

XV. DEFINITIONS

Accepted Management Practices (AMP) - Methods of activity generally approved by regulatory authorities and practitioners as acceptable and common to that type of operation. AMPs may not be the best methods, but are acceptable. Agriculture has AMPs typically documented in agency regulations. Other industries may also have AMPs, documented in regulation or not. Professional associations often list AMPs or similarly named methods of conduct for their members.

Accessory Dwelling Unit (ADU) - Efficiency or one-bedroom apartments that are clearly subordinate to a single-family dwelling, with facilities and provisions for independent living (e.g., sleeping, food preparation, and sanitation). These units must comply with the following:

- a) Have sufficient wastewater capacity.
- b) Do not exceed 30 percent of the total habitable floor area of the single-family dwelling they are subordinate to.

Adaptive Reuse - The development of a new use for an older building or for a building originally designed for a special or specific purpose.

Affordable Housing - According to 24 VSA §4303, affordable housing means either of the following, based on tenure:

- (A) Housing that is owned by its inhabitants whose gross annual household income does not exceed eighty percent of the county median income, or eighty percent of the standard metropolitan statistical area income if the municipality is located in such an area, as defined by the United States Department of Housing and Urban Development, and the total annual cost of the housing, including principal, interest, taxes, insurance, and condominium association fees is not more than thirty percent of the household's gross annual income.
- (B) Housing that is rented by its inhabitants whose gross annual household income does not exceed eighty percent of the county median income, or eighty percent of the standard metropolitan statistical area income if the municipality is located in such an area, as defined by the United States Department of Housing and Urban Development, and the total annual cost of the housing, including rent, utilities, and condominium association fees, is not more than thirty percent of the household's gross annual income.

Aging in Place - Allows individuals to remain at home or within a supportive living community as they age, without requiring the need to move as their needs increase over time.

Agriculture - The production, keeping or maintenance, for sale, lease or personal use, of plants and animals useful to man, including but not limited to: forages and sod crops; grains and seed crops; dairy animals and dairy products, poultry and poultry products; livestock, including beef cattle, sheep, swine, horses, ponies, mules, or goats, or any mutations or hybrids thereof, including

the breeding and grazing of any or all of such animals; bees and apiary products; fur animals; trees and forest products; fruits of all kinds, including grapes, nuts and berries; vegetables; nursery, floral, ornamental and greenhouse products; or lands devoted to a soil conservation or forestry management program.

Archaeological Site - Land or water areas which show evidence or artifacts of human, plant or animal activity, usually dating from periods of which only vestiges remain.

Aquifer Protection Area (APA) - The surface and subsurface area contributing significantly to the surface and/or subsurface recharge and maintenance of an aquifer. APAs can often include upland watersheds of surface waters contributing significantly to the maintenance and operation of aquifers below the surface or downstream.

Assimilative Capacity Study - Scientifically valid research documenting the physical, cultural, economic, ecological or other characteristics and of an area or site and that area's or site's ability to host different changes to its characteristics before significant alterations in its function or character are created.

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

Best Available Technology (BAT) - Methods and products for design, operation, maintenance, retrofit and function of activities which will result in the best reduction of undesired byproducts or effects currently achievable. BAT achievability is based upon the owner/operator's ability to implement the methods or products within their economic means. This type of technology is usually considered to be the "state-of-the-art" and achieves the best performance available.

EXAMPLES: Woodstoves achieving best EPA particulate standard performance, highest efficiency factory stack scrubbers, water treatment systems producing water of same or higher quality as the receiving water body.

Best Management Practices (BMP) - Methods of activity generally established by regulatory authorities and practitioners as the best manner of operation. BMPs are generally more stringent than AMPs. BMPs may not be established for all industries or in agency regulations, but are often listed by professional associations and regulatory agencies as the best manner of operation for a particular industry practice.

Best Practical Technology (BPT) - Methods and products for design, operation, maintenance, retrofit and function of activities which will result in the best reduction of undesired byproducts or effects within the practical means of the owners/operators while providing a practical cost/benefit ratio. For example, removing ninety-eight percent of a pollutant from a waste stream may be

practical, but removing the last two percent may be impractical for the cost required and the relatively insignificant gain in cleanliness.

EXAMPLES: Woodstove operation schedule rotations, catalytic converter retrofits for woodstoves versus mandatory stove upgrades, artificial wetland pretreatment of agricultural runoff versus onsite treatment plant investment or storage/hauling.

Build-out - An estimate of the projected population, employment, traffic, utilities, and types/sizes of land uses in a project area or other designated area in accordance with the current zoning and other applicable regulations.

Capital Improvements Program (CIP) - A proposed timetable or schedule of all future capital improvements to be carried out during a specific period and listed in order of priority, together with cost estimates and the anticipated means of financing each project.

Class A and B Waters - Class A waters are managed for enjoyment of water in its natural condition, as public drinking water supplies (with disinfection and filtration) or as high quality waters which have significant ecological values. Class B waters are managed for aesthetic values, recreation on and in the water, public water supply with disinfection and filtration, high quality habitat for aquatic biota, fish and wildlife, irrigation and other agricultural uses. The Secretary of the Agency of Natural Resources may designate by permit portions of Class B waters as "Mixing Zones", or "Waste Management Zones", for any waste that has been properly treated to comply with federal and state effluent requirements.

Cluster - A development design technique that concentrates building in specific areas on the site to allow the remaining land to be used for recreation, common open space, and preservation of environmentally sensitive features.

Cultural Facilities - Establishments such as museums, art galleries, botanical and zoological gardens of a historic, educational or cultural interest which are not operated commercially.

Designated Growth Centers - As defined by Act 183 – *An Act Relating To Creation of Designated Growth Centers and Downtown Tax Credit Program.*

Environmentally Significant Wetland - Those wetlands designated by the Vermont Water Resources Panel as "Significant Wetlands", and those other wetlands designated as "significant" according to the wetlands designation rules are included in this category. As of February 23, 1990 the Water Resources Panel classified wetlands into three (3) groups. Classes 1 and 2 are "Significant Wetlands." Most of those wetlands designated on the National Wetlands Inventory (NWI) Maps are identified as Class 2 wetlands. Those wetlands contiguous to the mapped NWI wetlands are also included as Class 2 wetlands. Any wetland meeting the minimum criteria for significance established by the Water Resources Panel or a Town may be included in this category.

Establishment – A commercial business that operates within a building or structure. A single building or structure can contain more than one distinct establishment.

Expansion Areas - Land that extends the cohesive core of Regional Growth Areas or Designated Downtowns, Villages, or Growth Centers, with or without the presence of municipal sewer or water service. The land should be adjacent, as defined in 24 VSA §2791, to the cohesive core.

Fixed Route Service - A transportation service that travels along a predetermined route, with known stops, according to an established time schedule.

Flood Insurance Rate Map (FIRM) - official map of a community, on which the Federal Insurance Administrator has delineated both the special flood hazard areas and the risk premium zones applicable to the community. In some communities the hazard boundaries are available in paper, pdf, or Geographic Information System formats as a Digital Flood Insurance Rate Map (DFIRM).

Floodplain - Floodplains are those areas likely to be flooded once every one hundred years ("the 100-year flood zone") or have a one percent chance of being flooded per year as minimally determined by the Federal Emergency Management Agency (FEMA) or better sources.

Floodway - The floodway is that area of a stream channel and its surrounding floodplain areas that must be kept clear to hold the 100-year flooding event floodwaters without substantial increases in the flood height. Any flood height increase of more than one foot is substantial. Floodways are determined by the Federal Emergency Management Agency (FEMA) or better sources.

Fluvial Erosion - Erosion caused by streams and rivers. Fluvial erosion can be catastrophic when a flood event causes a rapid adjustment of the stream channel size and/or location.

Impervious Surface - Any hard-surfaced, man-made area that does not readily absorb or retain water, including but not limited to building roofs, parking and driveway areas, graveled areas, sidewalks, and paved recreation areas.

Inclusionary Zoning - Inclusionary zoning bylaws require a specified percentage of housing units in new planned unit development or subdivision to meet certain affordability standards, and comply with the following:

- a) Conform with municipal plan housing policies.
- b) Be determined based on municipal affordable housing needs, both rental and for sale.
- c) Include development incentives that contribute toward the economic feasibility of providing affordable housing units (ex: density bonuses and waivers).
- d) Require that, once built, affordable housing available will be maintained through income qualification for residents, the promotion of affirmative marketing, and rent and resale pricing that remains affordable for a specified period of time on designated affordable units, as written in municipal bylaws.

Interchange - A grade separated system of access to and from major highways.

Intermodal - Transportation by more than one means of conveyance - as by foot, bike, car, truck, rail, air, etc.

Level Of Service (LOS) - Level of service is a qualitative measure defined as the ability of a maximum number of vehicles to pass over a given section of roadway or through an intersection during a specified time period, while maintaining a given operating condition.

- (1) **LOS A:** Highest LOS which describes primarily free-flow traffic operations at average travel speeds. Vehicles are completely unimpeded in their ability to maneuver within the traffic stream. Stopped delay at intersections is minimal.
- (2) **LOS B:** Represents reasonably unimpeded traffic flow operations at average travel speeds. The ability to maneuver within the traffic stream is only slightly restricted and stopped delays are not bothersome. Drivers are not generally subjected to appreciable tensions.
- (3) **LOS C:** Represents stable traffic flow operations. However, ability to maneuver and change lanes may be more restricted than in LOS B, and longer queues and/or adverse signal coordination may contribute to lower average travel speeds. Motorists will experience an appreciable tension while driving.
- (4) **LOS D:** Borders on a range in which small increases in traffic flow may cause substantial increases in approach delay and, hence, decreases in speed. This may be due to adverse signal progression, inappropriate signal timing, high volumes or some combinations of these.
- (5) **LOS E:** This represents traffic flow characterized by significant delays and lower operating speeds. Such operations are caused by some combination of adverse progression, high signal density, extensive queuing at critical intersections, and inappropriate signal timing.
- (6) **LOS F:** This represents traffic flow characterized by extremely low speeds. Intersection congestion is likely at critical signalized locations, with high approach delays resulting. Adverse signal progression is frequently a contributor to this condition.

Major Development – Development that meets any one of the eight specific criteria that qualify a development as resulting in substantial regional impact (see XIII, section A) according to this Plan.

Maximum Peak Hour Service Volume - The maximum number of vehicles which have a reasonable expectation of passing over a given roadway section or through a given intersection under prevailing road and traffic conditions during a specified hour of time.

New Town Center - as defined in 24 VSA §2791(11): the area planned for, or developing as, a community's central business district. Composed of compact, pedestrian-friendly, multistory, and mixed use development that is characteristic of a traditional downtown and supported by planned or existing urban infrastructure, including curbed streets with sidewalks and on-street parking, stormwater treatment, sanitary sewers and public water supply.

NFIP - National Flood Insurance Program.

No Adverse Impact - No Adverse Impact floodplain management is where the action of one property owner does not adversely impact the rights of other property owners, as measured by increased flood peaks, flood stage, flood velocity, and erosion and sedimentation.

Open Space - Any parcel or area of land or water essentially unimproved and set aside, dedicated, designated or reserved for public or private use or enjoyment, or for the use and enjoyment of owners and occupants of land adjoining or neighboring such open space.

Peak Hour - As it is used in describing traffic volumes, it represents the hour of a twenty-four hour period in which the highest traffic volumes occur on a segment of roadway or at an intersection.

Passive Outdoor Recreation - Leisure time activities which use an outdoor public or private space that are not dependent upon structural facilities such as swimming pools, ball courts, etc.

Planned Unit Development (PUD) - Planned unit development is a design approach that balances intensive settlement with open land. Also known as “clustered housing”, developments can be designed to conserve energy; depending on the nature of construction, savings can be accrued on construction costs. PUDs facilitate efficient provision of municipal services such as fire protection, school transportation, road construction or maintenance. The undeveloped open space reserved in PUDs is an asset for the landowners and municipalities. PUD design strategies should be employed in planning for development or subdivision of rural land in the region.

Principal – Means foremost or chief.

Principal (Primary) Retail - A business whose primary use is the supply of merchandise or wares to the end consumer. Examples include (but are not limited to), supermarkets, hardware stores, dry-goods stores, pharmacies, big box stores, etc.

Pristine Waters - Those waters having Class A status and those waters predominantly in their natural state relatively unaffected by human activity physically or aesthetically. Undeveloped lakes and ponds may be included in this category, as would streams and rivers unaffected by human activity. Pristine waters are generally accepted to be the finest unspoiled natural water bodies or other waters with Class A qualities.

Regional Growth Area - As used in this plan, regional growth areas include the Regional Center, Town Centers, Village Settlements, Hamlet Areas, Designated Growth Centers, Designated Downtowns, and Designated Village Centers.

Regionally Significant Transportation Facilities - Any facility primarily designed to rapidly and efficiently transport goods and passengers between towns and/or regions.

Resilience - The ability of a system, community, region or society exposed to hazards to resist, absorb, accommodate to and recover from the effects of a hazard in a timely and efficient manner, including through the preservation and restoration of its essential basic structures and functions.

Riparian Buffer - A vegetated area (a "buffer strip") near a stream, usually forested, which helps shade and partially protect a stream from the impact of adjacent land uses. It plays a key role in increasing water quality in associated streams, rivers, and lakes, thus providing environmental benefits. With the decline of many aquatic ecosystems due to agricultural production, riparian buffers have become a very common conservation practice aimed at increasing water quality and reducing pollution.

River Corridor - The land area adjacent to a river that is required to accommodate the dimensions, slope, planform, and buffer of the naturally stable channel, and necessary to maintain or restore fluvial equilibrium conditions and minimize fluvial erosion hazards, as delineated by the agency of natural resources in accordance with river corridor protection procedure.

Secondary or Ancillary Retail – A business whose primary use is not retail sales, but contains a retail component that is clearly secondary to the primary use. Examples include (but are not limited to), eye doctor's offices, veterinarian's offices, small engine repair shop, manufacturer's with a small showroom, etc.

Service Business - Any establishment whose primary activity is the provision of assistance, as opposed to products, to individuals, business, industry, government, and other enterprises.

Smart Growth Principles - Growth that:

- (A) maintains the historic development pattern of compact village and urban centers separated by rural countryside;
- (B) develops compact mixed-use centers at a scale appropriate for the community and the region;
- (C) enables choice in modes of transportation;
- (D) protects the state's important environmental, natural and historic features, including natural areas, water quality, scenic resources, and historic sites and districts;
- (E) serves to strengthen agricultural and forest industries and minimizes conflicts of development with these industries;
- (F) balances growth with the availability of economic and efficient public utilities and services;
- (G) supports a diversity of viable businesses in downtowns and villages;
- (H) provides for housing that meets the needs of a diversity of social and income groups in each community;
- (I) reflects a settlement pattern that, at full build-out, is not characterized by:
 - (i) scattered development located outside of compact urban and village centers that is excessively land consumptive;
 - (ii) development that limits transportation options, especially for pedestrians;
 - (iii) the fragmentation of farm and forest land;
 - (iv) development that is not serviced by municipal infrastructure or that requires the extension of municipal infrastructure across undeveloped lands in a manner that would extend service to lands located outside compact village and urban centers;

- (v) linear development along well-traveled roads and highways that lacks depth, as measured from the highway.

Source Protection Area (SPA) - The surface and subsurface area surrounding a public water source system, through which contaminants are likely to move toward and reach the water well or well-field during normal pumping activity. Synonymous with "Wellhead Protection Area" (WHPA). Most often delineated by the Vermont Department of Health.

Special Flood Hazard Area – The floodplain within a community subject to a one percent or greater chance of flooding in any given year. For purposes of these bylaws, the term “area of special flood hazard” is synonymous in meaning with the phrase “special flood hazard area”.

Sprawl - Dispersed auto-dependent development occurring outside of compact urban and village centers, along highways, and in rural countryside. Sprawl is typically characterized by:

- a) excessive land consumption;
- b) low densities in comparison with older centers;
- c) lack of choice in ways to travel;
- d) fragmented open space, wide gaps between development and a scattered appearance;
- e) lack of choice in housing types and prices;
- f) separation of uses into distinct areas;
- g) repetitive one-story development;
- h) commercial buildings surrounded by acres of parking;
- i) lack of public spaces and community centers.

Strip Development - Linear commercial development along an arterial highway leading from an urban or village center or connecting two centers. Strip development has many characteristics, not all of which need to occur for strip development to be present. The characteristics of strip development include, but are not limited to, the following:

- a) use of individual curb cuts for each project along the highway;
- b) lack of connections between the projects, except for the highway connection;
- c) one-story buildings containing a single type of use;
- d) little to no pedestrian circulation between projects on the strip;
- e) accessibility of individual projects primarily to automobiles;
- f) separation of projects by parking lots;
- g) individual project design, signage, lighting, parking, and landscaping; lack of coordination between projects concerning these items, causing cluttered appearance;
- h) narrow depth and broad street frontage of project parcels to take advantage of exposure on the arterial highway.

Tax Increment Financing (TIF) - Provides authority for municipalities to bond for indebtedness due to infrastructure improvements within a TIF District.

Transit Development Plan (TDP) - A regionally developed transit plan approved by the Agency of Transportation which outlines passenger transportation needs and quality of service in the region. The TDP's goals are to be incorporated into the Transportation Elements of Regional Plans prepared by regional planning commissions.

Transportation Improvement Program (TIP) - A staged, multi-year, intermodal program of transportation projects, funded by the Federal Highway Administration or Federal Transit Administration, which are consistent with the Statewide Long Range Transportation Plan and its planning processes.

Traveler Services – Establishments whose primary purpose is to assist road travelers. These establishments would provide easy access to fuel, prepared food, restroom facilities, commuter parking, lodging or travel information. Establishments that fall under this definition do not include primary or principal retail establishments such as supermarkets, hardware stores, dry-goods stores, pharmacies or big box stores.

Unnatural Conversion - Man-made successional changes in physical or biologic communities such as logging, development, mining, reduction of habitat continuity or composition or other actions altering the natural process of ecological change normally occurring in an area.

Wetland - Those areas that are inundated or saturated by surface or ground water at a frequency and duration sufficient to support, and that under normal circumstances do support, a prevalence of vegetation typically adapted for life in saturated soil conditions. Wetlands generally include swamps, marshes, bogs, and similar areas.

Workforce Housing - Affordable housing that is in close proximity to employment centers, and is typically associated with members of the community who are gainfully employed in roles that may require advanced certification or degrees, including police officers, nurses and other medical staff, and school teachers.