

TOWN OF WOODSTOCK ZONING REGULATIONS
Scenic Ridgeline District
Adopted: December 18, 2007

SECTION 109 DEFINITIONS

SCENIC RIDGELINE DISTRICT: This shall consist of all lands within 500 horizontal feet of lines depicting the primary ridges in the Town of Woodstock, as specifically set forth on the Scenic Ridgeline District Overlay Map on file in the Planning and Zoning Office. See Section 406.

SKYLINE: The natural ground outline of a range of hills or mountains, exclusive of vegetation, as viewed from or immediately adjacent to a point on a public road or highway.

UNDUE ADVERSE IMPACT: “Adverse” indicates a negative impact on a resource protected by this regulation. “Undue Adverse” indicates that the proposed development violates one or more of the standards set forth in these regulations.

VANTAGE POINT: A point located on a Class I, II or III highway from which the proposed development would be visible.

SECTION 202 ESTABLISHMENT OF OVERLAY ZONING DISTRICTS AND MAP

A. For purposes of these Regulations in addition to the Base Zoning District, the following Overlay Zoning Districts are hereby established within the Town of Woodstock:

4. Scenic Ridgeline District: Land within five hundred (500) horizontal feet of the Town’s primary ridgeline.

SECTION 401 PURPOSE

D. Ridgeline Review District

To protect the rural and scenic character of Woodstock by protecting and preserving the aesthetic and scenic character of the town’s primary ridgelines and hillsides.

SECTION 406 SCENIC RIDGELINE DISTRICT

A. STATEMENT OF CHARACTER

The undeveloped ridgelines and hillsides of Woodstock are exceptional aesthetic and scenic resources that significantly contribute to the town’s extraordinary scenic quality as well as to its rural, pastoral heritage.

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.

Woodstock’s rural character and scenic beauty will be protected by ensuring that a forested ridgeline remain uninterrupted and free of manmade structures.

B. STATEMENT OF OBJECTIVES

1. Woodstock’s Scenic Ridgeline District is intended to protect and preserve the aesthetic and scenic qualities of the town’s primary ridgelines and hillsides. This district is primarily forested but meadows and pastures have, in the past, dotted the landscape and contributed to the rural, pastoral character of the Town. This regulation is not intended to prohibit land development within the District but, rather, to ensure that such development is situated and designed to avoid an undue adverse impact on this valuable scenic landscape.

2. To minimize structural intrusions upon the visual landscape and maintain the rural character of the town, this Scenic Ridgeline Regulation provides standards for regulating the height, design, placement and impacts of structures on lands that lie within the designated Scenic Ridgeline District.

C. DESCRIPTION OF SCENIC RIDGELINE DISTRICT

1. General Description: The Scenic Ridgeline District shall consist of all land within five hundred (500) feet (horizontal distance) of designated ridgelines within the Town of Woodstock.
2. Scenic Ridgeline District Overlay Map: The official Scenic Ridgeline District overlay map delineates the district's boundaries and is on file in the Planning and Zoning Office. A reduced photocopy is attached to this Regulation and referenced in Section 202.
3. Final Determinations of District: If a question arises regarding whether proposed development is within the Scenic Ridgeline District, the Development Review Board shall, upon request, make such determination, following public notice and hearing. The burden of proof shall lie with the requesting landowner.
4. Overlapping: Where overlap with other districts occurs, the more restrictive rules take precedence.

D. RIDGELINE PLAN APPROVAL

1. Prohibition Without Approval: Notwithstanding any other provision in these Regulations, except as provided in Subsection D.3., no land development including site preparation shall take place in the Scenic Ridgeline District without the Development Review Board's Conditional Use Approval of a Site Development Plan as specified in Subsection E.

All other zoning requirements that apply to land development shall be reviewed concurrently with this regulation.

2. Land Development Defined: For purposes of this section, land development shall be defined as any of the following:
 - a. Construction or placement of any structure, excluding those related to agricultural uses or otherwise excluded by Vermont statute;
 - b. Alteration that involves an increase in height of the building or structure;
 - c. Addition or alteration of skylights, solar panels, windows or other reflective surfaces;
 - d. Construction or modification of an access road or driveway, excluding normal driveway maintenance;
 - e. Construction of a tower, satellite dish (larger than 40 inches across) or any other type of antenna;
 - f. Construction of a windmill, wind turbine or any other instrument to make use of the wind;
 - g. Excavation or extraction of any kind of solid matter exceeding 200 cubic yards;
 - h. Installation of 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.
3. The Scenic Ridgeline Regulation shall not affect:
 - a. any development that is not visible from designated vantage points as defined in F.2.;
 - b. 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;
 - c. routine forestry management;
 - d. pasture restoration and agricultural uses (including construction of roads to access woods or fields);
 - e. modification and expansion of an existing residential or non-residential structure if such alteration is clearly subordinate in impact and size (less than 25%) to the original structure;
 - f. a structure for agricultural or forestry use;
 - g. an unheated, nonresidential structure less than 64 square feet that does not break the skyline.

E. PROCEDURES FOR PLAN APPLICATION AND REVIEW:

1. **Application Materials:** In addition to other procedures and materials required under Sections 708, 710 and any other provisions of the Town's Zoning Regulations that apply to the proposed development, an application for development within the Scenic Ridgeline District shall include the following:
 - a. **Application for Zoning Permit**, completed, signed and dated by the landowner/applicant.
 - b. **An appropriate section of the Scenic Ridgeline District Overlay Map** showing the location of all proposed site disturbance within the Scenic Ridgeline District.
 - c. **A narrative** describing the extent and type of development proposed.
 - d. **USGS Topographic Map or Survey** showing the location of proposed structures and other site disturbances associated with the proposed development.
 - e. **Site Development and Design Plans:** Two complete sets, one of which shall be on paper not smaller than 18" by 24" and the second set shall be on paper not larger than 11" by 17". Such plans must provide information necessary to thoroughly review the proposed project, and at a minimum, shall clearly depict:
 - (1) Design and height of all structures, including elevations, building and roofing materials, exterior colors and fenestration;
 - (2) Location and overall design of proposed development, including roadways, drawn in an appropriate scale, with topographical contours set at 20' intervals or less;
 - (3) Location, type and height of all proposed exterior lighting;
 - (4) Existing and proposed forested and open areas;
 - (5) Proposed landscaping showing where trees will remain, be thinned or removed and, if available, a forest management plan;
 - (6) Location and description of proposed utilities, water supply and on-site waste disposal system;
 - (7) Any other information relevant to the proposed development and its site.
2. **Supplemental Materials:** In addition to the requirements listed above, the Conservation Commission and/or the Development Review Board may require one or more of the following plans when the impact cannot be reasonably determined:
 - a. **Grading Plan:** Existing and proposed contours of land to be cleared to a distance of at least fifty feet beyond the cleared areas, or greater if necessary to show the relationship of the development to the surrounding terrain. When site conditions warrant, field generated contours, at intervals to be determined, may be required. The plan shall also show the location of all existing and proposed retaining walls over three feet in height.
 - b. **Lighting Plan:** Location, type and height of all exterior lighting, including security lighting, is to be shown on the Site Development and Design Plan (E.1.). Lighting studies may be required and would include photometric analyses of exterior lighting and nighttime visual impact of interior lighting.
 - c. **Visibility Studies:** Viewshed analyses, computer-assisted photo simulation, line of site sections, site photography and/or other means to assess the potential visual impact of the proposed development.
 - d. **Architectural Plans and Renderings:** Building design drawings, drawn to scale, clearly depicting all proposed structures, their location on the parcel, including the proposed grade of the building area and finished floor elevations. Drawings should clearly display architectural design as well as those elements required in Subsection E.1.3.(1). (E.g., elevations, building and roofing materials, exterior colors and fenestration).

- e. ***Landscape/Forestry Management Plan:*** In addition to that required in the Site Development Plan (E.1.), a more detailed plan may be required that shows existing vegetation and proposed landscaping and clearing, including type, size and location of all vegetation to be preserved and/or installed, along with other landscaping elements such as gazebos, berms, fences, walls, etc. Special attention should be given to existing/proposed vegetation adjacent to buildings for visibility and screening purposes (within at least 30'). A plan for the maintenance of the existing and proposed landscape should be included. Such a plan shall address specific measures to be taken to ensure the protection and survival and, if necessary, replacement of designated trees during and after construction and/or installation of all site improvements.
 - f. ***Access Plan:*** A plan depicting existing and proposed roads and parking areas that include road profiles and slopes of proposed access routes.
3. **Prehearing Preparation and Review:** Upon receipt of an application that meets all requirements of Subsection E.1, the Zoning Administrator shall warn a public hearing for the Development Review Board.

Within 45 days following receipt by the Administrative Officer of a complete application, the Conservation Commission shall hold a meeting to determine whether the proposed development will be visible from any vantage point as defined in Subsection F.2. A site visit may be required prior to either of the meetings. To aid in such determination, the Conservation Commission may request any of the supplemental materials listed under Subsection E.2. The Conservation Commission's review of the application may be continued pending receipt of those materials and notice of such continuation shall be promptly provided to the Development Review Board.

Land development that will not be visible from such vantage points is exempt from this Scenic Ridgeline District regulation and, upon such findings, the Conservation Commission shall so report to the Development Review Board, which may direct that the application proceed under Sections 708, 710 and other sections of the Zoning Regulations that apply to the parcel proposed for development (e.g., Section 403, Section 517, etc.).

If the proposed development will be visible from designated vantage points, the Conservation Commission shall:

- a. Determine the number of affected vantage points, the volume of traffic using the affected roads or highways, the length of time that a project would be visible to motorists, and the project's distance from affected vantage points.
 - b. Determine whether the proposed land development is in accord with all standards set forth in Subsection F.
 - c. Prepare a report for the Development Review Board stating how the proposed land development meets or fails to meet the standards set forth in Subsection F. The Conservation Commission shall issue its report to the Development Review Board within 60 days of the first CC meeting, unless the meeting is continued by mutual consent.
 - d. Include in the report all appropriate comments and recommendations relative to the standards for approval listed under Subsection F.
 - e. Meet with the applicant at his or her option to review the report. The Conservation Commission and the applicant may continue this meeting upon mutual consent. All changes agreed to by the applicant shall be appended to the Conservation Commission's final report and recommendation.
 - f. Mail to the applicant a copy of the Commission's report and recommendation and promptly transmit a copy to the Development Review Board.
4. **Review by Development Review Board:**
As part of the hearing, the Board shall review and consider the Conservation Commission's recommendations, the application materials required by Subsection E.1., any supplemental plans requested by the Conservation

Commission pursuant to Subsection E.2., and testimony by the applicant and other interested parties. Before making a final determination, the Board may require a site visit and/or supplemental plans as outlined in Subsection E.2., in which case the hearing will be continued.

Notwithstanding the Conservation Commission's recommendation, the applicant shall have the primary responsibility of presenting the proposal to the Development Review Board and shall have the burden of proof to establish that the proposed development meets all standards of Subsection F.

Upon close of testimony, the Development Review Board shall determine whether the proposed development is in accord with all standards set forth in Subsection F. and issue a written decision granting or denying the application. The decision may be issued with or without conditions, pursuant to Subsection F. The Development Review Board shall render its decision within 45 days from the close of testimony.

5. Limitations: The failure of the Development Review Board to issue its decision within the time and in the manner so specified shall constitute an automatic approval of the application under consideration, and the Administrative Officer shall so certify in writing to the applicant. This Section 406 refers only Scenic Ridgeline plan approval required hereunder and not to other applicable zoning requirements.

Nothing herein shall be construed to prohibit the modification, extension, or waiver of any time or notice provision herein where written mutual agreement has been made between the Development Review Board and the applicant.

F. STANDARDS FOR APPROVAL

Before approving land development in the Scenic Ridgeline District, the Development Review Board shall find that the proposal conforms to the following standards.

1. General Standards: To protect the unique visual and aesthetic qualities of those areas within Woodstock's Scenic Ridgeline District, especially those characterized by unbroken ridgetops and other significant focal points, all development shall be designed and sited in a manner that does not cause undue adverse impact to the scenic landscape of the town.
2. Designation of Vantage Points: For the purposes of this regulation, vantage points shall be any point on a Class I or Class II public road or highway and/or any two points at least 500 feet apart on a Class III public road, from which the proposed development will be visible. In reviewing projects to determine compliance with these standards and to help identify appropriate mitigation measures, the Development Review Board shall consider the relative importance of the vantage points from which the project is visible. Such consideration shall include the number of affected vantage points, the volume of traffic using the affected roads or highways, the length of time that a project would be visible to motorists, and the project's distance from affected vantage points.
3. Specific Standards: The following standards shall serve as the basis for guiding development within the overlay district without an undue adverse visual impact.

These standards reflect the community's concerns in regard to the town's hillsides and ridgelines. These standards also express the development and design intentions of this overlay district. All development within this district shall comply with these standards.

Standard 1. Pre-construction or site preparation activities shall not be allowed and shall be subject to DRB/CC review. Pre-development clearing or grading plans for construction sites, roadways, waste disposal systems or other development-related activity shall be reviewed by the Development Review Board prior to commencement of these activities.

- Prior to any site disturbance or construction-related activity, the landowner should review their plan with the Zoning Administrator to ensure activities are consistent with the standards set forth in this Section 406.

Standard 2. Development shall not serve as a visual focal point. All development shall be minimally visible. The mass, height, color and location of all development, including roadways and parking areas, shall be designed to blend in with the surrounding landscape and to avoid visibility in winter months. Additional tree planting may be required to preserve the appearance of an unbroken forested canopy and/or to interrupt visibility of structures from defined vantage points.

- Natural landforms and existing vegetation should be used to screen visibility from public roads.
- Alternate locations may be required for structures, access roads and utility lines when no other concealment options are available to minimize visibility.

Standard 3. Development shall not visually break the skyline. No structure shall be located in a manner that would allow any part of it to visually exceed the natural ground outline of a hill or mountain located within the Scenic Ridgeline District when viewed from designated vantage points. Site disturbance or tree removal that creates gaps in the silhouette of the forested ridge top shall not be allowed.

- Structures shall not be sited on high points, outcroppings or prominent knolls within the project site.
- Consider designing structures that conform to the topography such as multilevel structures with entrances on more than one level, such as walk-out basements or garages under buildings.

Standard 4. Development shall be harmonious with the surrounding landscape. The amount and location of clearing adjacent to structures and roadways shall be limited. Undeveloped hillside meadows, reminiscent of historic hillside pastures, may be created if the total clearing is less than five acres, clearing does not break or reveal the skyline and does not expose structures to view from designated vantage points.

- Clearing for views should be limited with narrow view openings between trees and beneath tree canopies being a desirable alternative to clearing large openings.
- View clearing should involve the selective cutting of small trees and the lower branches of large trees, rather than removing mature trees.
- Where feasible and appropriate, existing trails or roads should be used, instead of constructing new roadways, to minimize clearing and disruption of the landscape and to relate to traditional and historic land use patterns.
- Where new roadways must be constructed, they should follow natural contours and clearing of vegetation should be minimal.
- Using stone walls and hedgerows as property lines is recommended and existing stone walls and hedgerows should be preserved wherever possible.

Standard 5. Development shall not create daytime glare or glow of the night sky. Exterior lighting shall comply with standards recommended in "Outdoor Lighting for Vermont Municipalities".

- The use of reflective surfaces and outdoor lighting fixtures should be minimized to limit the visibility of the development from off-site and reduce the impact of night-time lighting.
- Large expanses of glass should be avoided.
- Bollard, low post lighting and low level, indirect lights are recommended.
- Spot or flood lights and excessive security lighting shall be avoided.
- Use of structures or existing trees and shrubs to provide shielding of light fixtures is recommended.

G. MITIGATING ADVERSE VISUAL IMPACT

In designing land development to be sited in the Scenic Ridgeline District, applicants can consider the following suggestions to mitigate adverse impact. The options for compliance are not limited to the ones below, but the applicant can use the list to aid in the design process.

1. Site, design and lighting:
 - a. Orient structures with the smallest facade facing vantage point(s).
 - b. Site building in a location with least visibility

- c. Site buildings as far from ridge top as possible
- d. Use natural/neutral colors
- e. Reduce amount and size of fenestration, particularly skylights
- f. Use non-reflective roofing materials
- g. Minimize use of reflective glass
- h. Limit exterior lighting to a bare minimum

2. Landscaping and clearing:

- a. Cluster the buildings to reduce site disturbance
- b. Minimize cutting of trees and natural vegetation
- c. Add trees to better screen developed area
- d. Minimize the size of the cleared site area
- e. Do not cut any trees before you have your permit

3. Access road, driveway, parking area, erosion/storm water control:

- a. Use existing farm, wood or abandoned roads
- b. Place roadways along natural land contours
- c. Minimize clearing on either side of road
- d. Plant more trees to screen road
- e. Keep parking area as small as possible

H. AUTHORITY TO CONDITION:

The Development Review Board 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.