans prepared in conformance with State and local health regulations shall be submitted. If a community sewage disposal system is to be used, evidence of the right to use such system and an engineer's statement of the adequacy of the system to handle the additional sewage shall be submitted. If no septic system is proposed, then the mandatory deed notice shall also be included on the plat in no less than 12-point font.

E. The following shall be provided: All existing and proposed right-of-way lines, widths of roads, typical road profiles, dimensions of all lot lines, and size of all lots. Also included are locations of all buildings, walkways, amenities, utilities, and other man-made improvements. Current forest edge, proposed cut lines, and building

DRAFT

envelopes shall be included. Where such are not proposed, a condition prohibiting these improvements shall be included in the subdivision permit.

F. A description of any proposed covenants and/or deed restrictions that are intended to cover all or part of the subdivision shall be provided.

G. A description of the homeowners' association or other forms of management organization, if one is proposed, shall be provided.

H. Lots should be of ordinary shape and compact layout unless a compelling public interest or site feature can be identified that dictates otherwise.

SECTION 705 BOUNDARY ADJUSTMENTS

Boundary adjustments shall be heard only for joint applications by both property owners.

SECTION 706 GENERAL STANDARDS

All land to be subdivided shall be, in the judgement of the DRB, suitable to be used for the intended purposes without danger to public health or safety, to the environment, or to critical resources, as identified in the Town Plan. Land designated as flood hazard areas or characterized by wetlands or cliffs, or subject to other hazardous conditions shall not ordinarily be subdivided. No lot shall be created that is smaller in area than the minimum lot size required for the land use district in which it is located, nor shall any lot be created without frontage on a public road or legally deeded and defined private right-of-way.

SECTION 707 ROAD AND ACCESS STANDARDS

A. Location and Design of Intersections: Intersections with existing roadways shall be as close to 90 degrees as possible. Approaches to intersections with existing roads shall be at a maximum grade of 3% for a distance of 50 feet from the centerline of the traveled way. Intersections shall be located to provide at least a minimum sight stopping distance in accordance with the following standards of the American Association of State Highway Officials in Table 2:

Table 2
Minimum Stopping Sight Distance

Design Speed of Roadway Section (mph)	Sight Stopping Distance (feet)
30	176
40	263
50	369

B. Design Standards for Town Roads: All highways proposed for acceptance by the Town shall comply with A-76 State of Vermont Design Standards and any revisions made thereto.

C. Road Maintenance: The maintenance of all roads, not designated as Class 3 Town Highways or higher, shall be the responsibility of the subdivider. The subdivider shall supply evidence and assurance that said roads will be adequately maintained either by the subdivider or by an owners' association.

DRAFT

D. Curb Cuts on Existing Roads: The total number of curb cuts permitted on each side of a continuous length of road frontage on a parcel shall not exceed the number set forth in the following Table 3. These limits shall not apply to farm entrances used solely to gain access to a field for agricultural or temporary forestry purposes. In calculating the number of curb cuts permitted, any curb cut in existence prior to the effective date of adopting these regulations or constructed thereafter shall be included per Table 3:

Table 3

Continuous Road Frontage of Parcel	# of Curb Cuts Permitted
0–799 feet	2
800–1599 feet	3
Each additional 800 feet	1 additional curb cut

Re-subdivision of a parcel after the effective date of adoption shall not create a right to construct any curb cut in addition to those permitted in the above Table 3.

E. Pedestrian Access

The VDRB shall require rights-of-way to facilitate pedestrian circulation within the subdivision and ensure public access through the property to adjoining properties or uses. The VDRB may also require the subdivider to construct sidewalks within these rights-of-way. Unless otherwise specified, the maintenance of sidewalks shall be the responsibility of the subdivider.

SECTION 708 DRAINAGE AND EROSION CONTROL

The DRB shall find that the applicant has provided such temporary and permanent drainage and erosion control techniques as may be necessary to control surface runoff in compliance with Vermont Water Quality Standards, including securing construction and/or operational state stormwater permits if applicable.

SECTION 709 FIRE PROTECTION

The DRB shall find that the applicant has provided adequate fire protection facilities according to the Vermont Fire & Building Safety Code.

SECTION 710 ADDITIONAL CONDITIONS

A. Underground Utilities: The VDRB may require the underground installation of power and telecommunication infrastructure, wherever it is duly necessary to maintain and protect the visual character of a highly sensitive area. A diagram showing location of underground utilities shall be submitted with the as-built drawings.

B. Buffer Strips: The VDRB may require buffer strips in accordance with Section 506.

Commented [HF140]: Added a definition for curb cuts that clarifies it is interchangeable with the term "access" and does not require there to be a physical curb in place.

Commented [HF141]: Changed after July meeting according to PC feedback.

Commented [HF142]: Changed after July meeting according to PC feedback.

DRAFT

C. Streetlights: The VDRB may require the installation of streetlights compliant with Section 512.

SECTION 711 AS-BUILT PLANS

Submittal of an as-built plan shall be required prior to the use or occupancy of any subdivision of four or more residential units. This plan shall be drawn to scale and shall indicate by dimensions, angles, and distances the location of all utilities, structures, roadways, easements, and other improvements as constructed. As-built plans shall be submitted by the subdivider to the Zoning Administrator in 11" x 17" format.

Commented [HF143]: Changed after July meeting per town staff feedback.

SECTION 712 REVISION OF APPROVED PLAT

No changes, modifications, or revisions that alter the conditions attached to a Subdivision Permit shall be made unless the plat is first resubmitted to and approved by the VDRB after a public hearing. In the event that such a subdivision plat is recorded without complying with this requirement, the plat shall be considered null and void.

SECTION 713 PUBLIC ACCEPTANCE OF ROADS AND OPEN SPACES

Nothing in this bylaw shall be construed to constitute the acceptance by the Village of any road, easement, utilities, park recreation area, or other open space shown on the subdivision plat. The VDRB may require the filing of a written agreement between the applicant and the Trustees covering future deed and title, dedication and provision of the cost of grading, development, equipment, and maintenance of any such improvements or may require of an applicant an agreement to waive any future rights to petition the Village to have roadways within the subdivision accepted as public streets. The VDRB may require the filing of a written agreement between the applicant and the Trustees waiving any existing or future claim by the applicant and/or its heirs, successors, and assigns regarding the Village's obligation to accept any road or other improvement as a Village facility as shown on the subdivision plat and providing for the future grading, development, equipment, repair, and maintenance of any such road or other improvement by the applicant and/or its heirs, successors, and assigns. Consistent with the objectives of the Village Plan, and in accordance with 10 V.S.A., Chapter 155, the Village may accept less than fee interest in property to protect its open, scenic, or resource value. Donation of such a conservation easement to a qualified non-profit organization may also serve as a means of meeting Village Plan objectives. In either case, written agreements between the parties shall be required.

Commented [HF144]: Question raised at July meeting whether selectboard is the correct body for this if the Town road crew is responsible for maintaining the infrastructure.

SECTION 714 PERFORMANCE BOND

The VDRB may require from the applicant for the benefit of the Village, a performance bond in an amount sufficient to cover the full cost of constructing any public improvements that the VDRB may require in approving the project. Such performance bond shall be submitted prior to subdivision approval. Security that the project shall be completed, as approved, may be required in the form of the following:

A. A surety bond, issued by a surety company authorized to do business in Vermont and to be filed with the Trustees in form and amount satisfactory to it.
B. A letter of credit, cash, escrow account, or savings bank book properly endorsed to the Village in an amount to be determined by the Trustees.
C. A performance bond from the developer or contractor.

DRAFT

The performance guarantee shall not be released until the VDRB has certified completion of the improvements in substantial accordance with the approved subdivision plat. The performance bond shall run for a term to be fixed by the VDRB, but in no case for a longer term than 3 years. However, the term of such bond may, with the consent of the owner, be extended for an additional period not to exceed 3 years. If any required improvements have not been installed or maintained as provided within the term of such performance bond, such bond shall be forfeited to the municipality and, upon receipt of the proceeds thereof, the municipality shall install or maintain such improvements as are covered by such performance bond. The VDRB may also require surety covering the maintenance of said improvements for a period of 2 years after acceptance by the Village. Said surety to be equal to not less than 10% of the estimated cost of those improvements.

SECTION 715 LEGAL ARRANGEMENTS

Where applicable to a specific subdivision, the following may be required prior to approval of the subdivision plat:

A. An agreement to convey to the Village land to be used for roads, open space, and other public purposes.

B. An agreement to maintain roads, parks, recreation areas, and other improvements in the future and to waive any claims regarding the Village's obligation to accept said improvements as Village facilities.

C. Descriptions of easements and rights-of-way over property to remain in private ownership.

D. Descriptions of easements to drain onto or across other property.

ARTICLE VIII ADMINISTRATION AND ENFORCEMENT

SECTION 8~~7~~01 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 24 V.S.A.~~Section~~ §4442~~ of the Act~~.

The Administrative Officer shall administer these Regulations ~~literally, and~~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 8~~7~~02 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 8~~7~~03 PLANNING COMMISSION

The Planning Commission shall be appointed jointly by the Selectboard~~men~~ and Trustees. It shall consist of 5 to 9 members. One member each of the Selectboard~~men~~ 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.~~24 V.S.A. Chapter 117, Subchapter 2.

DRAFT

SECTION 8~~7~~04 DEVELOPMENT REVIEW BOARD

A Development Review Board shall be appointed by the Trustees in accordance with the provisions of 24 V.S.A. ~~Section §~~4460~~1 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 24 V.S.A. Chapter 117, Subchapter 10~~8 of the Act~~.

SECTION 805 HEARINGS

Hearings ~~on appeals and Conditional Use~~ conducted by the VDRB~~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 according to the procedure given in Section 719. ~~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.

Commented [HF145]: Does this belong here?

SECTION 806~~705~~CONSERVATION COMMISSION

The Conservation Commission shall be appointed jointly by the Selectboard~~men~~ and Trustees in accordance with ~~Section 4501 and 4502 of the Act~~ 24 V.S.A. Chapter 118. It shall consist of 5 to 9 members. ~~Said~~ The Conservation Ce~~o~~mmission shall provide the ~~the Planning Commission and the~~ VDRB advisory environmental evaluations, where ~~pertinent~~enabled by this bylaw, of applications for zoning permits ~~made to those bodies~~ and ~~assist~~advise the Planning Commission in formulating Town and Village Plans.

SECTION 807~~706~~VILLAGE DESIGN ~~REVIEW BOARD~~ADVISORY COMMITTEE

The Village Design Advisory Committee (VDAC)~~Review Board~~ shall be appointed by the Trustees in accordance with ~~Section 4414 of the Act~~ 24 V.S.A. § 4433. Said ~~Board~~ Committee shall ~~assist~~ advise the VDRB in administering the provisions contained in Section 405. The ~~Board~~ Committee shall consist of 3 to 5 members appointed to ~~three year~~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 808~~707~~ZONING PERMIT

No land development may ~~be started~~ commence unless a zoning permit has been duly issued by the Administrative Officer, ~~as provided in Section 4449 of the Act~~according to the procedure established in 24 V.S.A. § 4449.

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.

DRAFT

C. Applications for permits shall be acted on within 30 days ~~upon~~ following receipt of a completed application, ~~upon determination~~as determined 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 twenty-four (24~~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~~ twenty-four (24~~12~~) months and thereafter diligently pursued the permit shall vest.

SECTION 809~~708~~ APPLICATION INFORMATION

A. Notwithstanding the requirements of an overlay district or additional review procedure, a~~A~~dministrative Permit applications shall include ~~but not be limited to~~ the following information, as relevant:

~~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.~~1.~~SINGLE FAMILY AND TWO FAMILY DWELLING:~~GENERAL REQUIREMENTS

~~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.~~a. A~~Driveway~~ access permit (~~issued by Board of Trustees~~see Section 501), if applicable.~~.~~

~~e.~~b. Town of Woodstock confirmation of sewer and water connection, or a capacity-to-serve letter, if applicable.~~.~~

~~3. ACCESSORY STRUCTURE:~~

~~a.~~ Scale drawing depicting the location of all existing and proposed structures on lot and showing compliance with all dimensional standards of the underlying district, including a notation of the structure's proposed height (see Article III).~~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.~~2.~~SIGNS~~SPECIFIC REQUIREMENTS:

a. SIGNS (See Section 519):

Commented [HF146]: This section is missing any default requirements for multiunit, mixed-use, commercial, or industrial. Is that intentional since those uses will have to go through other approval processes anyway?

Commented [HF147]: Site plan review cannot be a condition of approval for single or two unit dwellings per 24 V.S.A. § 4416. This should only be used to confirm compliance with dimensional stds.

Commented [HF147R2]: Removed after July meeting per PC feedback.

Commented [HF148]: This should not be required outside the design review overlay district.

Commented [HF149]: Site plan review cannot be a condition of approval for single or two unit dwellings per 24 V.S.A. § 4416. This should only be used to confirm compliance with dimensional stds.

DRAFT

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.

7.3. 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 subject toa Conditional Use Permitreview, Variance, or Site Plan rReview shall be subject to additional requirements listed in the corresponding sections below. For additional application requirements that apply in overlay districts, see Article IV.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 810709 SITE PLAN APPROVALREVIEW

A. LIMITATIONS: No zoning permit shall be issued by the Administrative Officer for any commercial, industrial, public and quasi-public use, or multiunit-family dwelling of five units or greater (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. APPLICATION REQUIREMENTS: In addition to the baseline application requirements listed in Section 708 and notwithstanding any additional requirements imposed as part of another review procedure and/or overlay district, the following items are required for site plan review:

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

Commented [HF150]: Not sure if this is the right term or if we're really talking about "land development."

Commented [HF151]: Does this belong here?

Commented [HF152]: Moved to respective sections below.

Commented [HF153]: These are the base requirements for an administrative permit. The VDRB does not have a role in this process.

Commented [HF154]: Moved to site plan section.

Commented [HF155]: Small multiunit (3-4 units) now listed as-of-right in most districts.

Commented [HF156]: No need to duplicate this requirement, which is now part of Article VII.

DRAFT

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.

B.C. STANDARDS: TIn considering its action, the VDRB shall review the application information required under Section 708, taking into consideration the following objectives for compliance with the following criteria:

1. The maximum adequacy and safety of vehicular and pedestrian circulation facilities within the site and between the site and the public sidewalk networkstreet network and adjacent traffic generators. The main pedestrian entrance to the building shall be located at the front of the building with a walkway connecting to the public sidewalk network and to the site's parking facilities. If no sidewalk exists along the parcel frontage, the DRB may require the applicant to build one.
2. The adequacy and safety of vehicle circulation, parking, and loading facilities. Wherever site conditions reasonably allow, parking lots and loading facilities shall be located at the rear of the building. Reasonable effort shall be made to avoid the creation of new curb cuts onto US-4. The DRB may limit the number and size of curb cuts. For parcels with multiple pre-existing curb cuts, the Board may require the reduction, consolidation or elimination of curb cuts. Where reasonable, the DRB may require shared access between adjoining properties or may limit access to a side street or secondary road.
3. Adequacy of landscaping and screening and setbacks in regard to achievcing maximum compatibility and protection of adjacent properties. Surface parking lots with greater than ten (10) spaces shall be screened from adjacent parcels with a privacy fence, evergreen trees, or shrubs. Reasonable effort shall be made to screen dumpsters and other waste storage facilities with a wall, privacy fence, or greenery.
4. The avoidance of glare.
5. 4. The adequacy of surface drainage facilities, as demonstrated by the applicant having secured any required permits from the Agency of Natural Resources.
6. The protection of the utilization of renewable resources and natural resources.
1. The provision of municipal services. The DRB shall require the applicant to provide written confirmation from the Town of Woodstock of sewer and water connection, a capacity-to-serve letter, or written proof of alternative infrastructure for potable water supply and wastewater disposal if not located within an area served by public water and/or sewer.
7.

C.D. CONDITIONS: The VDRB shall conform to the requirements of Section 4416 of the Act before acting on any application and shallmay 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.

Commented [HF157]: Question of whether to keep this at July meeting. PC members raised concerns that this would create issues for waste haulers.

Commented [HF157R2]: Edited per PC feedback 12.22.25

Commented [HF158]: Not sure how we'd regulate this. You could ban reflective cladding, but you'd want some objective measure of shininess.

Commented [HF159]: Added after July meeting.

Commented [HF160]: I don't know what this might include that is both regulatable and not covered by other parts of the bylaw.

DRAFT

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.

~~4.~~**E.** TIMELINE: The VDRB shall act to approve or disapprove a site plan and issue a written decision within 45 days of close of testimony; failure to act within such period shall be deemed approval. If other review procedures, such as design review or conditional use, are required, the hearings shall be scheduled to take place concurrently.

SECTION 811 ~~710~~ CONDITIONAL USE

O. APPLICATION REQUIREMENTS: In addition to the baseline application requirements listed in Section 708 and notwithstanding any additional requirements imposed as part of another review procedure and/or overlay district, the following items are required for conditional use review:

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.

~~A.~~**P.** REVIEW CRITERIA: Per 24 V.S.A. § 4414(3) ~~A~~any use and/or structure which requires ~~a~~ Conditional Use ~~Permit~~ approval 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.~~6. **The capacity of existing or planned community facilities.** The DRB shall require the applicant to provide written confirmation from the Town of Woodstock of sewer and water connection, a capacity-to-serve letter, or written proof of alternative infrastructure for potable water supply and wastewater disposal if not located within an area not served by public sewer and water.

~~2.~~7. **The character of the area affected, as defined by the purpose or purposes of the zoning district within which the project is located, and specifically stated policies and standards of the municipal plan.**

~~3.~~8. **Traffic on roads and highways in the vicinity.** Adequate travel and pedestrian lanes on the site must allow residents, employees, business vehicles and delivery/service vehicles to safely enter and exit the site. The DRB may request, at the expense of the applicant, the preparation of a traffic impact study to identify impacts and mitigation measures necessary to ensure road safety and efficiency and may require that mitigation measures be implemented.

~~4.~~9. **By-laws and ordinances then in effect.** The Board shall consider whether the proposed development complies with all ordinances, bylaws, and regulations in effect at the time of application, including other applicable provisions of this bylaw, other municipal permit

DRAFT

and/or approval conditions (e.g., subdivision, highway access).

~~5.~~10. **Utilization of renewable energy resources.** The Board shall determine whether the proposed development will interfere with the sustainable use of renewable energy resources, including access to, direct use or future availability of such resources. The applicant shall make all effort not to obstruct the usage of solar arrays and wind turbines on neighboring parcels.

~~6.~~ In addition, the VDRB shall find that the proposed use and/or structure adequately meets such specific standards with respect to:

~~7.~~11. **Minimum lot size.**

~~8.~~12. **Distance from adjacent or nearby uses.**

~~9. Minimum~~ **Adequate off-street parking and loading facilities**. Wherever site conditions reasonably allow, parking lots and loading facilities shall be located at the rear of the building. (Note: For residential developments in districts served by municipal sewer and water, the VDRB cannot require more than one parking space per unit, per 24 V.S.A. § 4414(4).)

13. **Landscaping and ~~fencing~~screening**. Landscaping and screening shall be designed to achieve maximum compatibility and protection of adjacent properties. Surface parking lots with greater than ten (10) spaces shall be screened from adjacent parcels with a privacy fence, evergreen trees, or shrubs. Reasonable effort shall be made to screen dumpsters and other waste storage facilities with a wall, privacy fence, or greenery.

~~10.~~

~~11. Design and location of structures and service areas.~~

~~12. Size, location, and design of signs.~~

~~13.~~14. **Access and circulation of pedestrians and vehicles.** Reasonable effort shall be made to avoid the creation of new curb cuts onto US-4. The DRB may limit the number and size of curb cuts. For parcels with multiple pre-existing curb cuts, the Board may require the reduction, consolidation or elimination of curb cuts. Where reasonable, the DRB may require shared access between adjoining properties or may limit access to a side street or secondary road. The main pedestrian entrance to the building shall be located at the front of the building with a walkway connecting to the public sidewalk network and to the site's parking facilities. If no sidewalk exists along the parcel frontage, the DRB may require the applicant to build one.

~~B.~~Q. STATUTORY REQUIREMENTS: In granting or denying a Conditional Use Permit, the procedures followed by the VDRB shall be in accordance with 24 V.S.A. Section 4414 (3) ~~of the Act~~.

~~C.~~R. CONDITIONS: As a condition of ~~permitting~~ approving a Conditional Use, the VDRB may attach such additional reasonable conditions and safeguards as it may deem necessary to implement the purposes of state statute ~~the Act~~ and these Regulations.

~~D.~~S. EXISTING CONDITIONAL USES: 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.~~T. EFFECTIVE DATE AND APPEALS: 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

Commented [HF161]: Added 12.22.25 following PC discussion.

Commented [HF162]: We should be careful that this can't be used to block housing per 24 VSA 4412 (1)(A). But they are probably still desirable to have for certain commercial uses that we don't want to list in the dimensional stds.

Commented [HF163]: Question of whether to keep this at July meeting. PC members raised concerns that this would create issues for waste haulers.

Commented [HF163R2]: Edited per PC feedback 12.22.25

Commented [HF164]: These are already regulated by the design review district and sign general stds.

DRAFT

from the decision may be filed; in which case, the result of the appeal shall determine the outcome.

SECTION 812~~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 813~~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.

Commented [HF165]: What do staff want to do about this section?

SECTION 814~~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.

Commented [HF166]: Ask staff.

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.

Upon completion of a permitted project, the property owner shall file with the Town Clerk a Vermont Residential Building Energy Standards (RBES) or Commercial Building Energy Standards (CBES) certificate as applicable.

SECTION 815~~714~~ PENALTIES

Violations of these Regulations shall be regulated as prescribed in 24 V.S.A. ~~Sections~~ 4451 and 4452 ~~of the Act~~.

SECTION 816~~715~~ VARIANCES

A. APPLICATION REQUIREMENTS: In addition to the baseline application requirements

DRAFT

listed in Section 708 and notwithstanding any additional requirements imposed as part of another review procedure and/or overlay district, the following items are required for applications involving variances:

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.

~~A.~~**B.** CRITERIA: 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 shallow ness of lot size or shape, or exception al 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.~~**C.** CONDITIONS: 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 state statute~~the Act~~.

~~C.~~**D.** EFFECTIVE DATE AND APPEALS: 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 817 WAIVERS

DRAFT

Waivers to the dimensional standards established for each district in Article III may be granted by the Administrative Officer without a hearing for:

1. Reductions in front or side setbacks as necessary to allow for disability access;
2. Reductions in side setbacks to allow for necessary life-safety improvements;
3. An increase in density and/or height limit for a qualifying affordable housing development, as established in Section 503;
4. A reduction in parking requirements, as established in Section 517.

Commented [HF167]: Does this belong here?

Waivers granted by the administrative officer and are subject to appeal according to the procedure established in Section 717.

SECTION 818~~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 819~~717~~ APPEALS FROM DECISIONS OF ADMINISTRATIVE OFFICER

In accordance with 24 V.S.A. § 4465 ~~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 820~~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 24 V.S.A. § 4471 ~~Section 4471of the Act~~.

SECTION 821~~719~~ PUBLIC NOTICE

Any public notice required for public hearing under these Regulations shall be given according to the requirements of 24 V.S.A. § 4464(a). All of the following shall be conducted no less than 15 days prior to the hearing date: ~~by~~ the publication of the date, place and purpose of such hearing in a newspaper of ~~general circulation~~record in the municipality~~;, and~~ the posting of a notice in three or more public places within the municipality; and written notification of all abutters. The applicant shall bear the cost of providing these notices. ~~not less than fifteen (15) days prior to the date of the public hearing.~~

When~~nre~~ ~~such~~ a hearing is called ~~in reference to any~~ for a proposed amendment to~~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.

DRAFT

ARTICLE IX DEFINITIONS

For the purpose of this bylaw, meanings of ~~of the following~~all words and terms shall be interpreted as defined ~~below~~ in 24 V.S.A § 4303; if not defined in 24 V.S.A. § 4303, the following definitions shall apply.~~and a~~ 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 this bylaw shall be clarified by the ~~Village Development Review Board (VDRB).~~Administrative Officer.

ABUTTER: The owner or owners of any property which shares a parcel boundary with the property subject to development, including the owners of properties which would bound the property subject to development but for the interposition of a highway or other public right-of-way.

ACCESSORY DWELLING UNIT (ADU): A distinct unit that is clearly subordinate to a one- or two-~~household~~ unit residential ~~building~~ dwelling on an owner-occupied lot ~~and~~ which 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 350 percent of the total habitable floor area of the one- or two-household dwelling or 1,200 square feet, whichever is greater.

Commented [HF168]: Lowered at request of PC 6/5.

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

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

~~**ACRE**: 43,560 square feet.~~

ADMINISTRATIVE OFFICER (AO): The municipal official nominated by the Planning Commission and appointed by the Village Trustees whose job is to receive and review all zoning permit applications; issue permits for permitted uses and refer conditional use applications and appeals for variance to the VDRB.

~~**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.~~

Commented [HF169]: I looked for a better definition of this per PC feedback, and discovered that this is usually not defined in town bylaws. Statute also lacks a definition.

AFFORDABLE HOUSING: ~~is either of the following:~~For the purposes of these Regulations, the definition of affordable housing shall be in accordance with the statutory definition given in 10 V.S.A. § 6001 (28).

DRAFT

~~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:~~

~~a. Windsor County median income, as defined by the U.S. Department of Housing and Urban Development; or~~

~~b. 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:~~

~~a. Windsor County median income, as defined by the U.S. Department of Housing and Urban Development; or~~

~~b. 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~~ 20 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.

Commented [HF170]: Per Act 47, the density bonus for affordable housing is available to projects that meet this threshold, which is 20%. 24 VSA 4403(2)

AGRICULTURE: ~~The activity of raising crops and animal husbandry.~~The definition of agriculture for the purposes of these Regulations encompasses both the exempt activities described in 24 V.S.A. § 4413 (d)(1)(A) and any cultivation of crops or animal husbandry not exempt under same.

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

APPROPRIATE MUNICIPAL PANEL (AMP): The local body designated to perform development review, per 24 V.S.A. § 4303 (3).

AREA OF SHALLOW FLOODING: A designated AO or AH zone on a community's Flood Insurance Rate Map (FIRM) with a one percent or greater annual chance of flooding to an average depth of one to three feet where a clearly defined channel does not exist, where the path of flooding is unpredictable, and where velocity flow may be evident. Such flooding is characterized by ponding of sheet flow.

AREA OF SPECIAL FLOOD HAZARD: The land in the flood plain within a community subject to a one percent or greater chance of flooding in any given year.

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

BASE FLOOD: The flood having a one percent chance of being equaled or exceeded in any given year.

BASEMENT: Any area of ~~the~~ a building having its floor subgraded (below ground level) on all sides.

BED AND BREAKFAST: See Section 504. 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~~

DRAFT

~~is adapted to use as lodging for travelers or transients as an accessory use to the residence. Breakfast only may be served.~~ Building that offers lodging for transient occupancy with at least three (3) but no more than nine (9) distinct and individually rentable units, not to exceed a total of eighteen (18) sleeping spaces within the building. Bed and breakfasts must:~~See Section 504~~.

1. Be licensed by the Vermont Department of Health to operate a food and/or lodging facility;
2. Provide breakfast for guests in a common dining area;
3. Not provide individualized cooking facilities for guests; and
4. Have a caretaker who resides on-site.

Commented [HF171]: Changed to be consistent w/ Village STR ordinance per PC feedback.

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 proportion of a ~~the lot area~~given lot ~~covered by the building area~~that is taken up by the footprint of a building or buildings, expressed as a percentage of the lot's total area.

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

CURB CUT: The term "curb cut" is used herein to describe a vehicle access point connecting to a public road, regardless of whether that road has a curb. This access point shall be duly permitted by either the municipal access permit process (See Section 501) or by the state permitting process established in 19 V.S.A. § 1111.

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 per unit of area in a particular zoning district.

DRAFT

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

Commented [HF172]: This duplicates the concept of coverage or lot coverage.

DESIGN REVIEW OVERLAY DISTRICT: A d~~D~~esign ~~Control~~ review d~~D~~istrict as created under 24 V.S.A. § 4414(1)(E),~~; an area~~ ~~compromising~~ comprising a portion of the Village of Woodstock wherein d~~D~~esign ~~Plan Approval may be~~ review may be ~~necessary~~required per . ~~See~~ Section 405 of this bylaw.~~.~~

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

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

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

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

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

DWELLING UNIT: Any building or portion thereof, designed or used exclusively as living quarters for one ~~family~~household, 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.~~

Commented [HF173]: Standard practice for TRORC is to express everything in terms of units rather than "families."

FIA: Federal Insurance Administration. See Section 404.

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.

FLOOD HAZARD BOUNDARY MAP (FHBM): An official map of a community, issued by the Administrator, where boundaries of flood and/or mudslide (i.e., mudflow) related erosion areas having special hazards have been designated as Zones A, M, and/or E. See Sections 401and 404.

FLOOD INSURANCE RATE MAP (FIRM): An official map of a community, on which the Administrator has delineated both the special hazard areas and the risk premium zones applicable to the community. See Section 404.

FLOOD INSURANCE STUDY: An examination, evaluation, and determination of flood hazards and, if appropriate, corresponding water surface elevations. See Section 404.

FLOODPLAIN: The land adjacent to a river or other water course that can be expected to

DRAFT

flood at least once in 100 years. See Section 404.

FLOOD PROOFING: Any combination of structural and non-structural additions, changes, or adjustments to structures which reduce or eliminate flood damage to real estate or improved real property, water and sanitary facilities, structures, and their contents. See Section 404.

FLOODWAY: The channel of a river or other water course 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 the designated height. See Section 404.

FOOTPRINT: An overhead view or depiction of a structure inclusive of all above-grade 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.~~For the purposes of these Regulations, the definition of forestry encompasses both the exempted activities described in 24 V.S.A. § 4413 (d)(1)(B-C) and any cutting of trees or vegetation not exempt under same.

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/MOTEL: An~~y 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~~ business establishment that offers furnished lodging to the transient, traveling, or vacationing public with ten (10) or more distinct and individually rentable units~~. See Section 311.~~

Commented [HF174]: Changed to be consistent with the Village STR ordinance per PC feedback.

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.~~

DRAFT

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

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, the definition of an interested person shall ~~mean any of the following:~~be in accordance with the definition given in 24 V.S.A. § 4465 (b).

~~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, or demolition 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.

Commented [HF175]: This is the statutory definition from 24 VSA 4303 (10) but I have added "demolition" so the bylaw gives permitting authority for demolition under Section 707.

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.

DRAFT

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~~NONCONFORMING: A parcel of land upon which the spatial dimensions do not meet ~~containing less square footage than~~ the minimum requirements of the district in which it lies.

LOWEST FLOOR: The lowest floor of the lowest enclosed area (including basement) provided the enclosure's construction does not violate applicable non-elevation design requirements of Section 60.3 of the National Flood Insurance Program. An unfinished or flood resistant enclosure which is located in an area other than a basement and is usable solely for vehicle parking, building access, or storage, is not considered to be a building's lowest floor. See Section 404.

~~**MANUFACTURED HOME**: A structure, transportable in one or more sections, which is delivered on a chassis and designed to be used with or without a permanent foundation when connected to required utilities. A manufactured home does not include recreational vehicles or travel trailers.~~

~~**MANUFACTURED HOME PARK or MANUFACTURED HOME SUBDIVISION**: A parcel of land divided into three or more lots specifically for manufactured homes. See Section 404.~~

MEAN SEA LEVEL: For purposes of the National Flood Insurance Program, the National Geodetic Vertical Datum (NGVD) to which Woodstock's Flood Insurance Rate Map is referenced. See Section 404.

MIXED USE DEVELOPMENT: A development containing both housing and space for any combination of retail, office, services, artisan, and recreational and community facilities, provided at least 40 percent of the gross floor area of the buildings involved is housing. The commercial portion of a mixed use development shall be subject to any and all regulations--including but not limited to conditional use review--required by the base and overlays districts in which the parcel is located.

Commented [HF176]: Added 1.28.26.

MOBILE/MANUFACTURED HOME: A prefabricated dwelling unit which:

A. Is designed for long-term residential occupancy,
B. Is designed to be moved on wheels, as a whole or in sections,
C. For the purposes of administering these Regulations, an individual mobile home is considered to be a one- or two-family dwelling.

MOBILE/MANUFACTURED HOME PARK: Any parcel of land under single or common ownership or control which contains, or is designed, laid out or adapted to accommodate three or more mobile homes. Nothing herein shall be construed to apply to premises used solely for

Commented [HF177]: Despite this definition, the bylaw does not allow for mobile home parks anywhere in the use schedule. This contradicts 24 V.S.A. 4412 (1)©, which means, in practice, they are allowed everywhere in the village. They should be added as Approved with Site Plan for at least one district. Given the constraints of the current zoning map, I recommend either the R3 or RLD district.

Commented [HF177R2]: PC decided to take no action on this item during this revision effort.

DRAFT

display or storage of mobile homes.

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.~~See "Hotel/Inn/Motel."

Commented [HF178]: Made consistent w/ Village STR ordinance.

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 607.

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 607.

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 610.

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 - 2001" 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

DRAFT

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.

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

RETAIL SALES: An establishment whose principal use is the sale of products for consumption or use by the customer off the premises. 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.~~

Commented [HF179]: Regulation of short-term rentals in the Village is now conducted via local ordinance.

SIGN: 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, and visible from a public

DRAFT

way.

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~~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, 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.~~

Commented [HF180]: Towns cannot regulate signs on the basis of their content, per Reed v. Town of Gilbert Supreme Court verdict.

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 Article VII~~Section 612~~.

SUBSTANTIAL IMPROVEMENT: Any repair, reconstruction, or improvement of a structure

DRAFT

within a two-year period, the cost of which equals or exceeds 50 percent of the market value of the structure either: (a) before the improvement or repair is started, or (b) if the structure has been damaged, and is being restored, before the damage occurred. The term does not, however, include either: (1) any project for improvement of a structure to comply with existing state or local health, sanitary, or safety code conditions, or (2) any alteration of a structure listed on the National Register of Historic Places or a State Inventory of Historic Sites.

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.

VILLAGE DESIGN ADVISORY COMMITTTEE (VDAC): The advisory body enabled to issue recommendations for consideration by the VDRB in Design Plan approval procedures. See Section 405.

VILLAGE DEVELOPMENT REVIEW BOARD (VDRB): The quasi-judicial body tasked with conducting various local development review procedures under this bylaw. ~~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.

WAIVER: An exception to certain dimensional standards granted by the Zoning Administrator

DRAFT

to relieve a hardship. See Section 716.

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.

WIND TURBINE~~MILL~~: 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.

DRAFT

2.4.26 PC Meeting DRAFT

Village
of
Woodstock, Vermont

Zoning Regulations

Adopted 10/10/2023
Effective 10/31/2023

DRAFT

Table of Contents

ARTICLE I: GENERAL PROVISIONS **1**
101 ENACTMENT 1
102 TITLE 1
103 PURPOSE 1
104 SEVERABILITY 1
105 INTERPRETATION 1
106 AMENDMENTS 1
107 PRECEDENCE OF REGULATION 1
ARTICLE II: ZONING DISTRICTS **12**
201 ESTABLISHMENT OF BASE ZONING DISTRICTS AND MAP 12
202 ESTABLISHMENT OF OVERLAY ZONING DISTRICTS AND MAP 12
203 INTERPRETATION OF ZONING DISTRICT BOUNDARIES 12
204 APPLICATION OF REGULATIONS 13
205 CONSTRUCTION APPROVED PRIOR TO AMENDMENT OF REGULATIONS 13
ARTICLE III: ZONING DISTRICTS REGULATIONS **14**
301 SUMMARY TABLE
302 USES EXEMPT FROM PERMITTING
303 COMMUNITY (CO) 14
304 RESIDENTIAL THREE ACRE (R3) 14
305 RESIDENTIAL ONE ACRE (R1) 15
306 RESIDENTIAL LOW DENSITY (RL) 16
307 RESIDENTIAL MEDIUM DENSITY (RM) 16
308 RESIDENTIAL HIGH DENSITY (RH) 17
309 RESIDENTIAL/OFFICE (R/O) 18
310 CENTRAL COMMERCIAL (CC) 19
311 COMMERCIAL/LIGHT INDUSTRIAL (CL) 20
312 LIGHT COMMERCIAL (LC) 22
313 INN (IN) 23
314 PLANNED DEVELOPMENT 24
ARTICLE IV: OVERLAY ZONING DISTRICTS **29**
401 PURPOSE 29
402 PRECEDENCE 29
403 CONSERVATION OVERLAY DISTRICT 29
404 FLOOD HAZARD OVERLAY DISTRICT 31
405 DESIGN REVIEW OVERLAY DISTRICT 36

DRAFT

406 SCENIC RIDGELINE OVERLAY DISTRICT
ARTICLE V: GENERAL REGULATIONS 55
501 ACCESS AND SAFETY
502 CORNER LOTS 55
503 DENSITY 55
504 NONCONFORMING LOTS
505 HEIGHT EXCEPTIONS 55
506 OFF-STREET PARKING REQUIREMENTS 55
507 NONCONFORMING USES and NONCONFORMING STRUCTURES 55
508 OPEN STORAGE 56
509 PERFORMANCE STANDARDS 56
510 PROHIBITED USES 57
511 PUBLIC USE LIMITATIONS 57
512 SUBSURFACE DISPOSAL OF SEWAGE 57
513 MULTIPLE USE OF LOTS 58
ARTICLE VI: ADDITIONAL SPECIFIC PROVISIONS 46
601 ACCESSORY STRUCTURES WITHIN THE SETBACK 46
602 AFFORDABLE HOUSING DENISTY BONUS 46
603 BED AND BREAKFAST ESTABLISHMENT 46
604 BODIES OF WATER 46
605 BUFFER STRIP 46
606 CELLULAR/COMMUNICATION TOWERS 47
607 DAY CARE HOME / FACILITY 47
608 ACCESSORY DWELLING UNITS (ADUs) 47
609 DISH ANTENNAE 47
610 EXTERIOR LIGHTING 47
611 FENCES 48
612 HOME OCCUPATION 48
613 LANDSCAPING/GRADING 48
614 MOTOR VEHICLE REPAIR AND FILLING STATIONS 48
615 OUTDOOR DISPLAYS 50
616 SIGNS 51
617 SPECIAL CARE FACILITY 53
618 SHORT-TERM RENTALS 54
619 TEMPORARY RAMP
ARTICLE VII: SUBDIVISION
701 APPLICABILITY 46
702 MINOR SUBDIVISION REVIEW PROCEDURE 46

DRAFT

703 MAJOR SUBDIVISION REVIEW PROCEDURE
704 APPLICATION MATERIALS
705 BOUNDARY ADJUSTMENTS
706 GENERAL STANDARDS
707 ROAD AND ACCESS STANDARDS
708 DRAINAGE AND EROSION CONTROL
709 FIRE PROTECTION
710 ADDITIONAL CONDITIONS
711 AS-BUILT PLANS
712 REVISION OF APPROVED PLAT
713 PUBLIC ACCEPTANCE OF ROADS AND OPEN SPACES
714 PERFORMANCE BOND
715 LEGAL ARRANGEMENTS

ARTICLE VIII: ADMINISTRATION AND ENFORCEMENT 59

801 ADMINISTRATIVE OFFICER 59
802 ACTING ADMINISTRATIVE OFFICER 59
803 PLANNING COMMISSION 59
804 DEVELOPMENT REVIEW BOARD 59
805 HEARINGS
806 CONSERVATION COMMISSION 59
807 DESIGN ADVISORY REVIEW BOARD 59
808 ZONING PERMIT 60
809 APPLICATION INFORMATION 60
810 SITE PLAN REVIEW 61
811 CONDITIONAL USE 62
812 BOND TERM AND FORFEITURE 63
813 INSPECTIONS 63
814 CERTIFICATE OF OCCUPANCY 63
815 PENALTIES 64
816 VARIANCES 64
817 WAIVERS
818 DEVELOPMENT REVIEW BOARD LIMITATIONS 64
819 APPEALS FROM DECISIONS OF ADMINISTRATIVE OFFICER 64
820 APPEALS FROM DECISION OF VILLAGE DEVELOPMENT REVIEW BOARD 65
821 PUBLIC NOTICE 65

ARTICLE IX: DEFINITIONS

DRAFT

ARTICLE I 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, these Zoning Regulations for the Village of Woodstock are hereby established.

SECTION 102 TITLE

This bylaw shall be known herein and cited as the Zoning Regulations for the Village of Woodstock, or simply "the Regulations."

SECTION 103 PURPOSE

It is the purpose of these Regulations to implement the Woodstock Town & Village 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 24 V.S.A. § 4302.

SECTION 104 SEVERABILITY

The invalidity of any article or section of this Bylaw shall not affect the validity of any other article or section thereof.

SECTION 105 INTERPRETATION

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

Except for 24 V.S.A. § 4413, and where these Regulations specifically provide to the contrary, they are not intended to repeal, annul, or in any way impair any permits previously adopted or issued.

SECTION 106 AMENDMENTS

The Regulations may be amended according to the requirements and procedures established in 24 V.S.A. § 4403 and 4442.

SECTION 107 PRECEDENCE OF REGULATION

The provisions of these Regulations shall not in any way impair or remove the necessity of compliance with any other applicable local, state, or federal requirements. Where these Regulations impose a greater restriction, the provisions of these Regulations shall take precedence. Contact the Administrative Officer for a list of permits that may apply to your proposed development.

DRAFT

ARTICLE II ZONING DISTRICTS

SECTION 201 ESTABLISHMENT OF BASE ZONING DISTRICTS AND MAP

A. For the purposes 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

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: Riparian Buffers, Wetlands, and Steep slopes..
   2. Flood Hazard District: An area of special flood hazard on the Federal Insurance Administration (FIA) Flood Insurance Rate Maps (FIRM) effective May 2, 2002.
   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.

DRAFT

In the case of the FH 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 two years from the effective date of an amendment to these Regulations.

DRAFT

ARTICLE III ZONING DISTRICTS REGULATIONS

SECTION 301 SUMMARY TABLE

The following table summarizes the required dimensional standards and use schedule by district. For brevity, only the most common uses are shown. For full details, please reference the district regulations in the subsequent sections of this Article. Additional regulations may apply if the applicant parcel is located in one or more Overlay Districts. For more information on Overlay Districts, please see Article IV.

KEY:
P = Permitted
C = Conditional Use Review
S = Site Plan Review
X = Prohibited

	COM	R3	R1	RLD	RMD	RHD	RO	CC	CLI	LC	INN
1 Unit Residential		P	P	P	P	P	P	X	C	P	P
2 Unit Residential		P	P	P	P	P	P	P	C	P	P
Small Multi-Unit Residential (3-4 Units)		P	P	P	P	P	P	P	P	P	P
5+ Unit Residential		C	S	C	S	S	S	P	S	S	C
Accessory Dwelling Unit	P	P	P	P	P	P	P	P	P	P	P
Mixed Use Development								P	S	S	
Retail	C	C	C	C	C	C	C	C	C	C	C
Restaurant	C	C	C	C	C	C	C	C	C	C	C

DRAFT

Bed & Breakfast	**C**	**C**	**C**	**C**	**C**	**C**	**C**	**X**	**C**	**C**	**S**
Office	**C**	**C**	**C**	**C**	**C**	**C**		**C**	**C**	**C**	**C**
Minimum Lot Area	5,445 sq ft	See Sec. 304	See Sec. 305	See Sec. 306	See Sec. 307	See Sec. 308	See Sec. 309	None	See Sec. 311	See Sec. 312	2 ac
Minimum Frontage	None (see Sec. 501)	50’	50’	50’	50’	50’	50’	20’	50’	50’	150’
Front Setback Minimum	50’	50’	35’	35’	25’	25’	25’	None	30’	30’	50’
Rear Setback Minimum	20’	25’	15’	10’	10’	10’	10’	None	10’	10’	25’
Side Setback Minimum	10’	25’	15’	10’	10’	10’	10’	None (see Sec. 310)	10’	10’	25’
Height Maximum	40’	40’	40’	40’	40’	40’	40’	40’	40’	40’	40’

SECTION 302 USES EXEMPT FROM PERMITTING

The following uses are exempt from permitting in all Districts:

1. Agriculture
2. Forestry
3. Exempt Home Occupations (See Section 514)

SECTION 303COMMUNITY (COM)

A. Purpose: To provide for the continued use and services of community institutions and community open spaces.

B. Uses Requiring a Permit:
1. Structural alterations or additions.
2. Accessory Dwelling Units

DRAFT

C. Uses Requiring Conditional Use Approval Prior to Permitting:

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:	40 feet.
7. Parking Requirements:	(See Section 517)

SECTION 304 RESIDENTIAL THREE ACRE (R3)

A. Purpose: To designate areas of low residential density in the outlying areas of the Village.

B. Uses Requiring a Permit:

1. One-unit dwelling
2. Two-unit dwelling
3. Small multi-unit dwelling
4. Structures accessory to a residential building (See Section 502)
5. ADU to single- or two-unit dwelling (See Section 510)
6. Home occupation (See Section 514)

C. Uses Requiring Conditional Use Approval Prior to Permitting:

1. Multi-unit dwelling
2. Public and quasi-public building
3. Public utility
4. Special care facility (See Section 520)
5. Day care facility (See Section 508)
6. Private and public parking (See Section 517)
7. Bed and Breakfast (See Section 504)
8. Commercial recreation facility
9. Subdivision (See Section 612)

D. Land, Area, and Structural Requirements:

1. Minimum Lot Area:	8,000 S.F. for one- or two-unit dwellings. Small multi-unit and Multi-unit dwellings require an additional 8,000 S.F. for each unit over two.
2. Minimum Lot Frontage:	50 feet. (See Section 611)
3. Front Setback Minimum:	50 feet from street centerline.
4. Rear Setback Minimum:	25 feet.
5. Side Setback Minimum:	25 feet.

DRAFT

6. Building Height Maximum: 40 feet.
7. Parking Requirements: (See Section 517)

SECTION 305 RESIDENTIAL ONE ACRE (R1)

A. Purpose: To designate areas of lower residential density in the Village.

B. Uses Requiring a Permit:

1. One-unit dwelling
2. Two-unit dwelling
3. Small multi-unit dwelling
4. Structures accessory to a residential (See Section 502)
5. ADU to one- or two-unit dwelling (See Section 510)
6. Home occupation (See Section 514)

C. Uses Requiring Site Plan Approval Prior to Permitting:

1. Multi-unit dwelling

D. Uses Requiring Conditional Use Approval Prior to Permitting:

2. Public and quasi-public building
3. Public utility
4. Special care facility (See Section 520)
5. Day care facility (See Section 508)
6. Private and public parking (See Section 517)
7. Bed and Breakfast (See Section 504)
8. Subdivision (See Section 612)

E. Land, Area, and Structural Requirements:

1. Minimum Lot Area: 8,000 S.F. for one-, two-, or small multiunit dwellings.

   Multiunit dwellings require an additional 5,445 S.F. for each unit over four.
2. Minimum Lot Frontage: 50 feet. (See Section 611)
3. Minimum Front Setback: 35 feet from street centerline.
4. Minimum Rear Setback: 15 feet.
5. Minimum Side Setback: 15 feet.
6. Maximum Building Height: 40 feet.
7. Parking Requirements: (See Section 517)

SECTION 306 RESIDENTIAL LOW DENSITY (RLD)

A. Purpose: To designate areas of lower residential density near the Village Center.

B. Uses Requiring a Permit:

1. One-unit dwelling
2. Two-unit dwelling

DRAFT

3. Small multi-unit dwelling
4. Structures accessory to a residential building (See Section 502)
5. ADU to one- or two-unit dwelling (See Section 510)
6. Home occupation (See Section 514)

C. Uses Requiring Conditional Use Approval Prior to Permitting:

1. Multi-unit dwelling
2. Public and quasi-public building
3. Public utility
4. Special care facility (See Section 520)
5. Day care facility (See Section 508)
6. Private and public parking (See Section 517)
7. Bed and breakfast (See Section 504)
8. Subdivision (See Section 612)

D. Land, Area, and Structural Requirements:

1. Minimum Lot Area: 8,000 S.F. for one-, two-, or small multi-unit dwellings. Multi-unit dwellings require an additional 4,356 S.F. for each unit over four..
2. Minimum Lot Frontage: 50 feet. (See Section 611)
3. Front Setback Minimum: 35 feet from street centerline.
4. Rear Setback Minimum: 10 feet.
5. Side Setback Minimum: 10 feet.
6. Building Height Maximum: 40 feet.
7. Parking Requirements: (See Section 517)

SECTION 307 RESIDENTIAL MEDIUM DENSITY (RMD)

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

B. Uses Requiring a Permit:

1. One-unit dwelling
2. Two-unit dwelling
3. Small multi-unit dwelling
4. Structures accessory to a residential building (See Section 502)
5. ADU to one- or two-unit dwelling (See Section 510)
6. Home occupation (See Section 514)

C. Uses Requiring Site Plan Approval Prior to Permitting:

1. Multi-Unit Dwelling

D. Uses Requiring Conditional Use Approval Prior to Permitting:

DRAFT

2. Public and quasi-public building
3. Public utility
4. Special care facility (See Section 520)
5. Day care facility (See Section 508)
6. Private and public parking (See Section 517)
7. Bed and Breakfast (See Section 504)
8. Subdivision (See Section 612)

E. Land, Area, and Structural Requirements:

1. Minimum Lot Area: 5,445 S.F. for one-, two-, or small multi-unit dwellings. Multi-unit dwellings require an additional 4,356 S.F. per unit for each unit over four.
2. Minimum Lot Frontage: 50 feet. (See Section 611)
3. Front Setback Minimum: 25 feet from street centerline.
4. Rear Setback Minimum: 10 feet.
5. Side Setback Minimum: 10 feet.
6. Building Height Maximum: 40 feet.
7. Parking Requirements: (See Section 517)

SECTION 308 RESIDENTIAL HIGH DENSITY (RHD)

A. Purpose: To designate areas of high residential density near the Village Center.

B. Uses requiring a Permit:

1. One-unit dwelling
2. Two-unit dwelling
3. Small multi-unit dwelling
4. Structures accessory to a residential building (See Section 502)
5. ADU to one- or two-unit dwelling (See Section 510)
6. Home occupation (See Section 514)

C. Uses Requiring Site Plan Approval Prior to Permitting:

1. Multi-unit dwelling

D. Uses Requiring Conditional Use Approval Prior to Permitting:

2. Public and quasi-public building
3. Public utility
4. Special care facility (See Section 520)
5. Day care facility (See Section 508)
6. Private and public parking (See Section 517)
7. Bed and Breakfast (See Section 504)
8. Subdivision (See Section 612)

DRAFT

E. Land, Area, and Structural Requirements:

1. Minimum Lot Area: 4,356 S.F. for residential uses.
2. Minimum Lot Frontage: 50 feet. (See Section 611)
3. Front Setback Minimum: 25 feet from street centerline.
4. Rear Setback Minimum: 10 feet.
5. Side Setback Minimum: 10 feet.
6. Building Height Maximum: 40 feet.
7. Parking Requirements: (See Section 517)

SECTION 309 RESIDENTIAL/OFFICE (RO)

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

B. Uses Requiring a Permit:

1. One-unit dwelling
2. Two-unit dwelling
3. Small multi-unit dwelling
4. Structures accessory to a residential building (See Section 502)
5. ADU to one- or two-unit dwelling (See Section 510)
6. Home occupation (See Section 514)

C. Uses Requiring Site Plan Approval Prior to Permitting:

1. Multi-unit dwelling

D. Uses Requiring Conditional Use Approval Prior to Permitting:

2. Public and quasi-public building
3. Public utility
4. Special care facility (See Section 520)
5. Day care facility (See Section 508)
6. Private and public parking (See Section 517)
7. Bed and Breakfast (See Section 504)
8. Subdivision (See Section 612)

E. Land, Area and Structural Requirements:

1. Minimum Lot Area: 4,356 S.F. for residential uses.
2. Minimum Lot Frontage: 50 feet. (See Section 611)
3. Front Setback Minimum: 25 feet from street centerline.
4. Rear Setback Minimum: 10 feet.
5. Side Setback Minimum: 10 feet.
6. Building Height Maximum: 40 feet.
7. Parking Requirements: (See Section 517)
8. Buffer Strip Requirements: (See Section 506)

SECTION 310 CENTRAL COMMERCIAL (CC)

DRAFT

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

B. Prohibited Uses:

2. One-unit dwelling
3. Bed and Breakfast (See Section 504)
4. Filling stations
5. Automobile sales and service
6. Dry cleaning
7. Laundromats

C. Uses Requiring a Permit:

1. Two-unit dwelling
2. Small multi-unit dwelling
3. Multi-unit dwelling
4. Mixed use development
5.. Existing retail-to-office conversion or existing office-to-retail conversion.
6. ADU to one- or two-unit dwelling (See Section 510)
7.. Home occupation (See Section 514)

D. Uses Requiring Conditional Use Approval Prior to Permitting:

1. Public and quasi-public building
2. Public utility
3. Special care facility (See Section 520)
4. Day care facility (See Section 508)
5. Private and public parking (See Section 517)
6. Conversion from residential use to commercial use
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.
8. Subdivision (See Section 612)

E. Land, Area and Structural Requirements:

1. Minimum Lot Area: None.
2. Minimum Lot Frontage: 20 feet. (See Section 611)
3. Front Setback Minimum: None.
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: 40 feet.

DRAFT

7. Parking Requirements: (See Section 506)
8. Buffer Strip Requirements: (See Section 517)

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

SECTION 311 COMMERCIAL/LIGHT INDUSTRIAL (CLI)

A. Purpose: To provide for concentrated mixed-use development.

B. Uses Requiring a Permit:

1. Small multi-unit dwelling
2. Structures accessory to a residential building (See Section 502)
3. ADU to one- or two-unit dwelling (See Section 510)
4. Home occupation (See Section 514)

C. Uses Requiring Site Plan Approval Prior to Permitting:

1. Multi-unit dwelling
2. Mixed use development

D. Uses Requiring Conditional Use Approval Prior to Permitting:

1. One-unit dwelling
2. Two-unit dwelling
3. Public and quasi-public building
4. Public utility
5. Special care facility
6. Day care facility
7. Private and public parking
8. Bed and Breakfast
9. 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
10. 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

DRAFT

i. Building or road construction establishment
j. Stonework (tombstones, flagstones, slate), excepting quarries
k. Greenhouse
l. Other similar commercial uses, as determined by the VDRB.

11. Subdivision (See Section 612)

E. Land, Area and Structural Requirements:

1. Minimum Lot Area:	5,445 S.F.
2. Density	
a. Residential:	1,300 S.F. of lot area per residential unit.
3. Minimum Lot Frontage:	50 feet. (See Section 611)
4. Front Setback Minimum:	30 feet from street centerline.
5. Rear Setback Minimum:	10 feet.
6. Side Setback Minimum:	10 feet.
7. Building Height Maximum:	40 feet.
8. Buffer Strip Requirements:	(See Section 506)
9. Parking Requirements:	(See Section 517)

F. Specific Land, Area and Structural Requirements pertaining to Light Industrial Development:
Maximum Lot Coverage: 30 percent.

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

SECTION 312 LIGHT COMMERCIAL (LC)

A. Purpose: To provide for commercial and residential development at a lower intensity than in the Central Commercial district.

B. Uses Requiring a Permit:

1. One-unit dwelling
2. Two-unit dwelling
3. Small multi-unit dwelling
4. Structures accessory to a residential building (See Section 502)
5. ADU to one- or two-unit dwelling (See Section 510)
6. Home occupation (See Section 514)

C. Uses Requiring Site Plan Approval Prior to Permitting:

1. Multi-unit dwelling
2. Mixed use development

D. Uses Requiring Conditional Use Approval Prior to Permitting:

1. Public and quasi-public building

DRAFT

2. Public utility
3. Special care facility (See Section 520)
4. Day care facility (See Section 508)
5. Private and public parking (See Section 517)
6. Bed and Breakfast (See Section 504)
7. Light Commercial Uses:
   a. Office .
   b. Retail store
   c. Restaurant
   d. Research/engineering establishment
   e. Design and drafting establishment
   f. Insurance company.
   g. Other similar commercial uses, as determined by the VDRB
8. Subdivision (See Section 612)

E. Land, Area and Structural Requirements:

1. Minimum Lot Area: 4,356 S.F.
2. Density 1,000 sq ft. per residential unit.
3. Minimum Lot Frontage: 50 feet (See Section 611)
4. Front Setback Minimum: 30 feet from centerline.
5. Rear Setback Minimum: 10 feet.
6. Side Setback Minimum: 10 feet.
7. Building Height Maximum: 40 feet.
8. Buffer Strip Requirements: (See Section 506)
9. Parking Requirements: (See Section 517)

F. Inactive Conditional Use Permit

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

SECTION 313 INN (INN)

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

B. Uses Requiring a Permit:

1. Accessory Dwelling Unit
2. Single-unit dwelling.
3. Structures accessory to a single-unit dwelling.
4. Two-unit dwelling.
5. Small multi-unit dwelling

C. Uses Requiring Site Plan Approval Prior to Permitting:

DRAFT

1. Hotel/Inn
2. Bed and breakfast

D. Uses Requiring Conditional Use Permit Prior to Permitting:

1. (See Section 510)
2. Multi-unit 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)
11. Accessory uses to an inn.
12. Subdivision. (See Section 612)

13. Retail shop

E. General Requirements:

1. Retail shop permitted conditioned on the following:
   a. Shall not exceed 800 square feet.
   b. Shall be located only within the main structure.
2. 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.
3. Expansion requires Conditional Use Approval following Site Plan Approval by Development Review Board.

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: 40 feet.
7. Buffer Strip Requirements: (See Section 506)
8. Parking Requirements: (See Section 517)

SECTION 314 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

DRAFT

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. PUDs may receive the affordable housing density bonus per the requirements of Section 602 of this bylaw.
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 ensure 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 district~~s~~ 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 at least 33% of the total acreage if the total acreage of the parcel is less than 50 acres and at least 50% of the 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

DRAFT

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
    a. The densities proposed for the entire area.
    b. 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 should 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. Cluster development should be used 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

a. 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:

DRAFT

b. 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,
c. To provide privacy screening, reduce noise and glare, or to otherwise soften and/or lessen the visual impacts of development,
d. To preserve existing specimen trees, tree lines, critical wildlife habitat, or wooded areas of particular natural or aesthetic value to the site,
e. 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.

DRAFT

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.

F. PUD Specific Standards

DRAFT

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.

DRAFT

ARTICLE IV OVERLAY ZONING DISTRICTS

SECTION 401 PURPOSE

A. Conservation Overlay District: To protect natural areas and their inherent values from adverse development. Such areas are: steep slopes, wetlands, riparian buffers.

B. Flood Hazard Overlay 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 Overlay 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 ensure 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 24 V.S.A § 4414 (1)(E) of the Act.

D. Scenic Ridgeline Overlay 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 PRECEDENCE

The specific regulations that apply within Overlay Districts are in addition to, and, when contradictory requirements occur take precedence over, the requirements of the underlying Districts.

SECTION 403 CONSERVATION OVERLAY DISTRICT

A. Purpose

The objective of this overlay district is to protect heavily vegetated areas of native plants 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

1. **Riparian Buffer Areas**
   - Please note that applications for projects within the Riparian Buffer Area are likely also subject to the Flood Hazard regulations in Section 404 of this bylaw. Work below the top of the bank is also subject to Stream Alteration permitting from the Vermont Agency of Natural Resources. The Riparian Buffer shall consist of:All land within 25 feet horizontal distance measured from the top of bank, for the following water bodies: Ottauquechee River, Gulf Stream, Barnard Brook and the Kedron Brook.
     All land within 10 feet horizontal distance measured from the top of bank, for all other streams identified on the Critical Areas Inventory Map.
2. **Wetlands**
   Please note that applications for projects in or near wetlands are likely to be subject to state

DRAFT

permitting by the Vermont Agency of Natural Resources. For the purposes of this bylaw, Wetlands consist of the following:

- Lands identified as Class 1 or 2 wetlands or confirmed vernal pools on the Vermont State Wetlands Inventory shall not be drained, filled, or altered without prior evaluation from the Agency of Natural Resources and conditional use approval by the VDRB.

3. **Steep Slope**
   Steep Slope areas consist of the following:
   - Areas with a grade of 25% or greater as identified in the Critical Areas Inventory Map.

C. APPLICATION REQUIREMENTS: In addition to the baseline application requirements listed in Section 708 and notwithstanding any additional requirements imposed as part of another review procedure and/or overlay district, the following items are required for review of applications within the Conservation Overlay District:

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.

DRAFT

D. REVIEW CRITERIA: The Village Development Review Board (VDRB) shall review the application in a warned public hearing for conformance with the following standards. The VDRB shall warn a hearing for review within forty-five (45) days of receiving a complete application. Hearings shall be warned according to the procedure required by 24 V.S.A § 4464 (a)(1). If the application requires other review processes, such as Site Plan or Conditional Use Review, the Conservation Overlay hearing shall take place concurrently with the hearing(s) required for the other reviews.

1. **General Standards**
    - **Riparian Buffer Areas**
        - Except as provided below, all lands within a riparian buffer shall be left in an undisturbed, vegetated condition.
        - Removal of dead trees or trees of immediate threat to human safety as well as reasonable pruning of existing trees and shrubs is exempted.
        - 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.
        - 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.
    - **Wetlands**
        - Any land development adjacent to an identified Class 1 or 2 wetland or vernal pool shall provide a fifty (50) foot minimum setback See Vermont Wetland Rules, Buffer Zones.
        - Any proposal to excavate or locate within the required setback will require conditional use approval and may require approval from the Agency of Natural Resources.
    - **Steep Slopes**
        - Shall be reviewed for compliance with the Access and Safety standards in Section 501 of this bylaw and all applicable permits from the Vermont Agency of Natural resources pertaining to erosion and drainage. Please see the ANR Permit Navigator for more information.

2. **New Uses and Encroachments Within Riparian Buffers**
    - **Exempted Uses:**
        - Agriculture and Forestry Uses per 24 V.S.A. § 4413 (D).
        - Trees may be trimmed as long as the overall canopy is maintained.
        - Underbrush may be replaced with native vegetation that is more appropriate to a riparian zone.
    - **Permitted Uses:**
        - The control of noxious weeds as permitted by the Vermont Agency of Natural Resources.
        - Buffer re-establishment projects which use current best practices for

DRAFT

riparian zones.

- Encroachments necessary to rectify a natural catastrophe for the protection of the public health safety and welfare.

E. AUTHORITY TO CONDITION

The VDRB shall have authority to impose conditions consistent with the intent and objectives of this Section in approving a proposed plan for land development in the Conservation Overlay 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.

F. EFFECTIVE DATE AND APPEALS: 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 404 FLOOD HAZARD OVERLAY DISTRICT

To effect the purposes of 10 V.S.A., Chapter 32, and in accordance 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 Resource pursuant to 10 V.S.A. § 753, which are hereby adopted by reference and declared to be part of these regulations.

The information presented on any maps, or contained in any studies, adopted by reference, is presumed accurate. If uncertainty exists with respect to the boundaries of the Special Flood Hazard Area or the floodway, the location of the boundary shall be determined by the Administrative Officer (AO). If the applicant disagrees with the determination made by the AO, a Letter of Map Amendment (LOMA) from FEMA shall constitute proof.

Where available, base flood elevations and floodway limits provided by the National Flood Insurance Program and in the Flood Insurance Study and accompanying maps shall be used to administer and enforce these regulations. In Special Flood Hazard Areas where base flood elevations and/or floodway limits have not been provided by the National Flood Insurance Program in the Flood Insurance Study and accompanying maps, it is the applicant' responsibility to develop the necessary data. Where available, the applicant shall use data provided by FEMA, or State, or Federal agencies.

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,

DRAFT

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. Village 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. A copy of the application shall be submitted to VT ANR at least 30 days prior to the date of the public hearing.

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. Encroachments or development above grade and below the elevation of the floodway are prohibited unless hydrologic and hydraulic analyses are performed in accordance with standard engineering practice, by a registered professional engineer, certifying that the proposed development will:

DRAFT

i. Not result in any increase in flood levels (0.00 feet) during the occurrence of the base flood;
ii. Not increase any risk to surrounding properties, facilities, or structures from erosion or flooding.

b. Public utilities may be placed underground, and the analyses may be waived, where a registered professional engineer certifies that there will be no change in grade and the utilities will be adequately protected from scour.
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>
i. All development shall be reasonably safe from flooding and 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.
v. adequately drained to reduce exposure to flood hazards;
vi. located so as to minimize conflict with changes in channel location over time and the need to intervene with such changes; and,
vii. required to locate any fuel storage tanks (as needed to serve an existing building in the Special Flood Hazard Zone) a minimum of two feet above the base flood elevation and be securely anchored to prevent flotation; or storage tanks may be placed underground, if securely anchored as certified by a qualified professional.

b. <u>Residential Development</u>:
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 two feet 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 two feet 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

DRAFT

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 two feet 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 two feet 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 two feet 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

DRAFT

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 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, then a certification by an engineer of the net change in flood storage is required; the engineer must also certify that the modifications do not create any increase in erosion or flood hazard.

m. Bridges and culverts, which by their nature must be placed in or over the stream, must have a stream alteration permit from the Agency of Natural Resources.

E. Warning of Disclaimer of Liability

This ordinance does not imply that land outside of the areas of special flood hazard or land use

DRAFT

permitted within such districts will be free from flooding or flood damages. This ordinance shall not create liability on the part of the Town or Village of Woodstock or any municipal official or employee thereof for any flood damages that result from reliance on this ordinance or any administrative decision lawfully made thereunder.

F. Permits

A permit is required from the Administrative Officer for all development in all areas defined in Section E. Development that requires conditional use approval, non-conforming use approval, or a variance under these flood hazard regulations, must have such approvals prior to the issuance of a permit by the AO. Any development subject to municipal jurisdiction in the designated hazard areas shall meet the criteria in Section C. Any permit issued will require that all other necessary permits from State or Federal Agencies have been received before work may begin. The VT ANR Project Review Sheet shall identify all State and Federal agencies from which permit approval is required for the proposal, and shall be filed as a required attachment to the municipal permit application. The identified permits, or letters indicating that such permits are not required, shall be submitted to the AO and attached to the permit before work can begin.

G. Variances to the Development Standards

Variances shall be granted by the appropriate municipal panel only in accordance with 24 V.S.A. § 4469 and in accordance with the criteria for granting variances found in 44CFR, Section 60.6, of the National Flood Insurance Program regulations.

Any variance issued in the Special Flood Hazard Area will not increase flood heights, and will inform the applicant in writing over the signature of a community official that the issuance of a variance to construct a structure below the base flood elevation increases risk to life and property and will result in increased flood insurance premiums up to amounts as high as $25 for $100 of coverage. Such notification shall be maintained with a record of all variance actions. A copy of such a variance shall be affixed to the deed of the property on file in the municipal clerk's office.

H. Precedence

The provision of these flood hazard bylaws shall not in any way impair or remove the necessity of compliance with any other local state or federal laws or regulations. Where this flood hazard regulation imposes a greater restriction the provision here shall take precedence.

I. Violations and Penalties

It shall be the duty of the Administrative Officer to enforce the provisions of this bylaw. Upon determination that a violation exists, the Administrative Officer shall notify the alleged offender of the violation by certified mail.

1. The notice of enforcement shall state that:
    a. A violation exists;
    b. That the alleged offender has an opportunity to cure the violation within seven days of receipt;
    c. That failure to cure the violation may result in fines and/or loss of flood insurance;
    d. That the alleged offender will not be entitled to an additional warning notice for

DRAFT

a violation occurring after the seven days within the next succeeding 12 months; and,

e. That the notice of violation may be appealed as specified in this bylaw;

2. Copies of the notice of violation will be:
   a. Mailed to the Vermont NFIP Coordinator and, within 30 days be
   b. Filed in the land use permit files; and,
   c. Delivered to the municipal clerk for recording in the land records.

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.

SECTION 405 DESIGN REVIEW OVERLAY DISTRICT

A. Statement of Purpose

The Village of Woodstock regulates design to protect the architectural, historical, and aesthetic assets that contribute to its reputation as one of the most beautiful places in the country. This reputation forms the basis of Woodstock's tourism industry, which is the main driver of the local economy. While these regulations have been designed to encourage traditional architectural forms that are harmonious with the local vernacular, they do not mandate any particular style or encourage faux historicism, as Woodstock is in fact home to a wide variety of styles from a variety of eras. Rather, the process offers a streamlined path to approval for projects that meet a specific set of objective criteria based on common traits of traditional New England architecture, while also offering an alternative path for unique projects with features that do not conform strictly to those criteria.

B. Applicability

1. Except as hereinafter provided, the following development activities within the Design Review District shall be subject to Design review by the Village Development Review Board (VDRB) or Administrative Officer (AO):
   a. Construction of a structure.
   b. Relocation of a structure.
   c. Restoration or reconstruction of a structure.
   d. A change in use or type of occupancy.
   e. Substantial alteration of a structure. The following shall constitute substantial alteration:

DRAFT

- Addition to or alteration of the exterior of a building which increases or decreases the square footage of the building, whether enclosed or not.
- 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.
- Alteration of the roof line or chimney, or the addition of skylights.
- 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.
- Addition, alteration or removal of accessory structures such as permanent fences, stone walls, awnings, arbors, canopies, gazebos, garden sheds, mechanical equipment, and lighting.
- Installation of an illuminated sign.

f. Demolition of a structure.

2. The following development activities shall NOT require design approval:
   a. Interior renovations.
   b. Exterior repairs that only involve in-kind replacement of existing materials.
   c. Exterior changes that cannot be seen from a public road.
   d. Accessory structures not visible from a public road.
   e. Roof-mounted equipment or structures not visible at the parcel frontage line.
   f. Utility and HVAC equipment—including, but not limited to, heat pump condensers and transformers—provided that this equipment is not located in the parcel's front yard.
   g. Commercial kitchen and restaurant equipment necessary to meet code and licensing requirements.
   h. Temporary structures or alterations, including, but not limited to, scaffolding, construction barriers, window unit air conditioners, and seasonal decorations.

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. This map also depicts the boundary between the Village Center and East End Design Review Districts.

D. Design Review Procedures

1. Application

a. Upon receipt of a complete application as described in Section 708, the municipal planning and zoning office shall transmit copies of the application materials to the Village Development Review Board (VDRB) and Village Design Advisory Committee (VDAC).

b. The municipal planning & zoning office may require any of the following materials prior to the VDRB hearing, as deemed relevant and necessary for determining compliance with the criteria established in subsection F below.

DRAFT

The planning & zoning office shall have sole discretion and authority for requiring additional application materials. If the applicant is unable to provide any of the required materials by the hearing date, the VDRB may vote to hold a continuation of the hearing at a later date.

- Site plan (new construction and additions only; NOT allowed for single- and two-unit dwellings)
- Elevation drawings depicting full façade detail
- Photographs, specification sheets, renderings, sketches, or drawings to illustrate detail of building components. Including, as relevant:
    - Fenestration
    - Ornamentation
    - Materials
    - Roofing

c. The applicant may submit a Design Review Worksheet to inform the VDRB's decision.

2. Expedited Review (Optional)

The applicant may request an expedited Design Review to be conducted by the Administrative Officer (AO). Applications will be evaluated by the AO for compliance with the criteria below. These stricter criteria are intended to offer a more streamlined path to approval for projects with clear aesthetic precedent in Woodstock.

The AO shall issue their decision within thirty (30) days of receiving a complete application. All decisions of the AO are appealable under Section 717 of this bylaw.

Nothing in this clause shall prevent the AO, at their discretion, from declining to issue a decision via expedited review and referring the application to the VDRB to be reviewed via the full hearing process. In such cases, the forty-five (45) day timeline to warn the VDRB hearing shall apply from the date of complete application receipt. An application for expedited review that is rejected by the AO will also be referred to the VDRB to be reviewed via the full hearing process.

Expedited Review Criteria:
Village Center Design Review Overlay District

- **Rhythm**: Repeated façade elements such as columns and windows shall be spaced according to a regular pattern. Nothing in this requirement shall prohibit the inclusion of standalone elements--such as a door, turret, or bay window--which break the pattern of a repeated element or the overall symmetry of the façade.

- **Cladding**:

  Only the following cladding materials are allowed:
  - Wood—may be clapboard, shakes, board & batten, flat board, or closed-joint
  - Natural stone or natural stone veneer

DRAFT

- Natural clay brick or clay brick veneer
- Other materials may be accepted with evidence of precedent within the Village Center Design Review Overlay District.

- **Fenestration**: In new structures, windows shall be taller than they are wide, square, or circular with the exception of display windows for ground-floor commercial storefronts and non-operable decorative windows including, but not limited to, stained-glass, fanlights, and oculi. Alterations to or replacements of existing windows shall retain the aesthetic of the existing window with respect to their materials, dimensions, mullions, trim, and shutters.

- **Ornamentation**: If the design includes decorative elements such as entablature, cornices, and shutters, these elements shall be built of wood, stone, brick, plaster, or metal. Ornamental elements shall appear symmetrical with respect to the façade on which they are located. Nothing in this requirement shall prohibit the inclusion of standalone elements--such as a door, turret, or bay window--which break the pattern of ornamental elements or the overall symmetry of the façade.

- **Accessory Structures**: Chain-link fences are not allowed. Solid (AKA privacy) fences are not allowed along the parcel frontage. Walls made of brick or stone are not considered fences for the purposes of this section, however, they are subject to all the requirements placed on fences in Section 513. Enclosed accessory structures such as sheds, garages, and barns shall adhere to all other criteria listed in this section. Open-air structures such as gazebos and pergolas do NOT need to comply with the other criteria in this section.

- **Roof Types and Roofing Materials:**

  Only the following roof types are allowed:
  - Gable (all sub-types including cross-gable, box gable, etc.), with or without dormers
  - Gambrel, with or without dormers
  - Mansard, with or without dormers
  - Flat roof with a decorative cornice or false front

  Only the following roofing materials are allowed:
  - Shingles—may be asphalt, wooden, or metal
  - Standing seam metal
  - Slate
  - White-colored membrane (only on buildings with flat roofs)

Expedited Review Criteria:
East End Design Review Overlay District

- **Rhythm**: Repeated façade elements such as columns and windows shall be spaced according to a regular pattern. Nothing in this requirement shall prohibit the inclusion of standalone elements--such as a door, turret, or bay window--which break the pattern of a repeated element or the overall symmetry of the façade.

- **Cladding**:

DRAFT

The following cladding materials are NOT allowed:
- Exposed Concrete Masonry Units (AKA cinder blocks)
- Exposed concrete
- Corrugated metal
- Stucco or render
- Vinyl

- **Accessory Structures**: Chain-link fences are not allowed. Solid (AKA privacy) fences are not allowed along the parcel frontage. Walls made of brick or stone are not considered fences for the purposes of this section, however, they are subject to the same height limits placed on fences in Section 513. Enclosed accessory structures such as sheds, garages, and barns shall adhere to all other criteria listed in this section. Open-air structures such as gazebos and pergolas do NOT need to comply with the other criteria in this section.

- **Roof Types and Roofing Materials:**

Only the following roof types are allowed:
- Gable (all sub-types including cross-gable, box gable, etc.), with or without dormers
- Gambrel, with or without dormers
- Mansard, with or without dormers
- Flat roof with a decorative cornice or false front

Only the following roofing materials are allowed:
- Shingles—may be asphalt, wooden, or metal
- Standing seam metal
- Slate
- White-colored membrane (only on buildings with flat roofs)

3. Village Design Advisory Committee Review

The Village Design Advisory Committee (VDAC) may review proposals based on the design criteria enumerated in Subsection F of this Section and issue a written recommendation to be submitted as testimony at the VDRB hearing.

If the VDAC wishes to issue a recommendation on an application, they shall meet and issue a written recommendation within 30 days of a completed application being filed. This meeting shall be held in accordance with Vermont's Open Meeting Law, however, it is not to be conducted as a quasi-judicial public hearing. The applicant may choose to appear at this meeting on a voluntary basis but cannot be required to appear. The clerk of the VDAC shall notify the applicant of the Committee's recommendation and transmit a copy to the clerk of the VDRB and the AO.

4. Village Development Review Board Hearing

The VDRB shall warn a hearing for review within forty-five (45) days of receiving a

DRAFT

complete application. Hearings shall be warned according to the procedure required by 24 V.S.A § 4464 (a)(1). If the application requires other review processes, such as Site Plan or Conditional Use Review, the Design Review hearing shall take place concurrently with the hearing(s) required for the other reviews.

The recommendation of the Village Design Advisory Committee (VDAC) shall be considered by the VDRB, if VDAC has opted to issue a recommendation according to the procedure described above. VDAC recommendations are non-binding; however, design approvals issued by the VDRB may, but need not, adopt by reference the recommendations of the VDAC as conditions of the approval.

The VDRB shall deliberate upon the close of testimony, after reviewing all application materials and receiving comments from the applicant and board.. The VDRB shall issue to the applicant a written decision granting or denying the application for Design Review within thirty (30) calendar days of the close of testimony.

5. **Limitations**
   Failure of the VDRB or AO to take action 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 AO and the applicant.

6. **Appeals**
   Any interested person may appeal design review decisions of the VDRB and AO according to the procedures established in Section 717 or 718 of this bylaw, as applicable.

E. Criteria For Review

There are two Design Review Overlay Districts within the jurisdiction of this bylaw: the Village Center Design Review Overlay District and the East End Design Review Overlay District.

The design criteria for the Village Center District have been crafted to ensure that new structures and changes to existing structures are designed to be harmonious with the overall aesthetic of Woodstock's historic village center, without mandating that proposals emulate a single architectural style, as the village center is, in fact, home to a wide variety of styles.

The criteria for the East End District have been crafted to allow a wider variety of architectural styles in this emerging area of Woodstock, while ensuring that proposed projects will be assets, rather than detriments, to the Town's aesthetics.

DRAFT

Design Review decisions issued by the VDRB and advisory design review recommendations issued by the VDAC shall find that the proposal meets, or does not meet, the following requirements:

Village Center Design Review Overlay District

(a) **All Projects**.

(i) Exterior design and materials of new construction or alterations of existing buildings shall be consistent and compatible with the characteristics of the existing building or other properties in the district;

1. Additions to existing buildings shall respect and be compatible with the size, scale, materials, detailing, and overall character of the primary building and its environs.
2. Additions shall not obscure or undermine the essential form and character of the original building, and should reflect the addition's period and style as appropriate.

(ii) Existing buildings shall be recognized as a physical record of its time, place, and use. Changes that create a false sense of historical development, such as adding conjectural features or architectural elements from other buildings, shall not be undertaken. New construction, additions, and alterations shall be of their own time and shall not create a false sense of historicity;

DRAFT

(iii) Location and appearance of all utilities, mechanical equipment, trash storage, and fencing shall be sited to minimize adverse visual impact or adequately and appropriately screened from public view;

(iv) Alterations to buildings called for by public safety, accessibility, and fire codes shall be designed to maintain the character of the construction materials and features to the maximum extent feasible;

(v) **Rhythm.** The visual patterns established by the alterations of solid walls and openings (windows and doors) in the façade of buildings shall create a rhythm.

1. Proportional architectural details, a sense of rhythm, and regular spacing of fenestration shall be considered.
2. Scale and massing of architectural features shall present a variety in their composition.

(vi) **Roof Shape and Equipment.**

1. The similarity or compatibility of roof shapes in the immediate areas shall be considered in the alteration of a building.
2. Rooftop equipment and fixtures on flat roofs shall be concealed from eye level view from adjacent public rights-of-way, and from the ground level of any adjacent properties.

(vii) **Architectural Features.** Architectural features, including but not limited to, cornices, windows, shutters, fanlights, entablature, trim, and other forms of molding or character-defining detailing prevailing on the existing building shall be considered in the alteration of a building.

(viii) **Roof Drainage Systems.** Roof drainage systems shall not hide or obscure architectural character-defining features and shall run adjacent to building corners when possible.

(b) **Additions and Alterations to Existing Buildings**

(i) **Generally Applicable**

1. The historic character of a property shall be retained and preserved. The removal of historic materials or alteration of features and spaces that characterize a historic property shall be avoided.
2. Character-defining features, finishes, and construction techniques or examples of craftsmanship that characterize a historic building shall be preserved. For instance:
   a. Additions shall not obscure or undermine the essential form and character of the original building, and should reflect the addition's period and style as appropriate; and
   b. Additions to buildings shall not introduce style and features that are not compatible with the historic building.
3. Development shall not destroy Character Defining Features.
   Deteriorated Character Defining Features shall be repaired rather than replaced. Where the severity of deterioration requires replacement of a character-defining feature, the new feature shall be replaced in-kind.
4. Any new development shall be differentiated from the old but shall respect and be compatible with the massing, size, scale, architectural features, detailing and overall character of the primary historic building and nearby historic properties.

(ii) **Rhythm.** Patterns of solids and openings shall be preserved to the extent

DRAFT

feasible.

It is not appropriate to add, cover over, or remove a window or door opening on façades visible from a public street unless the applicant can demonstrate it is essential to operations occurring within the building. In those cases where a window or door opening must be added, covered or removed, a suitable design solution that maintains the architectural integrity of the façade shall be proposed, including retention of the window or door opening and trim, with any infill material set back within the opening.

(iii) **Materials.** Character Defining Materials should be preserved to the maximum extent practicable and replaced in-kind when they have deteriorated beyond repair. Replacement materials shall match existing materials to the maximum extent feasible. Covering Character Defining Materials with new materials shall be avoided.

1. An alteration shall be considered to be compatible if the building materials used possess a kind or type which are appropriate to that building. Materials selected shall either fit the context of the existing building and/or reflect the nature and use of the structure.
2. Materials shall be selected for their long-term performance and durability.
3. When composite materials are appropriate, they should be treated in the same manner of the replaced material(s).

(iv) **Roof Shape.** Roof forms and pitch shall not be altered on the primary façade.

(v) **Architectural Features.**

1. Architectural or Character Defining Features prevailing on the existing building shall be considered in the alteration of a building.
2. When an architectural feature on a historic building has deteriorated beyond repair, the replacement architectural feature shall match the existing in design, texture, other visual qualities, and materials.
3. Architectural features on an addition shall not duplicate, but shall respect the original building's architectural features.

(vi) **Windows and Doors.**

1. Character Defining window and door patterns, placement, sizes, proportions, and original features such as trim, sash and moldings, shall be preserved to the extent possible. When preservation is not possible, such Character Defining windows and doors must be rehabilitated or replaced in-kind.
2. Windows and doors that are not Character Defining, may be replaced, but such replacements must be compatible with the historic building's style, materials, and architectural features. .

(vii) **Porches and Stairs.**

1. The location of porches, ramps, and stairs shall be placed in a manner that does not impact or undermine the original and significant ornamentation or detailing of the existing building.
2. Stairs, ramps and porches shall employ suitable detailing to connect and be compatible with the historic and important design features of existing buildings and new construction.
3. Stairs and ramps shall be designed in a manner with details and materials that provide the most sensitive and compatible structure

DRAFT

and that fits the building design and layout.

(c) **New Development.**

(i) New development shall incorporate sustainable design and construction methods and materials compatible with historic materials and styles.

(ii) **Scale and Massing**. The scale and massing of new buildings shall be compatible with surrounding structures.

Compatible scale and massing can be achieved by incorporating a variety of shapes or materials, such as columns, windows and their placement, doorways, roof segments, and wall patterns.

(iii) **Orientation.** New buildings shall be oriented toward, and relate both functionally and visually to, public streets and/or common greens, parks, or plazas. To provide a uniform streetscape, new principal structures shall be located and oriented with their fronts parallel to the street and with the setback distance comparable to adjacent structures.

(iv) **Rhythm.** The visual patterns established by the alterations of solid walls and openings (windows and doors) in the façade of buildings create a rhythm. These patterns of solids and openings shall be compatible to the adjacent buildings in the construction of a new building.

In making this determination, proportional architectural details, a sense of rhythm, and regular spacing of fenestration shall be considered.

(v) **Materials**. The materials of new construction shall be compatible with materials of surrounding buildings.

1. New construction shall be considered to be compatible if the materials used possess a kind or type that are appropriate to the District.
2. Materials selected shall either fit the Neighborhood context of the proposed building and/or reflect the nature and use of the structure.
3. Materials may be selected for the long-term performance and durability.

(vi) **Roofs.**

1. **Shape.** The roof shape shall be compatible with roof shapes in the surrounding area.
2. **Equipment and Fixtures.** Rooftop equipment and fixtures on flat roofs shall be concealed from eye level view from adjacent public rights-of-way, and from the ground level of any adjacent properties.

(vii) **Architectural Features.** Architectural features including but not limited to cornices, windows, shutters, fanlights, entablature and other forms of molding or unique detailing prevailing in the surrounding area shall be regarded as suggestive of the extent, nature, and scale of details that are appropriate for new buildings.

This subsection does not require that the details of historic buildings be duplicated.

(viii) **Context and Connectivity.** Building design shall be sensitive to the overall character and context of the Design Review Overlay District and to adjacent buildings.

1. New construction shall incorporate architectural elements that reinforce or add to the character of the area.
2. Other building elements and components such as lighting fixtures, sign size, design and sign placement, paving patterns, and landscape

DRAFT

elements are to be selected and incorporated into new construction in a manner that provides compatibility with adjacent structures and sites.

(ix) **Accessory Buildings and Structures**.

1. New accessory buildings or structures shall be located within either the side yard or rear yard.
2. New accessory buildings shall not visually disrupt the streetscape or affect the integrity of the existing building or proposed new building.

East End Design Review Overlay District

a. **All Projects**.

i. Location and appearance of all utilities, mechanical equipment, trash storage, and fencing shall be sited to minimize adverse visual impact or adequately and appropriately screened from public view;

ii. **Rhythm.** The visual patterns established by the alterations of solid walls and openings (windows and doors) in the façade of buildings shall create a regular rhythm.

iii. Rooftop Equipment.

Rooftop equipment and fixtures on flat roofs shall be concealed from eye level view from adjacent public rights-of-way, and from the ground level of any adjacent properties.

b. Additions and Alterations to Historic Buildings

For the purposes of this section, historic buildings are defined as those listed as contributing resources to the Woodstock Village Historic District of the National Register of Historic Places.

i. Generally Applicable

1. The historic character of a property shall be retained and preserved. The removal of historic materials or alteration of features and spaces that characterize a historic property shall be avoided.
2. Character-defining features, finishes, and construction techniques or examples of craftsmanship that characterize a historic building shall be preserved. For instance:
   a. Additions shall not obscure or undermine the essential form and character of the original building, and should reflect the addition's period and style as appropriate; and
   b. Additions to buildings shall not introduce style and features that are not compatible with the historic building.
3. Development shall not destroy Character Defining Features.

   Deteriorated Character Defining Features shall be repaired rather than replaced. Where the severity of deterioration requires replacement of a character-defining feature, the new feature shall be replaced in-kind.
4. Any new development shall be differentiated from the old but shall respect and be compatible with the massing, size, scale, architectural features, detailing and overall character of the primary historic building and nearby historic properties.

ii. **Rhythm.** Patterns of solids and openings shall be preserved to the extent

DRAFT

feasible.

It is not appropriate to add, cover over, or remove a window or door opening on façades visible from a public street unless the applicant can demonstrate it is essential to operations occurring within the building. In those cases where a window or door opening must be added, covered or removed, a suitable design solution that maintains the architectural integrity of the façade shall be proposed, including retention of the window or door opening and trim, with any infill material set back within the opening.

iii. **Materials.** Character Defining Materials should be preserved to the maximum extent practicable and replaced in-kind when they have deteriorated beyond repair. Replacement materials shall match existing materials to the maximum extent feasible. Covering Character Defining Materials with new materials shall be avoided.

1. An alteration shall be considered to be compatible if the building materials used possess a kind or type which are appropriate to that building. Materials selected shall either fit the context of the existing building and/or reflect the nature and use of the structure.
2. Materials shall be selected for their long-term performance and durability.
3. When composite materials are appropriate, they should be treated in the same manner of the replaced material(s).

iv. **Roof Shape.** Roof forms and pitch shall not be altered on the primary façade.

v. Architectural Features.

1. Architectural or Character Defining Features prevailing on the existing building shall be considered in the alteration of a building.
2. When an architectural feature on a historic building has deteriorated beyond repair, the replacement architectural feature shall match the existing in design, texture, other visual qualities, and materials.
3. Architectural features on an addition shall not duplicate, but shall respect the original building's architectural features.

vi. Windows and Doors.

1. Character Defining window and door patterns, placement, sizes, proportions, and original features such as trim, sash and moldings, shall be preserved to the extent possible. When preservation is not possible, such Character Defining windows and doors must be rehabilitated or replaced in-kind.
2. Windows and doors that are not Character Defining, may be replaced, but such replacements must be compatible with the historic building's style, materials, and architectural features. .

vii. Porches and Stairs.

1. The location of porches, ramps, and stairs shall be placed in a manner that does not impact or undermine the original and significant ornamentation or detailing of the existing building.
2. Stairs, ramps and porches shall employ suitable detailing to connect and be compatible with the historic and important design features of existing buildings and new construction.
3. Stairs and ramps shall be designed in a manner with details and materials that provide the most sensitive and compatible structure

DRAFT

and that fits the building design and layout.

c. New Development.

i. New development shall incorporate sustainable design and construction methods.

ii. **Orientation.** New buildings shall be oriented toward, and relate both functionally and visually to, public streets and/or common greens, parks, or plazas. To provide a uniform streetscape, new principal structures shall be located and oriented with their fronts parallel to the street.

iii. **Rhythm.** The visual patterns established by the alterations of solid walls and openings (windows and doors) in the façade of buildings create a rhythm. In making this determination, proportional architectural details, a sense of rhythm, and regular spacing of fenestration shall be considered.

iv. Roof Equipment and Fixtures. Rooftop equipment and fixtures on flat roofs shall be concealed from eye level view from adjacent public rights-of-way, and from the ground level of any adjacent properties.

v. **Architectural Features.** Architectural features including but not limited to cornices, windows, shutters, fanlights, entablature and other forms of molding or unique detailing prevailing in the surrounding area shall be regarded as suggestive of the extent, nature, and scale of details that are appropriate for new buildings.

This subsection does not require that the details of historic buildings be duplicated.

vi. **Accessory Buildings and Structures**.

1. New accessory buildings or structures shall be located within either the side yard or rear yard.
2. New accessory buildings shall not visually disrupt the streetscape or affect the integrity of the existing building or proposed new building.

F. Demolition of Buildings and Accessory Structures

1. Demolition or removal of a building or accessory structure within the Design Review District, including demolition required as part of a proposed redevelopment project, shall require Design review.
2.
3. In the event the VDRB determines upon testimony offered that there may be a valid reason for preservation, they 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 <u>all</u> 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;

DRAFT

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;

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 OVERLAY 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.

G. Statement of Character

a. 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.
b. 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.
c. 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.

H. Statement of Objectives

a. 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.
b. These regulations shall not affect:
    i. routine forestry management,
    ii. pasture restoration, and agricultural uses (including construction of woods or fields access roads),
    iii. an existing structure when modification and expansion of the structure is clearly subordinate in size (less than 25 %) and impact to the original structure,
    iv. a structure for agricultural, forestry and occasional non-residential use.

I. Description of Scenic Ridgeline Districts

a. General Description: Scenic Ridgeline Districts shall consist generally of all land within

DRAFT

five hundred (500) feet (horizontal distance) of the primary ridgelines within the Village of Woodstock.

b. 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.
c. 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.
d. Overlapping: A Scenic Ridgeline District may overlap the zoning districts outlined in Article III.

J. Plan Approval

a. 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.
b. Other conditional use requirements may be reviewed concurrently with Scenic Ridgeline requirements at the applicant's request.
c. Land Development Defined: For purposes of this section, land development shall be defined as any of the following:
    i. Construction or placement of any building, except those exempted in Subsection B;
    ii. 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;
    iii. 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;
    iv. Addition of skylights, solar panels or other large reflective surfaces excluding roofing materials;
    v. Construction or modification of an access road or driveway, excluding normal driveway maintenance;
    vi. Construction of a tower, satellite dish or any other type of antenna;
    vii. Excavation or extraction of any kind of solid matter exceeding 200 cubic yards;
    viii. 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.

K. Procedures For Plan Application and Review

a. Application

    i. 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:
    ii. Name and address of the record landowner and any duly appointed agents of the parties.
    iii. Location of the proposed land development depicted on a Scenic Ridgeline District Overlay Map to be provided with the application form.
    iv. A map or sketch of the property proposed to be developed, drawn to scale, with the

DRAFT

area to be developed clearly indicated.

v. A detailed description, including type and extent of the proposed land development.

vi. The location of the proposed structure on a USGS Topographic Map or Survey.

vii. A utility plan.

viii. A tree plan, showing where trees will remain, be thinned and be removed.

b. Prehearing Preparation and Review

i. 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:

ii. 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.

iii. 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].

iv. Include in the report all appropriate comments and recommendations relative to the criteria for approval listed under Subsection F.

v. 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.

c. 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.

d. 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.

e. 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.

f. 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.

g. 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.

DRAFT

L. 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.

a. General Standards

i. 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 § 406(G).

b. Specific Standards

i. **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.

ii. **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.

iii. **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 to the number, position, and type of window and door glass, skylights, etc. so as to minimize glare, without undue cost or burden.

M. 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:

a. The period of time during which the proposed development would be viewed by the traveling public;
b. The frequency of the view of the proposed development as experienced by the traveling public;
c. The degree to which the view of the proposed development is screened by existing vegetation, the topography of the land, and existing structures;
d. Contributing or detracting background features in the view of the proposed development;
e. The distance to the view from the vantage point; and
f. The number of cars traveling on the public highway at or near the critical vantage point.
g. The difference in elevation between the proposed development and the vantage point.

N. 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.

DRAFT

ARTICLE V GENERAL REGULATIONS

SECTION 501 ACCESS AND SAFETY

To minimize traffic conflicts, and to safeguard against strip development, Title 19 V.S.A. authorizes the municipality to control access of public highways. Access (A.K.A. "curb cut") permits for connecting to a village highway are issued by the Woodstock Village Board of Trustees. Permits for connecting to state highways are issued by the Vermont Agency of Transportation per 19 V.S.A. § 1111.

New roads, both public and private, along with access roads (AKA driveways) serving new development shall comply with the Vermont Agency of Transportation's Standard A-76, B-71A, or B-71B as applicable, along with the Town of Woodstock's Highway Ordinance or the Village of Woodstock's Driveway Ordinance, as applicable.

Except as hereinafter provided, no land development may be permitted on lots which do not have frontage on a public road**,** however, with the approval of the VDRB, the development may be exempted from the minimum frontage requirement for the district as set out in Article III by the existence or creation of a permanent easement or right of way at least 30 feet in width.

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 502 CORNER LOTS

If a structure fronts on two or more public roads, the front setback requirement shall apply on all sides that border the road. All other sides shall conform with the side setback requirement of the district.

SECTION 503 DENSITY

Two unit dwellings are allowed on all lots, per 24 V.S.A. § 4412 (1)(D). In all districts served by water and sewer, four unit dwellings are allowed on all lots and a density of at least five (5) dwelling units per acre is allowed per 24 V.S.A. § 4412 (12). Notwithstanding the above, the maximum density for any development within a given district shall be in accordance with the density listed in that district's dimensional standards in Article III.

SECTION 504 NONCONFORMING 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. See Section 607 below.

SECTION 505 HEIGHT EXCEPTIONS

The height limitations of this bylaw shall be waived for agricultural barns and silos in the Residential Three Acre District and for spires, belfries, steeples, cupolas, chimneys, railings, roof

DRAFT

access stairwells, and code-required equipment in all districts.

SECTION 506 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 termination 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 non-substantial 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 507 OFF-STREET PARKING

For every building hereafter erected, altered, extended or changed in use, except in the Central Commercial district (see Subsection G.2 below), off-street parking spaces shall be provided as set forth below. A standard parking space shall be nine (9) feet by eighteen (18) feet per car. A

DRAFT

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

1. Shall have a minimum of one parking space per residential dwelling unit.
2. The VDRB may reduce or waive on-site parking requirements if conditions exist which mitigate parking need and still provide safe and sufficient access.
3. 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.

B. Lodging (Hotels, Motels, Inns, Bed & Breakfasts)

Shall have one space per rental unit and per employee, and two spaces for the resident household, if applicable. The number of employee spaces required shall not exceed the maximum number of employees on-site during any given shift.

C. /Restaurants

One parking space for every four seats, or capacity thereof, plus one space per employee vehicle.

D. Retail Uses

One parking space for every business and employee vehicle, plus one parking space for every three hundred square feet of floor area.

E. Office Uses

One parking space for every business and employee vehicle.

F. Industrial Uses

One parking space for every business and employee vehicle.

G. Special Requirements

1. In exceptional circumstances, the Administrative Officer may waive or reduce any of the above stated parking requirements per Section 716. To waive or reduce the requirements, the Administrative Officer must find that either (1) the parking requirements cannot be met due to physical constraints of the parcel or (2) the requirement can be met by existing parking facilities in the near vicinity. These facilities may be either public parking lots, street parking, private parking for which the applicant has secured a shared use agreement, or some combination thereof.

DRAFT

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 508 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 509 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:

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 510 PROHIBITED USES

The following uses shall be prohibited in all zoning districts:

A. Slaughterhouse
B. Rendering plant
C. Fertilizer plant
D.
E. Excavation of sand, gravel, & minerals
F. Drive-through food service establishment
G.
H. Racetrack
I.
J.
K. Junk yard
L. Commercial dump
M.
N. Trailer and mobile or home sales and service

SECTION 511 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.

DRAFT

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. Zoning permits to develop land of the types or locations designated in 24 V.S.A Section 4413 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 512 SUBSURFACE DISPOSAL OF SEWAGE

Municipal sewer connection is required unless the structure is more than one thousand (1000) feet from an existing municipal sewer line, in which case a State-permitted 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 513 MULTIPLE USE OF LOTS

A combination of principal uses on a lot is permitted provided:

1. The lot is large enough to meet the area standards of the most intensive use, and
2. Setback requirements and all other applicable standards are met for all uses.

ARTICLE VI ADDITIONAL SPECIFIC PROVISIONS

SECTION 601 ACCESSORY STRUCTURES WITHIN THE SETBACK

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

SECTION 602 AFFORDABLE HOUSING DENSITY BONUS

In all districts, affordable housing developments (see: Definitions) shall receive a 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. As used in this subchapter:

"Habitable floor" means: Any floor of 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.

DRAFT

SECTION 603 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 604 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 605 BUFFER STRIP

If an Industrial use abuts a residential use or body of water, except for access points, a buffer strip of land not less than fifteen (15) feet in depth shall be maintained along the common boundary. The buffer strip shall be used and maintained only for fences and/or the planting of trees, shrubs and flowers. Fences, trees, and other vegetation in the buffer strip shall not obstruct the visibility of vehicles exiting from the parcel drive.

SECTION 606 CELLULAR/COMMUNICATION TOWERS

Regulations available upon request from the Planning and Zoning Office.

SECTION 607 DAY CARE HOME / FACILITY

A state registered or licensed family childcare home serving six or fewer children shall require a permit.

A State-registered or licensed family childcare home serving no more than six full-time and four part-time children, as defined in 33 V.S.A. § 3511(7), 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 608 ACCESSORY DWELLING UNITS (ADUs)

A. One ADU is allowed for each one- or two- unit dwelling provided these requirements are met:
   1. The ADU must be located on the same lot as the one- or two-unit dwelling.
   2. The ADU must be one of the following:
      a. Located within or attached to the primary dwelling.
      .
      b. Located in a new detached structure appurtenant to the primary dwelling.
      c. Located in a pre-existing accessory building, converting the accessory building to an ADU.
   3. No additional parking spaces are required for an ADU.

SECTION 609 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 measuring more than forty (40) inches in diameter require a permit.

DRAFT

SECTION 610 EXTERIOR LIGHTING

A. General

1. All lights shall be fully shielded and directed towards the ground, so light is not allowed to escape into the night sky.
2. Lighting shall be directed towards the owner's property and not towards their neighbor to protect neighboring properties from the effects of glare and or light trespass..
3. Facade illumination is prohibited.
4. All new exterior lighting must have a correlated color temperature (CCT) of 3000 K or below to protect the historical nighttime environment, prevent traffic hazards, and protect both human and animal health.
5. All new exterior security lighting must be either placed on a motion sensor, or a timer which shall turn lights off between 11pm-5am.

B. All new exterior lighting must follow the "Five Principles for Responsible Outdoor Lighting" as published by DarkSky and the Illuminating Engineering Society. **Temporary /Seasonal Lighting**

1. Temporary lighting installations which are not fully shielded or capped are allowed from the beginning of October through the end of January for a maximum of 90 days total, with no more than 45 being consecutive. Examples of temporary lighting installations include string lights, and light-up holiday decorations.
2. Temporary lighting installations from the beginning of October to the end of January which are fully shielded or capped may be on at any time. Temporary lighting installations which are not fully shielded or capped must be on a timer which shall turn lights off between 11pm-5am.
3. Lighting installations such as string lights, festoon lights, or bistro lights that are fully shielded or capped may be lit year-round, provided they are placed on a timer and turned off between the hours of 11pm-5am to prevent the effects of light trespass from disturbing the nighttime experience of neighboring properties.

C. Commercial/Industrial Uses

1. Lighting shall be directed downwards and fully shielded to avoid glare for motorists.
2.
3. Any substantial change in exterior lighting (to be determined by the Administrative Officer) requires Site Plan Review.

SECTION 611 FENCES

A permit (except in the Design Review Overlay 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). Vertical support post heights are not measured.
B. Shall not be higher than six and a half (6.5') feet in all other yards (as measured from original ground level). Vertical support post heights are not measured.
C. The good or finished side of the fence shall be positioned to face towards the outside of the parcel boundaries for improved public visibility..
D. An exception may be granted in special circumstances with conditional use approval by the VDRB.
E. The proposed fence or any portion thereof does not extend into a riparian buffer or Special Flood Hazard Area.

SECTION 612 HOME OCCUPATION

DRAFT

A. **General**
   1. Per 24 V.S.A. § 4412 (4), no bylaw 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 displays are prohibited.

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. Office use only.

SECTION 613 LANDSCAPING/GRADING

Any addition, removal or redistribution of the soil in excess of twenty (20) cubic yards, or grading an area of over 1,000 sq. ft. requires a 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.

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 614 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

DRAFT

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 615 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 616 SIGNS

A. General Rules and Limitations:

All signs and any change in size or location of a sign, except those specifically exempted, require a zoning permit issued by the Zoning Administrator. All signs shall be considered an accessory structure. Where a sign is an accessory structure to a permitted use, the sign shall be considered permitted use. In such cases, a sign shall require the issuance of the zoning permit. Where a sign is an accessory structure to a conditional use, the sign shall be considered a conditional use. In such cases, a sign shall require conditional use review and approval by the Development Review Board prior to the issuance of the zoning permit. All signs not specifically allowed or exempted are prohibited.

All signs, including exempt signs, shall be subject to the following requirements:

1. No outdoor sign shall be permitted, which does not pertain to the use of the premises on which it is located.
2. All signs shall be maintained in good condition and repair at all times.
3. All signs shall adhere to the setbacks established for accessory structures for each applicable zoning district.

DRAFT

4. All signs shall be removed within ninety (90) days of cessation or abandonment of business.
5. Nonconforming signs shall be in compliance with Section 606 Nonconforming Structures.
6. All signs may not interfere with, imitate, or resemble any official traffic control sign, signal or device, or attempt or appear to attempt to interfere with, imitate, or resemble any official traffic control sign, signal or device. An official traffic control sign, signal or device shall have the same meaning as a "traffic control device" in the latest edition of the Manual of Uniform Traffic Control Devices.
7. Types and placement of signs shall not driver of a motor vehicle from having a clear and unobstructed view of official traffic control signs and approaching or merging traffic.
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.

B. Specific Regulations by Type of Sign:

a. **Free standing signs:** A sign supported by a structure of one or more frames, poles, or other support structures permanently erected in or upon the ground. Free standing shall be located between three (3) and ten (10) feet above ground level.
b. **Wall signs:** A sign permanently affixed to, printed, or painted on any exterior wall or window of a structure that does not extend outward from structure. Wall signs shall not exceed the highest point of a building roof.
c. **Projecting signs:** A sign permanently affixed to any exterior wall of a structure that extends outward from structure. 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. **A-Frame Sign**: A sign ordinarily in the shape of an "A" or some variation thereof, which is readily moveable, and is not permanently attached to the ground or any structure. A-Frame signs shall not exceed eight (8) square feet in area per side, including the frame. No A-Frame sign may exceed four (4) feet in height or two (2) feet in width. Only a single A-Frame sign may be allowed per parcel. The placement of an A-Frame sign must be within ten (10) feet of the primary entrance of the structure where the business or temporary event is located. No A-Frame sign may obstruct an entryway to a structure. Any A-Frame sign placed on a sidewalk shall only be allowed where an unobstructed sidewalk width of at least 5 feet for pedestrian passage is maintained.
e. **Instructional Sign**: A sign whose sole purpose is instructional, including, but not limited to, traffic or pedestrian control, off-street parking or loading areas, safety or other warnings, ingress or egress from structures, or hours of operation; 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.
f. **Directory Sign**: An on-premise sign providing a listing of the particular uses or occupants of a structure or complex. A structure or complex containing multiple uses or occupants may have one (1) free-standing Directory Sign, not to exceed fifty (50) square feet. Each use or occupant of the structure may have a sign within the Directory Sign, all of which shall be equal in shape and size, which is not to exceed three (3) square feet.
g. **Awnings:** Signage placed on an awning may only be placed on the valance.

C. Prohibitions on Signs:

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.

DRAFT

d. Illumination of exterior 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. Off-premise signs.
g. Exception to (a) and (b): These provisions do NOT apply to traditional barber poles when displayed by licensed barbers which is expressly allowed.

D. Exempt Signs:

a. Temporary Signs: are non-permanent signs announcing or advertising 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) temporary sign, not to exceed twelve (12) square feet in size, may be displayed on the premises at a time. Temporary signs shall be promptly removed after the conclusion of the announced or advertised event. Subject to these conditions, temporary signs do not require a permit.
b. Interior signs located more than 12" from a window do not require a permit. Interior signs affixed to or less than twelve inches away from a window, which are intended for view from the outside, are not considered an exempt sign under these regulations.

E. Specific Regulations by Zoning Districts/Uses

1. **Commercial, Community and Inn Districts/Uses**
   A. **Size by Business Location and Type:**
      a. An individual ground floor business may have on premises:
         i. Up to two affixed signs OR
         ii. One affixed plus either one projecting or one 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 an affixed ground floor entry sign, not to exceed two (2) square feet in size.
         ii. 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. A structure or complex containing multiple uses or occupants may have one (1) free-standing Directory Sign, not to exceed fifty (50) square feet. No other free standing sign is allowed if a structure or complex has a directory sign.
   B. **Size and Placement by Sign Type:**
      a. Free-standing signs:
         i. Size is limited to ten (10) square feet in the Central Commercial and twenty (20) square feet in all other Commercial and Community districts.
         ii. There shall be only one free-standing sign per property.
2. **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.

DRAFT

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.
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.

3. 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.

4. Design Review District

Signs within these districts shall be reviewed by the Development Review Board. Refer to Sections 405.

SECTION 617 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-unit residential use of property, per 24 V.S.A 4412(1)(G). . Special care facilities not exempted by the above shall require a Conditional Use permit.

SECTION 618 SHORT-TERM RENTALS

Short-term rentals are regulated by local ordinance in the Village of Woodstock. Please see the Town website for more information.

SECTION 619 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 VII SUBDIVISION

SECTION 701 APPLICABILITY

A Subdivision is defined as the partitioning or dividing of a parcel or tract of land, where the act of division creates two or more separate lots. All subdivisions require filing a new plat with the Village to record them. However, not all of these are regulated under this bylaw. For the purposes of this section, the following are NOT regulated subdivisions:

- The filing of a plat for an existing lot that does not currently have a plat.
- The annexation of one lot onto another lot in its entirety.

For subdivision of parcels spanning the boundary of the Town and Village of Woodstock, the Administrative Officer shall issue a written opinion determining whether a permit is required.

DRAFT

SECTION 702 MINOR SUBDIVISON REVIEW PROCEDURE

The following are defined as minor subdivisions if they do not contain lands in the Special Flood Hazard Area, river corridor, and/or the Conservation Overlay District and do not require additional approval processes, such as conditional use, site plan, and/or design review.

- Dividing a parcel into no more than two parcels, where each parcel meets the minimum dimensional requirements for the underlying district.
- Boundary adjustments applied for jointly by both property owners.

Application Submission: Required application materials listed in Section 703 shall be submitted to the municipal planning & zoning office.

Notice of Decision by the Administrative Officer: Within 30 days of receiving a complete application, the Administrative Officer shall issue a written decision either approving the application or referring it to the DRB to be reviewed as a major subdivision.

SECTION 703 MAJOR SUBDIVISION REVIEW PROCEDURE

All other applications for subdivision not exempt from regulation under Section 701 or defined as minor subdivisions per Section 702 shall be defined as major subdivisions and subject to the following review procedure.

Application Submission: Required application materials listed in Section 703 shall be submitted to the municipal planning & zoning office. Prior to application submittal, applicants are encouraged, but not required, to meet with the Zoning Administrator to identify potential conflicts with the subdivision approval criteria stated in this article.

VDRB Public Hearing: Within 45 days of application receipt, the VDRB shall warn a public hearing. If the application requires other review procedures, such as conditional use, site plan, or design, the subdivision hearing shall be scheduled to take place concurrently.

The plat as presented shall meet all requirements of this article. At the conclusion of the hearing, the VDRB may:

A. Recess the hearing to a date certain to allow submission of an acceptable plat as required by this Article or to conform to VDRB conditions.
B. Accept the plat and sign any presented plat recording.
C. Accept the plat and require the submission of a plat recording for signing within 180 days of the closing of the hearing.

Notice of Decision by the VDRB: Within 45 days of the close of testimony, the VDRB shall issue a written decision.

DRAFT

Plat Recording Delivered to the Zoning Administrator: The plat recording (i.e. the final plat document) shall be submitted within 180 days of approval by the VDRB. Before a plat is recorded, it shall be inspected by the Zoning Administrator to ensure it complies with the approved plat and any VDRB conditions. The plat document shall be 24″ x 18″ in dimension.

SECTION 704 APPLICATION MATERIALS

All submitted plats shall conform to the following standards and requirements:

A. The submittal shall be made in three copies, plus a digital copy of the survey plat in portable document format (PDF) that meets the digital survey standards established by The Board of Land Surveyors for digital copies of survey plats, and such plats shall be compatible with Vermont Center for Geographic Information standards.

B. Maps shall be at a scale per Table 1, include boundaries of the subdivision parcel(s), date, true north point, and scale.

Table 1

Distance on Map (inches)	Feet on Ground	Scale
1	200	1:2400
1	400	1:4800
1	1000	1:12000
1	2000	1:24000

C. A description of the proposed water supply shall be provided. If the source is an existing community water supply system, evidence of the right to use such system and the adequacy of such a system to meet water supply requirements shall be shown. All design criteria shall be in accordance with applicable State and local health regulations.

D. Description of the proposed sewage disposal system(s) shall be provided. If on-site sewage disposal is proposed, a licensed professional engineer's or certified site technician's report and plans prepared in conformance with State and local health regulations shall be submitted. If a community sewage disposal system is to be used, evidence of the right to use such system and an engineer's statement of the adequacy of the system to handle the additional sewage shall be submitted. If no septic system is proposed, then the mandatory deed notice shall also be included on the plat in no less than 12-point font.

E. The following shall be provided: All existing and proposed right-of-way lines, widths of roads, typical road profiles, dimensions of all lot lines, and size of all lots. Also included are locations of all buildings, walkways, amenities, utilities, and other man-made improvements. Current forest edge, proposed cut lines, and building envelopes shall be included. Where such are not proposed, a condition prohibiting these improvements shall be included in the subdivision permit.

F. A description of any proposed covenants and/or deed restrictions that are intended to cover all or part of the subdivision shall be provided.

G. A description of the homeowners' association or other forms of management organization, if one is proposed, shall be provided.

DRAFT

H. Lots should be of ordinary shape and compact layout unless a compelling public interest or site feature can be identified that dictates otherwise.

SECTION 705 BOUNDARY ADJUSTMENTS

Boundary adjustments shall be heard only for joint applications by both property owners.

SECTION 706 GENERAL STANDARDS

All land to be subdivided shall be, in the judgement of the DRB, suitable to be used for the intended purposes without danger to public health or safety, to the environment, or to critical resources, as identified in the Town Plan. Land designated as flood hazard areas or characterized by wetlands or cliffs, or subject to other hazardous conditions shall not ordinarily be subdivided. No lot shall be created that is smaller in area than the minimum lot size required for the land use district in which it is located, nor shall any lot be created without frontage on a public road or legally deeded and defined private right-of-way.

SECTION 707 ROAD AND ACCESS STANDARDS

A. Location and Design of Intersections: Intersections with existing roadways shall be as close to 90 degrees as possible. Approaches to intersections with existing roads shall be at a maximum grade of 3% for a distance of 50 feet from the centerline of the traveled way. Intersections shall be located to provide at least a minimum sight stopping distance in accordance with the following standards of the American Association of State Highway Officials in Table 2:

Table 2
Minimum Stopping Sight Distance

Design Speed of Roadway Section (mph)	Sight Stopping Distance (feet)
30	176
40	263
50	369

B. Design Standards for Town Roads: All highways proposed for acceptance by the Town shall comply with A-76 State of Vermont Design Standards and any revisions made thereto.

C. Road Maintenance: The maintenance of all roads, not designated as Class 3 Town Highways or higher, shall be the responsibility of the subdivider. The subdivider shall supply evidence and assurance that said roads will be adequately maintained either by the subdivider or by an owners' association.

D. Curb Cuts on Existing Roads: The total number of curb cuts permitted on each side of a continuous length of road frontage on a parcel shall not exceed the number set forth in the following Table 3. These limits shall not apply to farm entrances used solely to gain access to a field for agricultural or temporary forestry purposes. In calculating the number of curb cuts permitted, any curb cut in existence prior to the effective date of adopting these regulations or constructed thereafter shall be included per Table 3:

DRAFT

Table 3

Continuous Road Frontage of Parcel	# of Curb Cuts Permitted
0–799 feet	2
800–1599 feet	3
Each additional 800 feet	1 additional curb cut

Re-subdivision of a parcel after the effective date of adoption shall not create a right to construct any curb cut in addition to those permitted in the above Table 3.

E. Pedestrian Access

The VDRB shall require rights-of-way to facilitate pedestrian circulation within the subdivision and ensure public access through the property to adjoining properties or uses. The VDRB may also require the subdivider to construct sidewalks within these rights-of-way. Unless otherwise specified, the maintenance of sidewalks shall be the responsibility of the subdivider.

SECTION 708 DRAINAGE AND EROSION CONTROL

The DRB shall find that the applicant has provided such temporary and permanent drainage and erosion control techniques as may be necessary to control surface runoff in compliance with Vermont Water Quality Standards, including securing construction and/or operational state stormwater permits if applicable.

SECTION 709 FIRE PROTECTION

The DRB shall find that the applicant has provided adequate fire protection facilities according to the Vermont Fire & Building Safety Code.

SECTION 710 ADDITIONAL CONDITIONS

A. Underground Utilities: The VDRB may require the underground installation of power and telecommunication infrastructure, wherever it is duly necessary to maintain and protect the visual character of a highly sensitive area. A diagram showing location of underground utilities shall be submitted with the as-built drawings.

B. Buffer Strips: The VDRB may require buffer strips in accordance with Section 506.

C. Streetlights: The VDRB may require the installation of streetlights compliant with Section 512.

SECTION 711 AS-BUILT PLANS

Submittal of an as-built plan shall be required prior to the use or occupancy of any

DRAFT

subdivision of four or more residential units. This plan shall be drawn to scale and shall indicate by dimensions, angles, and distances the location of all utilities, structures, roadways, easements, and other improvements as constructed. As-built plans shall be submitted by the subdivider to the Zoning Administrator in 11" x 17" format.

SECTION 712 REVISION OF APPROVED PLAT

No changes, modifications, or revisions that alter the conditions attached to a Subdivision Permit shall be made unless the plat is first resubmitted to and approved by the VDRB after a public hearing. In the event that such a subdivision plat is recorded without complying with this requirement, the plat shall be considered null and void.

SECTION 713 PUBLIC ACCEPTANCE OF ROADS AND OPEN SPACES

Nothing in this bylaw shall be construed to constitute the acceptance by the Village of any road, easement, utilities, park recreation area, or other open space shown on the subdivision plat. The VDRB may require the filing of a written agreement between the applicant and the Trustees covering future deed and title, dedication and provision of the cost of grading, development, equipment, and maintenance of any such improvements or may require of an applicant an agreement to waive any future rights to petition the Village to have roadways within the subdivision accepted as public streets. The VDRB may require the filing of a written agreement between the applicant and the Trustees waiving any existing or future claim by the applicant and/or its heirs, successors, and assigns regarding the Village's obligation to accept any road or other improvement as a Village facility as shown on the subdivision plat and providing for the future grading, development, equipment, repair, and maintenance of any such road or other improvement by the applicant and/or its heirs, successors, and assigns. Consistent with the objectives of the Village Plan, and in accordance with 10 V.S.A., Chapter 155, the Village may accept less than fee interest in property to protect its open, scenic, or resource value. Donation of such a conservation easement to a qualified non-profit organization may also serve as a means of meeting Village Plan objectives. In either case, written agreements between the parties shall be required.

SECTION 714 PERFORMANCE BOND

The VDRB may require from the applicant for the benefit of the Village, a performance bond in an amount sufficient to cover the full cost of constructing any public improvements that the VDRB may require in approving the project. Such performance bond shall be submitted prior to subdivision approval. Security that the project shall be completed, as approved, may be required in the form of the following:

A. A surety bond, issued by a surety company authorized to do business in Vermont and to be filed with the Trustees in form and amount satisfactory to it.

B. A letter of credit, cash, escrow account, or savings bank book properly endorsed to the Village in an amount to be determined by the Trustees.

C. A performance bond from the developer or contractor.

The performance guarantee shall not be released until the VDRB has certified completion of the improvements in substantial accordance with the approved subdivision plat. The performance bond shall run for a term to be fixed by the VDRB, but in no case for a longer term than 3 years. However, the term of such bond may, with the consent of the owner, be extended for an additional period not to exceed 3 years. If any required improvements have not been installed or maintained as provided within the term of such performance bond, such bond shall be forfeited to the municipality and, upon receipt of the

DRAFT

proceeds thereof, the municipality shall install or maintain such improvements as are covered by such performance bond. The VDRB may also require surety covering the maintenance of said improvements for a period of 2 years after acceptance by the Village. Said surety to be equal to not less than 10% of the estimated cost of those improvements.

SECTION 715 LEGAL ARRANGEMENTS

Where applicable to a specific subdivision, the following may be required prior to approval of the subdivision plat:

A. An agreement to convey to the Village land to be used for roads, open space, and other public purposes.

B. An agreement to maintain roads, parks, recreation areas, and other improvements in the future and to waive any claims regarding the Village's obligation to accept said improvements as Village facilities.

C. Descriptions of easements and rights-of-way over property to remain in private ownership.

D. Descriptions of easements to drain onto or across other property.

ARTICLE VIII ADMINISTRATION AND ENFORCEMENT

SECTION 801 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 24 V.S.A. §4442.

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 802 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 803 PLANNING COMMISSION

The Planning Commission shall be appointed jointly by the Selectboard and Trustees. It shall consist of 5 to 9 members. One member each of the Selectboard 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 24 V.S.A. Chapter 117, Subchapter 2.

SECTION 804 DEVELOPMENT REVIEW BOARD

A Development Review Board shall be appointed by the Trustees in accordance with the provisions of 24 V.S.A. §4460. 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 24 V.S.A. Chapter 117, Subchapter 10.

DRAFT

SECTION 805 HEARINGS

Hearings conducted by the VDRB 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 according to the procedure given in Section 719. .

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

SECTION 806 CONSERVATION COMMISSION

The Conservation Commission shall be appointed jointly by the Selectboard and Trustees in accordance with 24 V.S.A. Chapter 118. It shall consist of 5 to 9 members. The Conservation Commission shall provide the VDRB advisory environmental evaluations, where enabled by this bylaw, of applications for zoning permits and advise the Planning Commission in formulating Town and Village Plans.

SECTION 807 VILLAGE DESIGN ADVISORY COMMITTEE

The Village Design Advisory Committee (VDAC) shall be appointed by the Trustees in accordance with 24 V.S.A. § 4433. Said Committee shall advise the VDRB in administering the provisions contained in Section 405. The Committee 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.

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 808 ZONING PERMIT

No land development may commence unless a zoning permit has been duly issued by the Administrative Officer, according to the procedure established in 24 V.S.A. § 4449.

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 following receipt of a completed application, as determined 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 twenty-four (24) 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.

DRAFT

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 twenty-four (24) months and thereafter diligently pursued the permit shall vest.

SECTION 809 APPLICATION INFORMATION

A. Notwithstanding the requirements of an overlay district or additional review procedure, administrative Permit applications shall include the following information, as relevant:

1. GENERAL REQUIREMENTS
    a. Access permit (see Section 501), if applicable.
    b. Town of Woodstock confirmation of sewer and water connection, or a capacity-to-serve letter, if applicable.
2. Scale drawing depicting the location of all existing and proposed structures on lot and showing compliance with all dimensional standards of the underlying district, including a notation of the structure's proposed height (see Article III).SPECIFIC REQUIREMENTS:
    a. SIGNS (See Section 519):
        - Drawing of sign with dimensions.
        - Site plan with proposed sign location and establishment's linear frontage.
3. 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 subject to Conditional Use review, Variance, or Site Plan review shall be subject to additional requirements listed in the corresponding sections below. For additional application requirements that apply in overlay districts, see Article IV.

SECTION 810 SITE PLAN REVIEW

A. LIMITATIONS: No zoning permit shall be issued by the Administrative Officer for any commercial, industrial, public and quasi-public use, or multiunit dwelling of five units or greater 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. APPLICATION REQUIREMENTS: In addition to the baseline application requirements listed in Section 708 and notwithstanding any additional requirements imposed as part of another review procedure and/or overlay district, the following items are required for site plan review:

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.

DRAFT

C. STANDARDS: The VDRB shall review the application information for compliance with the following criteria:

1. The adequacy and safety of pedestrian facilities within the site and between the site and the public sidewalk network. The main pedestrian entrance to the building shall be located at the front of the building with a walkway connecting to the public sidewalk network and to the site's parking facilities. If no sidewalk exists along the parcel frontage, the DRB may require the applicant to build one.
2. The adequacy and safety of vehicle circulation, parking, and loading facilities. Wherever site conditions reasonably allow, parking lots and loading facilities shall be located at the rear of the building. Reasonable effort shall be made to avoid the creation of new curb cuts onto US-4. The DRB may limit the number and size of curb cuts. For parcels with multiple pre-existing curb cuts, the Board may require the reduction, consolidation or elimination of curb cuts. Where reasonable, the DRB may require shared access between adjoining properties or may limit access to a side street or secondary road.
3. Adequacy of landscaping and screening to achieve maximum compatibility and protection of adjacent properties. Surface parking lots with greater than ten (10) spaces shall be screened from adjacent parcels with a privacy fence, evergreen trees, or shrubs. Reasonable effort shall be made to screen dumpsters and other waste storage facilities with a wall, privacy fence, or greenery.
4. The adequacy of surface drainage facilities, as demonstrated by the applicant having secured any required permits from the Agency of Natural Resources.
1. The provision of municipal services. The DRB shall require the applicant to provide written confirmation from the Town of Woodstock of sewer and water connection, a capacity-to-serve letter, or written proof of alternative infrastructure for potable water supply and wastewater disposal if not located within an area served by public water and/or sewer.

D. CONDITIONS: The VDRB may impose appropriate conditions and safeguards only with respect to the above objectives. Such conditions may include, but are not 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.

E. TIMELINE: The VDRB shall act to approve or disapprove a site plan and issue a written decision within 45 days of close of testimony; failure to act within such period shall be deemed approval. If other review procedures, such as design review or conditional use, are required, the hearings shall be scheduled to take place concurrently.

SECTION 811 CONDITIONAL USE

O. APPLICATION REQUIREMENTS: In addition to the baseline application requirements listed in Section 708 and notwithstanding any additional requirements imposed as part of another review procedure and/or overlay district, the following items are required for conditional use review:

DRAFT

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.

P. REVIEW CRITERIA: Per 24 V.S.A. § 4414(3) any use and/or structure which requires Conditional Use approval 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:

6. **The capacity of existing or planned community facilities.** The DRB shall require the applicant to provide written confirmation from the Town of Woodstock of sewer and water connection, a capacity-to-serve letter, or written proof of alternative infrastructure for potable water supply and wastewater disposal if not located within an area not served by public sewer and water.
7. **The character of the area affected, as defined by the purpose or purposes of the zoning district within which the project is located, and specifically stated policies and standards of the municipal plan.**
8. **Traffic on roads and highways in the vicinity.** Adequate travel and pedestrian lanes on the site must allow residents, employees, business vehicles and delivery/service vehicles to safely enter and exit the site. The DRB may request, at the expense of the applicant, the preparation of a traffic impact study to identify impacts and mitigation measures necessary to ensure road safety and efficiency and may require that mitigation measures be implemented.
9. **By-laws and ordinances then in effect.** The Board shall consider whether the proposed development complies with all ordinances, bylaws, and regulations in effect at the time of application, including other applicable provisions of this bylaw, other municipal permit and/or approval conditions (e.g., subdivision, highway access).
10. **Utilization of renewable energy resources.** The Board shall determine whether the proposed development will interfere with the sustainable use of renewable energy resources, including access to, direct use or future availability of such resources. The applicant shall make all effort not to obstruct the usage of solar arrays and wind turbines on neighboring parcels.

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

11. **Minimum lot size.**
12. **Distance from adjacent or nearby uses.**
13. **Adequate off-street parking and loading facilities**. Wherever site conditions reasonably allow, parking lots and loading facilities shall be located at the rear of the building. (Note: For residential developments in districts served by municipal sewer and water, the VDRB cannot require more than one parking space per unit, per 24 V.S.A. § 4414(4).)**Landscaping and screening**. Landscaping and screening shall be designed to achieve maximum

DRAFT

compatibility and protection of adjacent properties. Surface parking lots with greater than ten (10) spaces shall be screened from adjacent parcels with a privacy fence, evergreen trees, or shrubs. Reasonable effort shall be made to screen dumpsters and other waste storage facilities with a wall, privacy fence, or greenery.

14. **Access and circulation of pedestrians and vehicles.** Reasonable effort shall be made to avoid the creation of new curb cuts onto US-4. The DRB may limit the number and size of curb cuts. For parcels with multiple pre-existing curb cuts, the Board may require the reduction, consolidation or elimination of curb cuts. Where reasonable, the DRB may require shared access between adjoining properties or may limit access to a side street or secondary road. The main pedestrian entrance to the building shall be located at the front of the building with a walkway connecting to the public sidewalk network and to the site's parking facilities. If no sidewalk exists along the parcel frontage, the DRB may require the applicant to build one.

Q. STATUTORY REQUIREMENTS: In granting or denying a Conditional Use Permit, the procedures followed by the VDRB shall be in accordance with 24 V.S.A. Section 4414 (3).

R. CONDITIONS: As a condition of approving a Conditional Use, the VDRB may attach such additional reasonable conditions and safeguards as it may deem necessary to implement the purposes of state statute and these Regulations.

S. EXISTING CONDITIONAL USES: 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.

T. EFFECTIVE DATE AND APPEALS: 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 812 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 813 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 814 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.

DRAFT

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.

Upon completion of a permitted project, the property owner shall file with the Town Clerk a Vermont Residential Building Energy Standards (RBES) or Commercial Building Energy Standards (CBES) certificate as applicable.

SECTION 815 PENALTIES

Violations of these Regulations shall be regulated as prescribed in 24 V.S.A. 4451 and 4452.

SECTION 816 VARIANCES

A. APPLICATION REQUIREMENTS: In addition to the baseline application requirements listed in Section 708 and notwithstanding any additional requirements imposed as part of another review procedure and/or overlay district, the following items are required for applications involving variances:

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.

B. CRITERIA: 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,

DRAFT

narrowness, or shallow ness of lot size or shape, or exception al 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.

C. CONDITIONS: 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 state statute.

D. EFFECTIVE DATE AND APPEALS: 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 817 WAIVERS

Waivers to the dimensional standards established for each district in Article III may be granted by the Administrative Officer without a hearing for:

1. Reductions in front or side setbacks as necessary to allow for disability access;
2. Reductions in side setbacks to allow for necessary life-safety improvements;
3. An increase in density and/or height limit for a qualifying affordable housing development, as established in Section 503;
4. A reduction in parking requirements, as established in Section 517.

Waivers granted by the administrative officer and are subject to appeal according to the procedure established in Section 717.

SECTION 818 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 819 APPEALS FROM DECISIONS OF ADMINISTRATIVE OFFICER

DRAFT

In accordance with 24 V.S.A. § 4465 , 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 820 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 24 V.S.A. § 4471 .

SECTION 821 PUBLIC NOTICE

Any public notice required for public hearing under these Regulations shall be given according to the requirements of 24 V.S.A. § 4464(a). All of the following shall be conducted no less than 15 days prior to the hearing date: the publication of the date, place and purpose of such hearing in a newspaper of record in the municipality; the posting of a notice in three or more public places within the municipality; and written notification of all abutters. The applicant shall bear the cost of providing these notices.

When a hearing is called for a proposed amendment to these Regulations, 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.

ARTICLE IX DEFINITIONS

For the purpose of this bylaw, meanings of all words and terms shall be interpreted as defined in 24 V.S.A § 4303; if not defined in 24 V.S.A. § 4303, the following definitions shall apply. All other words shall be presumed to have their normal meaning.

Doubt as to the precise meaning of any word used in this bylaw shall be clarified by the Administrative Officer.

ABUTTER: The owner or owners of any property which shares a parcel boundary with the property subject to development, including the owners of properties which would bound the property subject to development but for the interposition of a highway or other public right-of-way.

ACCESSORY DWELLING UNIT (ADU): A distinct unit that is clearly subordinate to a one- or two-unit residential dwelling on an owner-occupied lot which 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 30 percent of the total habitable floor area of the one- or two-household dwelling or 1,200 square feet, whichever is greater.

DRAFT

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 AO. If the AO is unable to make a determination, a determination shall be made by the VDRB.

ADMINISTRATIVE OFFICER (AO): The municipal official nominated by the Planning Commission and appointed by the Village Trustees whose job is to receive and review all zoning permit applications; issue permits for permitted uses and refer conditional use applications and appeals for variance to the VDRB.

AFFORDABLE HOUSING: For the purposes of these Regulations, the definition of affordable housing shall be in accordance with the statutory definition given in 10 V.S.A. § 6001 (28).

AFFORDABLE HOUSING DEVELOPMENT: A housing development of which at least 20 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.

AGRICULTURE: The definition of agriculture for the purposes of these Regulations encompasses both the exempt activities described in 24 V.S.A. § 4413 (d)(1)(A) and any cultivation of crops or animal husbandry not exempt under same.

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

APPROPRIATE MUNICIPAL PANEL (AMP): The local body designated to perform development review, per 24 V.S.A. § 4303 (3).

AREA OF SHALLOW FLOODING: A designated AO or AH zone on a community's Flood Insurance Rate Map (FIRM) with a one percent or greater annual chance of flooding to an average depth of one to three feet where a clearly defined channel does not exist, where the path of flooding is unpredictable, and where velocity flow may be evident. Such flooding is characterized by ponding of sheet flow.

AREA OF SPECIAL FLOOD HAZARD: The land in the flood plain within a community subject to a one percent or greater chance of flooding in any given year.

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

BASE FLOOD: The flood having a one percent chance of being equaled or exceeded in any given year.

BASEMENT: Any area of a building having its floor subgraded (below ground level) on all

DRAFT

sides.

BED AND BREAKFAST: See Section 504. A Building that offers lodging for transient occupancy with at least three (3) but no more than nine (9) distinct and individually rentable units, not to exceed a total of eighteen (18) sleeping spaces within the building. Bed and breakfasts must:.

1. Be licensed by the Vermont Department of Health to operate a food and/or lodging facility;
2. Provide breakfast for guests in a common dining area;
3. Not provide individualized cooking facilities for guests; and
4. Have a caretaker who resides on-site.

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: The proportion of a given lot that is taken up by the footprint of a building or buildings, expressed as a percentage of the lot's total area.

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

CURB CUT: The term "curb cut" is used herein to describe a vehicle access point connecting to a public road, regardless of whether that road has a curb. This access point shall be duly permitted by either the municipal access permit process (See Section 501) or by the state permitting process established in 19 V.S.A. § 1111.

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.

DRAFT

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

DESIGN REVIEW OVERLAY DISTRICT: A design review district as created under 24 V.S.A. § 4414(1)(E), comprising a portion of the Village of Woodstock wherein design review may be required per Section 405 of this bylaw.

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

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

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

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

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

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

FIA: Federal Insurance Administration. See Section 404.

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.

FLOOD HAZARD BOUNDARY MAP (FHBM): An official map of a community, issued by the Administrator, where boundaries of flood and/or mudslide (i.e., mudflow) related erosion areas having special hazards have been designated as Zones A, M, and/or E. See Sections 401and 404.

FLOOD INSURANCE RATE MAP (FIRM): An official map of a community, on which the Administrator has delineated both the special hazard areas and the risk premium zones applicable to the community. See Section 404.

FLOOD INSURANCE STUDY: An examination, evaluation, and determination of flood hazards and, if appropriate, corresponding water surface elevations. See Section 404.

FLOODPLAIN: The land adjacent to a river or other water course that can be expected to flood at least once in 100 years. See Section 404.

FLOOD PROOFING: Any combination of structural and non-structural additions, changes, or adjustments to structures which reduce or eliminate flood damage to real estate or improved real property, water and sanitary facilities, structures, and their contents. See Section 404.

DRAFT

FLOODWAY: The channel of a river or other water course 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 the designated height. See Section 404.

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

FORESTRY: For the purposes of these Regulations, the definition of forestry encompasses both the exempted activities described in 24 V.S.A. § 4413 (d)(1)(B-C) and any cutting of trees or vegetation not exempt under same.

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/MOTEL: Any business establishment that offers furnished lodging to the transient, traveling, or vacationing public with ten (10) or more distinct and individually rentable units.

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

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, the definition of an interested person shall be in accordance with the definition given in 24 V.S.A. § 4465 (b).

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, enlargement, or demolition 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

DRAFT

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, NONCONFORMING: A parcel of land upon which the spatial dimensions do not meet the minimum requirements of the district in which it lies.

LOWEST FLOOR: The lowest floor of the lowest enclosed area (including basement) provided the enclosure's construction does not violate applicable non-elevation design requirements of Section 60.3 of the National Flood Insurance Program. An unfinished or flood resistant enclosure which is located in an area other than a basement and is usable solely for vehicle parking, building access, or storage, is not considered to be a building's lowest floor. See Section 404.

MEAN SEA LEVEL: For purposes of the National Flood Insurance Program, the National Geodetic Vertical Datum (NGVD) to which Woodstock's Flood Insurance Rate Map is referenced. See Section 404.

MIXED USE DEVELOPMENT: A development containing both housing and space for any combination of retail, office, services, artisan, and recreational and community facilities, provided at least 40 percent of the gross floor area of the buildings involved is housing. The commercial portion of a mixed use development shall be subject to any and all regulations--including but not limited to conditional use review--required by the base and overlays districts in which the parcel is located.

MOBILE/MANUFACTURED HOME: A prefabricated dwelling unit which:

A. Is designed for long-term residential occupancy,
B. Is designed to be moved on wheels, as a whole or in sections,
C. For the purposes of administering these Regulations, an individual mobile home is considered to be a one- or two-family dwelling.

MOBILE/MANUFACTURED HOME PARK: Any parcel of land under single or common ownership or control which contains, or is designed, laid out or adapted to accommodate three or more mobile homes. Nothing herein shall be construed to apply to premises used solely for display or storage of mobile homes.

DRAFT

MOTEL: See "Hotel/Inn/Motel."

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 607.

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 607.

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

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 610.

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 - 2001" 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.

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

DRAFT

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.

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

RETAIL SALES: An establishment whose principal use is the sale of products for consumption or use by the customer off the premises. 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.

SIGN: 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, and visible from a public way.

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.

DRAFT

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 Article VII.

SUBSTANTIAL IMPROVEMENT: Any repair, reconstruction, or improvement of a structure within a two-year period, the cost of which equals or exceeds 50 percent of the market value of the structure either: (a) before the improvement or repair is started, or (b) if the structure has been damaged, and is being restored, before the damage occurred. The term does not, however, include either: (1) any project for improvement of a structure to comply with existing state or local health, sanitary, or safety code conditions, or (2) any alteration of a structure listed on the National Register of Historic Places or a State Inventory of Historic Sites.

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

DRAFT

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.

VILLAGE DESIGN ADVISORY COMMITTTEE (VDAC): The advisory body enabled to issue recommendations for consideration by the VDRB in Design Plan approval procedures. See Section 405.

VILLAGE DEVELOPMENT REVIEW BOARD (VDRB): The quasi-judicial body tasked with conducting various local development review procedures under this bylaw.

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.

WAIVER: An exception to certain dimensional standards granted by the Zoning Administrator to relieve a hardship. See Section 716.

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.

WIND TURBINE: 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.

DRAFT

DRAFT

Section 508 Density:

In the last few months, we have had several proposals for small multi-family housing projects in the town, which have all been denied due to density restrictions. Most have been for 3–4-unit projects either on lots that are larger than the minimum lot area for the district, but too small to subdivide, or inside existing structures.

Currently, to build multi-family housing, Section 508 requires that you multiply the minimum lot area by the number of units to determine allowable density. This means that in R5, you would need 15 acres to build a triplex. For developers, it makes more sense to subdivide into three five-acre parcels and build luxury single family homes.

Last week, a developer reached out wanting to build four 1,000 square foot homes on an 8-acre parcel in R5 to be sold as affordable housing. Unfortunately, our current regulations only allow 2 units on this parcel. Even if they applied to create a Planned Development, they could only have 2.5-3 units depending on affordability. They are now planning to move the project to another town.

Similarly, last month a property owner with a duplex asked if they could create a third unit inside the existing building. This would not have altered the aesthetics of the building in any perceivable way; however, it had to be denied as the underlying zoning density only allowed two units. Sadly, this is a familiar story.

How can we fix this? We can start by rewriting the definition of density to require a fraction of the minimum lot area per housing unit for projects greater than two units. The first two units would still require the normal minimum lot area, but each additional unit would only require a fraction of the required area. I would recommend 1/6 of the minimum lot area per unit. This would allow larger lots in each district to be developed for small multi-family housing projects.

Another helpful change would be to allow existing buildings to develop an unlimited number of units on their interior, without expanding the footprint. This would allow existing buildings to be turned into housing units without impacting the aesthetic character of the area. I would not recommend limiting the allowable number as density varies greatly between districts, and the number of units would be limited by space and the availability of water and sewer. Together, these two small changes could have a significant positive impact on the ability to develop small multi-family housing projects in Woodstock.

Dear Woodstock Planning Commission,

The Board of Trustees wishes to offer a recommendation regarding the future of design review within the development review process following the dissolution of the Village Design Advisory Committee.

Historically, zoning permit applications that required design review were assessed by two bodies: the Village Design Advisory Committee and the Village Development Review Board. The Village Design Advisory Committee provided recommendations to the Village Development Review Board, which was ultimately responsible for voting to issue a permit. The design standards set forth in the zoning bylaws have always been, and will continue to be, enforced by the Village Development Review Board. The absence of an advisory body does not weaken these standards in any way. Moving forward, the Village has an opportunity to improve efficiency for staff and simplify the experience for applicants while maintaining the integrity of design review.

We recommend amending the Village Development Review Board's rules and procedures to require that two of its five members have professional experience in relevant fields such as architecture or historic preservation. This approach would ensure that a subject matter expert would be present during deliberations by the voting body, reduce duplicative review, and expedite the permitting process. It has long been a goal of the Trustees to consolidate boards and streamline municipal processes, and it is also critical to maintain a thoughtful and deliberate design review process to ensure that future development in Woodstock is consistent with its historic character and charm. We believe this strategy accomplishes these goals and balances competing priorities.

We greatly appreciate your efforts in rewriting the zoning bylaws and look forward to continued dialogue as procedural changes are considered.

Respectfully,
Woodstock Village Board of Trustees

MEETING MINUTES
MUNICIPALITY OF WOODSTOCK, VERMONT
WOODSTOCK PLANNING COMMISSION
31 The Green
Woodstock, VT 05091

The Woodstock Planning Commission held a public meeting at 6:00pm on Monday, January 12th, 2026, to discuss the following:

Members present: Sarah Glasser Tucker (Chair), Benjamin Pauly, Mary Margaret Sloan, Alex Mulley, and Matt Driscoll.
Public present: Wendy Marrinan, Jenevra Wetmore, Harry Falconer, Emma Stanton, Rebecca Mitchell, and Bryan Kovalick.
Staff present: Molly Maxham, Emily Collins, Stephanie Appelfeller, and Savannah Spannaus.

Administrative Tasks

1. Call to Order – Sarah Glasser Tucker called the meeting to order at 6:01pm

2. Adjustments to Agenda – None.

3. Approve Minutes – 12/03/25

   Motion to approve minutes as written by Alex Mulley, seconded by Benjamin Pauly
   Vote. 4-0. Approved.

Business

1. Public Comment:

   Wendy Marrinan had questions about timing of discussing points, such as discussing design review. Wendy Marrinan stated that the Village Historical Preservation Mission would like to apply for another grant cycle to help create design guidelines that can be referenced and included in the regulations. Wendy Marrinan also shared that the language in the regulations should have a shared community spirit and that this should not be lost in the edits. At the end of the meeting, Wendy Marrinan suggested language edits for section 616.

2. Continuation of Village bylaw analysis and revisions with Harry Falconer.

   Municipal Bylaw Adoption Process

DRAFT

Harry Falconer explained the Municipal Bylaw Adoption Process. This process serves as a memo to the Planning Commission to explain how the draft of the proposed bylaw can be adopted and eventually go into effect.

Section 313: Planned Development

Benjamin Pauly began this discussion by comparing this section to document Planned Unit Development section in The Town of Norwich's Land Use Regulation document. Benjamin Pauly recommended that the group add in "overall density of the project" and remove language about density increase. Benjamin Pauly suggested striking the site condition criteria from the PUD section altogether. Benjamin Pauly went on to suggest a few language changes, including to replace all instances of "shall" with "must".

Harry Falconer suggested that the board could point out the affordable housing density bonus instead of including a clause in this section. The board agreed on this.

Section 401: Purpose

Mary Margaret Sloan raised concerns about scenic ridgelines and steep slopes, and advocates to keep protections in place for these areas. Harry Falconer suggested adding specific review procedures to the conservation overlay districts for added clarity.

The board discussed if removing scenic ridgelines and steep slopes would avoid redundancy in the regulations or would remove protection from these areas. The board discussed and agreed to add a standard checklist for steep slopes. Harry Falconer will add a basic design review procedure outline to the bylaw draft.

Section 302 Community (COM)

Benjamin Pauly mentioned that while this section has a building height maximum is 35 feet, other districts have the maximum at 40 feet. The board agreed to bring this maximum to match the other districts.

Section 303 Residential Three Acre (R3)

Sarah Glasser Tucker brought attention to the fact that the residential three-acre (R3) and residential one-acre (R1) sections state the same minimum lot area. The board discussed this discrepancy and that any changes to districts could be made until the Town Plan is updated.

Section 309 Central Commercial (CC)

Sarah Glasser Tucker commented on the types of facilities covered under commercial use that require conditional use approval and that there should be more clarity on which uses are prohibited. The board discussed the purpose of warehouses being included in this section.

DRAFT

Section 310 Commercial/Light Industrial (CLI)
Sarah Glasser Tucker also questioned whether the residential square footage listed is for the lot area or for the unit itself. The board agreed to clarify the difference.

Section 312 INN

The board discussed the requirement that retail shops should be located only within the main structure and whether this is necessary. This board agreed to strike this requirement.

Section 507 Off-Street Parking

Sarah Glasser Tucker discussed parking spaces allotted to employees. The board previously discussed putting in parameters to this section that specified that these spaces are for "on-duty" employees.

Section 602 Affordable Housing Density Bonus

Sarah Glasser Tucker questioned about the definition of a habitable floor in this section. Harry Falconer explained that his section is from state statute and is required to be included.

Section 609 Dish Antennae

Sarah Glasser Tucker questioned if this section is still necessary as the subject is outdated. The board decided to keep this section in the bylaws.

Section 616 Signs

The board revisited this section to ensure that the edits were thorough. Sarah Glasser Tucker wanted to make sure that "sandwich boards" were discussed in this section. The board decided to add a specific standard about sandwich boards to this section and define other types of signs. Matt Driscoll suggested to strike any prohibition on sign content from this section.

Action Items:

Harry Falconer will draft a checklist of requirements for the conservation overlay districts and apply the suggested edits.

The next meeting is set to take place on February 4, 2026, at 6 PM.

Other Business:

DRAFT

The meeting was adjourned at 7:58 PM.

DRAFT