

Town
of
Woodstock, Vermont

Zoning Regulations

Adopted November 5, 2002

Effective November 27, 2002

Town of Woodstock Zoning Regulations

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ARTICLE I GENERAL PROVISIONS

SECTION 101 ENACTMENT

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

SECTION 102 TITLE

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

SECTION 103 PURPOSE

It is the purpose of these Regulations to implement the Woodstock Plan by providing for the appropriate use of all lands in the Town of Woodstock in a manner that promotes and protects the public health, safety, prosperity, comfort, convenience, efficiency, and general welfare; protects steep slopes, soils, forests, water and other natural resources; encourages the healthful and convenient distribution of settlement; protects 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; while furthering the purposes established in Section 4302 of the Act.

SECTION 104 REPEALER

The Town of Woodstock Zoning Regulations adopted August 12, 1997 and any amendments adopted after that date are hereby repealed and replaced by this document. This repealer provision will be implemented upon the day that these Regulations become effective.

SECTION 105 EFFECTIVE DATE

These Regulations shall take effect in accordance with the procedures contained in Section 4404 of the Act.

SECTION 106 INTERPRETATION

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

SECTION 107 AMENDMENTS

The Regulations may be amended according to the requirements and procedures established in Section 4403 and 4404 of the Act.

SECTION 108 SEPARABILITY

The invalidity of any provisions of these Regulations shall not invalidate any other part.

SECTION 109 DEFINITIONS

In addition to the terms defined below, the terms and definitions found in Section 4303 of the Act are hereby incorporated and made part these Regulations. Doubt as to the precise meaning of any word used in these Regulations shall be interpreted by the Zoning Board of Adjustment.

ACCESSORY APARTMENT: a residential unit located within a single family or two-family dwelling. See also Detached Apartment

ACCESSORY STRUCTURE: A structure that is customarily incidental and subordinate to the primary structure on a lot. Examples are garages and storage sheds. See Sec. 502.

ACCESSORY USE: A use that is incidental to and customarily associated with the primary use of a particular parcel or structure. If there is a question whether the use is customary, determination shall be

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made by the ZBA.

ACRE: 43,560 square feet.

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

AGRICULTURE: The activity of raising crops and/or animal husbandry and the processing and sale of farm products produced on site. See Section 4495 of the Act for state mandated exemptions.

ALTERATION: Structural change, rearrangement, change of location or addition to a building, other than repairs to or modifications within an existing building.

AREA OF SHALLOW FLOODING: An area that (1) has at least a one percent chance of flooding annually to an average depth of one to three feet (designated as AO or AH on the Flood Insurance Rate Map (FIRM)); (2) is not marked by a clearly defined channel, has an unpredictable flood path, 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 subject to a one percent or greater chance of flooding in any given year.

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

BASEMENT: Any area of the building having its floor below ground level on all sides.

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

BUFFER, RIPARIAN: A vegetated area, including trees, shrubs and herbaceous vegetation, which exists or is established to protect a stream system, lake, reservoir or wetland area. Alteration of this natural area is strictly limited.

BUFFER, VEGETATED: An area or strip of land with permanent vegetation consisting of trees, shrubs and herbaceous vegetation, designed to intercept pollutants, to separate incompatible uses, and/or block nuisances such as noise and lights.

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

BUILDING HEIGHT: The vertical distance measured from the average elevation of the proposed finished grade at the front wall of the building to the highest point of the coping of a flat roof, or to the declivity of mansard roofs, or 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. Commercial use does not include a business permitted as a home occupation.

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

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

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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.

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

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 313

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

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

DESIGN REVIEW DISTRICT: A Design Control District as created under 24 VSA 4407; an area comprising a portion of the Town of Woodstock wherein Design Plan Approval may be necessary. See Section 404.

DETACHED APARTMENT: A dwelling unit located in an accessory structure that is not attached to the primary residence. See Section 509.

DEVELOPMENT, LAND: Development activities include: subdivision of land into two or more parcels; construction, conversion, structural alteration, relocation or enlargement of any structure or utility; any mining, excavation, land fill, or road building; and any change in or extension of the use of land or structure.

DRIVE-INS : Establishments, other than gasoline stations and car washes, that dispense products or services to patrons who remain in vehicles,

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

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

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

FAMILY CHILD CARE HOME OR FACILITY: See Day Care, above.

FIA: Federal Insurance Administration.

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 or service station. See Section 519.

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

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

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

FLOODPLAIN: The land adjacent to a river or other water course that may be flooded at least once in 100 years.

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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.

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.

FOOTPRINT: The horizontal outline of a structure including all overhanging parts (decks, bay windows, etc.), other than awnings.

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

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

GARAGE, TEMPORARY: Generally, a structure made of tubular steel with a tarp-like cover, used on a seasonal basis, to house a single car. See Section 528.

GAS STATION: see Filling Station

GENERAL STORE: A small retail store selling groceries and sundry items.

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. See Section 517.

HOME ENTERPRISE: A commercial establishment allowed to operate outside of the designated commercial zones that does not adversely affect the character of the area in which it is located. See Section 515.

HOME OCCUPATION: An occupation that (1) is customarily carried on in a residential area in a residential structure by the resident, (2) is incidental and secondary to the use of the residence as a dwelling, (3) occupies a minor portion (less than 50%) of such dwelling, and (4) does not change the character of the area. See Section 516.

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

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

INTERESTED PERSON:

- (1) A person owning title to property who alleges that these Regulations impose unreasonable or inappropriate restrictions on a present or potential use of such property.
- (2) The Town of Woodstock or any municipality that adjoins the Town, whose Plan or Zoning Regulations is at issue in an appeal brought under these Regulations.
- (3) A person owning or occupying property in the immediate neighborhood of a property that is the subject of a decision or act taken under these Regulations, who alleges that the decision or act, if confirmed, will not be in accord with policies, purposes or terms of the Woodstock Plan.
- (4) Any ten persons owning real property within the Town of Woodstock who, by signed petition to the ZBA regarding an appeal brought under these Regulations, allege that the relief requested in the appeal, if granted, will not be in accord with the policies, purposes or terms of the Woodstock Plan.
- (5) The Vermont Agency of Development and Community Affairs and any other agency or

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administrative subdivision of the State that owns property or an interest in property within the Town of Woodstock.

JUNKYARD: Any place of outdoor storage or deposit that is maintained, operated or used for storing, keeping, processing, buying or selling junk (cars, equipment, appliances, waste, etc.) or as a scrap metal processing facility, excluding a recycling center that operates within a structure.

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.

LOT: A single parcel of land that is not divided by a public road, and is occupied or intended to be occupied by one primary use or building and related accessory structures.

LOT AREA: The total area of land within the property lines of a lot (excluding public roads and rights-of-way) and located within municipal boundaries, the minimum size of which is designated by district requirements of these Regulations.

LOT LINE ADJUSTMENT: A method of adjusting the boundaries of adjacent lots without creating an additional lot. See Section 605

LOT, SUBSIZED: A parcel of land containing less land area than the minimum requirements of the District in which it lies. See Section 603.

LOWEST FLOOR: The lowest floor of the lowest enclosed area, including basement. The lowest floor does not include an unfinished or flood resistant enclosure that is usable solely for vehicle parking, building access or storage, provided that such enclosure does not violate the design requirements of the National Flood Insurance Program, Section 60.3.

MANUFACTURED HOME: A structure, transportable in one or more sections, that 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.

MANUFACTURING, LIGHT: Industrial activities that are generally not considered hazardous, do not usually emit smoke, glare, noise, odor, dust, or otherwise create a nuisance, and are not detrimental to the use and enjoyment of neighboring properties.

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.

MOBILE HOME: A prefabricated dwelling unit which:

- (1) Is designed for long-term residential occupancy,
- (2) Is designed to be moved on wheels, as a whole or in sections,
- (3) For the purposes of these Regulations, an individual mobile home will be considered a single family dwelling.

MOBILE HOME PARK: Any parcel of land under single or common ownership or control that 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 commercial display or storage of mobile homes intended for sale.

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

NONCONFORMING USE: A use that lawfully occupied a building or land prior to enactment or amendment of these Regulations but does not now conform to the use restrictions of the district in which it is located.

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See Section 607.

NONCOMPLYING STRUCTURE: A structure, the size, dimensions, or location of which was lawful prior to enactment or amendment of these Regulations, that does not now comply with the requirements of the zoning district in which it is located. See Section 607.

OFFICE: A building, a room, or set of rooms used to conduct the affairs of a business, profession, organization, or public entity.

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.

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

PLAN, THE: The "Town and Village of Woodstock Plan - 2001.

PLANNING COMMISSION: Town of Woodstock Planning Commission.

PLANNED RESIDENTIAL DEVELOPMENT: An area of land to be developed for residential use as a single planned entity, rather than an aggregate of individual lots, in a manner that does not conform to underlying zoning restrictions but preserves the land's natural and scenic qualities and meets specific criteria outlined in Section 313.

PLANNED UNIT DEVELOPMENT: An area of land planned for development as a single entity for residential, commercial and/or industrial uses, the plan for which meets specific criteria outlined in Section 313 but does not correspond to the regulations established for the underlying zoning district(s) in regard to lot size, bulk or type of dwelling, density, lot coverage or required open space. See Section 313.

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: Facilities primarily for participation by the public in athletic activities, including but not limited to, parks, playgrounds, ski slopes, cross country ski areas, golf courses, tennis courts, and swimming pools.

RECREATIONAL VEHICLE: A vehicular-type unit primarily designed as temporary living quarters for recreational, camping, or travel use, that either has its own motive power or is mounted on or drawn by another vehicle.

REPAIR SERVICE and BODY SHOP: A commercial establishment that repairs or reconditions motor vehicles, machinery, appliances, or other objects.

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

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SCHOOL: Any public, charitable or non-profit educational facility that provides primary, secondary, or higher education. For the purposes of these Regulations, a school does not include commercially operated establishments engaged in training for the arts, trades or business.

SETBACK: The minimum distance by which a building or structure must be separated from a lot line, right-of-way, or centerline of a public road.

SHORT TERM RENTAL: Rental of a home or apartment for a period of time less than thirty (30) days. See Section 525.

SIGN, BANNER: Fabric or other flexible material designed and displayed to convey a message, excluding state or national flags.

SIGN, BUSINESS: A structure (fixed or flexible) that identifies, advertises, or otherwise calls attention to an establishment, property, or services and products provided therein.

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

SIGN, INSTRUCTIONAL: A structure whose sole purpose is to direct or instruct the public on matters of general concern, such as safety, traffic flow, hazards, etc.

SITE PLAN: A plan, drawn at an appropriate scale, illustrating the overall proposed site development, including the location of existing and proposed buildings in and adjacent to the site, the location of streets, driveways, parking and loading areas, traffic circulation patterns, loading docks, septic and sewer systems, pedestrian walkways, and landscaping. See Section 708 (B)(3) and Section 709.

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.

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

SOIL, HYDRIC: A soil which has excessive wetness resulting from a seasonal high water table within four (4) feet of the ground surface.

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, disabled or convalescent person. See Section 527.

STEEP SLOPE: 25% gradient or greater (25 vertical feet for a distance of 100 horizontal feet).

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

STREAM BANK: If not visible, the ten year high water mark.

STRUCTURE: An assembly of materials for occupancy or use, including buildings, signs, mobile homes, and fences.

STRUCTURE, ACCESSORY: See Accessory Structure

SUBDIVISION or SUBDIVIDE: The division of land into two or more lots. See Section 613.

SUBDIVISION, MAJOR: A division of land resulting in more than two lots within a three year period.

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SUBDIVISION, MINOR: A division of land resulting in no more than two lots within a three year period.

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 (1) before the improvement or repair is started, or (2) if the structure has been damaged, and is being restored, before the damage occurred. Substantial improvement does not include improvement of a structure undertaken to comply with state or local health or safety regulations, nor does it apply to any alteration of a structure listed on the National Register of Historic Places or State Inventory of Historic Sites.

SUBSURFACE SEWAGE DISPOSAL SYSTEM: Any underground sewage treatment and disposal system whose proper installation and safe functioning is dependent on suitable conditions of soils, slopes, bedrock, and water table.

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

SURVEY OF PROPERTY: A plan drawn to the same scale as the site plan, showing bearings, distances, and angles of the property boundaries, connecting lot lines, identifying all adjoining properties by landowner, and including the important existing features, including 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 and the location of any test pits or borings to determine soil conditions as required by the Vermont Health Regulations, including the data from such tests.

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

USE: The purpose for which land or building is or may be occupied or maintained.

USE, CONDITIONAL: A use of land or structure that is permitted only after a public hearing and approval by the Zoning Board of Adjustment. See Section 710.

USE, NON-CONFORMING: see NON-CONFORMING USE

USE, PERMITTED: A use listed in these Regulations as allowable in a zoning district by administrative permit or as a conditional use.

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

VARIANCE: A deviation from the strict application of these Regulations that may be allowed due to unique physical conditions. See Section 715.

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 at the principal building.

VERNAL POOLS: Seasonal bodies of water, free of predatory fish, that provide breeding habitat for salamanders, wood frogs, fairy shrimp, etc.

WATER POLLUTION HAZARD: A land use or activity that causes a relatively high risk of potential water pollution, including but not limited to storage of hazardous substances, above or below ground petroleum storage facilities, solid waste landfills or junkyards, and subsurface discharges from a wastewater treatment plant.

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WETLANDS: Areas that are inundated by surface or ground water with a frequency sufficient to promote the formation of hydric soils (saturated or seasonally saturated) or to support vegetation or aquatic life that depends on hydric soil conditions for growth and reproduction. The official wetland map is on file in the Planning and Zoning office. See Section 403.

ZBA: Refers to the Town of Woodstock Zoning Board of Adjustment.

ZONING DISTRICTS: Portions of the Town of Woodstock, designated on the Official Zoning Map, made subject to specific uniform land use requirements that are stated in and governed by these Regulations.

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ARTICLE II ZONING DISTRICTS

SECTION 201 ESTABLISHMENT OF BASE ZONING DISTRICTS AND MAP

- A. For the purpose of these Regulations, the following Base Zoning Districts are hereby established within the Town of Woodstock:
- | | |
|-------------------------------|---------------------------------------|
| 1. Forest Reserve | 7. Residential/Office |
| 2. Residential Five Acre | 8. Hamlet Commercial |
| 3. Residential One Acre | 9. Commercial/Light Industrial |
| 4. Residential Low Density | 10. Light Commercial/Light Industrial |
| 5. Residential Medium Density | 11. Business Service/Light Industrial |
| 6. Residential High Density | 12. Inn |
- B. The areas and boundaries of the Base Zoning Districts are established as shown on the attached Base Zoning Map. The Base Zoning Map, including any future amendment to it, is the official zoning map for the Town of Woodstock, is part of these Regulations, and shall remain on file in the office of the Zoning Administrator.

SECTION 202 ESTABLISHMENT OF OVERLAY ZONING DISTRICTS & MAP

- A. In addition to the Base Zoning Districts, the Town of Woodstock has also established these Overlay Districts:
- | | |
|---|--|
| 1. Conservation District: | Wetlands, wet soils, steep slopes, and shallow soils |
| 2. Design Review District: | An area important for its visual and historic character. |
| 3. Flood Hazard District: | An area of special flood hazard designated on the Federal Insurance Administration's Flood Insurance Rate Maps (FIRM). |
| 4. Scenic Ridgeline: | Land within 500 horizontal feet of primary ridgelines. |
| 5. Woodstock Aqueduct Source Protection Area: | Watershed area for Gulf Stream wellhead |
- B. The areas and boundaries of the Town's Overlay Districts are established as shown on the attached Critical Areas Analysis Map, Scenic Ridgeline Map, and Design Review Map. These maps, including any future amendment to them, are the official overlay zoning maps for the Town of Woodstock, are part of these Regulations, and shall remain on file in the office of the Zoning Administrator.

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 ZBA. 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.

SECTION 204 APPLICATION OF REGULATIONS

No building or structure shall be erected, moved, extended, or altered (unless for maintenance, repair, or replacement purposes) and no portion of land, building or structure shall be occupied or used unless in conformity with the requirements of these Regulations.

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SECTION 205 APPROVAL PRIOR TO AMENDMENT OF REGULATIONS

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

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**ARTICLE III
ZONING DISTRICTS**

SECTION 301 FOREST RESERVE - 25 Acres

- A. Purpose** To permit large acreage lots capable of supporting a forest ecosystem.

- B. Uses Not Requiring a Permit**
 - 1. Forestry
 - 2. Agriculture
 - 3. Short-Term Rental § 524

- C. Uses Requiring an Administrative Permit**
 - 1. Buildings and Structures for Agriculture and Forestry
 - 2. Single-family Dwelling
 - 3. Structures Accessory to a Single-family Dwelling § 502
 - 4. Two-family Dwelling
 - 5. Detached Apartment § 509
 - 6. Home Occupation § 516
 - 7. Subdivision, Minor § 613

- D. Uses requiring a conditional use permit**
 - 1. Multi-family Dwelling § 402, 709
 - 2. Subdivision, Major § 613
 - 3. Public and Quasi-public Use §§ 611, 709
 - 4. Public Utility § 611
 - 5. Home Occupation § 516
 - 6. Home Enterprise § 515
 - 7. Special Care Facility § 526
 - 8. Day Care Facility § 507
 - 9. Bed and Breakfast § 504
 - 10. Commercial Recreational Facility
 - 11. Extraction of Sand, Gravel, and Mineral § 512

- E. Land, Area and Structural Requirements:**
 - 1. Minimum Lot Area 25 acres
 - 2. Minimum Lot Frontage 200 feet
 - along perimeter of cul-de-sac* 50 feet
 - 3. Front Setback Minimum
 - from centerline of road* 60 feet
 - 4. Rear Setback Minimum 25 feet
 - 5. Side Setback Minimum 25 feet
 - 6. Building Height Maximum 35 feet
 - 7. Buffer Strip Requirements § 505
 - 8. Parking Requirements § 520
 - 9. Riparian Buffer Requirements § 523

SECTION 302 RESIDENTIAL FIVE ACRE - 5 Acres

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

- B. Uses Not Requiring a Permit**
 - 1. Agriculture
 - 2. Forestry

Town of Woodstock Zoning Regulations

| | | |
|--|---|-------------|
| 3. | Short-Term Rental | § 524 |
| | | |
| C. Uses Requiring an Administrative Permit | | |
| 1. | Buildings and Structures for Agriculture and Forestry | |
| 2. | Single-family Dwelling | |
| 3. | Structures Accessory to a Single-family Dwelling | § 502 |
| 4. | Two-family Dwelling | |
| 5. | Detached Apartment | § 509 |
| 6. | Home Occupation | § 516 |
| 7. | Subdivision, Minor | § 613 |
| | | |
| D. Uses Requiring a Conditional Use Permit | | |
| 1. | Multi-family Dwelling | § 402, 709 |
| 2. | Subdivision, Major | § 613 |
| 3. | Public and Quasi-public Use | §§ 611, 709 |
| 4. | Public Utility | § 611 |
| 5. | Home Occupation | § 516 |
| 6. | Home Enterprise | § 515 |
| 7. | Special Care Facility | § 526 |
| 8. | Day Care Facility | § 507 |
| 9. | Bed and Breakfast | § 504 |
| 10. | Commercial Recreational Facility | |
| 11. | Extraction of Sand, Gravel, and Mineral | § 512 |
| | | |
| E. Land, Area, and Structural Requirements: | | |
| 1. | Minimum Lot Area <i>per single or two-family dwelling</i> | 5 acres |
| 2. | Minimum Lot Frontage | |
| | <i>along Routes 4, 12 & 106</i> | 200 feet |
| | <i>along a Town Road</i> | 150 feet |
| | <i>along the perimeter of a cul-de-sac</i> | 50 feet |
| 3. | Front Setback Minimum | |
| | <i>from centerline on Rte 4, 12 & 106</i> | 80 feet |
| | <i>from centerline of a Town Road</i> | 60 feet |
| 4. | Rear Setback Minimum | 25 feet |
| 5. | Side Setback Minimum | 25 feet |
| 6. | Building Height Maximum | 35 feet |
| 7. | Buffer Strip Requirements | § 505 |
| 8. | Parking Requirements | § 520 |
| 9. | Riparian Buffer Requirements | § 523 |

SECTION 303 RESIDENTIAL ONE ACRE

- A. Purpose** To designate areas of the community compatible with one acre residential development.
- B. Uses Not Requiring a Permit**
1. Agriculture
 2. Forestry
- C. Uses Requiring an Administrative Permit**
1. Buildings and Structures for Agriculture and Forestry
 2. Single-family Dwelling
 3. Structures Accessory to a Single-family Dwelling
 4. Two-family Dwelling
 5. Detached Apartment

Town of Woodstock Zoning Regulations

| | | |
|----|--------------------|-------|
| 6. | Home Occupation | § 516 |
| 7. | Subdivision, Minor | § 613 |
| 8. | Short-Term Rental | § 524 |

D. Uses Requiring a Conditional Use Permit

| | | |
|----|-----------------------------|-------------|
| 1. | Multi-family Dwelling | § 402, 709 |
| 2. | Subdivision, Major | § 613 |
| 3. | Public and Quasi-public Use | §§ 611, 709 |
| 4. | Public Utility | § 611 |
| 5. | Home Occupation | § 516 |
| 6. | Special Care Facility | § 526 |
| 7. | Day Care Facility | § 507 |
| 8. | Bed and Breakfast | § 504 |

E. Land, Area, and Structural Requirements

| | | |
|----|---|---------------------|
| 1. | Minimum Lot Area <i>per single or two-family dwelling</i> | One acre |
| 2. | Minimum Lot Frontage <i>along perimeter of a cul-de-sac</i> | 100 feet 50 feet |
| 3. | Minimum Front Setback <i>from centerline on Routes 4, 12 & 106</i> <i>from Town Road centerline</i> | 80 feet 60 feet |
| 4. | Minimum Rear Setback | 25 feet |
| 5. | Minimum Side Setback | 25 feet |
| 6. | Maximum Building Height | 35 feet |
| 7. | Buffer Strip Requirements | § 505 |
| 8. | Parking Requirements | § 520 |
| 9. | Riparian Buffer Requirements | § 523 |

Town of Woodstock Zoning Regulations

SECTION 304 RESIDENTIAL LOW DENSITY - 20,000 sq. ft.

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

B. Uses Requiring an Administrative Permit

- 1. Single-family Dwelling
- 2. Structures Accessory to a Single-family Dwelling § 502
- 3. Two-family Dwelling
- 4. Detached Apartment § 509
- 5. Home Occupation § 516
- 6. Subdivision, Minor § 613

C. Uses Requiring a Conditional Use Permit

- 1. Multi-family Dwelling § 402, 709
- 2. Subdivision, Major § 613
- 3. Public and Quasi-public Use §§ 611, 709
- 4. Public Utility § 611
- 5. Home Occupation § 516
- 6. Special Care Facility § 526
- 7. Day Care Facility § 507
- 8. Bed and Breakfast § 504
- 9. Short-Term Rental § 524

D. Land, Area, and Structural Requirements

- 1. Minimum Lot Area
 - per single or two-family dwelling* 20,000 sq ft
 - per three-family dwelling unit* 40,000 sq ft
- 2. Minimum Lot Frontage 75 feet
- 3. Minimum Front Setback
 - from centerline on Routes 4, 12 & 106* 50 feet
 - from centerline of a Town Road* 35 feet
- 4. Minimum Rear Setback 25 feet
- 5. Minimum Side Setback 15 feet
- 6. Maximum Building Height 35 feet
- 7. Buffer Strip Requirements § 505
- 8. Parking Requirements § 520
- 9. Riparian Buffer Requirements § 523

Town of Woodstock Zoning Regulations

SECTION 305 RESIDENTIAL MEDIUM DENSITY - 8,000 sq. ft.

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

B. Uses Requiring an Administrative Permit

- 1. Single-family Dwelling
- 2. Structures Accessory to a Single-family Dwelling § 502
- 3. Two-family Dwelling
- 4. Detached Apartment § 509
- 5. Home Occupation § 516
- 6. Subdivision, Minor § 613

C. Uses Requiring a Conditional Use Permit

- 1. Multi-family Dwelling § 402, 709
- 2. Subdivision, Major § 613
- 3. Public and Quasi-public Use §§ 611, 709
- 4. Public Utility § 611
- 5. Home Occupation § 516
- 6. Special Care Facility § 526
- 7. Day Care Facility § 507
- 8. Bed and Breakfast § 504
- 9. Short-Term Rental § 524

D. Land, Area, and Structural Requirements

- 1. Minimum Lot Area
 - per single or two-family dwelling* 8,000 sq ft
 - per three unit dwelling* 16,000 sq ft
- 2. Minimum Lot Frontage 50 feet
- 3. Minimum Front Setback
 - from centerline on Routes 4, 12 & 106* 50 feet
 - from centerline of a Town Road* 35 feet
- 4. Minimum Rear Setback 20 feet
- 5. Minimum Side Setback 10 feet
- 6. Maximum Building Height 35 feet
- 7. Buffer Strip Requirements § 505
- 8. Parking Requirements § 520
- 9. Riparian Buffer Requirements § 523

Town of Woodstock Zoning Regulations

SECTION 306 RESIDENTIAL HIGH DENSITY - 5,000 sq. ft.

A. Purpose: To permit designated areas of the community where higher density residential development is compatible.

B. Uses requiring an administrative permit

- 1. Single-family Dwelling
- 2. Structures Accessory to a Single-family Dwelling § 502
- 3. Two-family Dwelling
- 4. Detached Apartment § 509
- 5. Home Occupation § 516
- 6. Subdivision, Minor § 613

C. Uses Requiring a Conditional Use Permit

- 1. Multi-family Dwelling § 402, 709
- 2. Subdivision, Major § 613
- 3. Public and Quasi-public Use §§ 611, 709
- 4. Public Utility § 611
- 5. Home Occupation § 516
- 6. Special Care Facility § 526
- 7. Day Care Facility § 507
- 8. Bed and Breakfast § 504
- 9. Short-Term Rental § 524

D. Land, Area, and Structural Requirements

- 1. Minimum Lot Area
 - per single or two-family dwelling* 5,000 sq ft
 - per three unit dwelling* 10,000 sq ft
- 2. Minimum Lot Frontage 50 feet
- 3. Minimum Front Setback
 - from centerline of the road* 35 feet
- 4. Minimum Rear Setback 15 feet
- 5. Minimum Side Setback 10 feet
- 6. Maximum Building Height 35 feet
- 7. Buffer Strip Requirements § 505
- 8. Parking Requirements § 520
- 9. Riparian Buffer Requirements § 523

Town of Woodstock Zoning Regulations

SECTION 307 RESIDENTIAL / OFFICE

A. Purpose: To provide a mixed use district limited to residential and office uses outside of the Village.

B. Uses Requiring an Administrative Permit

- 1. Single-family Dwelling
- 2. Structures Accessory to a Single-family Dwelling § 502
- 3. Two-family Dwelling
- 4. Detached Apartment § 509
- 5. Home Occupation § 516
- 6. Subdivision, Minor § 613

C. Uses Requiring a Conditional Use Permit

- 1. Multi-family Dwelling § 402, 709
- 2. Subdivision, Major § 613
- 3. Public and Quasi-public Use §§ 611, 709
- 4. Public Utility § 611
- 5. Home Occupation § 516
- 6. Special Care Facility § 526
- 7. Day Care Facility § 507
- 8. Bed and Breakfast § 504
- 9. Short-Term Rental § 524
- 10. Office

D. Land, Area and Structural Requirements

- 1. Minimum Lot Area
per single or two-family dwelling One acre
- 2. Minimum Lot Frontage 150 feet
- 3. Minimum Front Setback
from road centerline 50 feet
- 4. Minimum Side Setback 25 feet
- 5. Minimum Rear Setback 25 feet
- 6. Maximum Building Height 35 feet
- 7. Buffer Strip Requirements § 505
- 8. Parking Requirements § 520
- 9. Riparian Buffer Requirements § 523
- 10. Architectural Character § 601

Town of Woodstock Zoning Regulations

SECTION 308 HAMLET COMMERCIAL

A. Purpose To provide a mixed use area whereby commercial and residential uses co-exist to primarily meet the day-to-day needs of local residents.

B. Uses Requiring an Administrative Permit

- 1. Single-family Dwelling
- 2. Structures Accessory to a Single-family Dwelling § 502
- 3. Two-family Dwelling
- 4. Detached Apartment § 509
- 5. Home Occupation § 516
- 6. Subdivision, Minor § 613

C. Uses Requiring a Conditional Use Permit

- 1. Multi-family Dwelling § 402, 709
- 2. Subdivision, Major § 613
- 3. Public and Quasi-public Use §§ 611, 709
- 4. Public Utility § 611
- 5. Home Occupation § 516
- 6. Special Care Facility § 526
- 7. Day Care Facility § 507
- 8. Bed and Breakfast § 504
- 9. Short-Term Rental § 524
- 10. Office
- 11. General store

D. Land, Area, and Structural Requirements

- 1. Minimum Lot Area
per single or two-family dwelling 20,000 sq ft
- 2. Minimum Lot Frontage
along Routes 4, 12 & 106 100 feet
along a Town Road 75 feet
along perimeter of a cul-de-sac 50 feet
- 3. Minimum Front Setback
from centerline on Routes 4, 12 & 106 50 feet
from centerline of a Town Road 40 feet
- 4. Minimum Side Setback 10 feet
- 5. Minimum Rear Setback 15 feet
- 6. Maximum Building Height 35 feet
- 7. Buffer Strip Requirements § 505
- 8. Parking Requirements § 520
- 9. Riparian Buffer Requirements § 523
- 10. Architectural Character § 601

SECTION 309 COMMERCIAL / LIGHT INDUSTRIAL

A. Purpose To provide for concentrated commercial development by protecting residential areas from incompatible uses.

B.

C. Uses requiring an Administrative Permit

- 1. Single-family Dwelling
- 2. Residential Accessory Structures
- 3. Two-family Dwelling
- 4. Detached Apartment § 509
- 5. Home Occupation § 516
- 6. Subdivision, Minor § 613

Town of Woodstock Zoning Regulations

D. Uses Requiring a Conditional Use Permit

- | | | | |
|--|-----------|-----------------------------------|-------|
| 1. Multi-family Dwelling | § 402,709 | 6. Special Care Facility | § 526 |
| 2. Subdivision, Major | § 613 | 7. Day Care Facility | § 507 |
| 3. Public/Quasi-public Use | § 611,709 | 8. Bed and Breakfast | § 504 |
| 4. Public Utility | § 611 | 9. Short-Term Rental | § 524 |
| 5. Home Occupation | § 516 | | |
| | | | |
| 10. Commercial Uses | | | |
| a. Office | | j. Insurance office | |
| b. Medical clinic | | k. Filling station | |
| c. Physical fitness facility | | l. Repair service and body shop | |
| d. Hotel, motel | | m. Other similar commercial uses | |
| e. Restaurant | | determined by the ZBA to be | |
| f. Retail store | | non-detrimental to and of similar | |
| g. Barber shop, beautician | | character to adjoining uses or | |
| h. Research establishment | | uses permitted within the | |
| i. Design & drafting establishment | | District. | |
| | | | |
| 11. Light Industrial Uses | | i. Stone work, excluding quarries | |
| a. Wholesale Bakery | | j. Furniture making | |
| b. Storage/warehouse | | k. Greenhouse | |
| c. Light mfrg & assembly | | l. Other similar industrial uses | |
| d. Printing, publishing | | determined by the ZBA to be | |
| e. Pottery and/or ceramics | | non-detrimental to and of similar | |
| f. Garden supplies & equipment | | character to adjoining uses or | |
| g. Agricultural supplies | | uses permitted within the | |
| h. Building/road construction business | | District. | |

D. Land, Area and Structural Requirements

- | | | | |
|--|--------|----------------------------------|--------------|
| 1. Minimum Lot Area | | 6. Maximum Building Height | 35 ft |
| <i>per unit or two-family dwelling</i> | 1 acre | 7. Maximum Bldg Footprint | |
| 2. Minimum Lot Frontage | 150 ft | <i>per acre</i> | 15,000 sq ft |
| 3. Minimum Front Setback | | 8. Buffer Strip Requirements | § 505 |
| <i>from road centerline</i> | 50 ft | 9. Parking Requirements | § 520 |
| 4. Minimum Side Setback | 25 ft | 10. Riparian Buffer Requirements | § 523 |
| 5. Minimum Rear Setback | 25 ft | 11. Architectural Character | § 601 |

Town of Woodstock Zoning Regulations

SECTION 310 LIGHT COMMERCIAL / LIGHT INDUSTRIAL

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

B. Uses Requiring an Administrative Permit

- | | | |
|--|-----------------------|-------|
| 1. Single-family Dwelling | 4. Detached Apartment | § 509 |
| 2. Residential Accessory Structures §502 | 5. Home Occupation | § 516 |
| 3. Two-family Dwelling | 6. Subdivision, Minor | § 613 |

C. Uses Requiring a Conditional Use Permit

- | | | |
|------------------------------|--------------------------|-------|
| 1. Multi-family Dwelling | 6. Special Care Facility | § 526 |
| 2. Subdivision, Major | 7. Day Care Facility | § 507 |
| 3. Public & Quasi-public Use | 8. Bed and Breakfast | § 504 |
| 4. Public Utility | 9. Short-Term Rental | § 524 |
| 5. Home Occupation | | |

10. Light Commercial Uses:

- | | |
|---|--|
| a. Office | f. Insurance branch office |
| b. Retail store <i>limited to 2,000 sq ft</i> | g. Other similar commercial uses determined by the ZBA to be non-detrimental to and of similar character to adjoining uses or uses permitted within the District. |
| c. Restaurant <i>limited to 2,000 sq ft & 25 seats</i> | |
| d. Research establishment | |
| e. Design & drafting establishment | |

11. Light Industrial Uses

- | | |
|--|--|
| a. Wholesale Bakery | j. Stone work, excluding quarries. |
| b. Storage/warehouse | k. Greenhouse |
| c. Light mfrg & assembly | l. Other industrial uses determined by the ZBA to be non-detrimental to and of a similar character to adjoining uses or uses permitted within the District. |
| d. Printing, publishing | |
| e. Pottery and/or ceramics | |
| f. Furniture making | |
| g. Garden supplies and equipment | |
| h. Agricultural supplies | |
| i. Building or road construction establishment | |

D. Land, Area and Structural Requirements

- | | |
|--|----------------------------------|
| 1. Minimum Lot Area | 7. Maximum footprint of building |
| <i>per unit or two-family dwelling</i> | <i>per acre</i> |
| 2. Minimum Lot Frontage | 15,000 sq ft |
| 3. Minimum Front Setback | 8. Buffer Strip Requirements |
| <i>from road centerline</i> | § 505 |
| 50 ft | 9. Parking Requirements |
| 4. Minimum Side Setback | § 520 |
| 25 ft | 10. Riparian Buffer Requirements |
| 5. Minimum Rear Setback | § 523 |
| 25 ft | 11. Architectural Character |
| 6. Maximum Building Height | § 601 |
| 35 ft | |

SECTION 311 BUSINESS SERVICE / LIGHT INDUSTRIAL

A. Purpose To allow non-retail services and manufacturing facilities away from the village center.

B. Uses Requiring an Administrative Permit

- | | | |
|--|-----------------------|-------|
| 1. Single-family Dwelling | 4. Detached Apartment | § 509 |
| 2. Residential Accessory Structures §502 | 5. Home Occupation | § 516 |
| 3. Two-family Dwelling | 6. Subdivision, Minor | § 613 |

Town of Woodstock Zoning Regulations

C. Uses Requiring a Conditional Use Permit

| | | | |
|------------------------------|-----------|--------------------------|-------|
| 1. Multi-family Dwelling | §402, 709 | 6. Special Care Facility | § 526 |
| 2. Subdivision, Major | § 613 | 7. Day Care Facility | § 507 |
| 3. Public & Quasi-public Use | §611,709 | 8. Bed and Breakfast | § 504 |
| 4. Public Utility | § 611 | 9. Short-Term Rental | § 524 |
| 5. Home Occupation | § 516 | | |

10. Business Services

- | | |
|--|---|
| <ul style="list-style-type: none"> a. Offices b. Research c. Commercially operated schools d. Other similar business services upon the determination by the ZBA that | <p>such use is of the same general character as those permitted and will not be detrimental to the other uses within the District, as well as the adjoining land uses</p> |
|--|---|

11. Light Industrial Uses

- | | |
|--|---|
| <ul style="list-style-type: none"> a. Wholesale bakery b. Storage/warehouse c. Light manufacturing and assembly d. Printing, publishing e. Pottery and/or ceramics f. Furniture making g. Garden supplies and equipment h. Agricultural supplies i. Building or road construction establishment | <ul style="list-style-type: none"> j. Stone work, excluding quarries k. Greenhouse l. Other industrial uses upon determination by ZBA such use is of same general character as those uses above and will not be detrimental to other uses within the District, as well as the adjoining land uses. |
|--|---|

D. Land, Area and Structural Requirements

| | | | |
|--------------------------|--|----------------------------------|--------------|
| 1. Minimum Lot Area | 1 acre | 6. Maximum Building Height | 35 feet |
| | <i>per unit or two-family dwelling</i> | 7. Maximum Footprint of Building | |
| 2. Minimum Lot Frontage | 150 feet | | 15,000 sq ft |
| 3. Minimum Front Setback | | 8. Buffer Strip Requirements | § 505 |
| | <i>from road centerline</i> | 9. Parking Requirements | § 520 |
| 4. Minimum Side Setback | 25 feet | 10. Riparian Buffer Requirements | § 523 |
| 5. Minimum Rear Setback | 25 feet | 11. Architectural Character | § 601 |

Town of Woodstock Zoning Regulations

SECTION 312 INN

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

B. Uses Requiring an Administrative Permit

- 2. Single-family Dwelling
- 3. Structures Accessory to a Single-family Dwelling § 502
- 4. Two-family Dwelling
- 5. Detached Apartment § 509
- 6. Home Occupation § 516
- 7. Subdivision, Minor § 613

C. Uses Requiring a Conditional Use Permit

- 1. Multi-family Dwelling §§ 402, 709
- 2. Subdivision, Major § 613
- 3. Public and Quasi-public Use §§ 611, 709
- 4. Public Utility § 611
- 5. Home Occupation § 516
- 6. Bed and Breakfast § 504
- 7. Inn
- 8. Uses & Structures Accessory to an Inn

D. General Requirements

- 1. Shall have a minimum of 10 guest rooms
- 2. Retail shop permitted conditioned on the following:
 - a. Shall not exceed 800 square feet.
 - b. Shall be located only within the main structure.
- 3. Restaurant permitted conditioned on the following:
 - a. Kitchen shall be licensed by the State of Vermont
 - b. Dining room shall be separate from kitchen and living areas
 - c. Shall be located only within the main structure
 - d. May be open to the public, but shall abide by all applicable provisions of these Regulations
 - e. Maximum capacity of three (3) seats per guest room
- 4. Expansion requires Conditional Use approval following Site Plan approval by Planning Commission

E. Land, Area, and Structural Requirements

- | | | | |
|--------------------------|----------|---------------------------------|---------|
| 1. Minimum Lot Area | 3 acres | 6. Maximum Building Height | 35 feet |
| 2. Minimum Lot Frontage | 150 feet | 7. Buffer Strip Requirements | § 505 |
| 3. Minimum Front Setback | 50 feet | 8. Parking Requirements | § 520 |
| 4. Minimum Side Setback | 25 feet | 9. Riparian Buffer Requirements | § 523 |
| 5. Minimum Rear Setback | 25 feet | 10. Architectural Character | § 601 |

Town of Woodstock Zoning Regulations

SECTION 313 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 Planning Commission 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 Planning Commission 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 Planning Commission and the Zoning Board of Adjustment, community facilities and site conditions can support that level of development. Site conditions that reduce the amount of developable land shall be considered when determining the appropriate density increase. Such conditions include wetlands, severe slopes, and the 100-year floodplain
4. The Planning Commission may require that areas be designated as future sites for educational facilities if 100 dwelling units or more are proposed.
5. The installation or construction of any necessary community facilities or utilities such as storm and sanitary sewage lines, sewage treatment plants, water lines, lighting, and so forth, shall be the responsibility of the developer.
6. To assure that the community is not unduly affected, the project may be subject to requirements regarding traffic.
7. If land is to be subdivided into lots which will not conform with the zoning regulations for the districts in which the development is situated, it must be demonstrated that adequate conditions and methods exist or will be made for the treatment of sewage and the provision of a safe supply of drinking water prior to approval.
8. The project land may be owned, leased or controlled either by a single person or corporation or by a group of individuals or corporations. The approved project plan shall be binding on the project land and on present and successive owners. To assure adequate property management and compliance with conditions of project approval:
 - a. If owned by a group of individuals or corporations, an association shall be formed to assure that all properties and common areas are properly maintained.
 - b. The filing of a Declaration of Covenants, Conditions, and Restrictions (or its equivalent) may be required.
9. The proposal shall provide for the preservation of open space, agricultural land, forested areas, significant views, streams and stream banks, steep slopes, wet areas, soils unsuitable for development, and other unique natural features.
10. The percentage of land dedicated to open space shall be 33% of total acreage if the total acreage of the parcel is less than 50 acres and at least 50% of total acreage if the parcel is greater than 50 acres.
 - a. Land set aside as open space shall be of a size, type and location to meet its intended use.
 - b. Open space should be contiguous to other existing or potential open space areas.
 - c. Ownership of open space should be consistent with the best means of maintaining the resources on site.
11. If the proposed project results in lands available for municipal purposes, the Planning

Town of Woodstock Zoning Regulations

Commission, 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 Planning Commission. 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 Planning Commission, in addition to finding that the foregoing requirements are met, shall consider:
 - a. The objectives and policies set forth in the Town Plan.
 - b. The relationship and compatibility of residential and non-residential uses, taking into consideration the location, arrangement, and size of lots, recreation areas, school sites, and open space.
 - c. The relationship of the proposed built development to the site's natural features
 - d. The densities proposed for the entire area.
 - e. Such other considerations that will contribute to the orderly and harmonious development of the land.
15. Amendment to an approved plan shall follow the procedures and conditions stated herein

B. General Design Standards

1. Roadways & Parking

- a. Roadways should be designed to minimize site disturbance by following existing contours and site features and shall not exceed an average of 10 % grade.
- b. Areas for off-street parking adequate for the proposed occupancy, at least equivalent to the requirements of Section 520 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.

Town of Woodstock Zoning Regulations

- b. Buildings should be located in wooded areas or on field edges and should not include sensitive areas such as wetlands, floodplains or steep slopes.

3. Energy Conservation

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

4. Landscaping and Screening

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

- a. To provide an undisturbed vegetated buffer between developed and undeveloped portions of the site to protect water quality and/or other natural features. At a minimum, a fifty (50) foot buffer shall be established from the mean water level of any stream or lake and /or the delineated boundary of an identified wetland
- b. To provide privacy screening, reduce noise and glare, or to otherwise soften and/or lessen the visual impacts of development.
- c. To preserve existing specimen trees, tree lines, critical wildlife habitat, or wooded areas of particular natural or aesthetic value to the site,
- d. To establish a barrier between incompatible land uses.

C. Application Materials and Procedure

1. Prior Approval

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

2. Preliminary Application

- a. The applicant shall apply in writing to the Planning Commission 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 Planning Commission 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 Planning Commission shall consider, conceptually, the project scale, proposed use configuration, compatibility with the goals and objectives of the Town 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 Planning Commission, the applicant shall submit:
- b. Sketch plan, drawn to scale, clearly showing the following:
- c. Location, size and uses of the various proposed buildings.
- d. 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.
- e. Principal relationships to and impact on public services such as highways, town roads, water supply and sewage disposal.
- f. Interior and peripheral open space
- g. Location of significant vegetation, water bodies, wetlands, desirable and objectionable views, sources of noise, odors and other potential nuisances, existing buildings and structures

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- h. Existing topography and proposed final grading at contour intervals no more than 5 feet of elevation, noting areas of potential erosion, flooding, and ponding.
- i. The location of facilities for the control and disposal of stormwater.
- j. 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 Planning Commission and the Town Zoning Board in separate public hearings, each 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 Approval by the Planning Commission and Conditional Use Approval by the Town Zoning Board.
- 2. The Planning Commission and the Town Zoning Board 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 both the Planning Commission and the Town Zoning Board of Adjustment
 - 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 Town to assure that the Town'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

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F. PUD Specific Standards

1. **Purpose:** A PUD is intended to achieve a mix of residential and commercial uses at a scale, spacing and design which complements the essentially rural 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 Planning Commission 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.

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ARTICLE IV OVERLAY ZONING DISTRICTS

SECTION 401 PURPOSE

A. Conservation District

To protect natural areas and their inherent values from adverse development. Such areas are steep slopes, shallow and wet soils, wetlands, and streams.

B. Design Review District

To protect the natural beauty and the architectural, cultural and historic character of the Town for both residents and visitors. In order to protect these characteristics, it is necessary to insure that structures are properly related to their sites, to surrounding sites and structures and that proper attention is given to exterior appearances of buildings as permitted by Section 4407 (6) of the Act.

C. Flood Hazard District

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

D. Scenic Ridgeline Review District

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

E. Woodstock Aqueduct Company Source Protection Area

To monitor and protect the company's water supply from the possible negative effects of development within the overlay area.

SECTION 402 APPLICATION

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

SECTION 403 CONSERVATION DISTRICT

A. Wetlands

1. Lands identified as wetlands on the Town's Critical Areas Analysis Map, hydric soils determined to be functionally significant under Vermont's Wetland Rules, and vernal pools identified 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 Town Zoning Board of Adjustment.
2. Any land development adjacent to an identified or functionally significant wetland, including vernal pools, shall provide a fifty (50) foot minimum setback from the wetland. See Section 524 of these Regulations. See Vermont Wetland Rules, Buffer Zones.
3. Any proposal to excavate or locate within the required setback will require conditional use approval and may require approval from the State.

B. Steep Slope

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Lots with steep slope characteristics as identified in the overlay zone shall be reviewed by the appropriate board for suitable sewage disposal, access for emergency vehicles, drainage, and erosion control.

C. Shallow Soils

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

D. Streambank Protection

A 50 foot riparian buffer shall be maintained from the top of the bank of a stream, river or brook. Section 524 Riparian Buffers.

SECTION 404 DESIGN REVIEW DISTRICT

A. Statement of Character

1. Every community has a unique character, found in its buildings, streetscape and landscape. Character gives a community its identity and is found in any number of references, large and small, to the way life has been, its man-made and natural resources, as well as its history. Although change is and should be a part of the community, the unique character of a community can be destroyed by undesirable change.
2. The purpose of Design Review is to allow for growth while preserving the integrity and character of the community. Because South Woodstock is a community that has been treasured and admired for its unique character, portions of that community are subject to the requirements of Design Review.
3. 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 structures should be recognized as products of their own time. New construction shall be complementary to the configuration of existing buildings and streetscapes, and shall respect the traditional scale, proportions, shapes and rhythms of the surrounding neighborhood.

B. Design Review Approval

Except as otherwise provided in these Regulations:

1. A change in use or type of occupancy shall not require Design Review Approval.
2. The following acts are prohibited within the Design Review District without first obtaining Design Review Approval from the Planning Commission:
 - a. Construct or relocate a building.
 - b. Add to or alter the exterior of any structure or portion of a structure, including, but not limited to, buildings, permanent fences, awnings, canopies, and gazebos.
 - c. Illuminate a sign, path or street, landscape feature, or any exterior feature of a structure.

C. Design Review District Overlay Map

A copy of the South Woodstock Design Review Overlay Map is attached to these Regulations. The official overlay map is located in the office of the Zoning Administrator.

D. Application Procedures

1. Application

In addition to standard application materials, an application for Design Review shall include a detailed statement of the proposed construction or alteration, including:

- a. its appropriateness to the neighborhood, surroundings and existing structures;
- b. other relevant information necessary for proper consideration of the application
- c. A detailed, scaled drawing that clearly illustrates the proposed construction or alteration;
- d. Drawings or photographs showing existing conditions of the structure to be altered.

2. Design Review

Town of Woodstock Zoning Regulations

- a. Within twenty-one (21) days of a filing of a completed application, the applicant shall meet with the Design Review Board to present and review a design that meets the criteria in subsection (F). The initial meeting may be continued upon mutual consent of the Board and applicant.
 - b. Within fourteen (14) days of the final meeting, the clerk of the Design Review Board shall mail a copy of the Board's Recommendation to the applicant and transmit a copy to the clerk of the Planning Commission.
 - c. Within twenty-one (21) days of the Design Review Board's Recommendation, the Planning Commission shall meet to consider the application. The applicant and abutters shall be notified of the meeting by first class mail at least three (3) working days in advance of that meeting.
- 3. Planning Commission Review**
- a. Notwithstanding the recommendation from the Design Review Board, the applicant shall have the primary responsibility of presenting the proposal to the Planning Commission and establishing that the proposal meets the criteria in Subsection (F).
 - b. The decision issued by the Planning Commission may, but need not, adopt by reference the Recommendation(s) of the Design Review Board.
 - c. Unless by mutual written agreement between the Planning Commission and the applicant, the following requirements shall apply:
 - i. After receiving the applicant's testimony and after reviewing the application materials and the Board's Recommendation, the Planning Commission shall issue its decision in writing to the applicant within 30 days from the close of testimony.
 - ii. Failure of the Planning Commission to issue its decision within the time and in the manner specified shall constitute an automatic granting of Design Review Approval, the occurrence of which shall be certified in writing to the applicant by the Administrative Officer. This stipulation applies only to Design Review approval and not to any additional zoning requirements that may apply to the application proposal.

E. Limitations

1. In administering these provisions, the Design Review Board and the Planning Commission 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 Section F, Criteria for Approval. It is not intended to insist that new construction or alterations copy either existing architectural styles or existing decorative detail.
2. The Planning Commission and Design Review Board shall not be overly restrictive in their judgment of plans for construction or alterations of structures of little historic or design value or of structures not highly visible from a public street or area, except where such construction or alteration would seriously impair the historic or architectural value of the surrounding buildings or area. Furthermore, the Planning Commission and the Design Review Board shall not be overly restrictive in their consideration of plans for energy conservation.

F. Criteria for Approval

Before granting Design Review Approval, the Planning Commission shall find that the proposal conforms substantially to the following criteria:

1. **Height:** Height of the proposed structure in relation to the height of existing adjacent buildings.
2. **Setback:** The proposed front, side and rear setbacks in relation to the prevailing setbacks existing in the immediate area.
3. **Proportion:** The relationship of width to height on facades of adjacent buildings. The relationship of width to height of windows and doors of adjacent buildings.
4. **Pattern:** The visual pattern established by the alternation of solids (walls) and openings (windows and doors) in the facade of buildings creates 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.

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5. **Materials:** The variation, similarity, or compatibility of existing materials on the exterior walls or roofs of buildings in the immediate area. 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, entablature, prevailing in the immediate area. 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. **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.
8. **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.
9. **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. Demolition of Buildings

1. Demolition or removal of a building or structure shall require Design Plan approval from the Planning Commission.
2. Before a building or other structure is demolished or moved the applicant shall in good faith, prepare a detailed plan for the re-use of the vacated site which the Design Review Board determines will meet the criteria established in "F" above. Said meeting shall be warned and the abutters notified.
3. In the event the Planning Commission determines upon testimony offered that there may be a valid reason for preservation, the Commission may impose a waiting period of no more than forty-five (45) days.
4. The purpose of this provision is to afford a person or organization the opportunity to acquire or to arrange for the preservation of such a building.
5. Notwithstanding the above, any building with substantial structural instability resulting from fire or natural disaster, not a condition caused or suffered by the owner, shall be exempt from the provisions of this section.

SECTION 405 FLOOD HAZARD AREA

To effect the purposes of 10 V.S.A., Chapter 32, and in accord with the Vermont Planning and Development Act, 24 V.S.A. Chapter 117, Section 4412, zoning regulations are hereby established for areas of special flood hazard in the Town of Woodstock.

A. Official Flood Hazard Area Map

The map entitled Flood Insurance Rate Map (FIRM), Town/Village of Woodstock, Vermont, effective May 2, 2002 and any revisions thereto is hereby adopted as the Official Flood Hazard Area Map, and is declared to be part of these Regulations.

B. Records

The Administrative Officer shall maintain a record of:

1. The 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
2. The elevation, in relation to mean sea level, to which such structures have been floodproofed.
3. All floodproofing certifications required.
4. All variance actions, including justification for their issuance.

C. Board of Adjustment

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Upon receiving an application for a permit under these Regulations, and prior to holding a hearing and rendering a decision, the ZBA 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. The elevation, in relation to mean sea level, of the lowest habitable floor, including basement;
 - 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.

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D. Development Standards

1. Floodway Areas - Development within the floodway is prohibited.
2. Fringe Areas (One Hundred Year Flood Plain)
 - a. All structures shall be designed (or modified) and anchored:
 - i. to minimize damage to the proposed development and to public facilities and utilities,
 - ii. to provide adequate drainage to reduce exposure to flood hazards.
 - iii. to resist flotation, collapse, or lateral movement;
 - b. All structures shall be constructed
 - i. with materials resistant to flood damage;
 - ii. by methods and practices that minimize flood damage,
 - iii. with electrical, heating, ventilation, plumbing and air conditioning equipment and other service facilities that are designed and/or located to prevent water from entering or accumulating within the components during conditions of flooding.
 - c. The flood carrying capacity within any altered or relocated portion of a watercourse shall be maintained.
 - d. New and replacement water supply and 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.
 - e. On site waste disposal systems shall be located to avoid impairment to them or contamination from them during flooding.
 - f. New and replacement manufactured homes shall be elevated on properly compacted fill such that the top of the fill (the pad) under the entire manufactured home is above the base flood elevation.
 - g. All subdivision proposals shall be reasonably safe from flooding
 - h. All public utilities and facilities serving subdivisions, such as sewer, gas, electrical, and water systems, shall be located and constructed to minimize or eliminate flood damage; and adequate drainage shall be provided within subdivisions to reduce exposure to flood hazards.
 - i. The lowest floor, including basement, of all new buildings shall be at or above base flood level.
 - j. Existing buildings to be substantially improved for residential purposes shall be modified or elevated to meet the requirements of subsection (k.)
 - k. Existing buildings to be substantially improved for non-residential purposes shall either (1) meet the requirements of subsection 9 of the National Flood Insurance Program, or (2) be designed to be watertight below the base flood elevation with walls substantially impermeable and with structural components having the capability of resisting hydrostatic and hydrodynamic loads and the effects of buoyancy. A permit for a building proposed to be floodproofed shall 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.
 - l. All new construction and substantial improvements 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. Designs for meeting this requirement must either be certified by a registered professional engineer or architect or meet or exceed the following minimum criteria:
 - i. 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.
 - ii. The bottom of all openings shall be no higher than one foot above grade.
 - iii. Openings may be equipped with screens, louvers, valves, or other coverings or devices provided that they permit the automatic entry and exit of floodwaters.
 - m. Recreational vehicles shall be on site no longer than 180 consecutive days or be fully licensed and ready for highway use.
3. The ZBA shall attach such additional conditions to the granting of a permit as are necessary to

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meet the purposes and flood hazard area management requirements of these Regulations.

E. Prohibited Uses

Junkyards, landfills, and storage of chemicals, explosives, flammable liquids, toxic materials, or other water pollution hazards shall be prohibited in the floodway.

F. Warning of Disclaimer of Liability

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

G. Annual Report to Federal Insurance Administration

1. The Administrative Officer shall submit to the Administrator an Annual Report with respect to the administration and enforcement of the flood hazard area regulations.
2. A copy of the Annual Report shall be submitted to the Vermont Department of Environmental Conservation.

SECTION 406 SCENIC RIDGELINE DISTRICT

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

A. Statement of Character

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

B. Statement of Objectives

1. The purpose of the Scenic Ridgeline District regulation is to encourage and allow land development within the district primarily in existing wooded areas outside of existing or created open areas. Such development shall be adequately screened and landscaped in order to avoid undue adverse visual impact on the existing views of the Scenic Ridgeline Districts from public highways, regardless of the season.
2. These regulations shall not affect:
 - a. any existing or future development of land (except access roads or driveways) that begins within three hundred and fifty (350) feet from the center line of a public highway,
 - b. routine forestry management,
 - c. pasture restoration, and agricultural uses (including construction of woods or fields access roads),

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- d. an existing structure when modification and expansion of the structure is clearly subordinate in size (less than 25 %) and impact to the original structure,
- e. a structure for agricultural, forestry and occasional non-residential use.

C. Description of Scenic Ridgeline Districts

1. General Description: Scenic Ridgeline Districts shall consist generally of all land within five hundred (500) feet (horizontal distance) of the primary ridgelines within the Town of Woodstock.
2. Scenic Ridgeline District Overlay Map: The official overlay map of the Scenic Ridgeline District which delineates boundaries is on file in the office of the Administrative Officer. A reduced photocopy is attached to these Regulations and referenced in Section 202. Regardless of depiction on said map, all land located within three hundred and fifty (350) feet from the center of any Class I, II, or III Highway in the Town of Woodstock is specifically excluded from all Scenic Ridgeline Districts.
3. Final Determinations of Districts: In the event an applicant questions the determination that a proposed development is within such district, upon request and following notice and public hearing, the Zoning Board of Adjustment shall determine whether or not such planned development is located within the Scenic Ridgeline District. The landowner requesting such determination shall have the burden of proof.
4. Overlapping: A Scenic Ridgeline District may overlap the zoning districts outlined in Article III.

D. Plan Approval

1. Prohibition Without Approval: Notwithstanding any other provisions in these Regulations, except as hereinafter provided, no land development shall take place in any Scenic Ridgeline District without the applicant first obtaining conditional use approval of a plan for such development from the Zoning Board of Adjustment.
2. Other conditional use requirements may be reviewed concurrently with Scenic Ridgeline requirements at the applicant's request.
3. Land Development Defined: For purposes of this section, land development shall be defined as any of the following:
 - a. Construction or placement of any building, except those exempted in Subsection B;
 - b. An addition to or any alteration of a building which increases the square footage of the building by more than 25 % in a five year period, including unenclosed areas such as porches, decks or other similar structures (See B.2.c);
 - c. Alteration to a roof of a building which increases the height of the building by more than four (4) feet within a five year period;
 - d. Addition of skylights, solar panels or other large reflective surfaces excluding roofing materials;
 - e. Construction or modification of an access road or driveway, excluding normal driveway maintenance;
 - f. Construction of a tower, satellite dish or any other type of antenna;
 - g. Construction of a windmill or any other type of instrument to make use of the wind, with the exception of windmills built specifically for private electrical generation and extraction of water;
 - h. Excavation or extraction of any kind of solid matter exceeding 200 cubic yards;
 - i. Installation of above-ground power or telephone utility lines, including creation or widening of cleared portions of a right-of-way related to proposed or existing power or telephone lines.

E. Procedures For Plan Application and Review

1. Application

In addition to Section 710, Conditional Use Permit, Section 708 Application Information and any other application procedures required by these Regulations, an application for Scenic Ridgeline Plan approval shall be submitted on the form provided and shall include at least the following information:

- a. Name and address of the record landowner and any duly appointed agents of the parties.

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- b. Location of the proposed land development depicted on a Scenic Ridgeline District Overlay Map to be provided with the application form.
- c. A map or sketch of the property proposed to be developed, drawn to scale, with the area to be developed clearly indicated.
- d. A detailed description, including type and extent of the proposed land development.
- e. The location of the proposed structure on a USGS Topographic Map or Survey.
- f. A utility plan.
- g. A tree plan, showing where trees will remain, be thinned and be removed.

2. Prehearing Preparation and Review

Within 21 days following receipt by the Zoning Administrator of a complete application for land development within a Scenic Ridgeline District, the Conservation Commission shall take the following actions:

- a. Determine whether the proposed land development will be visible to the naked eye from at least one vantage point on Class I and II town highways, or from at least two vantage points on Class III town highways, with those two vantage points being separated by at least 500 feet. Land development that will not be visible from any town highway is exempt from this Section 406 and the Conservation Commission shall so report to the Zoning Board of Adjustment, which shall direct that the application proceed under other sections of these Regulations.
 - b. Prepare a report to the Zoning Board of Adjustment if the proposed land development is visible as set forth in (a), above. This report shall state whether or not the proposed land development will break the skyline when viewed from any vantage point or points under (a), above. The report shall also indicate the extent to which development would be visible to the passing motorist and as well as distances from the vantage point[s].
 - c. Include in the report all appropriate comments and recommendations relative to the criteria for approval listed under Subsection F.
 - d. Meet with the applicant at his or her option and review the report. This meeting may be continued upon mutual consent by the Conservation Commission and the applicant. All changes agreed to by the applicant shall be appended to the final report which shall contain the recommendations of the Conservation Commission.
3. The Clerk of the Woodstock Conservation Commission shall mail to the applicant a copy of the Commission's recommendation and transmit a copy to the Zoning Board of Adjustment.
 4. The Zoning Board of Adjustment will meet the second and fourth Tuesdays of each month if necessary. Applications are due approximately one month in advance.
 5. Zoning Board of Adjustment Review: The Zoning Board of Adjustment, 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.
 6. Notwithstanding the recommendation from the Conservation Commission, the applicant shall have the primary responsibility of presenting the proposal to the Zoning Board of Adjustment and shall have the burden of proof to establish that the design meets the criteria of Subsection F. The decision issued by the Zoning Board of Adjustment may, but need not, adopt by reference the recommendations of the Conservation Commission. The Zoning Board of Adjustment shall render its decision within 60 days from the close of testimony.
 7. Limitations: The failure of the Conservation Commission to prepare its report, or the Zoning Board of Adjustment 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.
 8. Nothing herein shall be construed to prohibit the modification, extension, or waiver of any time or notice provision hereinabove where written mutual agreement has been made between the Zoning Board of Adjustment and the applicant.

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F. Criteria For Approval

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

1. General Standards

The Zoning Board of Adjustment 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. Specific Standards

- a. **Skyline:** If a structure would break a skyline when viewed from vantage points, alternative locations for the structure may be considered, if available and practical, to minimize any undue adverse visual impact.
- b. **Screening and Landscaping:** Vegetative screening and landscaping may be required for structures, and alternate locations for access roads and utility lines, when no other concealment options are available to minimize any undue adverse visual impact.
- c. **Minimization of Glare:** Materials utilized for the exterior of any structures shall be of a kind and positioned on structures so as to minimize glare if necessary to avoid undue adverse visual impact. Particular attention may be given as to the number, position, and type of window and door glass, skylights, etc. so as to minimize glare, without undue cost or burden.

G. Elements to be Considered

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

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

H. Authority to Condition

The Zoning Board of Adjustment 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.

SECTION 407 WOODSTOCK AQUEDUCT SOURCE PROTECTION AREA

All zoning permits issued in the overlay zone shall be sent by the Planning and Zoning Office to the Woodstock Aqueduct Company so the company may monitor development within the zone.

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ARTICLE V ADDITIONAL SPECIFIC STANDARDS

SECTION 501 ACCESS AND SAFETY

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

SECTION 502 ACCESSORY STRUCTURES

- A. **Residential:** Construction or placement of one residential shed less than sixty-four square feet in area which meets the required setbacks shall not require a zoning permit.
- B. **Commercial:** Placement of one shed less than sixty-four square feet, accessory to a commercial or industrial use, and used for storage purposes only shall require an administrative permit.

SECTION 503 AFFORDABLE HOUSING

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

- A. Permanent affordable housing (remaining affordable for 99 years or more) may receive up to a 25 % density bonus, in addition to applicable density bonuses permitted elsewhere in these Regulations (See Section 313 Planned Development).
- B. The ZBA and Planning Commission jointly may accept modification of setbacks and frontage as appropriate in view of design, location and character of the neighborhood.

SECTION 504 BED AND BREAKFAST ESTABLISHMENTS

Bed and Breakfast establishments are limited to three guest rooms, unless located in a commercial zone. Breakfast **only** may be served. The establishment shall not be used to cater parties or other events.

SECTION 505 BUFFER STRIP

A commercial or industrial use that abuts a residential district or a Class I highway, must establish and maintain a vegetated buffer strip of land not less than ten (10) feet in depth along all common boundaries except at points of access. The vegetated buffer area may contain a fence that does not obstruct the view of exiting or entering vehicles.

SECTION 506 CELLULAR / WIRELESS TELECOMMUNICATION FACILITIES

Wireless telecommunication facilities shall include all wireless telecommunication providers, licensed and/or regulated by the Federal Communications Commission, and associated equipment and buildings.

The purpose of this Section is to preserve the character and appearance of the Town of Woodstock while facilitating the provision of adequate wireless telecommunications services to residents and businesses.

Town of Woodstock Zoning Regulations

This section is available as a separate document from the Planning and Zoning Office and is incorporated as part of the Town of Woodstock Zoning Regulations.

SECTION 507 DAY CARE HOME OR FACILITY*

- A. A daycare home serving six or fewer children is exempt from local bylaw review. However, a certified letter of approval from the State Agency of Human Services shall be filed with the Woodstock Zoning Administrator.
- B. A State-registered or licensed family child care home serving six or fewer full-time children and four part-time children, shall require Site Plan Approval.
- C. A State-registered or licensed facility serving more than six full-time and four part-time children shall require a Conditional Use permit and Site Plan Approval . * Defined in Title 33 V.S.A.§ 4902 (3)(A).

SECTION 508 DENSITY

No more than two dwelling units are allowed per lot, either attached or detached, unless granted conditional use approval for multi-housing.

SECTION 509 DETACHED APARTMENT

Detached apartments are limited to 1500 square feet or 50% of the living area of the primary structure, whichever is larger. In calculating minimum lot size, a detached apartment shall be considered an additional family dwelling and shall not exceed the allowable zoning density.

SECTION 510 DISH ANTENNAE

Dish antennae measuring forty (40) inches or less in diameter are exempt from the permit process providing they meet all setback provisions. Dish antennae measuring over forty (40) inches require an administrative permit. They shall not be located in the front yard, and shall comply with all setback provisions, unless the owner can prove that the only "window of reception" requires a nonconforming location.

SECTION 511 EXTERIOR LIGHTING

A. General

- 1. All lights shall be shielded to prevent light from escaping into the night sky.
- 2. Security lighting shall be connected to a motion detector set to extinguish within twenty minutes.
- 3. Lighting shall be directed towards an owner's property and not towards his/her neighbor.

B. Commercial/Industrial Uses

- 1. Lighting shall be placed to avoid glare or create a traffic hazard.
- 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 change in use shall comply with the recommendations of the "Outdoor Lighting Manual for Vermont Municipalities" published May 1996.

SECTION 512 EXCAVATION OR EXTRACTION OF SAND, GRAVEL, AND NATURAL MATERIALS

- A. The removal of any material from land for commercial sale shall employ best management practices designed to prevent erosion, debris, and other materials from flowing into or filling any drainage course, body of water, street or neighboring property.
- B. Upon completion, the site shall be regraded as closely as possible to the original contours to prevent

Town of Woodstock Zoning Regulations

- drainage difficulties. Once regraded, the topsoil shall be replaced onto the site and the site shall be fertilized, reseeded, mulched, and suitably planted to prevent erosion.
- C. Prior to excavation or construction of access roads, a restoration plan fully describing the specifics involved in the above reclamation provisions shall be approved by the Planning Commission.

SECTION 513 FENCES

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

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

SECTION 514 GROUNDWATER AND WELLHEAD PROTECTION AREAS

Isolation distances of the Vermont Environmental Protection Rules Act 249 Chapter 21, as amended by the State of Vermont, shall be complied with. A copy of such is available in the Planning and Zoning Office.

SECTION 515 HOME ENTERPRISE

A. Statement of Purpose

- 1. Home Enterprise is intended to support the farm scape attributes that are so important both to the quality of life and the economic character of Woodstock. One means of accomplishing this goal is to provide alternative uses for the older secondary structures that sustain the rural character yet allow alternative sites for small businesses.
- 2. The primary intent is to allow for the preservation and restoration of existing secondary structures suitable for improvement while at the same time preventing the subdivision of large acreage parcels. Of secondary importance the regulation hopes to provide opportunities alternative entrepreneurial activity.
- 3. In order to protect the rural character of the area, the impact of additional traffic on the rural highway system will be a strong factor in the review procedure. Many of the town's rural roads cannot support additional traffic, especially during mud and snow seasons.

B. General Requirements

In addition to the following general requirements, the Planning Commission and the Zoning Board may add special conditions as warranted.

- 1. The owner of the home enterprise shall reside on the property.
- 2. The property shall be no less than 10 contiguous acres.
- 3. No more than seven (7) employees shall be permitted, including the owners.
- 4. More than one commercial use may be allowed in that all other requirements are met.
- 5. The structure shall have been constructed prior to January 12, 1993.
- 6. The structure shall be at least 1000 sq. ft. in size.
- 7. The business may require State of Vermont Act 250 approval before the use may commence.
- 8. Retail trade is not permitted.
- 9. Performance standards of Section 609 shall be complied with.
- 10. Town septic system approval or sewer connection is required before the use may take effect. A licensed engineer's approval may be required during the review process.
- 11. There shall be no outdoor storage.

C. Renovation or Reconstruction of a Secondary Structure

- 1. The existing structure may be renovated but the original footprint and height shall not be increased.
- 2. All structural renovations shall be completed with architecturally compatible building materials.

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All substantial external renovations shall require Planning Commission approval based on the criteria of the Design Review District.

D. Permit Process

1. The home enterprise is a commercial use requiring both conditional use review and site plan review. Applications shall be reviewed concurrently by the Planning Commission and Zoning Board of Adjustment. This meeting shall be scheduled for the second Wednesday of each month. A complete application is required to be submitted one month in advance.
2. During the review process special attention shall be granted to protecting the rural character of the area. A highway engineer or traffic consultant may be required to review the application at the applicant's expense. An application may be denied if a road is considered to be too narrow to accommodate additional traffic or if the additional traffic will adversely effect the rural character of the area.
3. The permit shall be reviewed by the Planning Commission and TZBA annually for the first two years, and thereafter as warranted.

E. Type of Business

Businesses which qualify for Home Enterprise are limited to: editorial management and other consulting services; research laboratories and technology; investment brokerage; professional counseling; telemarketing; advertising; graphic arts design; promotion and publicity services; publishing; arts and crafts design; recording or photographic services; or other similar uses as determined by the Zoning Board.

F. Parking, Deliveries, Signage

1. Parking shall be placed to the rear of the structure where applicable or to the side of the structure. Parking shall be adequately screened as determined by the Planning Commission and Zoning Board. One parking space per employee is required. Additional parking may be required as determined by the Zoning Board.
2. The access/driveway shall be no more than a ten (10) percent grade and shall be designed to permit adequate access for the proposed delivery vehicles. Adequate turnaround space shall be provided so delivery vehicles are not forced to back in from or onto a public highway.
3. Deliveries shall take place during the normal hours of operation.
4. Signage shall not exceed one twelve (12) square foot sign. Directional signage shall be determined concurrently by the Planning Commission and Zoning Board.

SECTION 516 HOME OCCUPATION

While recognizing the right of any resident to use a minor portion of a dwelling for an occupation which is customary in residential areas and that does not create a nuisance or change the residential character of the area, the Town also recognizes the need to protect the surrounding areas from adverse impacts generated by these business activities.

A. Exempt Home Occupations

1. No permit is required if all the following conditions are met:
 - a. Resident owner of the business is the only employee
 - b. No clients on site
 - c. No signs or outdoor storage
 - d. No deliveries
 - e. Office use only

B. Regulated Home Occupations

1. An Administrative permit is required if the following conditions apply:
 - a. Up to two employees who are also members of the household
 - b. No clients on site

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- c. No signs or outdoor storage
- 2. With Conditional Use approval:
 - a. only items that have been hand-crafted on-site may be sold from the residence;
 - b. a residential accessory structure may be used instead of the dwelling;
 - c. two home occupations per dwelling may be allowed if the combined use:
 - i. does not change the character of the neighborhood;
 - ii. employs no more than two non-resident persons; and
 - iii. occupies less than 50% of the residence

SECTION 517 LANDSCAPING and GRADING

- A. Erosion prevention measures shall be taken during all landscaping / grading activities to prevent the movement of soil, sediment, debris and other material into any drainage course, water body, wetland, street, or neighboring property.
- B. Any addition, removal or redistribution of the soil in excess of 5,000 sq. ft. requires Conditional Use Approval unless associated with (1) grading and excavation necessary to implement an existing permit, (2) construction of a septic system and sewer lines, (3) agriculture and forestry uses, and (4) grading necessary to repair driveways or damage caused by natural events.
- C. When Conditional Use Approval is required, a "before and after" plan shall be submitted with the application.

SECTION 518 MOBILE HOME PARKS

- A. Parks shall be established, maintained, and administered according to the Department of Environmental Conservation's Protection Regulations pertaining to Mobile Home Parks.
- B. Mobile Home Parks, with Division of Protection approval, may be permitted in all Zoning Districts with Planned Residential Development designation.

SECTION 519 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 road intersection.
- D. Open storage of material, equipment, and retired inoperable vehicles shall be screened from view by fences, 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, which shall not obstruct visibility.
- F. Total number of gas pumps shall be limited to four, serving no more than eight (8) vehicles at once.
- G. Shall be reviewed under Section 404 Design Review District by the Planning Commission.

SECTION 520 OFF-STREET PARKING

For every building erected, altered, extended or changed in use, off-street parking spaces shall be provided as follows:

A. General Requirements

- 1. A parking space shall be nine (9) feet by eighteen (18) feet per car.
- 2. A parking lot shall provide a minimum of 250 square feet of area per car to include access space.
- 3. 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

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separately.

B. Residential Uses

Two parking spaces per residential dwelling unit.

C. Bed & Breakfast/Inns

Shall have one space per rental unit and one space per employee.

D. Home Occupations

Shall be determined by the ZBA.

E. Places of Public Assembly / Restaurants, etc.

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

F. Industrial Uses

One parking place for every business and employee vehicle.

G. 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.

H. Special Requirements

1. Parking spaces for any number of nonconcurrent uses may be combined in one parking area, but the spaces required of one use may not be assigned to another, except upon approval by the Planning Commission.
2. In exceptional circumstances, upon petition to the Planning Commission with concurrence by the ZBA, the Commission may waive or reduce any of the above-stated parking requirements. The petition shall prove to the Commission either the parking requirements are not applicable or that parking needs can be met through other means.
3. Where any non-residential district or use abuts a residential district or use, the parking area shall not be closer than ten (10) feet to the property line of the residential district or use, and shall be adequately planted and screened from view; plant species shall be evergreen trees and shrubs.
4. Any parking area built within fifty (50) feet of the Ottauquechee River, the Barnard Brook, the Gulf Stream or the Kedron Brook shall require Site plan review.

SECTION 521 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 the display of one item located immediately in front of the establishment. All items must be brought in at closing, but no later than night fall. No items may be illuminated nor create a glare. No items shall obstruct public right of way, sidewalk or parking area.

B. Commercial/Light Industrial & Business Service/Light Industrial Districts

Hardware, feed stores and similar establishments (as determined by the Zoning Board of Adjustment) may display items as follows:

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

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SECTION 522 PONDS AND POOLS

- A. The construction or installation of man-made bodies of water
 - 1. require an administrative permit
 - 2. shall abide by the setback standards of the district in which it is located, as measured from the toe of the bank.
- B. Bodies of water larger than 100,000 cubic feet require a certified site plan prepared by a licensed engineer or architect.
- C. Above ground swimming pools less than three (3) feet deep are exempt from these Regulations.

SECTION 523 RIPARIAN BUFFERS AND SETBACKS

To protect the quality of Woodstock's water resources and associated habitat, vegetated buffer strips are to be maintained in all riparian areas.

A. Buffer Width

At a minimum, a fifty (50) foot buffer shall be established from the stream bank and/or the delineated boundary of an identified wetland.

B. Setbacks

Land uses and/or activities that are designated as potential water pollution hazards must be set back 150 feet from any stream or waterbody.

C. Forest Buffers

Where mature riparian forest cover exists (the ultimate goal for riparian buffers), a forested buffer extending from the edge of the stream bank shall be maintained along both sides of the stream system and its adjacent wetlands. Individual trees within the forest buffer may not be removed unless diseased or dying and its falling may damage a nearby dwelling or other significant structure.

SECTION 524 SHORT-TERM RENTALS

Short-term rentals in Residential Five Acre and Forestry Districts do not require a permit. The following provisions shall apply to all other zoning districts 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 ten 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. Marriages, parties, 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. 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 D.- F. above are met.

SECTION 525 SIGNS

A. Exempt Signs

A permit is not required under the following circumstances:

- 1. Contractors: one 12 square foot sign during construction
- 2. Commercial establishments: one 1 square foot "open/closed" sign and one 12 square foot "open" banner
- 3. Real Estate For Sale: one 4 square foot sign,

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4. Temporary current events (garage sales, auctions, fairs, etc): one 12 square foot temporary sign on display for no longer than 7 days
5. In rural and residential districts, affixed signs, not exceeding 1 square foot, noting such items as house dates and names
6. One 12 square foot sandwich board sign per parcel may be placed for retail establishments in a Commercial/ Light Industrial zone providing it is removed at nightfall, is outside of the highway r.o.w., and does not block ones vision entering and exiting the premises.

B. Prohibited Signs

1. Flashing or moving signs
2. Neon type signs
3. Illuminated signs outlining any part of a building (e.g., gable, roof, sidewalk, corner)
4. Internally illuminated signs
5. All other signs not specifically allowed are prohibited.

C. General Rules

1. An outdoor sign pertaining 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.
2. Unless specifically exempted or restricted, any new sign and any change in size or location of an existing sign requires an Administrative Permit.
3. No outdoor sign shall be permitted which does not pertain to the use of the premises on which it is located, except a temporary sign giving notice of current events.
4. All defunct signs shall be removed within 90 days of cessation or abandonment of business.
5. Nonconforming signs shall be brought into conformance if removed for a period of more than one year.
6. Signs shall not block motorist or pedestrian line of sight.
7. Illumination:
 - a. Excessive lighting (constituting a nuisance) is prohibited.
 - b. Illumination must be shielded and focused only on the sign to protect the night sky and traffic.
 - c. Signs shall not be illuminated after 11:00 PM except hotels, motels, bed and breakfasts, restaurants, and emergency facilities.

D. Commercial Districts and Uses

Each establishment or enterprise is entitled to one main out-door advertising sign subject to the following conditions:

1. Placement

- a. Setback: With the exception of instructional signs, all signs shall be set back at least one-half the required setback distance or equal to the existing setback if the commercial building is non-conforming
- b. Freestanding signs shall be located between 3 feet and 10 feet above ground level
- c. Projecting signs shall be at least 9 feet and no more than 20 feet above ground level and shall not project more than one-half the width of a public walkway.
- d. Affixed signs shall not exceed the highest point of the building.

2. Number and Types of Signs

- a. One affixed, projecting, or freestanding sign per establishment
- b. Two instructional signs not to exceed 2 square feet (no setback requirements)
- c. Freestanding signs are limited to one per lot
- d. Restaurants are also allowed either one 4 square foot menu board or one 6 square foot sandwich board (to be removed at end of each business day). Inns are allowed one 4 square foot bill of fare sign

3. Maximum Signage per Lot

- a. To be determined by the following calculation:
Width of store front ___ ft. X .8 = _____ total square feet
- b. Shall not exceed the limits set for the district in which it is located:

Town of Woodstock Zoning Regulations

- i. Commercial/Light Industrial, Light Commercial/Light Industrial, Business Service, and Business Service/Light Industrial: 50 square feet maximum per establishment
 - ii. Hamlet Commercial, Office/Residential, & Inn Districts: 12 square feet maximum per establishment
 - iii. Rural & Residential Districts: 2 square feet maximum
4. **Multiple Businesses** on one lot share one primary sign, the size of which shall not exceed the calculated maximum square footage per lot, Sec. 520(D)(2)(a), or the limit set for the district in which it is located, Sec. 520(D)(3)(a) , whichever is smaller.
 5. **Shopping malls or industrial parks** may be allowed a directory sign of 10 square feet per business, not to exceed 100 square feet total

E. Rural and Residential Districts

1. Only affixed, freestanding or projecting permanent signs, not exceeding 2 square feet in size
2. Projecting signs shall not extend more than 3 feet from a building.
3. All signs must be less than ten (10) feet above ground level.
4. Home occupations may have 1 sign not to exceed 2 square feet in size. Two home occupations in one residence may have total signage of no more than 3 square feet.
5. A home occupation located on Route 4 may have 1 sign not to exceed 4 square feet. Two home occupations in one residence located on Route 4 may have a total signage of no more than 4 square feet

F. Forest Reserve District and Agricultural Uses

Permanent signs shall not exceed 8 square feet in size and shall not be located more than 10 feet above ground level from its highest point.

G. Public Buildings

One permanent sign, not to exceed 24 square feet in size, is permitted for each primary community structure. All signs must be less than 14 feet above ground level.

SECTION 526 SPECIAL CARE FACILITY

A state licensed or registered residential care home or group home, serving not more than six persons who are developmentally disabled or physically handicapped, shall be considered by right to constitute a permitted single-family residential use of property, except that no such home shall be so considered if it locates within 1,000 feet of another such home - section 4409 (d) of the Act. Special care facilities not exempted by the above shall require a conditional use permit.

SECTION 527 TEMPORARY GARAGE

A temporary garage may be placed from November 1 to April 15 without permit. The structure shall meet all setback requirements and shall be removed by April 15.

Town of Woodstock Zoning Regulations

ARTICLE VI GENERAL REGULATIONS

SECTION 601 ARCHITECTURAL CHARACTER

All construction or renovation in commercial or industrial zones, including all grandfathered commercial or industrial uses, shall be compatible with the predominant architectural character of the neighborhood. For the purpose of this subsection only, the term "compatible" shall mean architectural style or design; scale; exterior finish and treatment; site work and landscaping consistent with that which exists in the neighborhood.

SECTION 602 CORNER LOTS

Front yard setbacks are required on both street frontages and one yard other than such front yard shall be deemed to be a rear yard and the other a side yard.

SECTION 603 EXISTING SMALL LOTS

Any lot in individual, separate and non-affiliated ownership from surrounding properties in existence on the effective date of zoning regulation may be developed for the purposes permitted in the district in which it is located, even though not conforming to minimum lot size requirements if such lot is not less than one-eighth acre in area with a minimum width or depth dimension of forty (40) feet. Nothing in this section shall be construed to prevent the sale or transfer of such a lot. All applications shall be compatible with 4406 (1) of the Act.

SECTION 604 HEIGHT EXCEPTIONS

The height limitations of these Regulations shall be waived for barns and silos, private home antennae, spires, belfries, steeples, cupolas, water tanks, ventilators, chimneys, solar equipment, windmills, transmission towers, flag poles, or other appurtenances generally not used for human occupancy.

SECTION 605 LOT LINE ADJUSTMENT

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

SECTION 606 LOTS IN TWO ZONING DISTRICTS

Where a district boundary line divides a lot of record at the time such line is adopted, the ZBA is authorized to adjust said district line by thirty (30) feet.

Town of Woodstock Zoning Regulations

SECTION 607 NONCONFORMING USES & NONCOMPLYING STRUCTURES

Any nonconforming use or noncomplying structure existing prior to February 14, 1977, and all uses that become non-conforming due to amendment of these Regulations, may be continued subject to the following provisions:

- A. Change in Use:** A nonconforming use may be changed to another nonconforming use if it 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.
1. The total square footage of the structure housing the non-conforming use shall not expand by more than twenty-five (25) percent within a five year period.
 2. Any expansion or change of use requires a conditional use permit.
- B. Discontinued Use:** If a nonconforming use has been terminated, it may be reestablished within six (6) months. After this six (6) month period, a nonconforming use may be reestablished within twelve (12) months following its discontinuance only with ZBA approval. In their review, the ZBA shall consider the criteria listed in Section 712 Conditional Use.
- C. Non-Complying Structures:**
1. The degree of noncompliance is measured from the closest point of the existing structure to a boundary line or road centerline (excluding porches, decks and commercial awnings).
 2. Unless excepted under the terms of Sec. 607(C)(5), a noncomplying structure shall not be moved, enlarged, altered, extended or reconstructed without prior review from the ZBA. In their review process, the ZBA shall ensure that the proposed change shall:
 - a. not impinge upon the public right-of-way that adjoins the lot on which the structure exists.
 - b. create no danger to the public safety through traffic access, flow, and/or circulation.
 - c. be in character with the traditional settlement and construction patterns of the area in which it exists.
 - d. not create an unreasonable infringement upon land uses in the immediate neighborhood.
 - e. not enlarge the non-complying portion of the structure by more than 50%.
 3. An accessory structure to a noncomplying structure may be constructed within the setback with conditional use approval by the ZBA if
 - a. the new accessory structure is no larger than 600 square feet,
 - b. the accessory structure is no closer to a boundary line or a road centerline than any existing noncomplying structure,
 - c. the criteria set out in Sec. 607(C)(2) are met, and
 - d. strict compliance with the setback would cause practical difficulties or undue hardship
 4. Exceptions:
 - a. Nonsubstantial changes that clearly do not increase or extend the structure's noncompliance may be permitted by the Administrative Officer.
 - b. A noncomplying structure may be enlarged within the required setback area if the degree of noncompliance is not increased by the addition.
 - c. Destruction of Structure: If a noncomplying structure located in a Flood Hazard Area is destroyed by flood, it shall not be rebuilt, except in conformance with these Regulations as a new development within a Flood Hazard Area. In all other circumstances, if a noncomplying structure is destroyed by a natural event it may be rebuilt if construction begins within two years. If destroyed by other means, the structure may be rebuilt if construction begins within one year. Extension of this time period requires approval of the ZBA.

SECTION 608 OPEN STORAGE

The open storage of commercial or industrial 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 609 PERFORMANCE STANDARDS

Town of Woodstock Zoning Regulations

In all districts, any use that exceeds the following standards, measured at individual property lines, is prohibited. The Planning Commission under site plan review, and the ZBA under conditional use review, shall decide whether these standards are met in specific instances. All uses shall meet State air and water pollution standards and shall not:

- 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 610 PROHIBITED USES

The following uses shall be prohibited in all zoning districts:

- A. Commercial dump
- B. Airport
- C. Slaughterhouse
- D. Rendering plant
- E. Fertilizer plant
- F. Outdoor movie
- G. Race track
- H. Junk yard
- I. Drive-in food service establishment
- J. Trailer and mobile home sales and service
- K. Free-standing retail stand, excepting agricultural produce

SECTION 611 PUBLIC USE LIMITATIONS

- A. The following uses may only be regulated with respect to size, height, bulk, yards, courts, setbacks, density of buildings, off-street parking and loading facilities and landscaping or screening requirements:
 - 1. Public utility power generating plants and transmission lines
 - 2. State or community-owned and operated institutions and facilities
 - 3. Public and private schools and other educational institutions certified or licensed by the State of Vermont
 - 4. Churches, convents, and parish houses
 - 5. Public and private hospitals
 - 6. Private utilities
- B. If any land development that is regulated by these Regulations is also subject to regulation under State Statutes, the more stringent or restrictive regulation shall apply.
- C. No zoning permit for land development of the types or in locations designated in Section 4409 of the Act may be granted prior to the expiration of a thirty (30) day period following submission of a report to the appropriate State Agency that describes the proposed use, the proposed location, and an evaluation of the effect the proposal may have on the Town and Regional Plans, if any.

SECTION 612 REQUIRED FRONTAGE ON OR ACCESS TO PUBLIC ROADS

- A. Except as here and after provided, no land development may be permitted on lots which do not have

Town of Woodstock Zoning Regulations

frontage on a public road. With the approval of the Planning Commission, access to such a road can be a permanent easement or right-of-way at least 20 feet in width.

- B. In the Planning Commission'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 access road intersects a public road.
- C. 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 613 SUBDIVISION

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

- A. Minor subdivision:** a division of land resulting in no more than two lots within a three year period, requires an administrative permit.
- B. Major subdivision:** a division of land resulting in more than two lots within a three year period, and/or where a portion of land falls within an overlay zone as noted in the Critical Areas Analysis Map, requires a conditional use permit.
- C. Driveways:** During subdivision review, where the driveway is more than 1000 feet in length, the Zoning Board shall condition approval on
 - 1. a driveway grade of 10% or less, and
 - 2. placement of a ten foot wide turnout every 500 feet along said driveway, or
 - 3. exceptions that are recommended by the Fire Chief.

Town of Woodstock Zoning Regulations

ARTICLE VII ADMINISTRATION AND ENFORCEMENT

SECTION 701 ADMINISTRATIVE OFFICER

- A. An Administrative Officer shall be appointed by the Planning Commission, with the approval of the Selectmen, for a term of three years, to administer these Regulations as provided for in Section 4442 of the Act.
- B. 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 Selectmen.

SECTION 702 ACTING ADMINISTRATIVE OFFICER

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

SECTION 703 PLANNING COMMISSION

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

SECTION 704 ZONING BOARD OF ADJUSTMENT

- A. A Zoning Board of Adjustment shall be appointed by the Selectmen in accordance with the provisions of Section 4461 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 ZBA shall be in accordance with Subchapter 8 of the Act.
- B. Hearings on appeals and Conditional Use Permits shall be held within 60 days of the date of filing of a complete application as determined by the Administrative Officer. The ZBA shall give public notice of hearings and shall mail to the applicant a copy of such notice at least 15 days prior to the hearing date. Notices of the hearing shall also be sent to the owners of land immediately adjacent to and across the road from the property in question.
- C. The ZBA may require as a condition of approval the filing of as-built plans, which may require certification of either a licensed architect, registered engineer, or licensed surveyor.

SECTION 705 CONSERVATION COMMISSION

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

SECTION 706 DESIGN REVIEW BOARD

- A. The Design Review Board shall be 3-5 members to be appointed by the Selectmen in accordance with Section 4407 of the Act. Said Board shall assist the Planning Commission in administering the provisions contained in Section 404. The additional members shall be appointed to three year staggered terms. Residents of the Design Review District will be given preference during the first 45

Town of Woodstock Zoning Regulations

days of the selection process.

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

SECTION 707 ZONING PERMIT

No land development may be started unless a zoning permit has been duly issued by the Administrative Officer, as provided in Section 4443 of the Act.

- A. The fees for zoning permits shall be established by the Selectmen.
- B. All zoning permits issued must be in conformance with these Regulations.
- C. Applications for permits shall be acted on within 30 days upon determination by the Zoning Administrator that the application is complete.
- 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 Selectmen.
- 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 day of issuance during which time appeals from the decision may be filed.
- G. The zoning permit shall be in effect for a period of ~~(12)~~ (24) months. If during that time no diligent progress has taken place in furtherance of said permit, the permit will no longer be valid and a new permit must be applied for. In the case of a subdivision or lot line adjustment, recording of 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 twenty-four (24) months and thereafter diligently pursued the permit shall vest.

SECTION 708 APPLICATION INFORMATION

- A. Each application shall be submitted with one set of plans in an eight and one-half inch by eleven inch (8.5" x 11") or eleven inch by seventeen inch (11"x 17") format.
- B. Administrative permit applications shall include but not be limited to the following information:
 - 1. **Subdivision:**
 - a. Survey map or site plan showing lots and access rights of way, if any. A survey is not required if the resulting lots are at least three (3) times larger than the minimum lot size. A survey is required for the lot(s) less than three (3) times the minimum lot size.
 - b. Town of Woodstock confirmation of sewer connection potential, if applicable.
 - c. Letter confirming positive percolation tests or septic system waiver from the State.
 - 2. **Single-family and two-family dwelling:**
 - a. Building footprint with dimensions.
 - b. Site plan (location of all existing and proposed structures on lot with setbacks indicated).
 - c. Elevation plan (showing all sides of building).
 - d. Driveway access permit, if necessary.
 - e. Confirmation of sewer connection or on-site septic approval by Town of Woodstock.
 - f. Evidence of on-site septic approval by the State of Vermont.
 - 3. **Accessory structure:** Provide 2a, 2b, and 2c from above.
 - 4. **Lot line adjustment:** Survey of the land to be transferred and of any lot involved not larger than three (3) times the minimum lot size, otherwise a site plan is required (See Section 605).
 - 5. **Signs:** Drawing of sign with dimensions and a site plan with proposed sign location.
 - 6. **Landscaping / Grading:** A before and after site plan.
- C. Every zoning application for conditional use, variance, or site plan approval shall include the following plans and supporting information:

Town of Woodstock Zoning Regulations

1. Name and address of owner of record
 2. One set of maps 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. A site plan, drawn at appropriate scale, illustrating the proposed site development in enough detail to allow the reviewing board to assess the relationship of the proposed development to the site's natural features. The site plan shall include:
 - a. the location of proposed buildings in and adjacent to the site
 - b. the location of streets, driveways, parking and loading areas
 - c. traffic circulation patterns, loading docks, pedestrian walkways
 - d. landscaping, fencing and screening
 - e. physical features of the site including waterways, wetlands, flood plains, fields and open spaces, forested areas, topography and other significant or unique features.
 4. Construction sequence and time schedule for completion of each phase of building, parking spaces, and landscaped areas of the entire development.
 5. Confirmation of sewer connection or on-site septic approval by Town of Woodstock and State of Vermont, where applicable.
- D. The ZBA / Planning Commission may require without limitation any of the following additional information be submitted and certified by a person licensed in the State of Vermont before the use is approved:
1. A property survey with percolation sites and replacement septic field
 2. A grading and drainage plan
 3. A topographic map
 4. A traffic and circulation plan
 5. A landscaping plan.
- E. The Planning Commission shall act to approve or disapprove a site plan within sixty (60) days of the date it receives a completed plan, and failure to act within such period shall be deemed approval.

Town of Woodstock Zoning Regulations

SECTION 709 SITE PLAN APPROVAL

- A. No zoning permit shall be issued by the Administrative Officer for any commercial, industrial, public and quasi-public use, multi-family dwelling (three (3) units or more), subdivision of three (3) lots or more, until the Planning Commission grants site plan approval.
- B. In considering its action, the Planning Commission shall review the application information required under Section 708, taking into consideration the following objectives:
 - 1. The maximum safety of vehicular and pedestrian circulation between the site and street network and adjacent traffic generators.
 - 2. The adequacy and safety of circulation, parking and loading facilities.
 - 3. Adequacy of landscaping, screening, and setbacks in regard to achieving maximum compatibility and protection of adjacent properties.
 - 4. The avoidance of glare.
 - 5. The adequacy of surface drainage facilities.
 - 6. The protection of the utilization of renewable resources and natural resources.
 - 7. The provision of municipal services.
- C. The Planning Commission shall conform to the requirements of Section 4407 (5) of the Act before acting on any application and shall impose appropriate conditions and safeguards only with respect to the above objectives, such conditions to include, but not be limited to, the following:
 - 1. May limit the number and nature of access points to a site from adjacent public highways.
 - 2. May require fencing and/or plantings to screen outdoor lighting, outdoor storage areas and driveways, and parking from adjacent residential properties.
 - 3. May require installation of surface drainage facilities to mitigate and control the runoff from parking areas and hard surfaces.
- D. If a conditional use requires Site Plan Approval, the Planning Commission may coordinate its review process with the ZBA and arrange concurrent meetings with the applicant, if possible, within the specified limits for each review as established herein.
- E. The Planning Commission may require as a condition of approval the filing of as-built plans, which may require certification of either a licensed architect, registered engineer, or licensed surveyor.
- F. The Planning Commission may impose conditions that allow a permit to be reviewed after issuance.

SECTION 710 CONDITIONAL USE APPROVAL

- A. Any use and/or structure which requires a Conditional Use Permit shall not be granted a zoning permit by the Administrative Officer unless the ZBA determines that the proposed use shall conform to the general standards prescribed in these Regulations by not adversely affecting:
 - 1. The capacity of existing or planned community facilities.
 - 2. The character of the area affected.
 - 3. Traffic on roads and highways in the vicinity.
 - 4. By-laws then in effect.
 - 5. Utilization of renewable energy resources.
 - 6. In addition, the ZBA shall find that the proposed use and/or structure adequately meets such specific standards with respect to:
 - 7. Minimum lot size
 - 8. Distance from adjacent or nearby uses
 - 9. Minimum off-street parking and loading facilities
 - 10. Landscaping and fencing
 - 11. Design and location of structures and service areas
 - 12. Size, location, and design of signs
 - 13. Access and circulation
- B. In granting or denying a Conditional Use Permit, the procedures followed by the ZBA shall be in accordance with Section 4407 (2) of the Act.
- C. As a condition of permitting a conditional use, the ZBA may attach such additional reasonable

Town of Woodstock Zoning Regulations

conditions and safeguards as it may deem necessary to implement the purposes of the Act and these Regulations.

- D. The ZBA may impose conditions that allow a permit to be reviewed after issuance.
- E. Except as otherwise provided in Section 607, a change in use, expansion or contraction of land, area, or alteration of a structure or use that is designated as a conditional use within the district in which it is located and was existing therein prior to the effective date of zoning regulation, shall conform to all regulations pertaining to conditional uses and shall not be commenced unless and until a permit is issued by the ZBA for such change, expansion, construction or alteration under Section 715.
- F. The effective date of a zoning permit issued as a conditional use shall be thirty (30) days from the date of issuance, during which time, appeals from the decision may be filed; in which case, the result of the appeal shall determine the outcome.

SECTION 711 BOND TERM AND FORFEITURE

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

SECTION 712 INSPECTIONS

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

SECTION 713 CERTIFICATE OF OCCUPANCY

- A. All new structures (except accessory structures), substantial improvement, commercial change of use, or permits upon determination by the Planning Commission or Zoning Board of Adjustment shall require a certificate of occupancy before such use or permit may vest. Said certificate of occupancy shall show that the premises comply with all applicable provisions of these Regulations and the permit as granted.
- B. Said certificate of occupancy shall be granted or denied within fourteen (14) days after written notice of completion by the applicant to the Zoning Administrator, 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 Zoning Administrator 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. Neither the Town nor the Zoning Administrative Officer is responsible for any Certificate of Occupancy issued in good faith after a reasonable inspection.
- C. 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 Board of Adjustment under Section 717 of these Regulations.
- D. Owner-builders may apply for a temporary certificate of occupancy, to be reviewed annually, which will allow occupancy in the structure until completion of construction. In certain circumstances, to be determined by the Administrative Officer, a conditional certificate of occupancy may be issued.

SECTION 714 PENALTIES

Violations of these Regulations shall be regulated as prescribed in Sections 4444 and 4445 of the Act.

Town of Woodstock Zoning Regulations

SECTION 715 VARIANCES

- A. The ZBA may grant a variance from the provisions of these Regulations pursuant to 4468 of the Act if all the following facts are found by the ZBA and such findings are specified in its decision:
1. That there are unique physical circumstances or conditions including irregularity, narrowness, or shallowness of lot size or shape, or exceptional topographical or other physical conditions peculiar to the particular property, and that the unnecessary hardship is due to such conditions, and not the circumstances or conditions generally created by the provisions of these Regulations in the neighborhood or district in which the property is located.
 2. That because of such physical circumstances or conditions, there is no possibility that the property can be developed in strict conformity with the provisions of these Regulations and that the authorization of a variance is therefore necessary to enable the reasonable use of the property.
 3. That such unnecessary hardship has not been created by the appellant.
 4. That the variance, if authorized, will not alter the essential character of the neighborhood or district in which the property is located, nor substantially or permanently impair the appropriate use of development of adjacent property, not be detrimental to the public welfare.
 5. That the variance, if authorized, will represent the minimum variance that will afford relief and will represent the least modification possible of these Regulations and the Plan.
- B. In granting a variance under this section, the ZBA may attach such conditions to such variance as it may consider necessary and appropriate under the circumstances to implement the purposes of these Regulations, the Plan or the Act.
- C. The effective date of a zoning permit issued as a variance shall be thirty (30) days from the date of issuance, during which time, appeals from the decision may be filed; in which case, the result of the appeal shall determine the outcome.

SECTION 716 ZONING BOARD OF ADJUSTMENT LIMITATIONS

Except as specifically provided herein, the Zoning Board of Adjustment 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.

Town of Woodstock Zoning Regulations

SECTION 717 APPEALS FROM DECISIONS OF ADMINISTRATIVE OFFICER

- A. In accordance with Section 4464 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 ZBA. 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.
- B. If the Administrative Officer fails to act with regard to an application for a permit, within thirty (30) days, a permit shall be deemed issued on the 31st day.

SECTION 718 APPEALS FROM DECISION OF ZONING BOARD OF ADJUSTMENT AND / OR PLANNING COMMISSION

An interested person may appeal a decision of the ZBA and/or Planning Commission within 30 days of said decision to the Vermont Environmental Court in accordance with Sections 4471 and 4475 of the Act. In the event that a notice of appeal is properly filed, such permit shall not take effect until final adjudication of said appeal.

SECTION 719 PUBLIC NOTICE

- A. Any public notice required for public hearing under these Regulations shall be given by the publication of the date, place and purpose of such hearing in a newspaper of general circulation in the municipality, and the posting of a notice in one or more public places within the municipality not less than fifteen (15) days prior to the date of the public hearing.
- B. Where such hearing is called in reference to any amendment of these Regulations or any other matter relating to written material, such public notice shall include either the full text or a brief summary describing the principal provisions and a reference to a place within the municipality where copies of the proposed material may be examined.
- C. The Planning Commission can establish notice requirements as they deem necessary, otherwise the Planning Commission has no public notice requirements.

2005 TOWN ZONING AMENDMENTS

Board of Selectmen Approval

November 15, 2005

Chapter 117 Mandated Changes:

Definitions:

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

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

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.

SECTION 606 NONCONFORMING USES and NONCONFORMING STRUCTURES

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

A. Nonconforming Use:

- 1. A nonconforming use may be changed and/or expanded to another nonconforming use with the approval of the TDRB, but only to a use which is of the same or a more conforming nature. A more conforming use is one that more closely approximates the approved uses in that zoning district. The use shall not expand by more than twenty-five (25) percent within a five year period. Any change or expansion of use requires a Conditional Use permit.

2. If a nonconforming use has been terminated, it may be reestablished within six (6) months. After this six (6) month period, a nonconforming use may be reestablished within twelve (12) months following its discontinuance only with TDRB approval. In their review, the TDRB 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 TDRB, except that nonsubstantial changes which will clearly not increase or extend the noncompliance of the structure may be permitted by the Administrative Officer. In their review process, the TDRB 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 TDRB. 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 610 PUBLIC USE LIMITATIONS

- A.** The following uses may be regulated only with respect to location, size, height, building bulk, yards, courts, setbacks, density of buildings, off-street parking, loading facilities, traffic, noise, lighting, landscaping, and screening requirements, and only to the extent that regulations do not have the effect of interfering with the intended functional use:
 1. State or community-owned and operated institutions and facilities.
 2. Public and private schools and other educational institutions certified by the State Department of Education.
 3. Churches and other places of worship, convents, and parish houses.
 4. Public and private hospitals.
 5. Regional solid waste management facilities certified under 10 V.S.A. chapter 159.
 6. Hazardous waste management facilities for which a notice of intent to construct has been received under 10 V.S.A. § 6606a.
- B.** A bylaw under this chapter shall not regulate public utility power generating plants and transmission facilities regulated under 30 V.S.A. § 248.
- C.** Except as otherwise provided by this section and by 10 V.S.A. § 1976, if any bylaw is enacted with respect to any land development that is subject to regulation under state statutes, the more stringent or restrictive regulation applicable shall apply.
- D.** Zoning permits to develop land of the types or locations designated in Section 4413 (c) 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 719 PUBLIC NOTICE

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

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

Additional Amendments

Change all - "Zoning Board" to "Development Review Board"

SECTION 303 RESIDENTIAL THREE ACRE - 3 Acres

A. Purpose To designate areas of moderate density residential development in areas close to developed areas.

B. Uses Not Requiring a Permit

- 1. Agriculture
- 2. Forestry
- 3. Short-Term Rental § 524

C. Uses Requiring an Administrative Permit

- 1. Buildings and Structures for Agriculture and Forestry
- 2. Single-family Dwelling
- 3. Structures Accessory to a Single-family Dwelling § 502
- 4. Two-family Dwelling
- 5. Detached Apartment § 509
- 6. Home Occupation § 516
- 7. Subdivision, Minor § 613

D. Uses Requiring a Conditional Use Permit

- 1. Multi-family Dwelling § 402, 709
- 2. Subdivision, Major § 613
- 3. Public and Quasi-public Use §§ 611, 709
- 4. Public Utility § 611
- 5. Home Occupation § 516
- 6. Home Enterprise § 515
- 7. Special Care Facility § 526
- 8. Day Care Facility § 507
- 9. Bed and Breakfast § 504
- 10. Commercial Recreational Facility
- 11. Extraction of Sand, Gravel, and Mineral § 512

E. Land, Area, and Structural Requirements:

- 1. Minimum Lot Area *per single or two-family dwelling* 3 acres
- 2. Minimum Lot Frontage
 - along a Town Road* 150 feet
 - along the perimeter of a cul-de-sac* 50 feet
- 3. Front Setback Minimum
 - from centerline of a Town Road* 60 feet

| | | | |
|----|------------------------------|-------|---------|
| 4. | Rear Setback Minimum | | 25 feet |
| 5. | Side Setback Minimum | | 25 feet |
| 6. | Building Height Maximum | | 35 feet |
| 7. | Buffer Strip Requirements | | § 505 |
| 8. | Parking Requirements | | § 520 |
| 9. | Riparian Buffer Requirements | | § 523 |

SECTION 403 CONSERVATION DISTRICT

A. Wetlands

1. Lands identified by the State of Vermont as Class I, II, and III wetlands including vernal pools and those already identified by the Conservation Commission and shown on the Town’s Critical Areas Analysis Map, shall not be drained, filled, without review by the Conservation Commission, and conditional use approval by the Town Development Review Board. Class I and II wetlands require review by the Agency of Natural Resources.

SECTION 528 HISTORIC BARNs

In an effort to help landowners protect and maintain an aging barn, the Town of Woodstock will allow four non-retail fund raising events per calendar year based on the criteria listed below. The intent of this section is that all revenue raised during the allowed event be used for maintenance of the structure.

1. A barn shall be at least 50 years old, and at its current location for at least 50 years.
2. A barn shall be a minimum of 800 square feet.
3. No event shall last longer than three days.
4. Each event shall be separated by at least 30 days.
5. Each event shall require a conditional use hearing, the fee shall be waived. One may apply for up to four events per year.

SECTION 529 TENT SALES

Retail and wholesale businesses are allowed one tent sale per calendar year with the following limitations:

- A. Shall not exceed three consecutive days
- B. Shall meet setbacks
- C. Shall not impede normal pedestrian or vehicular traffic flow or pattern
- D. All parking related to the event shall be on site
- E. No permit required

ZONING MAP CHANGES

The Residential Office zone in Taftsville is proposed to be expanded to include the Phil Johnson parcel on the north side of the river.

The Residential Three Acre zone is established at the northeast corner of Laughlin Road and Hartland Hill Road.