



Planning Council  
PO Box 748  
Morrisville, VT 05661

(802) 888-6373  
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June 22, 2018


**RE: July 17<sup>th</sup> public hearing regarding changes to the Morrisville/Morristown Zoning Bylaws**

Dear resident, landowner or statutory party,

A public hearing will be held on **Tuesday 17 July 2016 at 6:00 P.M. in the Community Meeting Room of the Town's Offices at 43 Portland Street in Morrisville** regarding proposed changes to the Morrisville/Morristown Zoning Bylaws. You are receiving this letter because the Morristown/Morrisville Planning Council would like to hear your thoughts about the zoning changes being considered. The proposed zoning change are briefly summarized on the "reporting form" that is included beneath this letter. Enclosed please also find a copy of the warned hearing notice.

If you need any special assistance in getting to the hearing, cannot make the meeting, but would still like to provide input, or just have general questions about the effort, please contact Todd Thomas in the Town's Zoning Office at 888-6373 or [tthomas@morristownvt.org](mailto:tthomas@morristownvt.org).

Sincerely,

  
Todd Thomas, AICP & CFM  
Planning Director



## Planning Director Reporting Form: Municipal Bylaw Changes

This report is in accordance with 24 VSA §4441 (c) which states:

“When considering an amendment to a bylaw, the planning commission shall prepare and approve a written report on the proposal. A single report may be prepared so as to satisfy the requirements of this subsection concerning bylaw amendments and subsection 4384(c) of this title concerning plan amendments... The report shall provide:

**A brief explanation of the proposed bylaw, amendment, or repeal and include a statement of purpose as required for notice under section §4444 of this title**  
Morrisville/Morristown Zoning and Subdivision Bylaws (the Bylaws) statement of purpose: To provide for orderly community growth, to provide for public health, safety and welfare, and to achieve the purposes set forth in the Vermont Municipal and Regional Development Act VSA 24, Chapter 117 and the Municipal Development Plan.

### Proposed Amendments to the Bylaws and Respective Stated Objectives:

- a. §204 Revise variance language (from §406) and Waiver language, add Waiver criteria
- b. §205 Central Business: Change short term housing uses, change special/additional requirements
- c. §210 Commercial: Change short term housing uses, delete PUD use, make area requirements non-use specific, change additional requirements
- d. §215 Business Enterprise: Change short term housing uses, make area requirements non-use specific
- e. §225 Mixed Office Residential: Delete zone as it is becoming zoned Medium Density Residential
- f. §230 Industrial: Change short term housing uses, reduce minimum lot width, add special requirements
- g. §235 Special Use: Change short term housing uses
- h. §245 High Density Residential: Change short term housing uses, change single-family and shelter uses
- i. §250 Medium Density Res: Change short term housing uses
- j. §255 Low Density Res: Change short term housing uses
- k. §260 Rural Res. Ag: Change short term housing uses, make Class 4 road development conditional
- l. §270 Airport Business: Delete zone as it is becoming zoned Industrial
- m. §323 Flood Zone: Regulate the bottom floor of structures within 100' of a 100-year flood zone
- n. §400 Permits: Make minor site plan submittal and time valid changes & remove marijuana prohibition
- o. §405 Lot requirements: Clarify language for adjacent non-conforming lots
- p. §410-415 Home Occupation & Business: Make minor changes to Home Occupation & Business rules
- q. §422 Required frontage & access: Make minor changes including 20' wide ROW for a house
- r. §425 Fences: Allow a fence in a front yard to have a height of up to 4' instead of up to 2'
- s. §453 Parking: Change parking minimum to mesh with new short term housing use changes
- t. §470 Signs: Housekeeping changes, emphasis of temporary sign ban
- u. §500 Site Plan: Delete local stormwater requirements and make minor landscaping changes
- v. §510 PUD: Make minor resource changes to conservation subdivisions, add a density carrot
- w. §640 Appeals: Delete appeal, variance, and interested party language being duplicated from statute
- x. §700 Subdivisions: Housekeeping changes, and making minor subdivisions 2 lots instead of 1

- y. §900 Definitions: Housekeeping changes, and sharing economy changes: Delete Transient Lodging Facility use and create new Hotel, Inn or Motel, Lodging or Room Houses, and Owner Occupied uses
- z. §1000-§1120 Zoning District Boundaries: Make various district boundary changes, including housekeeping changes in the CB, SSMA, and COM Zones, folding the MOR Zone into the MDR Zone and folding the Airport Zone into the IND Zone, adding the LDR Zone to the Sunset & Langdell areas and adding the HDR Zone to the portion of the MDR Zone north of Union Street.

And shall include findings regarding how the proposal:

1. **Conforms with or furthers the goals and policies contained in the municipal plan, including the effect of the proposal on the availability of safe and affordable housing:**

The proposed bylaw revisions are supported by and enhance the stated goals of the Morrisville/Morristown Municipal Plan. Overall, most of the above changes are “housekeeping” items (i.e. small tweaks to various zones to make corrections or improvements to the existing regulations). All these various zoning proposals can be seen on the list on the prior page. However, among these proposed zoning changes, there are a few more significant land use changes. The first change adds Village zoning and density to the Sunset Road and Langdell Road sections of Morristown. Both of these areas were largely settled before zoning was adopted in Morristown in 1971. And the zoning for these areas, until now, has treated them like rural undeveloped sections of the town and called for a 2 acre minimum lot size therein. The common half acre acre lots (and smaller) in both of these neighborhoods are all non-conforming due to the existing (misplaced) two acre minimum lot size. The proposed zoning changes will shed these unnecessary dimensional nonconformities from both neighborhoods and possible allow for a handful of infill development lots. The infill development that this density change will allow create affordable new house lots for duplexes and single-family homes that are a stone’s-throw from VT Route 15 and commercial amenities. The proposed zoning change offers a similar opportunity for the downtown properties that are north of Union Street in the heart of downtown Morrisville. These three dozen or so properties will be up-zoned from Medium to High Density Residential if this zoning change is approved. This will zoning change will also create opportunities for infill housing, while also expanding the High Density Residential Zone where multi-family housing is allowed.

Overall, the proposed zoning change adds to nearly a decade of effort aimed at shortening and simplifying the town’s land development rules. For example, this zoning change folds the Airport Business Zone into the Industrial Zone. Likewise, the Mixed Office Residential Zone is being folded into the Medium Density Residential Zone. The existing zoning rubric, with a dozen zoning districts for a town of less than 6,000 people, is overly burdensome and frankly completely unnecessary. Towards this same goal of simplification, the proposed bylaw changes deletes out places where state statute was copied and pasted into the local bylaws (appeals, interested parties, variances, etc.). Deleting these duplications will reduce the length of the bylaw by many pages. The Bylaws are also being simplified so there is now only one set of dimensional requirements at play in any one zone. Presently, dimensional requirements can vary greatly in many zones depending on if the proposed use is residential or commercial. Post zoning change,

this simplification will mean that every property in a zone will be regulated by the same with the same set of rules / dimensional requirements.

Finally, the proposed zoning changes will offer the Development Review Board additional criteria for Waiver consideration, and include use changes to better deal with the sharing economy (Home Away, Air Bnb, etc.). Internet rentals have disrupted local lodging options and the Town's Bylaws were behind the times, until now, in dealing with this new phenomenon. Finally, the proposed zoning changes also revise the existing site plan submittal rules and Conservation Subdivision Bylaw to improve them.

**2. Is compatible with the proposed future land uses and densities of the municipal plan:**

The proposed zoning changes does not add any new business zoning to areas zoned residential. The zoning changes are relatively minor and conform to the Town Plan. The proposed zoning changes alter the presently allowed residential density in far less than one percent of the Town's residentially zoned land. As such, the density changes proposed are very insignificant. With these very minor density changes, there is the potential that the smaller lot sizes could lead to a few infill housing lots, which is very much in line with the Town Plan's goal of utilizing existing roads and infrastructure to support new development.

**3. Carries out, as applicable, any specific proposals for any planned community facilities.**

This zoning change is silent to planned community facilities. The minor changes proposed to the existing conservation bylaw could incentive its use and lead to more town-owned (or land trust owned) conservation lots. How the conservation subdivision bylaw allows residential development while keeping the rural feel of the town, especially in outlying areas, is a main tenet of the Town Plan.

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## **PUBLIC NOTICE – WARNED HEARING**

### **MORRISVILLE/MORRISTOWN PLANNING COUNCIL WARNING**

#### **PUBLIC HEARING ON AMENDMENTS TO THE ZONING & SUBDIVISION BYLAWS**

The public hearing is scheduled for **Tuesday 17 July 2018 at 6:00 PM** at the Morristown Municipal Offices the Tegu Building's Community Meeting Room at 43 Portland Street, Morrisville. The Morristown/Morrisville Planning Council hereby provides notice of a public hearing being held pursuant to State Law VSA 24, Chapter 117, §4302, §4410 & §4441 for the purpose of hearing public comments on proposed amendments to the Morrisville/Morristown Zoning and Subdivision Bylaws. These amendments are being adopted in accordance with V.S.A. 24, Chapter 117, §4302, §4410, §4411, §4412, §4413 & 4414.

#### **Morrisville/Morristown Zoning and Subdivision Bylaws Table of Contents (abbreviated):**

General Provisions / Zone Establishment & Regulation / Special Protection Areas / General & Special Regulations / Administration & Enforcement / Subdivision Application & Approval Procedure / Subdivision Requirements & Design Standards / Definitions / Zone Boundaries

**Morrisville/Morristown Zoning and Subdivision Bylaws Statement of Purpose:** To provide for orderly community growth, to provide for public health, safety and welfare, and to achieve the purposes set forth in the Vermont Municipal and Regional Development Act V.S.A. 24, Chapter 117 and the Municipal Development Plan.

#### **The proposed amendments to the zones in the Morrisville/ Morristown Zoning and Subdivision Bylaws are:**

- a. §204 Revise variance language (from §406) and Waiver language, add Waiver criteria
- b. §205 Central Business: Change short term housing uses, change special/additional requirements
- c. §210 Commercial: Change short term housing uses, delete PUD use, make area requirements non-use specific, change additional requirements
- d. §215 Business Enterprise: Change short term housing uses, make area requirements non-use specific
- e. §225 Mixed Office Residential: Delete zone as it is becoming zoned Medium Density Residential
- f. §230 Industrial: Change short term housing uses, reduce minimum lot width, add special requirements
- g. §235 Special Use: Change short term housing uses
- h. §245 High Density Residential: Change short term housing uses, change single-family and shelter uses
- i. §250 Medium Density Res: Change short term housing uses
- j. §255 Low Density Res: Change short term housing uses
- k. §260 Rural Res. Ag: Change short term housing uses, make Class 4 road development conditional
- l. §270 Airport Business: Delete zone as it is becoming zoned Industrial
- m. §323 Flood Zone: regulate the bottom floor of structures within 100 feet of a designated flood zone
- n. §400 Permits: Make minor site plan submittal and time valid changes & remove marijuana prohibition
- o. §405 Lot requirements: Clarify language for adjacent non-conforming lots
- p. §410-415 Home Occupation & Business: Make minor changes to Home Occupation & Business rules
- q. §422 Required frontage & access: make minor changes including 20 wide ROW allowed for a house
- r. §425 Fences: Allow a fence in a front yard to have a height of up to 4 feet instead of up to 2 feet
- s. §453 Parking: Make corresponding parking minimum changes for short term housing use changes
- t. §470 Signs: Housekeeping changes, emphasis of temporary sign ban
- u. §500 Site Plan: Delete local stormwater requirements and make minor landscaping changes
- v. §510 PUD: Make minor resource changes to conservation subdivisions, and add a density carrot
- w. §640 Appeals: Delete appeal, variance, and interested party language being duplicated from statute
- x. §700 Subdivisions: Housekeeping changes, and making minor subdivisions 2 new lots instead of 1
- y. §900 Definitions: Housekeeping & for sharing economy changes: Delete Transient Lodging Facility use and create new Hotel, Inn or Motel, Lodging or Room Houses, and Owner Occupied uses
- z. §1000-§1120 Zoning District Boundaries: make various district boundary changes, including housekeeping changes in the CB, SSMA, and COM Zones, folding the MOR Zone into the MDR Zone and folding the Airport Zone into the IND Zone, adding the LDR Zone to the Sunset & Langdell areas and adding the HDR Zone to the portion of the MDR Zone north of Union Street.

**Location where full text may be examined:** For copies of the full text, please contact Todd Thomas at 888-6373 ([tthomas@morristownvt.org](mailto:tthomas@morristownvt.org)) or the Town Clerk's Office on Portland Street

## ARTICLE I. GENERAL PROVISIONS

### Section 100. Authority

101. **Establishment.** In accordance with the Vermont Municipal and Regional Development Act (referred to hereafter as the "Act"), Chapter 117 of Title 24, VT Statutes Annotated, there are hereby established Zoning Bylaws for the Village of Morrisville and the Town of Morristown.
102. **Intent.** It is the intent of these Bylaws to provide for orderly community growth, to provide for public health, safety and welfare, to achieve the purposes set forth in the Act, and to further the principles of the Municipal Development Plan.
103. **Effective Date.** This Bylaw shall take effect per §4442 of the Act. Any zoning bylaws previously adopted and in effect are hereby repealed and declared null and void.
104. **Amendments.** The Bylaws may be amended in accordance with §4441 & 4442 of the Act.

### Section 110. Interpretation

111. **Conflicting Regulations.** If a provision of the Bylaws is stricter than required by the Act, the Bylaws shall govern. If a provision of the Act is stricter than the Bylaws, the state law shall rule.

### Section 120. Severability

121. **Invalid Sections.** If any section or provision of these Bylaws is adjudged to be unconstitutional or otherwise invalid, such decision shall not affect the validity of these regulations as a whole, or any part thereof other than the part so adjudicated.

## ARTICLE II. DISTRICT ESTABLISHMENT AND REGULATIONS

### Section 200. Zoning Districts and Areas Created and Zoning Map

- 201.1 **Zones Created.** For the purposes of these Bylaws, Morristown is divided into the following districts, to be designated by the abbreviations below:

a. Central Business Zone	CB	
b. Commercial Zone	COM	
c. Business Enterprise Zone	BE	
d. <del>Mixed Office Residential Zone</del>	MOR	<i>deleted zone</i>
e. Industrial Zone	IND	
f. Special Use / Medical Zone	SU	
g. Rural Residential Agricultural & Special Industry	SI	
h. High Density Residential Zone	HDR	
i. Medium Density Residential Zone	MDR	
j. Low Density Residential Zone	LDR	
k. Rural Residential Agricultural Zone	RRA	
<del>Airport Business Zone</del>	AB	<i>deleted zone</i>

- 201.2 **Special Protection Areas.** For the purposes of these Bylaws, Morristown is divided into the following overlay Special Protection Areas that shall be ~~constructed to overlay and be~~ part of any of the districts established in §201. Development within these Special Protection Areas is subject to the additional special requirements described in §300 through 348 of these Bylaws: Ground Water Source Protection Areas (SPA), Flood Hazard Areas (FHA), & Environmental Protection Areas (EPA). The official maps for the Special Protection Areas established in §201 and described in §300 through 348 shall be kept on file at the office of the Zoning Administrator, and



are hereby adopted as part of these Bylaws. Unofficial reproductions of these maps are included at the end of these Bylaws for reference purposes only.

202. **Zoning Maps.** The official zoning maps entitled "Morrisville Zoning Map and Morristown Zoning Map," located in the office of the Zoning Administrator, are hereby adopted as part of these Bylaws. Unofficial reproductions of these maps are included at the end of these Bylaws (Appendix 4) for reference purposes only.

**Section 203. Boundary Interpretation.**

- 203.1 **Boundaries Following Features.** Zone boundaries shown approximately within the lines of any road, waterway or transportation or utility right-of-way shall be deemed to follow the centerline.
- 203.2 **Boundaries Following Lot Lines.** Where district boundaries approximately follow lot lines, such lot lines shall be construed to be the said boundaries.
- 203.3 **Boundaries Dividing Lots.** Where a district boundary line divides a lot in single ownership on or before November 15, 1993, the Development Review Board may permit as a Conditional Use, the extension of the regulations for either portion of the lot.
- 203.4 **Town Line Dividing Lots.** Where the town-line divides a lot, the Bylaws shall apply to the portion of the lot in Morristown just as if the lot was located entirely within the town.
- 203.5 **Unusual Situations.** Where circumstances regarding zone boundary line interpretation are not covered in §203.1–§203.3, the Development Review Board shall interpret the zone boundaries.
- 203.6 **Rounding.** All dimensional requirements shall be rounded to the nearest whole number for any zoning calculation, including the number of units for a Dwelling Unit Multi-Family use.

**Section 204. Permitted Uses, and Conditional Uses, Variances, and Waivers.**

- 204.1 **Permitted uses.** Uses that the Zoning Administrator may issue zoning permits for without requiring a hearing provided the specific requirements are met.
- 204.2 **Conditional uses.** Uses for which the Development Review Board must conduct a warned public hearing and may approve the application with conditions as appropriate.
- 204.3 **Variances.** Variances for frontage, setbacks, and other miscellaneous requirements of these Bylaws and of §4469 of the Act may be granted by the Development Review Board after submittal of a §500 Site Plan and a public hearing per §4465 through §4469 of the Act.
- 204.4 **Waiver.** Via §630 Conditional Use, the Development Review Board may reduce up to 15% of the minimum requirements for setbacks, lot width, lot size, and lot area per unit, provided the proposal can be seen as benefitting the public good by furthering any of the following goals:
- a. Maintaining compact development patterns in the village and rural countryside in the Town;
  - b. Harmonizing development with its natural soundings;
  - c. Protecting the natural environment;
  - d. Improving the property value of nearby properties, thereby enhancing the Town's Grand List
  - e. Protecting or enhancing historic resources; and
  - f. Installing a permanent public art installation. Eligible public art installations include, but are not limited to, murals, place-making architecture, and sculptures. The Board shall be in receipt of a supporting letter from a community group such as River Arts or MACC stating that the proposed art installation is durable, desirable, and makes Morrisville a more interesting place to work and live. A maximum waiver amount of two additional dwelling units is available through this public art waiver.

↑  
new one-stop  
shopping for waiver  
and variance language

**Section 205. Central Business (CB).**

206. **Objective.** To allow for high density commercial, business and residential uses which serve the region and the community.

207. **Permitted Uses:**

- a. Accessory Apartment
- b. Accessory Retail and Food Uses
- c. Accessory Use or Structure
- d. Business / Professional Office
- e. Business Services
- f. Brewery
- g. Clubs, Private
- h. Community Facility
- i. Day Care Facility
- j. Direct Sale of Goods Produced On-Site
- k. Dwelling Unit, Multi-Family
- l. Educational Facility
- m. Family Child Care Facility (see §424.2)
- n. Health Care Facility
- o. Home Occupation (see §410)
- p. Light Industry
- q. Lodging or Rooming House
- r. Manufacturing
- s. ~~Mixed Use Residential/Commercial/Retail~~ *not a defined use*
- t. Public Offices and Facilities
- u. Recreation Facility/Indoor
- v. Restaurant
- w. Retail Delivery of Goods & Services
- x. Residential Care or Group Home (see §423.1)
- y. ~~Transient Lodging Facility~~
- z. Wholesale Distribution

208. **Conditional Uses:**

- a. Bar
- b. Commercial Use
- c. Drive-Through
- d. Dwelling Unit, Single-Family
- e. Dwelling Unit, Two-Family
- f. Fences (see §425.2)
- g. Hotel, Inn or Motel
- h. Parking Facilities
- i. Residential Care or Group Home serving nine or more persons (see §423.1)
- j. Shelter
- k. Structures exceeding 50 feet in Building Height



209. **Area, Dimensions and Setbacks.** The following requirements shall apply in this zone.

CENTRAL BUSINESS ZONE							
Development Class	Minimum Lot Area Per Each Residential Unit	Minimum Lot Size	Minimum Lot Width	Maximum Front Setback	Minimum Rear Setback	Minimum Side Setback	Minimum Shoreline Setback
1	870 sq. ft.	1,400 ft. <sup>2</sup>	20 ft.	5ft	0 ft.	0 ft.	50 ft.

~~209.1 **Waivers.** The Development Review Board may reduce or waive the minimum setback requirements, lot size, and square footage requirement, up to 15%, provided there are minimal adverse environmental or aesthetic impacts.~~

209.21 **Special Requirements.** The following special requirements and regulations shall be effective if applicable:

- a. Site Plan Approval & Landscaping requirements as established in §500;
- b. Off-Street Parking Regulations as established in §450;
- c. Special Protection Areas established in §202 and §300 – §348;
- d. All "General Regulations" established in §400 - §499 of these bylaws.
- e. ~~Sidewalks shall be mandatory along the parcel frontage on the following Streets: Bridge, Hutchins, Lower Main, Pleasant and Portland.~~

209.32 **Additional Form Requirements.** Building form requirements shall be mandatory for frontage on the following Streets: Bridge, Hutchins, Lower Main, Pleasant and Portland. The Zoning Administrator shall not issue any permits for Development within this district unless the following form requirements on said Streets are provided for:

- a. Front Setback. Mandatory build-to sidewalk / property line along said Streets (no more than a five foot front setback allowed) *clarification*
- b. Parking Location. No Parking Space, Off-Street shall be created between the Building and any said Street.
- c. Building Height. Minimum Building Height along said Street frontage is 25 feet.
- d. Sidewalks: Sidewalks are required along the full frontage of the Streets.
- e. Rooflines. Development of all rooflines fronting said Streets shall incorporate extended parapets or projecting cornices on the corresponding frontage. Extending parapets shall be required along the frontage of said Streets when a flat roof is proposed.
- f. Conditional Use is required for any Dwelling Unit, Multi-Family use that includes only Residential Use on the ground / first floor along said Streets.
- g. The Development Review Board may grant a Waiver Conditional Use allowance for any Permitted and Conditional Uses that do not meet the form requirements of this section along said Streets if the Board deems doing so is in the best interest of the future of downtown Morrisville. *adds criteria*



**Section 210. Commercial (COM)**

211. **Objective.** To provide for mixed uses and space for businesses serving the community and the region. Good highway access and close proximity to the village characterize the area.

212. **Permitted Uses.**

- a. Accessory Apartment (see §424.4)
- b. Accessory Retail & Food Uses
- c. Accessory Use or Structures ~~less than 500 square feet~~
- d. Brewery\*
- e. Business/Professional Office\*
- f. Business Services\*
- g. Home Occupation
- h. Recreation Facility Indoor & Outdoor\*
- i. Residential Care or Group Home (see §423.1)
- j. Restaurant\*
- k. Retail & Wholesale Delivery of Goods and Services\*
- l. ~~Transient Lodging Facility\*~~ Lodging or Rooming House
- m. Wholesale Distribution\*

213. **Conditional Uses.**

- a. Bar
- b. Commercial Use
- c. Community Facility
- d. Day Care Facility
- e. Drive-In Restaurant or Refreshment Stand
- f. Drive-Through
- g. Dwelling Unit, Two Family
- h. Dwelling Unit, Multi-Family
- i. Family Child Care Facility
- j. Fences (see §425.2)
- k. Motor Vehicle Sales & Repair Facility
- l. ~~Planned Unit Development (see §510)~~
- m. Parking Facility
- n. Residential Care or Group Home serving nine or more persons (see §423.1)
- o. Shelter
- p. Structures exceeding 35 feet in Building Height\*\*
- q. Hotel, Inn or Motel

\* Uses with asterisk and Building footprints larger than 20,000 ft<sup>2</sup> require §630 Conditional Use

\*\*Structures in this zone may have a Permitted Building Height of 50 feet, provided that the footprint of the portion of the building that exceeds 35 feet in Building Height is not greater than 10% of the total building footprint

214. **Area, Dimensions and Setbacks.** The following requirements shall apply in this zone.

COMMERCIAL ZONE							
Development Class and Type	Minimum Lot Size	Minimum Area Per Each Residential Unit	Minimum Lot Width	Minimum Front Setback from centerline of road	Minimum Rear Setback	Minimum Side Setback	Minimum Shoreline Setback
Class 1 & 2 or 3 Residential Uses	1 acre	1 acre	75 ft.	45 ft.	25 ft.	25 ft.	50 ft.
Class 1, 2 or 3 Commercial Uses	20,000 ft. <sup>2</sup>	10,000	50 ft.	30 ft.	5 ft.	5 ft.	50 ft.

\* The Front Setback for all Commercial Development with access to Frazier Road shall be at least 100 feet.

\*\*All business uses require Class 1 Development

~~214.1 **Waivers.** The Development Review Board may reduce or waive the minimum setback requirements, lot size, and square footage requirement, up to 15%, provided there are minimal adverse environmental or aesthetic impacts.~~

214.21 **Special Requirements.** The following special requirements and regulations shall be effective:

- a. Site Plan Approval & Landscaping requirements as established in §500;
- b. Off-Street Parking Regulations as established in §450;
- c. Special Protection Areas Regulations as established in §300-348;
- d. All "General Regulations" established in §400 - 499 of these Bylaws.

214.2 **Additional Requirements.** The following "Additional Requirements" shall be mandatory for frontage on the following Streets: Brooklyn, LaPorte, Munson, Stafford, VT Route 15, VT Route 100 & VT Route 100 Alt Truck Route.

*Clarifies - exempt areas from existing bylaw*

- a. **Parking:** Parking, other than handicapped parking, shall be located to the sides or rear of buildings and not be located between the building and its frontage.
- b. **Blank walls:** Blank walls shall not face any Street on which the property has frontage. A blank wall is a building wall that has an expanse of 30 feet in length or greater without fenestration, building articulation or doorways.
- c. **Public entrance:** Structures shall include at least one active public entrance along the parcel's Street frontage.
- d. **Loading docks & garbage storage:** All loading docks and garbage storage and pick-up areas shall be located on sides or rear of Buildings and away from public right-of-way, and then residential uses. When not possible, screening shall be used to obscure these areas from view of the public right-of-way.
- e. **Pedestrian and bicycle infrastructure:** Development shall include sidewalks along the parcel's Street frontage to ensure pedestrian connectivity to adjacent parcels. A sidewalk shall be provided connecting the Building's main entrance to the Street from which it derives its frontage. One or more bike racks shall also be provided for parcels with ten or more parking spaces.
- f. ~~Landscaping: Landscaping shall be added along all Streets per 639.3d.~~
- g. **Roof top mechanicals:** Rooftop mounted mechanicals shall be screened or located so they are not visible from any Street.
- h. **Utilities:** Utilities shall be underground

**Section 215. Business Enterprise (BE).**

215. **Objective.** The purpose of the Business Enterprise Zone is to accommodate walkable Development that is high quality in nature, serving largely Business/Professional Office uses, Light Industry & Manufacturing uses.

216. **Permitted Uses.**

- a. Accessory Apartment
- b. Accessory Retail & Food Uses
- c. Accessory Use or Structures
- d. Brewery\*
- e. Business/Professional Office\*
- f. Direct Sale of Goods Produced On-Site\*
- g. Dwelling Unit, Multi-Family#
- h. Home Occupation
- i. Light Industry\*
- j. Lodging or Rooming House
- k. Manufacturing\*
- l. Recreation Facility/Outdoor
- m. Residential Care or Group Home
- n. Wholesale Distribution\*

217. **Conditional Uses.**

- a. Auction Facility
- o. Dwelling Unit, Single-Family#
- p. Dwelling Unit, Two-Family#
- b. Fences (see §425.2)
- c. Recreation Facility/Indoor
- d. Shelter
- e. Structures exceeding 35 feet in Building Height\*\*

\* Business/Professional Office, Direct Sale of Goods Produced On-Site, Light Industry, Manufacturing & Wholesale Distribution uses with Building footprints larger than 20,000 ft<sup>2</sup> require Conditional Use review.

\*\*Structures in this zone may have a Permitted Building Height of 50 feet, provided that the footprint of the portion of the building that exceeds 35 feet in Building Height is not greater than 10% of the total building footprint.

#Residential uses in this zone are not allowed on the ground level / first floor of any structure



218. **Area, Dimensions and Setbacks.** The following requirements apply in this zone.

BUSINESS ENTERPRISE ZONE							
Development Class	Minimum Lot Area Per Each Residential Unit	Minimum lot size	Minimum lot width	Minimum front setback from centerline of road	Minimum rear setback	Minimum side setback	Minimum shore setback
1, 2* & 3* for Business Uses	—	1 acre	50 ft.	45 ft.	15 ft.	10 ft.	50 ft. / 100 ft. for Lake Lamoille
1, 2* & 3* for Residential Uses**	10,000 sf	20,000 sf	50 ft.	45 ft.	15 ft.	10 ft.	50 ft. / 100 ft. for Lake Lamoille

*no split lot sizes based on use*

\*Class 2 & 3 Development is only allowed in the BE Zone south of Morristown Corners Road.

\*\*Residential uses are only allowed south of Morristown Corners Road and above the 1<sup>st</sup> floor / ground floor in all Structures.

~~219.1 **Waivers.** The Development Review Board may reduce or waive any dimensional requirement in this zone, except for Lot Coverage, by as much as 15%, provided there are minimal adverse environmental or aesthetic impacts.~~

219.21 **Special Requirements.** The following special requirements and regulations shall be effective for all listed Permitted and Conditional Uses other than Accessory Retail and Food Uses, Accessory Use or Structure and Essential Services:

- Site Plan Approval & Landscaping requirements as established in §500.
- Off-Street Parking Regulations as established in §450.
- Special Protection Areas Regulations as established in §300-348.
- All “General Regulations” established in §400-499.
- Lot Coverage: Maximum permissible Lot Coverage is 60% of the parcel. A 15% Lot Coverage bonus may be given upon DRB determination that the proposed building materials comply with §219.3B for all sides of the Building, bringing maximum permissible lot coverage per parcel to 75%;
- Building Materials: The following specific building material requirements are intended to encourage architectural richness as Development occurs in this zone. Preferred exterior building materials are brick, stone, fiber cement board, stucco, wood, pre-cast artificial stone or precast painted or exposed aggregate concrete. All Buildings shall incorporate at least one of such preferred building materials on the exterior of any building façade with Street frontage. Metal siding may also be utilized on a building façade with Street frontage, but only in conjunction with the use of at least two of the aforementioned preferred building materials. Metal siding shall be limited to a maximum of 50% of said façade with Street frontage. Nothing in this section of the bylaw shall prohibit the use of materials not listed as preferred,

provided the Zoning Administrator or Development Review Board finds the proposed materials to meet the stated objective of this zone.

- g. Parking: Parking, other than handicapped parking, shall be located to the sides or rear of buildings and not be located between the building and its frontage.
- h. Blank walls: Blank walls shall not face any Street on which the property has frontage. A blank wall is a building wall that has an expanse of 30 feet in length or greater without fenestration, building articulation or doorways.
- i. Public entrance: Structures shall include at least one active public entrance along the parcel's Street frontage.
- j. Loading docks & garbage storage: All loading docks and garbage storage and pick-up areas shall be located on sides or rear of Buildings and away from public right-of-way, and then residential uses. When not possible, screening shall be used to obscure these areas from view of the public right-of-way.
- k. Pedestrian and bicycle infrastructure: Development shall include sidewalks along the parcel's Street frontage to ensure pedestrian connectivity to adjacent parcels. A sidewalk shall be provided connecting the Building's main entrance to the Street from which it derives its frontage. One or more bike racks shall also be provided for parcels with ten or more parking spaces.
- l. Landscaping: Landscaping shall be added along all Streets per §639.3d.
- 1. Rooftop mechanicals: Rooftop mounted mechanicals shall be screened or located so they are not visible from any Street.
- m. Utilities: Utilities shall be underground
- n. Exterior displays and storage: All exterior storage, exterior displays and exterior Auction Facility use, other than permitted signage per §470 of the Bylaws, shall be located in the rear and side yards of the property and shall remain behind the front façade line of the building (with the exception of the pre-existing arena building located north of Bridge Street).

old  
reference

219.4 **Existing Residential Use in the BE District.** Residential uses existing in the BE Zone as of November 16, 2009 may continue and may be expanded, provided that any expansion does not include expansion of the lot, and that the expansion meets all dimensional requirements of the district.



**Section 225. ~~Mixed Office Residential (MOR).~~**

~~226. **Objective.** To provide an area for small offices and limited commercial uses in close proximity to the Central Business District, while concurrently allowing for continued residential and public uses.~~

~~227. **Permitted Uses.**~~

- ~~Accessory Apartment (see §424.4)~~
- ~~a. Accessory Retail and Food Uses~~
- ~~b. Accessory Use or Structure~~
- ~~c. Business/Professional Office~~
- ~~d. Family Child Care Facility (see §424.2)~~
- ~~e. Home Occupations (see §410)~~
- ~~f. Residential Care or Group Home (see §423.1)~~
- ~~g. Dwelling Unit, Single Family~~
- ~~h. Dwelling Unit, Two-Family~~
- ~~i.a. Shelter~~

~~228. **Conditional Uses.**~~

~~Clubs, Private~~

- ~~a. Day Care Facility~~
- ~~b. Fences (see §425.2)~~
- ~~c. Home Business (see §415)~~
- ~~d. Dwelling Unit, Multi-Family~~
- ~~e. Planned Unit Development/Conservation Subdivision~~
- ~~f. Public Offices and Facilities~~
- ~~g. Recreation Facilities~~
- ~~h.a. Structures exceeding 35 feet in Height~~
- ~~i.b. Transient Lodging Facility with 8 or fewer guest room Lodging or Rooming House~~

delete zone  
becoming M.O.R.

~~229. Area, Dimensions and Setbacks. The following requirements shall apply in this zone.~~

<b>MIXED OFFICE RESIDENTIAL ZONE</b>							
Devel. Class	Minimum Area Per Additional Residential Unit	Minimum Lot Size	Minimum Lot Width	Minimum Front Setback from centerline of road	Minimum Rear Setback	Minimum Side Setback	Minimum Shoreline Setback
1 Com.	N/A	4,000 sq. ft.	50 ft.	35 ft.	10 ft.	5 ft.	50 ft.
1 Res.	6,000 sq. ft.	4,000 sq. ft.	50 ft.	within 1 foot of the existing facade line of dwellings on the street, for streets developed prior to 1970 and 35' from the centerline of the road on streets developed after 1970	10 ft.	5 ft.	50 ft.

~~229.1 Waivers. The Development Review Board may reduce or waive the minimum setback requirements, lot size, and square footage requirement, up to 15%, provided there are minimal adverse environmental or aesthetic impacts.~~

~~229.2 Special Requirements. The following special requirements and regulations shall be effective if applicable:~~

~~Site Plan Approval & Landscaping requirements as established in §500~~

~~a. Off Street Parking Regulations as established in §450;~~

~~b. Special Protection Areas established in §202 and §300-348;~~

~~All "General Regulations" established in §400-499 of these Bylaws.~~

**Section 230. Industrial Zone (IND).**

231. **Objective.** To provide locations for manufacturing and industrial operations in order to encourage the production of goods & services, enhance local employment opportunities and broaden the local tax base. This zone is characterized by good highway access.

232. **Permitted Uses.**

- a. Accessory Retail & Food Uses
- b. Accessory Use or Structure
- c. Brewery\*
- d. Business/Professional Office\*
- e. Business Services\*
- f. Day Care Facility\*
- g. Direct Sale of Goods Produced On-Site\*
- h. Family Child Care Facility
- i. Light Industry\*
- j. Lodging or Rooming House
- k. Manufacturing\*
- l. Public Offices and Facilities
- m. Warehouse and Storage Facility\*
- n. Wholesale Distribution\*

233. **Conditional Uses.** For the following uses, and for Permitted Uses when Class 1 Development is not proposed or for proposed building footprints larger than 20,000 ft<sup>2</sup>:

- a. Bulk Storage of Fuels
- b. Fences (see §425.2)
- c. Hotel, Inn, or Motel
- d. Salvage Depot\*\*\*\*
- e. Sexually Oriented Businesses\*\*\*
- f. Storage Yard\*\*\*\*
- g. Structures Exceeding 35 feet in Building Height \*\*

\* Uses with asterisk and Building footprints larger than 20,000 ft<sup>2</sup> require §630 Conditional Use

\*\* Structures in this zone may have a Permitted Building Height of 50 feet, provided that the footprint of the portion of the building that exceeds 35 feet in Building Height is not greater than 10% of the total building footprint

\*\*\* Sexually Oriented Businesses are only available in Zone IND #4 (Trombley Hill)

\*\*\*\* The Salvage Depot and Storage Yard uses are not allowed in IND #6 (airport)

↑ for airport zone fold into Industrial



234. **Area, Dimensions and Setbacks.** The following requirements shall apply in this zone.

INDUSTRIAL ZONE						
Devel. Class	Minimum Lot Size	Minimum Lot Width	Minimum Front Setback from centerline of road	Minimum Rear Setback	Minimum Side Setback	Minimum Shoreline Setback
1 & 2* & 3*	1 acre	7550 ft.	50 ft.	10 ft.	10 ft.	50 ft.

\*Class 2 & 3 Development is only allowed in IND #4, IND #5 (west of Ryder Brook only), & IND #6

~~234.1 Waivers. The Development Review Board may reduce or waive the minimum setback requirements, lot size up to 25%, provided there are minimal adverse environmental or aesthetic impacts.~~

234.21 **Special Requirements.** The following special requirements and regulations shall be effective if applicable.

*add form requirements for first time*  
↓

- a. Site Plan Approval & Landscaping requirements as established in §500;
- b. Off-Street Parking Regulations as established in §450;
- c. Special Protection Areas Regulations as established in §300-348;
- d. All "General Regulations" established in §400 - §499 of these Bylaws.
- e. Parking: Parking, other than handicapped parking, shall be located to the sides or rear of buildings and not be located between the building and its frontage.
- f. Blank walls: Blank walls shall not face any Street on which the property has frontage. A blank wall is a building wall that has an expanse of 30 feet in length or greater without fenestration, building articulation or doorways.
- g. Public entrance: Structures shall include at least one active public entrance along the parcel's Street frontage.
- h. Loading docks & garbage storage: All loading docks and garbage storage and pick-up areas shall be located on sides or rear of Buildings and away from public right-of-way, and then residential uses. When not possible, screening shall be used to obscure these areas from view of the public right-of-way.
- i. Pedestrian and bicycle infrastructure: Development shall include sidewalks along the parcel's Street frontage to ensure pedestrian connectivity to adjacent parcels. A sidewalk shall be provided connecting the Building's main entrance to the Street from which it derives its frontage. One or more bike racks shall also be provided for parcels with ten or more parking spaces.
- j. Landscaping: Landscaping shall be added along all Streets per 639.3d.
- k. Rooftop mechanicals: Rooftop mounted mechanicals shall be screened or located so they are not visible from any Street.
- l. Utilities: Utilities shall be underground

234.32 **Existing Residential Use in the Industrial District.** Residential uses existing in the IND district as of ~~November 15, 1993~~, 31 December 2018 may continue and may be expanded, provided that any expansion does not include expansion of the lot, and that the expansion meets all dimensional requirements of the district.



*resets period for better record-keeping*



**Section 235. Special Use / Hospital (SU).**

236. **Objective.** Copley Hospital, as the region's major health care facility, along with other organizations serves Lamoille County and some areas beyond. With a growing population and growing health care related needs, this district will provide an adequate area suitable and desirable for existing and future health care needs. Residential uses shall continue to be allowed since they are compatible with the special health care uses.
237. **Permitted Uses.**
- a. Accessory Apartment (see §424.4)
  - b. Accessory Retail & Food Uses
  - c. Accessory Use or Structure
  - d. Family Child Care Facility (see §424.2)
  - e. Home Occupation (see §410)
  - f. Residential Care or Group Home (see §423.1)
238. **Conditional Uses.**
- a. Day Care Facility
  - b. Dwelling Unit, Single-Family
  - c. Dwelling Unit, Two-Family
  - d. Dwelling Unit, Multi-Family
  - e. Fences (see §425.2)
  - f. Health Care Facility
  - g. Home Business (see §415)
  - h. Planned Unit Development/Conservation Subdivision
  - i. Recreation Facility/Outdoor
  - j. Residential Care or Group Home serving nine or more persons (see §423.1)
  - k. Shelter
  - l. Structures exceeding 35 feet in Height
  - m. ~~Transient Lodging Facility with 8 or fewer guest rooms~~ Lodging or Rooming House

239. **Area, Dimensions and Setbacks.** The following requirements shall apply in this zone.

SPECIAL USE / HOSPITAL ZONE							
Devel. Class	Minimum Area per Residential Unit	Minimum Lot Size	Minimum Lot Width	Minimum Front Setback from centerline of road	Minimum Rear Setback	Minimum Side Setback	Minimum Shoreline Setback
1	8,000 sq. ft.	8,000 sq. ft.	75 ft.	35 ft.	15 ft.	10 ft.	50 ft.

~~239.1 **Waivers.** The Development Review Board may reduce or waive the minimum setback requirements, lot size, and square footage requirement, up to 15%, provided there are minimal adverse environmental or aesthetic impacts.~~

239.2.1 **Special Requirements.** The following special requirements and regulations shall be effective if applicable:

- a. Site Plan Approval & Landscaping requirements as established in §500;
- b. Off-Street Parking Regulations as established in §450;
- c. Special Protection Areas established in §202 and §300 - 348;
- d. All "General Regulations" established in §400 - 499 of these Bylaws.

244. **Area, Dimensions and Setbacks.** The following requirements shall apply in this zone.

<b>RURAL RESIDENTIAL WITH AGRICULTURE &amp; SPECIAL INDUSTRIAL DISTRICT</b>						
Development Class	Minimum Lot Size	Minimum Lot Width	Minimum Front Setback from centerline of road	Minimum Rear Setback	Minimum Side Setback	Minimum Shoreline Setback
3 – Industrial	5 acres	100 ft.	65 ft.	25 ft.	25 ft.	50 ft.
3 – Dwelling Unit, Single-Family	2 acres	50 ft.	45 ft.	15 ft.	15 ft.	50 ft.
3 – Dwelling Unit, Two-Family	3 acres for 2 units (maximum of two Dwelling Units allowed per parcel)	50 ft.	45 ft.	15 ft.	15 ft.	50 ft.

~~244.1 **Waivers.** The Development Review Board may reduce or waive the minimum setback requirements, lot size, and square footage requirement, up to 15%, provided there are minimal adverse environmental or aesthetic impacts.~~

**244.21 Special Requirements.** The following special requirements and regulations shall be effective.

- a. Site Plan Approval & Landscaping requirements as established in §500;
- b. Off-Street Parking Regulations as established in §450;
- c. Special Protection Areas Regulations as established in §300-348;
- d. For Special Industry - All buildings and materials must be screened by suitable plantings from public highways and adjacent residential properties;
- e. All “General Regulations” established in Article IV.

**Section 245. High Density Residential (HDR).**

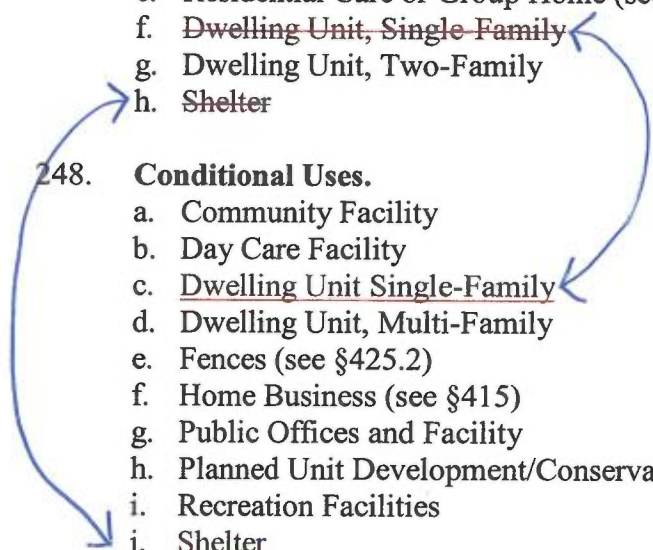
246. **Objective.** To promote affordable housing through multi-family units and/or single dwelling unit on small lots. This district shall be in close proximity to the commercial areas for walking or short distance vehicle transportation. It is also serviced by public utilities and services that allow for the high-density development.

247. **Permitted Uses.**

- a. Accessory Apartment (see §424.4)
- b. Accessory Use or Structure
- c. Family Child Care Facility (see §424.2)
- d. Home Occupations (see §410)
- e. Residential Care or Group Home (see §423.1)
- f. ~~Dwelling Unit, Single Family~~
- g. Dwelling Unit, Two-Family
- h. Shelter

248. **Conditional Uses.**

- a. Community Facility
- b. Day Care Facility
- c. Dwelling Unit Single-Family
- d. Dwelling Unit, Multi-Family
- e. Fences (see §425.2)
- f. Home Business (see §415)
- g. Public Offices and Facility
- h. Planned Unit Development/Conservation Subdivision
- i. Recreation Facilities
- j. Shelter
- k. Structures exceeding 35 feet in Height
- l. ~~Transient Lodging Facility with 8 or fewer guest rooms~~ Lodging or Rooming House



249. **Area, Dimensions and Setbacks.** The following requirements shall apply in this zone.

HIGH DENSITY RESIDENTIAL ZONE							
Develop. Class	Minimum Lot Area Per Each Residential Unit	Minimum Lot Size	Minimum Lot Width	Minimum Front Setback from centerline of road	Minimum Rear Setback	Minimum Side Setback	Minimum Shoreline Setback
1	4,000 sq. ft.	4,000 sq. ft.	40 ft.	Within 1 foot of the existing facade line of dwellings on the street, for streets developed prior to 1970 and 35' from the centerline of the road on streets developed after 1970	10 ft.	5 ft.	50 ft.

~~249.1 **Waivers.** The Development Review Board may reduce or waive the minimum setback requirements, lot size, and square footage requirement, up to 15%, provided there are minimal adverse environmental or aesthetic impacts.~~

249.2.1 **Special Requirements.** The following special requirements and regulations shall be effective if applicable:

- a. Site Plan Approval & Landscaping requirements as established in §500;
- b. Off-Street Parking Regulations as established in §450;
- c. Special Protection Areas established in §202 and §300 - 348;
- d. All "General Regulations" established in §400 - 499 of these Bylaws.



**Section 250. Medium Density Residential (MDR).**

251. **Objective.** To promote housing in areas relatively close to commercial areas and within walking distance to schools and shops. Public utilities are available or shall be available in the future.
252. **Permitted Uses.**
- a. Accessory Apartment (see §424.4)
  - b. Accessory Use or Structure
  - c. Family Child Care Facility (see §424.2)
  - d. Home Occupations (see §410)
  - e. Residential Care or Group Home (see §423.1)
  - f. Dwelling Unit, Single-Family
253. **Conditional Uses.**
- a. Clubs, Private
  - b. Day Care Facility
  - c. Fences (see §425.2)
  - d. Home Business (see §415)
  - e. Dwelling Unit, Two Family
  - f. Planned Unit Development (see §510)
  - g. Public Offices and Facilities
  - h. Planned Unit Development/Conservation Subdivision
  - i. Recreation Facilities
  - j. ~~Transient Lodging Facility with 8 or fewer guest rooms~~ Lodging or Rooming House
  - k. Shelter
  - l. Structures exceeding 35 feet in Height

254 **Area, Dimensions and Setbacks.** The following requirements shall apply in this zone.

<b>MEDIUM DENSITY RESIDENTIAL ZONE</b>							
Devel. Class	Minimum Area per Dwelling-Unit Two Family use	Minimum Lot Size	Minimum Lot Width	Minimum Front Setback from centerline of road	Minimum Rear Setback	Minimum Side Setback	Minimum Shoreline Setback
1	10,000 sq. ft.	4,000 sq. ft.	50 ft.	Within 1 foot of the existing facade line of dwellings on the street, for streets developed prior to 1970 and 35' from the centerline of the road on streets developed after 1970	15 ft.	5 ft.	50 ft.

~~254.1 **Waivers.** The Development Review Board may reduce or waive the minimum setback requirements, lot size, and square footage requirement, up to 15%, provided there are minimal adverse environmental or aesthetic impacts.~~

254.2.1 **Special Requirements.** The following special requirements and regulations shall be effective if applicable:

- a. Site Plan Approval & Landscaping requirements as established in §500;
- b. Off-Street Parking Regulations as established in §450;
- c. Special Protection Areas established in §202 and §300 - 348;
- d. All "General Regulations" established in §400 - 499 of these Bylaws.

**Section 255. Low Density Residential (LDR).**

256. **Objective.** To promote housing in areas suitable and desirable for the placement of Single-Family or Two-Family Dwelling Units on smaller lots than in rural areas. Public utilities are available or shall be available in the future.
257. **Permitted Uses.**
- a. Accessory Apartment (see §424.4)
  - b. Accessory Use or Structure
  - c. Dwelling Unit, Single Family
  - d. Family Child Care Facility (see §424.2)
  - e. Home Occupations (see §410)
  - f. Residential Care or Group Home (see §423.1)
258. **Conditional Uses.**
- a. Clubs, Private
  - b. Day Care Facility
  - c. Fences (see §425.2)
  - d. Home Business (see §415)
  - e. Dwelling Unit, Two-Family
  - f. Planned Unit Development/Conservation Subdivision
  - g. Recreation Facilities
  - h. Structures exceeding 35 feet in Height
  - i. ~~Transient Lodging Facility with 8 or fewer guest rooms~~ Lodging or Rooming House

259. **Area, Dimensions and Setbacks.** The following requirements shall apply in this zone.

LOW DENSITY RESIDENTIAL ZONE							
Develop. Class	Minimum Area Per Each Residential Unit	Minimum Lot Size	Minimum Lot Width	Minimum Front Setback from centerline of road	Minimum Rear Setback	Minimum Side Setback	Minimum Shoreline Setback
1	10,000 sf	10,000 sf	50 ft.	Within 1 foot of the existing facade line of dwellings on the street, for streets developed prior to 1970 and 35' from the centerline of the road on streets developed after 1970	15 ft.	5 ft.	50 ft.
2	15,000 sf	15,000 sf	50 ft.		15 ft.	5 ft.	50 ft.
3	20,000 sf	20,000 sf	50 ft.		15 ft.	5 ft.	50 ft.

~~259.1~~ **Waivers.** The Development Review Board may reduce or waive the minimum setback requirements, lot size, and square footage requirement, up to 15%, provided there are minimal adverse environmental or aesthetic impacts.

259.21 **Special Requirements.** The following special requirements and regulations shall be effective if applicable:

- a. Site Plan Approval & Landscaping requirements as established in §500;
- b. Off-Street Parking Regulations as established in §450;
- c. Special Protection Areas established in §202 and §300 - 348;
- d. All "General Regulations" established in Sects. 400 - 499 of these Bylaws.



**Section 260. Rural Residential with Agricultural Use Zone (RRA).**

261. **Objective.** Agricultural and Rural Residential lands are an area of mixed forestry, agriculture, and homes.

262. **Permitted Uses.**

- a. Accessory Apartment (see §424.4)
- b. Accessory Use or Structure
- c. Dwelling Unit, Single-Family
- d. Family Child Care Facility (see §424.2)
- e. Home Occupations (see §410)
- f. Residential Care or Group Home (see §423.1)

263. **Conditional Uses.** The following uses may be allowed after review by the Development Review Board according to criteria set forth in §630 of this bylaw:



- a. Development on Class 4 Roads
- b. Extraction of Earth Resources (See §485)
- c. Fences (see §425.2)
- d. Home Business (See §415)
- e. Lodging or Rooming House
- f. Personal Use Airstrips (see §495)
- g. Planned Unit Development/Conservation Subdivision
- h. Public Offices and Facilities
- i. Recreation Facility/Indoor
- j. Recreation Facility/Outdoor
- k. Seasonal Storage in Existing Barns
- l. Structures exceeding 35 feet in Height

264. **Area, Dimensions and Setbacks.** The following requirements shall apply in this zone.

<b>RURAL RESIDENTIAL WITH AGRICULTURE</b>						
<b>Development 3</b>	<b>Minimum Lot Size</b>	<b>Minimum Lot Width</b>	<b>Minimum Front Setback from centerline of road</b>	<b>Minimum Rear Setback</b>	<b>Minimum Side Setback</b>	<b>Minimum Shoreline Setback</b>
Dwelling Unit, Single- Family	2 acres	50 ft.	45 ft.	15 ft.	15 ft.	50 ft.

~~264.1 Waivers. The Development Review Board may reduce or waive the minimum setback requirements, lot size, and square footage requirement, up to 15%, provided there are minimal adverse environmental or aesthetic impacts.~~

264.21 **Special Requirements.** The following special requirements and regulations shall be effective:

- a. Site Plan Approval & Landscaping requirements, as established in §500 are required on all Development other than Dwelling Unit, Single-Family or Dwelling Unit, Two-Family, agricultural and forestry uses;
- b. Off-Street Parking Regulations as established in §450;
- c. Special Protection Areas Regulations as established in §300-348;
- d. All "General Regulations" established in Article IV.

**Section 270. Airport Business (AB)**

~~271. Objective. To provide for light industrial and business activities that are compatible and complimentary to the airport and that do not compete or conflict with the Central Business District; while clustering and buffering these activities as much as possible in order to protect the district's primary agricultural soils and the corridor's scenic quality.~~

~~272. Permitted Uses:~~

- ~~a. Accessory Retail and Food Uses~~
- ~~b. Accessory Use or Structure less than 500 square feet in size~~
- ~~c. Family Child Care Facility~~

~~273. Conditional Uses:~~

- ~~a. Brewery~~
- ~~b. Business Services~~
- ~~c. Business/Professional Office~~
- ~~d. Day Care Facility~~
- ~~e. Direct Sale of Goods Produced On Site~~
- ~~f. Fences (see §425.2)~~
- ~~g. Light Industry~~
- ~~h. Manufacturing~~
- ~~i. Planned Unit Development (see §510) (NOTE, PUDs in this district are for nonresidential uses only)~~
- ~~j. Structures exceeding 35 feet in Building Height~~
- ~~k. Warehouse and Storage Facility~~
- ~~l. Wholesale Distribution~~

*folded into Industrial Zone*

~~274. Area, Dimensions and Setbacks. The following requirements shall apply in this zone.~~

<b>AIRPORT BUSINESS ZONE</b>						
<b>Devel. Class</b>	<b>Minimum Lot Size</b>	<b>Minimum Lot Width</b>	<b>Minimum Front Setback from centerline of road</b>	<b>Minimum Rear Setback</b>	<b>Minimum Side Setback</b>	<b>Minimum Shoreline Setback</b>
3	2 acres	50 ft.	45 ft.	25 ft.	25 ft.	50 ft.

~~274.1 Waivers. The Development Review Board may reduce or waive the minimum setback requirements, lot size, up to 15%, provided there are minimal adverse environmental or aesthetic impacts.~~

~~274. Special Requirements;~~

~~Special Protection Areas Regulations established in §300-348~~

- ~~a. All "General Regulations" established in §400-499;~~
- ~~b. Off Street Parking Regulations as established in §450;~~
- ~~c. Site Plan Approval & Landscaping requirements as established in §500.~~
- ~~d. Parking: Parking, other than handicapped parking, shall be located to the sides or rear of buildings and not be located between the building and its frontage.~~
- ~~e. Blank walls: Blank walls shall not face any Street on which the property has frontage. A blank wall is a building wall that has an expanse of 30 feet in length or greater without fenestration, building articulation or doorways.~~
- ~~f. Public entrance: Structures shall include at least one active public entrance along the parcel's Street frontage.~~
- ~~g. Loading docks & garbage storage: All loading docks and garbage storage and pick-up areas shall be located on sides or rear of Buildings and away from public right-of-way, and then residential uses. When not possible, screening shall be used to obscure these areas from view of the public right of way.~~
- ~~h. Pedestrian and bicycle infrastructure: Development shall include sidewalks along the parcel's Street frontage to ensure pedestrian connectivity to adjacent parcels. A sidewalk shall be provided connecting the Building's main entrance to the Street from which it derives its frontage. One or more bike racks shall also be provided for parcels with ten or more parking spaces.~~
- ~~i. Landscaping: Landscaping shall be added along all Streets per 639.3d.~~
- ~~j. Rooftop mechanicals: Rooftop mounted mechanicals shall be screened or located so they are not visible from any Street.~~
- ~~k. Utilities: Utilities shall be underground~~
- ~~l.~~

~~274.3 Existing Residential Use in the AB District. Residential uses existing in the AB district as of November 29, 2010 may continue and may be expanded, provided that any expansion does not include expansion of the lot, and that the expansion meets all dimensional requirements of the district.~~



- e. In unnumbered "A" Zones, if base flood elevation data is available from alternative sources, such as historical high water marks, the Zoning Administrator shall obtain, review and reasonably utilize this data to obtain a base flood elevation. Contour Interpolation, when feasible, shall be the preferred method of obtaining a base flood elevation in unstudied A Zones. Development, including basements, and Substantial Improvements in unnumbered A Zones shall, per 323.c, be elevated two feet above the determined base flood elevation. If no base flood elevation can be reasonably determined in an unnumbered A Zone, all Development shall be elevated five feet above the highest adjacent grade of the build site.
- f. 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 criteria: a minimum of two openings having a total net area of not less than one square inch for every square foot of enclosed area subject to flooding shall be provided. The bottom of all openings shall be no higher than one foot above grade. Openings may be equipped with screens, louvers, valves, or other coverings or devices provided that they permit the automatic entry and exit of floodwaters.
- g. Proposed house sites that are located within 100 linear feet or less from the flood fringe boundary shall provide proof that the bottom floor of the Structure will be above the base flood elevation.
- h. New and replacement manufactured homes, in addition to the two feet of freeboard elevation required in paragraph 323.c, shall be placed on a permanent foundation and be anchored to resist flotation, collapse, or lateral movement during the occurrence of the base flood.
- i. All subdivision proposals shall be consistent with the need to minimize flood damage by having public utilities and facilities such as sewer, gas, electrical and water systems located and constructed to minimize flood damage. All subdivision proposals shall also have adequate drainage provided to reduce exposure to flood hazards. Base flood elevation data shall be provided by the applicant for subdivision proposals that contain development lots located in or partially located in unnumbered A Zones when either five lots or five acres is proposed.
- j. Recreational vehicles placed on sites within Zones A1-A-30, AH and AE shall either (i) be on site for fewer than 180 consecutive days, (ii) be fully licensed and ready for highway use, or (iii) meet all standards of §60.3(b)(1) of the National Flood Insurance Program Regulations and the elevation and anchoring requirements for 'manufactured homes' of §60.3(c)(6)

close  
basement  
loop hole

324. **Watercourse Alterations.** The applicant shall give notice to adjacent, up-and down-stream communities and the Vermont Department of Environmental Conservation and to

## ARTICLE IV. GENERAL REGULATIONS

### Section 400. Permits

401. **Permit Requirement.** No Building may be erected, enlarged, relocated, or changed in use, nor shall any land development commence, unless the Zoning Administrator in accordance with §4449 of the Act and with these Bylaws has issued a zoning permit. Upon request, the Zoning Administrator shall furnish any person who expresses an intent to apply for a permit a copy of §4449 of the Act. No certificate of occupancy is required.

#### 401.1 **Permit Exemption.**

- a. Accessory Structures less than 150 square feet in total area do not require a zoning permit if they do not encroach on applicable setbacks
- b. Additions to residential structures less than 150 square feet in total area that are not used for living purposes (i.e., porches, decks, mudrooms, etc.), do not require plumbing of any kind and do not encroach on applicable setbacks do not require a zoning permit.
- c. Structural changes made as Reasonable Modifications to Residential Uses occupied or to be occupied by a person with a disability, under The Fair Housing Act do not require a zoning permit.

401.2 **Permit Fee.** The legislative body may prescribe reasonable fees to be charged with respect to the administration of this bylaw, after receiving the recommendation of the municipal planning commission.

401.3 **Permit Posting.** Upon receipt of an approved permit, the permit applicant shall post the permit within view of the public right of way closest to the subject property for fifteen (15) days following the issuance of the permit.

401.4 **Permit Compliance.** Acceptance of zoning permit grants ZA access to the property covered by the permit, at reasonable times with owner's consent, for the purpose of ascertaining permit compliance.

401.5 **Initiation of Construction.** Construction of any structure authorized by an approved zoning permit under this section which requires a state Water Supply and Wastewater Disposal System (WW) permit is prohibited unless and until the WW permit is issued.

*new state law makes this prohibition pointless*

~~401.6 **Permit Prohibited.** No permit shall be issued by the Zoning Administrator or the Development Review Board for any marijuana dispensary.~~

402. **Permit Application.** ~~The Zoning Administrator may not issue a p~~ Permits shall not be issued unless a site plan n application, accompanied by a drawing showing all dimensions necessary to assure compliance with these Bylaws has been submitted to the Office of the



~~Town/Village Clerk~~ or to the Zoning Administrator. Said Officer shall, within 30 days of receipt of all necessary information, either issue or deny the permit or refer it to the DRB.

402.1 **Approved Permits.** If a zoning permit is approved, either by the Zoning Administrator or the DRB, all activities authorized by its issuance shall be completed within ~~one year~~ eighteen months of its date of issue, or the zoning permit shall become null and void and reapplication to complete any activities shall be required.

402.2 **Denial of Permit.** If the permit is denied, the Zoning Administrator shall so notify the applicant in writing, stating the reasons for denial and informing the applicant of his/her rights of appeal (See Sect. 640).

402.3 **Time Limitation.** In conformance with §4448(d) of the Act, if the Zoning Administrator fails to act with regard to an application for a permit, within thirty (30) days, a permit shall be deemed issued on the thirty-first (31st) day.

~~402.4 **An Approved written decision by the Development Review Board** shall be valid for a period of 180 days. If the Applicant has not completed the requirements of the application, including the purchase of the permit, the approval shall become null and void on day 181. All work must be started within the first year of approval and completed within the second year.~~

403. **Issuance of Permits.** The Zoning Administrator, upon receipt of all necessary information, will issue a permit for a development listed as a Permitted Use upon assurance that the proposed development will conform to the dimensions and specifications listed in the District Regulations. Said Officer will issue a permit for a development listed as a Conditional Use upon being instructed to do so by the Development Review Board following a public hearing by that body. In determining whether to allow such a proposed development, and what conditions to place upon its design, the Development Review Board shall follow the procedures established in §630 of these Bylaws, and §4414(3) of the Act.

403.1 **Effective Date of Permit.** In conformance with §4449(a)(3) of the Act, no zoning permit issued pursuant to these Bylaws shall take effect until the time for appeal in §4465 of the Act [fifteen (15) days] has passed, or in the event that a notice of appeal is properly filed, such permit shall not take effect until final adjudication of said appeal.

403.2 **Each zoning permit issued under these Bylaws** shall contain a statement of the period of time within which an appeal may be taken.

403.3 **The Zoning Administrator** shall complete the zoning permit process by conforming to his/her responsibilities stated in §4449(c) of the Act.

404. **Other Permits and Regulations.** The Zoning Administrator shall not issue a zoning permit until the applicant shows proof that all other applicable local permits have been issued which may include but are not limited to: 404.1 and 404.2.

It shall be the **Applicant's responsibility** to supply the Zoning Administrator a copy of all State and Federal permits and/or approvals, which may include but are not limited to: 404.3 and 404.4.

- 404.1 Morrisville/Morristown Subdivision Regulations if applicable and in force (relating to the requirements of constructing subdivisions);
- 404.2 Access Permits (relating to driveways/private roads connecting to town highways);
- 404.3 Vermont Master Land Use Permit (Act 250 Permit); and
- 404.4 Vermont Water Supply and Waste water Disposal System Permit.

**Section 405. General Lot Requirements.**

- 405.1 **Lots on Multiple Streets.** Lots that abut on more than one street shall provide the required frontage along every street.
- 405.2 **Lot Line Setbacks.** All structures, whether attached to the principal structure or not, and whether open or enclosed, (i.e. porches, carports, balconies, platforms, etc.) shall not project into any minimum setback area established for the front, side, or rear yards.
- 405.3 ~~Infectious Invalidity~~**Adjacent, Non-conforming and Affiliated Lots.** ~~If 2 or more adjacent lots are in single or affiliated ownership at the time of passage of the Bylaws, and if all or part of the lots do not meet the requirements for either lot width or area, as established by the Bylaws, then the lands involved shall be considered to be an individual parcel for the purpose of the Bylaws. No portion of such parcel(s) shall be used or sold which does not meet lot width and area requirements established by these Bylaws, nor shall any division of the a parcel(s) shall be made which leaves remaining any lot width or area below the requirements stated by the Bylaws. Any such division shall make the parent and child parcel both non-conforming with zoning requirements.~~
- 405.4 **Lot Line Setbacks.** Driveways shall not project into any minimum setback area for side or rear yards in zoning districts located in the Town, but may be located in such setback areas in zoning districts located in the Village. Parking areas shall not project into any minimum setback area side, front or rear yards. The Development Review Board may reduce or waive this requirement after reviewing the site plan, parking plan and snow removal plan.



406. ~~Variances for frontage, setbacks, and other miscellaneous requirements of these Bylaws and of §4469 of the Act may be granted by the Development Review Board after public hearing per §4465 through §4469 of the Act.~~

**Section 410. Home Occupations**

*Makes Home Occupations allowed by-right*

411. ~~Home Occupations (24 VSA §4412.4). No bylaw may infringe upon the right of any resident to use a minor portion of a dwelling unit for an occupation that is customary in residential areas and that does not have an undue adverse effect upon the character of the residential area in which the dwelling is located. Home Occupations shall be allowed by-right, provided that they meet the following criteria that ensures no undue adverse impact to the host residential area: No bylaw may infringe upon the right of any resident to use a minor portion of his or her dwelling unit for a commercial use when the proposed occupation is conducted completely inside said dwelling unit. To ensure that a Home Occupation will not change the character of the residential area, the business owner must demonstrate to the Zoning Administrator that his or her business will comply with all of the following standards:~~

- a. The Home Occupation shall be carried on by the business owner who rents or owns the dwelling unit;
- b. All business activities associated with the Home Occupation shall be conducted entirely within the dwelling unit and no outside storage or exterior indication of the Home Occupation (other than a sign permitted per §470 of the Bylaws) shall be permitted;
- c. Equipment used for Home Occupations, including but not limited to backhoes, business trucks, and trailers ~~etors are allowed to be stored outside, provided that the equipment is parked in the home's driveway, stored in a location behind the front line of the principal building on the site, or screened from roadside view shall not be parked in front of the primary dwelling unit, nor in applicable setbacks;~~
- d. Traffic shall not be generated in volumes greater than normal in the neighborhood as Home Occupations do not allow customers visits to the subject property. An occupation that requires customer visits to the property shall be permitted as a §415 Home Business;
- e. No objectionable noise, vibration, odor, smoke, dust, electrical disturbance, heat, or glare shall be produced by the Home Occupation; and
- f. Off-site businesses, such as landscaping, building, and painting contractors ~~shall not be regulated via §410 Home Occupation unless off-site employees are traveling to the business owner's residence in violation of §411d. will be treated as Home Occupations provided they meet the requirements of this section. Said businesses shall have no on-site employees and also not allow off-site employees to frequent the Home Occupation to pick up materials or equipment.~~

**Section 415. Home Businesses**

416. ~~Home Business use is a larger and more intense version of Home Occupation use. The Home Business use is only allowed on Owner Occupied propertieses are conducted~~

exclusively by the landowner residing at the property. Home Businesses typically have a retail or business services component. It is expected that a Home Businesses will create customer and delivery traffic in its host residential neighborhood. All Home Business shall fully comply with the aforementioned §410 standards for Home Occupations and be subject to §500 Site Plan Approval ~~630 Conditional Use approval~~ based on the following additional standards:

- a. Home Businesses shall not have more than three employees on-site at any time.
- b. In addition to inside the landowner's primary residence, Home Businesses may take place in accessory buildings or on the grounds of said primary residence.
- c. The total building square footage and yard area used by a Home Business shall be 25% or less than the size of the combined area of all structures on the lot.
- d. Employee and customer parking for a Home Business shall be located off-street and shall not be located in front yards whenever practical.
- e. ~~Home Business applications shall be submitted with a to-scale landscape plan that screens the business from the view of neighboring homes.~~ *switch for better plan and landscaping*  
*-duplicative with Section 500 move above*

**Section 420. Required Provisions and Prohibited Effects of the Act (24 VSA, §4412).**

421. **No Merger of Existing Small Lots (4412.2).** Any lot in existence on the effective date of any zoning regulations, including interim zoning regulations, may be conveyed or developed for the purposes permitted in the district which it is located, even though not conforming to the minimum lot size requirements if such lot is not less than one-tenth of an acre in area with a minimum width or depth dimension of 40 feet.

422. **Required Frontage/Access (4412.3).** No land development may be permitted by the Zoning Administrator on lots which do not have either the road frontage required in the underlying zone. The Development Review Board shall review and may permit on a public road or development via Site Plan Review in the following circumstances when the minimum road frontage is not provided.

- a. Development with frontage on public waters; or with the approval of the Development Review Board,
- b. Development serving three or more homes access to such a road or waters by a permanent easement, or right-of-way or private Street that is at least 50 feet in width;
- a.c. Development serving two or less homes by a private driveway that is provided for via permanent easement or right-of-way having at least 20 feet in width.

**Section 423. Limitations Established in the Act (24 VSA §4412).**

All limitations imposed upon this municipality by §4412 of the Act shall be adhered to; these may include but are not limited to the following:

423.1 **Residential Care or Group Home (4412.1G).** A residential care home or group home operating under state licensing or registration, serving not more than 8 persons who have a handicap or disability as defined in 9 VSA §4501, shall be considered by right to constitute a permitted single-family residential use of property. A residential care home or group home operating under state licensing



or registration serving more than 8 persons who have a handicap or disability as defined in 9 VSA §4501 may be allowed as a Conditional Use as limited by the underlying zoning district.

423.2 **Family Child Care Facility (4412.5).** A “family child care home or facility”, as used in this section, means a home or facility where the owner or operator is licensed or registered by the state for child care. A family child care home serving six (6) or fewer children shall be considered to constitute a permitted single-family residential use of property. A family child care home serving no more than six full-time children and four part-time children, as defined in 33 VSA §4902(3)(A), shall be considered to constitute a permitted use of property but shall require site plan approval by the Development Review Board. A family child care facility serving more than six full-time and four part-time children shall be considered a Day Care Facility, a conditional use requiring review and approval by the Development Review Board.

423.3 **Height Regulation Limitations (4412.6).** The height of antenna structures, wind turbine blades less than 20 feet in diameter, ~~or rooftop solar collectors less than 10 feet high~~, any of which are mounted on complying structures, shall not be regulated unless the bylaws provide specific standards for regulation.

not legal

423.4 **Accessory Apartment (4412.1).** One accessory apartment (see definitions) located within an owner-occupied single-family dwelling, or within an accessory building of an owner-occupied single-family dwelling, shall be a permitted use on lots that do not otherwise meet the minimum dimensional requirements for a two-family unit, provided that the property has:

- Sufficient wastewater capacity (requires new state wastewater permit);
- The accessory apartment is not greater than 30% of the inhabitable floor space of the primary dwelling;
- Meets applicable setbacks.

424. **Density Bonus for Detached Tiny Dwelling Units.** Detached tiny dwelling units (aka tiny homes) with a footprint less than 300 ft<sup>2</sup> in size, such as a tiny home or Mobile Home, shall be permitted as an Accessory Apartment use and comply with §424.4a (State WW Permit) and §424.4c (setbacks). Any parcel, regardless of size, may have as many as two additional detached tiny dwelling units allowed thereon via the Accessory Apartment use. Neither the tiny dwelling unit permitted as the Accessory Apartment nor the bonus Tiny Dwelling Unit Accessory Apartment shall count towards the parcel’s Minimum Area Per Residential Unit dimensional requirement, provided said parcel is owner occupied. Structures that contain or were designed to have a propulsion motor shall not qualify for this density bonus. Mobile Dwelling Units such as a mobile home, a detached tiny house and manufactured home shall have their wheels disengaged via storage on blocks or anchoring to a permanent foundation or pad. All such Mobile Dwelling Units

shall also have a durable skirt installed around the home to ensure viability of utility connections in the winter months.

**Section 425. Fences**

- 425.2 **Fence, Conditional Use.** Fences that cannot be found to be “exempt” under §425.3 Fences, Exempt.
- 425.3 **Fences, Exempt.** Fences associated with a working farm are exempt from the need for a zoning permit. All other exempt Fences shall ~~not be permitted within a public Street right-of-way and~~ shall not be higher than six feet when placed on side and rear property lines, and not higher than ~~two~~four feet when placed in front yards and along any Streets. ~~Fences that are more than 50% open, such as a picket, wire or split rail fence, along a Street or front yard shall be allowed a maximum height of four feet.~~

**Section 426. Ponds.**

Ponds with a surface area greater than 5,000 square feet (approximately one-eighth of an acre) are an accessory use requiring a zoning permit.

- 426.1 Applications for pond permits will include the following:
- a. Sketch of the pond location on a survey of the property (if available) or other reasonable representation of the property showing:
    1. setbacks from property lines, leach field, structures, and water supply
    2. existing slope of the pond site
    3. water source and method of discharge
    4. location and size of emergency spillway
    5. route of flow of outlet and/or spillway
  - b. Cross section depiction of the pond, to include dam or other form of retention
  - c. Approximate volume of water to be contained
  - d. Description of vegetative cover planned to prevent erosion
- 426.2 Ponds and supporting structures (dams, etc.) must meet the following setbacks:  
Property line: 25 feet, leachfield: 100’, drilled well: 25’, & shallow well: 100’

Additionally, ponds and their supporting structures may not fall within any right-of-way or easement. No pond or dam that is upgradient to and within 1,000 feet of a town road shall have its overflow discharge draining towards or into the Town’s right-of-way. Said situation is only allowable upon receipt of a stamped engineering letter that any potential overflow or failure of the pond poses no threat to the Town right to way due to topography or other natural features. All ponds applications must receive the approval of the Village/Town Road Foreman prior to the release of the zoning permit. Ponds which fall within the setbacks above may be approved as a conditional use upon review by the Development Review Board.



distance between the proposed use and a municipal parking lot when determining the applicability of this provision. However, The Zoning Administrator may require an applicant to seek Development Review Board approval to use off-street parking to fulfill parking requirements for the proposed use if the accessibility or availability of parking in the municipal lot is in question.

452. **General Requirements.** For the purpose of this Bylaw, a Parking Space, Off-Street shall be 9 feet wide by 18 feet long and have access to a public street or alley and maneuvering room. Required off-street parking areas for three or more automobiles shall have individual spaces marked and shall be so designed, maintained and regulated that no parking or maneuvering incidental to parking shall be on any public street, or sidewalk,, and so that any automobile may be parked and unparked without moving another. Required parking areas for three or more automobiles within the Village limits shall be paved. Parking areas for three or more automobiles outside the Village limits do not require pavement and said parking may take places on gravel, dirt or lawn areas.

453. **Parking Spaces Required for Various Uses.**

<b>Minimum Parking Ratio Requirements</b>	
<b>Use</b>	<b>Parking Spaces Required</b>
Business, Services, Business/Professional Office, Direct Sale of Goods Produced On-Site, and Health Care Facility	1.5 per employee per largest shift
Community Facility, Day Care Facility, Family Child Care Facility, and Public Offices & Facilities	1.5 per employee per largest shift
Dwelling Unit, Single-Family	2
Dwelling Unit, Two-Family	3
Dwelling Unit, Multi-Family	2 per unit
Dwelling Unit, Multi-Family in Central Business Zone or for Senior Housing	0.75 per unit
Group Home & Shelter	0.5 per bed
Home Business	4
Light Industry, Manufacturing, Special Industry, Salvage Depot, Storage Yard, Wholesale Distribution, and Warehouse & Storage Facility	1 per employee per largest shift
Motor Vehicle Service Station, and Sales & Repair Facility	5 spots per each repair bay door
Recreation Facility/Indoor	1 per 4 seats
Recreation Facility/Outdoor	15 per playing field
Retail Delivery of Goods & Services, Auction Facility, Sexually Oriented Business, and Commercial Use	3 per 1,000 ft. <sup>2</sup> of gross floor area
Restaurant, Drive-In Restaurant, Bars, Refreshment Stand, and Private Clubs	1 per 4 seats
Transient Lodging Facility <u>Lodging or Rooming House, and Hotel, Inn or Motel</u>	1 per rented bedroom

- d. Sign Area. The area measurement for signs that use more than lettering shall include the total area within the extreme limits of the Sign surface.
472. **Sign size in Residential Zones (~~MOR~~, HDR, MDR, LDR & RRA).**
- a. Sign Size. In any residential zone a maximum of one permanent sign not exceeding six square feet is allowed.
  - b. Sign Height. No freestanding sign in a residential zone shall be higher than 10 feet from the average grade of the surrounding ground to the highest point of the Sign.
473. **Sign size in Business Zones (CB, COM, BE, IND, SI, & ~~SU & AB~~).** No business shall have a sign or combination of signs in business zones that exceed 150 square feet in total area, except as follows:
1. ~~AB & CB~~ – no sign or combination of signs shall exceed 75 square feet in total area
  2. SU & SI – no sign or combination of signs shall exceed 25 square feet in total area.
474. **Other Signs and Sign Bonuses.**
- a. Corner Lot Sign Bonus. When a business fronts on more than one Street, an additional free-standing sign, façade sign and directory-board sign shall be allowed facing each Street. This corner lot provision in effect doubles the otherwise sign size allowance for the business in question, provided that all signage installed on the secondary street is identical (or smaller) in size and aspect ratio to the signage existing or proposed on the primary street.
  - b. Directory Board Signs. A directory-board Sign shall be allowed for any business location for which a sign thereon would not be clearly legible from the Street. The existence of parking, driveway or other similar area between the Street and the business location provides the right to a directory-board sign. A directory-board sign shall comply with the following requirements.
    1. Sign Size. A directory-board sign on a directory-board sign shall not exceed ten square feet in total area.
    2. Sign Count. A maximum of one directory-board Sign shall be permitted per parcel, except when a business is on a corner lot (see §473d) and each business shall be allowed one directory sign on the directory-board sign.
    3. Collocation Required. Directory-board signs for multi-tenant buildings and shopping centers shall be required to collocate with existing signage on the premises.
    4. Aspect Ratio. Directory-board signs for multi-tenant buildings and shopping centers shall appear harmonious and have the same aspect ratio as other collocated Directory Board Signs.
    5. Size Exemption. Directory-board signs shall not count towards the sign size maximum per business.



- c. Awning Sign. Additional on-premise business signs above and beyond the zone's area maximum per business are allowed on awnings, provided that the sign area on each awning is not greater than twenty-five percent of that total awning area.

476. **Prohibited Signs.**

- a. Omission. All Signs not specifically permitted by these regulations are prohibited.
- b. Internally illuminated Signs. Internally illuminated signs are prohibited in all zones.
- c. Animated and/or Flashing Signs. Signs which are animated, flashing, moving or with intermittent illumination are prohibited with the exception of barber poles, theatre marquees and signs containing clocks and temperature readings.
- d. Hazard. No sign, in the opinion of the Zoning Administrator, shall be erected or maintained in such a manner that it obstructs free and clear movement, vision or is otherwise a hazard to drivers or pedestrians.
- e. Temporary Signs (see §479). *not a change. Just reinforcing from elsewhere*

477. **Externally Illuminated Signs.** Signs may be illuminated during the hours that the business being advertised is open for business or until 10:00 PM, whichever is later, in all business districts. Externally illuminated signs shall not create glare or throw light onto adjacent property and shall use down lighted, down shaded light fixtures. Lighting fixtures illuminating signs shall be carefully located, aimed and shielded so that the light is directed only onto the sign. Lighting fixtures shall not be aimed towards adjacent street, roads, or properties. Lighting fixtures illuminating signs shall be of a type such that the light source (bulb) is not directly visible from adjacent streets, roads, or properties. Fixtures used to illuminate signs shall be top mounted and directed downward (i.e. below the horizon). Signs shall be illuminated by a steady light, which must be of one color only.

479. **Exemptions.** The following signs shall be exempt from the provisions of these regulations: Signs identifying directions to the location of Memorial, historical and religious locations; traffic signs; signs designating handicapped access and parking, legal notices; "for sale" signs attached to vehicles; one temporary, non-illuminated real estate sign per broker not to exceed nine square feet; signs for trespassing, safety zone, or other legal posting of property not to exceed three square feet in area; one construction site identification sign per site not to exceed nine square feet; one e911 sign per address not to exceed 6 ft<sup>2</sup>; and political lawn signs not to exceed 6 ft<sup>2</sup> for only the month prior to an election, where a maximum of 30 square feet of campaign signage is allowed per property and provided that there is no more than one campaign sign per each candidate on the ballot per property.

- a. Temporary off-premise notices of cultural or special events sponsored by local non-profit organizations may be exempted from these regulations at the discretion of the Zoning Administrator. All such cultural or special events signs shall be in place no more than one week prior to the event that it advertises and be removed within 24 hours of the completion of the event that they advertise. Temporary signs are only

- 487.1 Garage/Lawn/Porch sales shall be temporary, not to exceed 3 consecutive days at a time.
- 487.2 Garage/Lawn/Porch sales shall be held no more than 4 times per year at any residential site.
- ~~487.3 Signs for garage/lawn/porch sales shall be considered temporary signs regulated according to §475 of this ordinance.~~
- 487.34 Any sales from a residence which exceed the standards set in this section shall be considered a Home Occupation or a Home Business, and shall be subject to conditional use review as well as standards governing those specific uses. (See §410, 415, and ~~500630~~ of this ordinance)
488. **Campers.** It shall be unlawful for any person to park a camper except in an approved campground, in an approved camper sales lot, or on the owner's property. If parked on the camper owner's property, the camper:
- shall be parked behind the front line of the principal building on the site;
  - shall not be located within required setbacks for the district in which it is located;
  - shall not be used as living quarters for more than 30 days in a 12 month period; and
  - shall not be permanently hooked up to water or sewer utilities
489. **Storage Trailers.** Storage trailers in residential districts shall be parked behind the front line of the principal building on the site and shall not be located within the applicable setbacks for the district in which the site is located.

**Section 490. Exterior Lighting.**

- 490.1 Exterior Lighting. All exterior lighting for residential or business uses shall be accomplished by using cut-off, down-shielded light fixtures. Light emanating from said fixtures shall not spill onto neighboring properties, Streets or produce a hindrance to traffic movement in the opinion of the Zoning Administrator.
- 490.2 Parking Lot Lighting. Parking lot light structures shall be limited to twenty feet in height and the light emanating there from shall be accomplished by using cut-off, down-shielded light fixtures where the light emanating therefore shall not spill onto neighboring property lines or Streets. Parking lot lights shall only be illuminated when the subject business is open or until 10:00 PM, whichever is later.
- 490.3 Building facades. Building facades may be illuminated provided that the lighting shall be accomplished by using cut-off, down-shielded light fixtures and light shall not spill onto neighboring property lines or Streets.
- 490.4 Externally Illumination for Signs. Sign lighting shall be regulated per §477 of the Bylaw.
- 490.5 Exemptions. Exemptions for §490 shall include lighting for street lights, holiday lights during the months of November, December and January and that municipally operated parking lot lights may remain on overnight.
- 490.6 Proposed lighting installations that do not comply with §490 Exterior Lighting maybe approved by the Development Review Board only when that Board finds that the proposed lighting utilizes LED bulbs, is designed to minimize glare and does not direct



ARTICLE V. SPECIAL REGULATIONS AND PROVISIONS

**Section 500. Site Plan Approval.**

501 **Any Permitted Use within any zoning district** can be approved by the Zoning Administrator without a public hearing if the site plan requirements in §502 and §503 are satisfied by the Applicant. At the discretion of the Zoning Administrator or request of the applicant, any permit application can be referred to the Development Review Board for further permitting. If the application is classified as a Permitted Use, the Development Review Board may approve the application without a warned public hearing.

502. **Site Plan Requirements.** In applying for hearing before the Development Review Board for Site ~~Development~~ Plan Approval, Conditional Use, Variance, Waiver, or Site Plan Approval from the Zoning Administrator, the applicant shall submit two full-size printed copies of the site plan, as well as an electronic copy of said site plan in PDF format. All site plan submittals shall include the following information:

- a. The name, address and daytime telephone number of the person or firm preparing the map and supplying the data and information;
- b. The name and address of the owner of record and of the applicant if different;
- c. the date of map preparation and a bar scale showing miles or feet;
- d. A north arrow with the most recent magnetic declination if available
- e. existing and proposed features including streets, utility easements, rights of ways, structures, water supplies or connections, water and sewer lines or connections, sewage disposal areas and all waterbodies.
- f. A boundary survey shall be required for all conversions to Dwelling Unit Multi-Family use;
- g. Propane tanks, which shall be located underground for all non-residential uses and Dwelling Unit Multi-Family uses (excluding the Bulk Storage of Fuel use).
- h. Dumpster Location. Approximate locations of trash and recycling dumpsters, which shall be screened from views of streets and surrounding properties and maintained in a sanitary manner, where the use of said dumpsters shall not be allowed for single family dwellings located inside the Village with the exception of short-term use for construction activity; and
- i. **Stormwater Treatment.** When Development is not subject to a state stormwater permit, local treatment of stormwater is required during Site Development Plan Approval for all non-residential uses and Dwelling Unit Multi-Family uses with building footprints of 15,000 ft.<sup>2</sup> or larger and when an addition to an existing structures(s) results in a building footprint of 15,000 ft.<sup>2</sup> or larger. Said treatment shall be accomplished by the disconnection and infiltration of the building's roof runoff for the Water Quality Storm(or storage, treatment and release of said stormwater in soils not suitable for infiltration). A letter from an engineer (or from an individual that is determined by the permit granting authority to be qualified to offer such an opinion) affirming said treatment shall accompany all site plans requiring Stormwater Treatment. Non-compliance with this bylaw requirement shall be determined by the

*State  
changed their  
threshold to  
1/2 acre making  
this redundant  
and unnecessary.*

~~Zoning Administrator when the components of the stormwater system permitted under this bylaw are found to be surcharging, malfunctioning, flooding or have standing water 72 hours after a Water Quality storm event.~~

503. **Additional Conditions.** The Development Review Board may impose appropriate conditions and safeguards with respect to the following:
- 503.1 Adequacy of traffic access and circulation
  - 503.2 Provision of parking
  - 503.4 To protect the utilization of renewable energy resources
505. **Landscaping Plan Standards.** Landscaping shall be a requirement of §500 Site Plan Approvals for all non-residential uses and Dwelling Unit Multi-Family uses.
- a. Landscaping proposed on a site plan shall include a combination of shade trees (deciduous and/or coniferous), deciduous and evergreen shrubs and may also include grasses and ground covers.
  - b. Landscaping shall be required to reasonably shield parking areas from roadside view, ~~to provide shade trees in parking lots to minimize any heat island effect~~ and to screen the rear yards of commercial properties from abutting residential properties.
  - c. Landscaping plans shall include shade trees when ten or more parking spaces are proposed. In such areas, no parking space shall be more than 60 linear feet from the trunk of the closest shade tree. When internal parking lot islands are proposed to meet this 60 foot maximum distance requirement, said islands shall not be curbed and shall be designed to receive and attenuate stormwater from the paved parking area.
  - d. Any proposed shade tree shall be no smaller than a 2.5 inch caliper trunk diameter, measured at a height of 18 inches, or, in the case of coniferous trees, a minimum of 5 feet in height. Tree species shall be long-lived (i.e. over 60 years) with a high tolerance for soil compaction.
  - e. Landscaping shall also include the use of shade trees along any road frontage. At least 1 shade tree shall be planted for each 60 linear feet of said frontage.
  - f. Maximum effort shall be made to save existing mature trees. No material or temporary soil deposits shall be placed within the drip line of shrubs or trees designated on the landscape plan to be retained. Protective barriers, such as snow or silt fences, shall be installed during construction around the drip lines of vegetation that is to remain on site that may be damaged by construction activity.
  - g. All plantings shall be installed according to accepted horticultural standards. Plant species should be native (unless ornamental), shall not be listed as invasive and shall be hardy (zone three or hardier as defined in UVM Extension Service's "Landscape Plants for Vermont").
  - h. The owner shall ensure proper watering and weeding to ensure plant viability and shall replace dead landscaping within the same growing season as any die-off.

- i. Adequate planted screening shall be required that is robust enough to shield any adjacent house, including a house across a roadway, from view of a ground mounted solar array that is greater than 15 kilowatts and requires a Certificate of Public Good from the Public Utility Commission Service Board.

**506. Site Protection and Restoration.**

Topsoil shall be preserved and redistributed on all regraded surfaces and disturbed areas and shall be stabilized by plantings, sodding, mulching and/or seeding - with double or triple the flat field seeding rates for slopes with little reclaimable soil in order to successfully regenerate and re-establish a permanent cover growth. Proper soil erosion control measures shall be taken during and after construction. Landscaping plans shall incorporate a 50 foot wide setback from perennial streams and existing natural drainage patterns shall be preserved wherever possible. Seed and mulch shall be applied as soon as possible on all disturbed sites to stabilize soils.



**Section 510. Planned Unit Development/Conservation Subdivision (Major Subdivision required)**

1. **Overarching Purposes.** The overarching purposes for Planned Unit Developments (PUDs) / Conservation Subdivisions are as follows:
  - a. The permanent preservation of public open space with agricultural land, forestry land, flood zones, wildlife habitat and other natural resources including aquifers, water bodies and wetlands included therein;
  - b. To allow for greater flexibility and creativity in the design of subdivisions;
  - c. To encourage a less sprawling and more efficient form of development that consumes less open land and conforms to existing topography and natural features better than a conventional subdivision;
  - d. To minimize the total amount of disturbance on the site and retain natural drainage patterns;
  - e. To further the goals and policies of the Morrisville/Morristown Town Plan;
  - f. To facilitate the construction and maintenance of housing, streets, utilities and public service in a more economic and efficient manner; and
  - g. To facilitate the construction and maintenance of public trails and associated amenities to enhance the pedestrian experience.
  
2. **Site Specific Purposes.** The site specific purposes for Conservation Subdivisions are to permanently protect the following Natural Resources as shown on the Agency of Natural Resources Natural Resource Atlas in dedicated open space via the following list of prioritized priorities:
  - a. To protect the public water supplies (Groundwater SPA);
  - b. ~~To protect all agricultural soils listed as Prime or as Statewide;~~
  - c. To protect Wetlands;
  - d. To protect Rare Threatened Endangered Species;
  - e. To protect Deer Wintering Areas;
  - f. To protect Significant Natural Communities;
  - g. To protect all agricultural soils listed as Prime or as Statewide;
  - h. To protect Habitat Blocks;
  - i. To protect Vernal Pools; and
  - j. To protect steep slopes greater than 25%;
  
3. **Applicability.** Conservation Subdivisions are required for all Major subdivisions in all residential zones.
  
4. **Sketch Plan Review.** Prior to submitting a preliminary plat application, the applicant shall host a Sketch Plan review site walk with the Zoning Administrator on the proposed development site. At the development site, the Zoning Administrator shall familiarize himself with the land and inform the applicant about the Conservation Subdivision design process. The Zoning Administrator shall bring a survey of the property (or a tax map if a survey is not found in the Land Records) and a printout of the Vermont Agency of Natural Resource's Natural Resource Atlas with the following map layers turned on: Contours, Rare Threatened Endangered Species,

\*  
clarification



Significant Natural Community, Deer Wintering Areas, Habitat Blocks, Vernal Pool Confirmed, Wetlands, Soils Prime Agricultural, Groundwater SPA, Parcels, Slope. During the Sketch Plan Review meeting the following shall be determined:

- a. **Natural Resource Identification.** Natural Resource Identification shall be accomplished for the land in question by using the aforementioned layers of the Agency of Natural Resource's Natural Resource Atlas mapping system.
- b. **Lot Calculation.** The maximum allowable number of lots in a Conservation Subdivision shall be determined by using the acreage of the subject land and dividing this resultant number by the Minimum Lot Size in the zone in which the subject land is located. This calculated number of lots shall determine the total number of reduced size house lots possible in a Conservation Subdivision. This lot number may need to be amended when a survey of the subject land is completed during the Preliminary Plat Review process.
- c. **Five-Step Design Process.** The applicant shall work through the following five-step design process when laying out a Conservation Subdivision on the subject land: **Step 1.** Identify the natural resource areas, **Step 2.** Identify the potential development areas outside of the natural resource areas. **Step 3.** Within the potential development areas, identify potential development sites. **Step 4.** Lay out roads, driveways and utility corridors for the proposed lots. **Step 5.** Draw in the Lot Lines.

5. **Dimensional Requirements of Conservation Subdivisions.** The applicant shall submit a formal subdivision plan that will be reviewed by the Zoning Administrator that incorporates the design given genesis by the Sketch Plan Review process, as well as the following requirements:

- a. **Preliminary Plat Information:** The plan detail requirements found in §770 & §780 of the Bylaws regarding Preliminary Plat submittals.
- b. **Reduction of Dimensional Requirements for Conservation Subdivisions.** The following reduced dimensional requirements apply for Conservation Subdivisions when a minimum of 50% on the proposed development area ~~subject property~~ is to be permanently protected as open space:
  1. The total footprint of the development may be reduced by up to 50% (i.e. a ten acres of land ~~lot~~ that would normally yield 5 two-acre lots, can become a conservation subdivision with the same five lots on 5 acres with another 5 acres of open space);
  2. Lot frontage shall not be less than 2025 feet;
  3. Setbacks shall not be less than one-half of the required setbacks specified by the zone in which the subdivision is proposed;
  4. The DRB may waive minimum side setback requirements for multi-unit developments that utilize party-walls to encourage more compact development when doing so furthers the Purposes of this Bylaw; and
  5. The Development Review Board may allow the reduction of the Minimum Lot Size to no less than one-quarter of the required lot size specified by the zone in which the subdivision is proposed if any one of the following criteria can be met: ~~provided that~~
    - a. When 75% of the subject property is to be permanently protected as open space;
    - b. When the subject property is located within the village limits; or
    - c. When the subject property will be accessed from a paved town road.

new  
carrots  
for village or  
close-in sites

## 6. Open Space Requirements.

- a. A minimum of 50% on the proposed development area ~~subject property~~ shall be permanently protected as open space and shown on the Final Plat and said open space shall be placed on a separate parcel from the building lots or within a permanent easement on adjoining land.
- b. ~~All of the soils listed as Prime or of Statewide Importance on the Agency of Natural Resources "Natural Resource Atlas" shall be permanently protected within the open space. The section of the dedicated open space that contains the prime ag spoils shall be clearly depicted on the site plan. The subdivision plan shall be noted that only agriculture and forestry is allowed in the depicted "prime ag area."~~
- c. The open space lot must abut at least half of the proposed lots and the open space shall be contiguous. Open space may still be considered abutting and/or contiguous if a roadway separates it. The Development Review Board may waive this requirement during Final Plat Approval when it is determined that allowing the proposed open space design will better promote the purpose and intent of this Bylaw.
- d. The open space shall include a majority of the Natural Resource Areas identified during Sketch Plan Review ~~and all of the prime ag area.~~
- e. Acceptable uses of the dedicated open space include: agriculture and forestry. Additional uses of the dedicated open space may include recreation fields, walking trails, bike paths, view vistas and parklands, ~~but these additional uses will not be allowed in the portion of the dedicated open spaces shown on the subdivision plan as the depicted "prime ag area."~~ The Board may allow open space uses not specified in this section if it finds the proposal consistent with the purpose and intent of this Bylaw during the §750 Final Plat Approval process ~~provided that doing so will not result in any reduction in the agricultural potential for the designated agricultural soils.~~
- f. Disturbed Areas within Open Space: These aforementioned "acceptable uses of the open space" in §6e shall not disturb more than one-half of dedicated open space from its present condition. At the discretion of the Board, already disturbed areas may be considered as contributing towards this requirement when a reclamation plan is in place – the regrading and replanting of a gravel pit as an example. ~~No disturbance of the ag soils will be allowed under this section except for agricultural or forestry uses.~~
- g. Open space shall not include land set aside for the road's right-of-way.
- h. Dedicated open space may be used for a communal sewerage disposal system serving the subdivision. However, mounded communal wastewater systems and individual septic systems shall not be allowed in the open space. ~~Furthermore, there shall be no wastewater facilities located on ag soils designated as Prime or of Statewide Importance;~~
- i. Engineered drainage systems such as retention, detention and infiltration ponds, shall not be allowed within the open space.
- j. Storage of equipment and placement of structures, except structures built for the residents of the development such as a boat launch or community building, shall not be allowed in the open space. ~~No structures shall be allowed in the section of dedicated open space that is depicted on the subdivision plan as the "prime ag area."~~



- k. The ownership of the Open Space shall be conveyed to the Town, the Town's Conservation Commission, or a nonprofit organization or land trust whose principal mission is the conservation and protection of open space, or to a corporation or trust owned jointly or in common by the owners of lots within the proposed Conservation Subdivision. If conveyed to a trust or the subdivision's homeowners association, maintenance of such open space and facilities shall be permanently legally guaranteed, with said guarantee providing for mandatory assessments for open space maintenance expenses being levied against each lot as part of the homeowner's association. Any proposed open space, unless conveyed to the Town of Morristown or its Conservation Commission, shall be subject to a recorded conservation restriction, providing that such land shall be perpetually maintained as open space and be preserved exclusively for the purposes set forth herein
  - l. A maintenance easement shall be granted to the Town if the open space is to be retained in private ownership or to be owned by the homeowner's association. Said easement over such land shall ensure its perpetual maintenance and provide that in the event the trust or other owner fails to maintain the open space in reasonable condition, the Town may, after notice to the lot owners and public hearing, enter upon such land to provide maintenance. The cost of such maintenance by the Town shall be assessed against the properties within the development and/or to the owner of the open space. The Town may file a lien against the lot or lots to ensure payment of such maintenance.
  - m. The protected open space must be clearly delineated on the ground with permanent markers or monumentation before any zoning permits are issued for construction within the subdivision. The use of boulders unearthed during construction or other reasonable measures shall be used to delineate the open space and ensure it is not encroached upon by construction equipment or later by abutting lot owners.
  - n. Walkways, hiking trails or bicycle paths shall be provided where feasible to link the lots with the dedicated open space. ~~Said trails shall not be located in the "prime ag area" of the dedicated open space.~~ At a minimum, at least half of the proposed house lots shall be connected by said walkways, hiking trails or bicycle paths.



**Section 630. Conditional Uses.**

631. **Procedure.** The Development Review Board may allow uses listed as Conditional Uses in the requested zone at a warned public hearing, as provided for in §4414(3) of the Act.
632. **General Standards.** In order to allow the proposed Conditional Use, the following general standards shall not be adversely affected to the point that the potential impact becomes undue:
- 632.1 The capacity of existing or planned community facilities
  - 632.2 The character of the area affected
  - 632.3 The reduction in the capacity of the land to hold water so as to avoid soil erosion.
  - 632.4 Will not result in undue water, noise, or air pollution
635. **Specific Standards.** In allowing a conditional use, the Development Review Board ~~may~~ shall consider specific standards including:
- 635.1 Increasing the required lot size or yard dimensions in order to protect adjacent properties
  - 635.2 Limiting the coverage or height of buildings because of obstruction to view and reduction of light and air to adjacent property
  - 635.3 Controlling the location and number of vehicular access points to the property
  - 635.4 Increasing the street width
  - 635.5 Increasing or decreasing the number of off-street parking or loading spaces
  - 635.6 Allowing an additional dwelling unit above what the zoning normally yields for an on-site property manager is provided for residential developments of ten or more units. Said bonus dwelling unit shall be deed restricted so the rent there-of is no more than 30% of the salary paid to the property manager who will live on-site to perform his duties.
  - 635.7 Specify or limiting a business' hours of operation.
  - 635.8 Specifying a specific time limit for construction, alteration, or enlargement to begin for a structure to house a conditional use
  - 635.9 Requiring that any future enlargement or alteration of the use be reviewed by the Development Review Board to permit the specifying of new conditions
  - 635.10 The Development Review Board may require one, three and five year reviews of any project before the Board.
636. **Extra Conditions.** The Development Review Board may attach such additional reasonable conditions and safeguards as it may deem necessary to implement the purposes of the Act and these zoning regulations, and to protect the health, safety and welfare of the general public.

**Section 640. Appeals.**

641. **Filing Appeals.** An Interested Person, as defined by 24 V.S.A. § 4465, may appeal any decision or act taken by the Zoning Administrator by filing a notice of appeal with the

Chair of the Development Review Board and a copy of such notice shall be filed with the Zoning Administrator.

641.1 **Notice of Appeal.** The notice of appeal, which must be filed within 15 days of the date of that decision or act, shall be in writing and shall include: the name and address of the appellant(s), a brief description of the property to which the appeal is taken, a reference to the regulatory provisions applicable to that appeal, the relief requested by the appellant(s), the alleged grounds why such requested relief is believed proper under the circumstances, and any other requirements dictated in §4466 of the Act.

641.2 ~~Timing of Appeals.~~ An appeal of any decision of the Zoning Administrator must be filed within fifteen (15) days of the date of such decision or act.

641.3 ~~Interested Person - Defined.~~ An interested person shall include the applicant and

- a. ~~Any person owning title to property or a municipality or solid waste management district affected by the decision 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. ~~A municipality that has a plan or a bylaw at issue in an appeal or which adjoins that municipality;~~
- c. ~~A person owning or occupying property in the immediate neighborhood of a property that is the subject of any act or decision taken by the Zoning Administrator who can demonstrate a physical or environmental impact on that person's interests under the criteria being reviewed and who alleges that the decision or act, if confirmed, will not be in accord with the policies, purposes, or terms of the municipal plan or these bylaws;~~
- d. ~~Any ten (10) persons who may be any combination of voters or real property owners within the municipality who by signed petition to the Development Review Board allege that the relief requested, if granted, will not be in compliance with the municipal plan or these bylaw; such petition shall designate one person to serve as petitioners' representative in all matters related to the appeal;~~
- e. ~~Any department or administrative subdivision of this state owning property or any interest in property within the municipality, and the Vermont Agency of Commerce and Community Development;~~
- f. ~~Any other party declared to be an interested person in §4465(b) of the Act.~~

no  
need to  
restate  
statute  
word for word

641.4 **Appeal Fees.** The fee for an appeal hearing before the Development Review Board shall be set by the legislative body. Fees submitted for appeals of Enforcement Orders issued in accordance with §620 of these Bylaws which are subsequently approved by the Development Review Board shall be refunded to the appellant.



642. **Public Hearing on the Appeal.** The Development Review Board shall set a date and place for a public hearing on an appeal which shall be within 60 days of filing the notice of appeal according to §4466 through 4468 of the Act.

642.1 **Public Notice.** The Development Review Board shall give public notice of the hearing and shall mail to the appellant(s) a copy of such notice at least 15 days prior to the hearing.

~~642.2 **Responsibilities of the Party Appealing a Permit or Decision.** It shall be the responsibility of the party appealing a permit or decision to notify all interested parties of the appeal.~~

~~642.3 **Hearing Procedures.** The public hearing shall be open to the public. The Development Review Board from time to time may adjourn any hearing held under this section, provided, however, that the date and place of the adjourned hearing shall be announced at the hearing. All procedures of the public hearing shall follow those established in §4468 of the Act.~~

- 642.4 **Decisions on the Appeal.** The Development Review Board shall render its decision, which shall include findings of fact, within 45 days after completing the hearing.
- a. The Development Review Board shall within that same period send to the appellant(s), by certified mail, a copy of the decision.
  - b. Copies of the decision shall also be mailed to every person or body appearing and having been heard at the hearing and a copy thereof shall be filed with the Zoning Administrator and the Town/Village Clerk as part of the public records of this municipality.
  - c. Time Limitation. If the Development Review Board does not render a decision in 45 days, the Board shall be deemed to have rendered a decision in favor of the appellant(s) and granted the relief requested by the appellant(s) on the last day of such period.
  - d. Rejection of Appeal. The Development Review Board, (under the criteria and procedures stated in §4470(a) of the Act), may reject an appeal without hearing and render a decision, which shall include findings of fact, within ten (10) days of the date of filing of the notice of appeal.
  - e. Enforcement of Decision. All decisions of the Development Review Board shall be enforced according to §4470(b) of the Act ~~and any other pertinent Vermont Statute.~~

643. **Appeals of Development Review Board Decisions.** Any interested person who participated a Development Review Board proceeding by offering oral or written testimony, evidence or statement of concern related to the subject proceeding may appeal a decision of the Development Review Board to the Environmental Court. The manner and procedures of an appeal of this type shall be in accordance with §4471 and 4472 of the Act and any other pertinent Vermont Statute.

~~**Section 650. Variances.**~~

~~651. All site plans submitted for a variance request shall comply with §502 of these bylaws.~~



~~652. Variance Criteria. In accordance with §4469 of the Act, the Development Review Board may grant a variance from the provisions of these Bylaws for a structure that is not primarily a renewable energy resource structure, if all of the following facts are found and the finding is specified in its decision:~~

~~652.1 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 unnecessary hardship is due to such conditions, and not the circumstances or conditions generally created by the provisions of the zoning regulation in the neighborhood or district in which the property is located;~~

~~652.2 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 the zoning regulation and that the authorization of a variance is therefore necessary to enable the reasonable use of the property;~~

~~652.3 That the unnecessary hardship has not been created by the appellant(s);~~

~~652.4 That the variance, if authorized, will not alter the essential character of the district in which the property is located, substantially or permanently impair the appropriate use or development of adjacent property, reduce access to renewable energy resources, nor be detrimental to the public welfare;~~

~~652.5 That the variance, if authorized, will represent the minimum variance that will afford relief and will represent the least possible deviation from the zoning regulation and from the municipal development plan; and~~

~~652.6 That the variance meets all other criteria established in §4469 of the Act.~~

~~653. Variance Procedure. An appeal for a variance shall follow the procedures described in §641 through 643 of these bylaws and/or established in §4469 of the Act.~~

~~654. Extra Conditions. The Development Review Board in granting a variance may attach such conditions as it may consider necessary and appropriate under the circumstances to implement the purposes of these bylaws, the municipal development plan, and the Act.~~

~~655. Unusual Variances. When a variance is requested for a structure that is primarily a renewable energy resource structure, the granting or denial of such a variance shall be governed by §4468(b) of the Act.~~

#### **Section 660. Local Act 250 Review of Municipal Impacts.**

661. In accordance with Title 24 V.S.A. 4420, the Development Review Board is hereby authorized to undertake local Act 250 review of municipal impacts caused by a “development” and/or “subdivision,” as such terms are defined in Title 10 V.S.A. Chapter 151.

662. With respect to such “developments” and/or “subdivisions”, the Development Review Board, pursuant to the procedures established under Title 24 V.S.A. Chapter 36 (the

delete  
see 204.3

ARTICLE VII: SUBDIVISION APPLICATION AND APPROVAL PROCEDURE

**Section 710. Application of Regulations.**

710.1 No conveyance or lease of a subdivision or any part thereof may be made, nor any grading, clearing, construction or other improvement for such subdivision may be commenced, nor any permit for erection of a structure in such proposed subdivision may be granted, unless the subdivider shall secure approval from the Zoning Administrator Development Review Board of the proposed subdivision under these rules.

710.2 For the purposes of these regulations, the term Minor Subdivision shall be defined as any proposed subdivision resulting in ~~one~~ two or less new parcels. Minor subdivisions can be either in the form of conventional subdivisions or in the form of Planned Unit Development / Conservation Subdivisions. The form of the minor subdivision is the choice of the landowner. The Zoning Administrator shall approve all Minor Subdivisions. The term Major Subdivision shall be defined as any proposed subdivision resulting in ~~two~~ or more new parcels. All Major Subdivisions must go through the §510 Planned Unit Development / Conservation Subdivision process and be approved by the Development Review Board.

one to  
two lots  
for minor vs.  
major subdivision

**Section 720: Pre-application.**

720.1 **Sketch Plan.** The applicant, prior to submitting an application for subdivision, shall submit to the Zoning administrator, a "Sketch Plan" of the proposed subdivision which shall show the proposed layout of streets, lots and other features sketched roughly on a print of a survey of the property.

720.2 **Attendance at Meeting.** The subdivider, or his/her duly authorized representative, shall meet with the Zoning Administrator to discuss the requirements of these Regulations, the difference between a Minor and Major subdivision and any applicable zoning bylaws, for street improvements, drainage, fire protection, and similar aspects, as well as the availability of existing services and other pertinent information.

720.3 **Conformance to Other Plans & Regulations.** The Zoning Administrator shall review the Sketch Plan to determine whether or not it conforms to, or would be in conflict with any effective municipal plan; zoning bylaw; ; official map; existing private and public development, facilities and services; other applicable bylaws, ordinances or regulations; and for any special problems that may be encountered. Findings of conformance or conflict by the Zoning Administrator shall not be binding on the public bodies responsible for administration of such programs, but are intended as an aid to the applicant at this stage.

720.4 **Sketch Plan Approval.** The Zoning Administrator shall determine whether the Sketch Plan meets the purposes of these Subdivision Regulations and may reject the application or make specific written recommendations for changes. Any subdivided lot must meet the minimum lot size without including any development road or public road right of way in the lot acreage. Determination of



765.2 **Compliance with Subsequent Bylaw Amendments.** Approval of the final plat shall not exempt an applicant from compliance with subsequent bylaw amendments, except in the case of lots within the plat that have been sold in separate and unaffiliated ownership or for which zoning permits have been secured for buildings and in the case where all required improvements, including streets, pedestrian ways, and utilities have been installed in accordance with the final plat approval.

**Section 770. Plat Requirements for All Subdivisions.**

The Plat to be recorded in the Land Records of the Town of Morristown, (per § 760 of these Bylaws), shall conform to Statutory requirements for recordable plats (27 V.S.A. Chapter 17 "Filing of Land Plats"), and shall include the following:

- a. Subdivision Name or Identifying Title
- b. Name of Subdivider, Preparer of Plat, and Owner of Record.
- c. Seal of Licensed Land Surveyor and a bar scale
- d. Date prepared, Site Location Map, and Bar Scale
- e. North Arrow of defined basis (i.e. magnetic north with year, or astronomic north)
- f. Subdivision Boundaries and Position of Monuments
- g. Where applicable, location of existing roads, buildings and easements
- h. Indication of intersecting boundaries
- i. Total acreage of each Lot (also showing a separate acreage measuring that excluding Streets and any right-of-ways for roads that will be put up for public acceptance).
- j. ~~Number of acres within each proposed lot,~~ Location of property lines, existing easements, buildings, watercourses and other essential existing physical features.
- k. The Listers' parcel number of the land proposed to be subdivided
- l. Subdivision boundaries of all subdivisions immediately adjacent, including those of the proposed property/lot lines, and intersecting boundaries of contiguous properties shall be shown along with the name(s) and address(es) of the owner(s) of record (addresses may be supplied on a separate sheet of paper).
- m. The name of the zone applicable to the area to be subdivided and any zoning district boundaries cutting across the tract.
- n. The location and size of any existing sewers, water mains, culverts, and storm drains on the property to be subdivided.
- o. Location, names and present widths of existing and proposed streets, highways, easements, rights-of-way, building lines, parks, and other public open spaces.
- p. The width and location of any streets or other public ways or places shown upon any official map, or the municipal development plan, within the area to be subdivided.
- q. Typical cross sections of proposed grading and roadways, sidewalks and paths.
- r. Preliminary designs of any bridges or culverts which may be required.
- s. ~~The proposed lot lines and dimensions.~~
- t. The location of natural features or site elements to be preserved.

redundant



- u. For major subdivisions, the location of a water supply available for firefighting including proposed fire ponds or dry hydrants accompanied by written confirmation from Morristown Fire Department that the proposal meets local standards for access and design.

**Section 795. Lot Line Changes.**

- 795.1 The Zoning Administrator may approve lot line change provided no new lots are being created, the proposal involves contiguous lands, and is on a joint application of both property owners.
- 795.2 The Zoning Administrator may require an applicant for a lot line change to obtain a subdivision permit rather than a lot line change if it is felt to be in the best interest for the town.
- 795.3 Lot line changes involving properties that lie within more than one zoning district shall require subdivision approval by the Development Review Board.
- 795.4 Approved lot line changes shall meet the same filing requirements as subdivisions (see §770).

**Awning** – A retractable or permanent structure of flexible material (plastic, canvas, etc.) on a frame attached to the facade of a building and projecting therefrom as a protection against sun or rain.

**Bar** - A business or part of a Structure used primarily for the retail sale or dispensing of alcoholic beverages for on-premise consumption, or the part of a building, structure, or premise of a private club, association or organization that dispenses alcoholic beverage for on-premise consumption.

**Base Flood** – A flood having a one percent (1%) chance of being equaled or exceeded in any given year.

**Basement** - Any area of the Building having its floor subgrade (below ground level) on all sides.

**Bedroom** - a room with ~~a bed or~~ one of two beds in it being used for sleeping purposes.

**Brewery:** A facility for the production and packaging of beer, vinous, distilled or fermented alcohol products for distribution, retail, or wholesale, on or off-premise. A majority of a Brewery's on-premise alcohol sales (retail, tastings, etc.) shall be brewed or distilled on-site.

~~**Building** - Any Structure principally used to enclosure people, animals, chattels or property of any kind.~~

\* **Building** - ~~[as used in the Flood Hazard Area regulations: §320 of these Bylaws].~~ Any walled and roofed Structure, including a gas or liquid storage tank that is principally located above ground.

*Move forward with a single definition of "Building"*

**Building Envelope** - That portion of a lot which remains available for location of Structures after all setbacks and other applicable regulatory limitations have been satisfied.

**Building Front Line** - Line parallel to the front lot line transecting that point in the Building face which is closest to the front lot line. This face includes decks and porches whether enclosed or unenclosed but does not include steps or ramps.

**Building Height** - Vertical distance measured from the average elevation of the proposed finished grade at the front or rear of the Building to the highest point of the roof for flat and mansard roofs and to the average height between eaves and ridge for other types of roofs. Building Height above the maximum height specified in each zone shall require Conditional Use review.

**Bulk Storage of Fuels** - The storage of 1,000 gallons or more of liquid or gaseous fuels for distribution. Such fuels include fuel oil, and pressurized gasses such as propane and compressed natural gas.

**Business/Professional Office** - Rooms used for conducting the affairs of a business, profession, service, industry generally furnished with desks, tables, files and communication equipment.

**Business Services** - Establishments providing primarily services (not goods or manufacturing) to individuals, institutions, farms, industries, or other businesses where such establishments do not qualify

as Home Occupations, including: bank, consulting firm, insurance or real estate agency, barbershop, beauty parlor, laundry and photographic studio.

**Class 1** - Any use in which all necessary water supplies AND sewage disposal is provided by municipal off-lot water and sewage systems.

**Class 2** - Any use in which either the necessary water supply OR the necessary sewage disposal is provided for on the same lot as the building(s) for which these utilities are provided; and the other utility is provided by an off-lot system.

**Class 3** - Any use in which BOTH the necessary water supply and the necessary sewage disposal is provided for on the same lot as the building(s) for which these utilities are provided.

**Clubs, Private** - Building, facilities, or uses catering exclusively to club members and their guests for recreational purposes and not operated primarily for profit.

**Commercial Use** - This shall include all businesses, stores, warehouses, offices, banks, and similar Structures constructed for the promotion and conduction of commerce. This use shall not include the motor vehicle service station ~~uses or transient lodging facilities.~~

*N/A after this zoning change*

**Commercial Communication Equipment** - Satellite dishes, towers and antennas that receive and or transmit signals, except those used for private or personal reception.

**Community Facility** - Any meeting hall, place of assembly, museum, art gallery, library, school, or other similar establishment not operated primarily for profit, excluding Public Offices and Facilities.

**Conditional Use** - A use that may be permitted by the Development Review Board after public notice and hearing to determine whether the proposal conforms to standards set forth in §630 of the Bylaw.

**Day Care Facility** - A conditionally allowed State licensed or State registered Family Child Care Facility caring for more than six full-time children and/or caring for a maximum of six full-time children and more than four part-time children.

**Development** - The division of a parcel into two or more parcels; the construction, reconstruction, conversion, structural alteration, relocation, or enlargement of any Building or other Structure; or any mining, excavation, or landfill; and any change in the use of any Building or other Structure, or land; or extension of use of land.

**Development Review Board** - The Morristown-Morrisville Joint Development Review Board created in accordance with §4461 of the Act.

**Direct Sale of Goods Produced On-Site** - Direct sale to consumers of goods produced or manufactured on-site or assembled on-site from un-worked materials. Examples of un-worked materials include sheet



## Short-term rental zoning change uses.

**Health Care Facility** - Includes sanitarium, clinic, rest home, nursing home, convalescent home, home for the aged and any other place for the diagnosis and treatment of human ailments.

**Hotel, Inn or Motel:** A Structure or combination of structures on the same lot with the capacity to rent short-term lodging to 17 or more persons in 9 or more bedrooms. Hotels shall be approved by the Division of Fire Safety and have a valid waste-water permit. The Occupancy per Bedroom definition is not applicable for the Hotel, Inn or Motel use.

**Home Occupation** - An accessory business conducted within a minor portion of a dwelling by the residents thereof so that the floor area dedicated to the business is less than 25% of the total floor area of the dwelling unit. ~~Home Occupations shall be subject to the provisions outlined in §423 of the Bylaws.~~

**Home Business** - A commercial use housed in the principal dwelling, an accessory Building, or on property owned or rented by the business owner for their primary residence. A Home Business is an accessory use that is clearly incidental and secondary to the residential use of the property. All Home Businesses under this definition shall conform to requirements specified in §415 of the Bylaws. Motor Vehicle Service Station & Motor Vehicle Sale and Repair Facility are not eligible Home Business uses.

**Legislative Body** - The Selectboard of the Town of Morristown.

**Light Industry** - Manufacturing which does not conduct large scale, direct processing of raw earth materials ("Raw earth materials" does not include: timber, wood, clay, tree sap, animal hides and fur or hair, and agricultural products). Assembly of products from components produced and/or processed elsewhere is considered a "light industry."

**Lodging or Rooming Houses** – A Structure or combination of structures on the same lot renting Bedrooms to persons for a period of fewer than 30 consecutive days. Lodging or Rooming Houses containing 8 or less Bedrooms, rented to 16 or less people, shall be Owner Occupied, be approved by the Division of Fire Safety, have a valid State waste-water permit. Short-term rentals of 4 Bedrooms or less for 8 or less people shall be Owner Occupied, but are otherwise exempt from the above local permit requirements. The Lodging or Rooming Houses use is not a Hotel, Inn or Motel use.

**Lot** - A parcel of land under common ownership and not divided by any state or town highway that is of at least sufficient size to meet the minimum lot size of this document. If one or more lots are pre-existing small lots, it shall not be considered merged if it can meet the criteria under §421 of these bylaws. Pre-existing small lots that cannot meet the criteria under §421 of these bylaws shall be deemed merged.

**Lot Coverage** – The maximum percentage of the lot area which may be covered by the footprint (ground floor level) of Buildings and Structures.

**Lot Measurements** - Depth of a lot shall be considered to be the distance between the midpoints of straight lines connecting the foremost points of the side lot lines in front and the rearmost points of the side lot lines in the rear. Width of a lot shall be considered to be the distance between straight lines

## new Short-term uses cont.

**Nonconformity** - A nonconforming use, Structure, lot, or parcel

**Non-Conforming Lots or Parcels** - Lots or parcels that do not conform to the present bylaws covering dimensional requirements but were in conformance with all applicable laws, ordinances, and regulations prior to the enactment of the present bylaws, including a lot or parcel improperly authorized as a result of error by the Zoning Administrator.

**Non-Conforming Use** - A use of land 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 use improperly authorized as a result of error by the Zoning Administrator.

**Non-Conforming Structure** - A Structure or part of a Structure that does not conform to the present bylaws but was in conformance with all bylaws prior to the enactment of the present bylaws, including a Structure improperly authorized as a result of error by the Zoning Administrator.

**Nuisance** - Any activity or condition which is noxious; excessively noisy; resultant in excessive vibrations; or resultant in discernible fumes, vapors, or gravitationally precipitated wastes (airborne or waterborne) on or over any other premises.

**Occupancy per Bedroom** - Occupancy is limited to 2 people per bedroom (with children less than 5 years old not counted towards occupancy). The Zoning Administrator, per published HUD guidelines, may allow additional people per bedroom when there are unusually large bedrooms and or living spaces.

**Official Map** - The map authorized under 24 V.S.A. 4421

**Open Space** - Land unoccupied by Structures, Building, streets, rights-of-way and automobile parking lots, and legally restricted from such occupation (see §517). Special allowances for common recreational Structures and equipment may be allowed by the DRB.

**Owner:** Any person, firm, partnership, association, joint venture, corporation or other entity or combination of entities who alone, jointly or severally with others, hold(s) legal or equitable title to any real property.

**Owner Occupied:** A requirement for the occupancy by the property owner, who is a registered voter in Morristown that lives at the subject premises for at least 50% of the calendar year.

**Parking Space, Off-Street** - For the purposes of this bylaw, an off-street parking space shall consist of a space adequate for parking an automobile with room for opening doors on both sides, together with properly related access to a Street and maneuvering room. Required off-street parking areas for 3 or more automobiles shall have individual spaces marked, and shall be so designed, maintained, and regulated that no parking or maneuvering incidental to parking shall be on any public street, walk, or alley, and so that any automobile may be parked and un-parked without moving another. For purposes of



**Subdivision** - Any land, vacant or improved, which is divided or proposed to be divided into two or more lots, parcels, sites, units, plots, or interests for the purpose of offer, sale, lease, or development. The term includes amended subdivisions and resubdivisions and the development of a parcel of land as a planned residential development or planned unit development.

**Subdivider** - Any person, firm, corporation, partnership or association who owns or controls for the purpose of sale or development any subdivision or part thereof as defined herein.

**Substantial improvement** - Any repair, reconstruction, or improvement of a Structure, the cost of which equals or exceeds fifty percent (50%) of the market value of the Structure either, (a) before the improvement or repair is started, or (b) if the Structure has been damaged, and was being restored before the damage occurred. The term does not, however, include either (1) any project for improvement of the Structure to comply with existing State, or local health, sanitary, or safety code specifications which are solely necessary to assure safe living conditions, or (2) any alteration of a Structure listed on the National Register of Historic Places or a State Inventory of Historic Sites.

~~**Towers** - A Structure that is intended to send and or receive signals from satellite or ground based through the air/atmosphere; including but not limited to radio, television, telecommunications, beeper, pagers, wireless phones, 2-way & HAM radios, and other types of transmitting or receiving Structures.~~

**Town Clerk** - The Town Clerk of the Town of Morristown.

**Town Highway, Class 1** - Town highways designated by the Transportation Board which are parts of a State Highway route and which carry a State Highway route number.

**Town Highway, Class 2** - Town highways designated by the legislative body of the municipality with the approval of the Transportation Board for securing trunk lines of improved highways from town to town and to places which by their nature have more than normal amounts of traffic.

**Town Highway, Class 3** - All other traveled town highways, other than Class 1, or Class 2, designated by the legislative body of the Municipality, after conference with a member of the Transportation Board.

**Town Highway, Class 4** - All other town highways, including trails and pent roads, other than Class 1, 2 and 3 highways, designated by the legislative body of the Municipality.

**Town Highway Notation** - For clarification of definitions of Town Highways (Class 1, 2, 3 & 4) reference is hereby made to 19 V.S.A. §17 as now in force, or as may be from time to time amended. Where conflicts or confusion arises between the referenced standards and the above definitions, the referenced standards shall apply.

~~**Transient Lodging Facility** - A Structure or combination of structures on the same lot containing four or more bedrooms that are rented as sleeping units for persons on a temporary basis. An existing Structure or combination of Structures on the same lot containing three or less bedrooms that may or~~



~~may not be rented as individual sleeping units for persons on a temporary basis shall be allowed by right as part of any residential use in all zones. This definition shall include: "bed and breakfasts," "hotels," "inns," "motels," "lodges," and "hostels."~~

**Warehouse and Storage Facility** - Includes warehouses, bulk storage facilities, and other similar Structures provided that all long-term storage is located within the Structure(s).

~~**Water Quality Storm** - The 0.9 inch storm event as determined by the unified storm sizing criteria found in the most recent edition of The Vermont Stormwater Management Manual published by the Agency of Natural Resources.~~

N/A  
after  
see  
500 zoning change

**Waterbody** - Means all watercourses such as brooks, streams and rivers; also includes ponds, lakes and wetlands. Is intended to apply to both natural and man-made situations and includes seasonal flows as well as year round flows.

**Wetland** - Shall mean those areas of the state that are inundated by surface or ground water with a frequency sufficient to support significant vegetation or aquatic life that depend on saturated or seasonally saturated soil conditions for growth and reproduction. Such areas include but are not limited to marshes, swamps, sloughs, potholes, fens, river and lake over flows, mud flats, bogs and ponds, excluding such area that grow food or crops in connection with farming activities.

**Wholesale Distribution** - Establishment or places of business primarily engaged in selling merchandise to retailers; to industry, commercial, institutional, or professional business users; to other wholesalers; or acting as brokers and buying merchandise for, or selling merchandise to, such individuals or companies.

**Yard** - Space on a lot not occupied with a Building or Structure. Porches, whether enclosed or unenclosed, shall be considered as part of the main Building and shall not project into a required yard.

**Yard, Front** - Yard between the front lot line and the front line of a Building extended to the side lot lines of the lot. The depth of the front yard shall be measured from the street line of the Building.

**Yard, Rear** - Yard between the rear lot line and the rear line of a Building extended to the side lot lines. The depth of the rear yard shall be measured from the rear lot line to the rear line of the Building.

**Yard, Side** - Yard between the principal Building or accessory Building and a side lot line, and extending from the front yard to the rear yard.

**Zoning Administrator** - The person appointed in accordance with §4448 of the Act; also referred to as "Administrative Officer."

## ARTICLE X. ZONING DISTRICT BOUNDARIES

### Section 1000. Central Business (CB).

Traveling in a clockwise direction around the district, from a point beginning on the northwest corner of lot 69 on tax map 21 east to the intersection with the railroad right-of-way. From the railroad right-of-way on the west to the Lamoille River on the east. Traveling against the current of the Lamoille River on west to a line projecting due north from the northwestern corner of lot 205 on tax map 21. Then projecting from the northwestern corner of lot 205 on tax map 21 to the southeast corner of the library parcel at lot 192 map 21. The running along the eastern property line of the cemetery on lot 193 on tax map 21 to a point of intersection with Richmond Street. Then traveling south on Richmond Street to a point of intersection with the southeast corner of the library property. Then traveling from said southeast corner of the library property across Park Street and Upper Main Street to the northsoutheast corner of lot 9 on tax map 21 (with this parcel has an address of 10 Summer Street). Then turning south from said northeast corner of parcel 21-009 along the centerline of Summer Street to west from said corner to southwest corner of parcel 21-009, then continuing west along the property line for thirty feet, and then turning south along the eastern lot line of parcel 21-010 a point ~~±~~200 feet south of the centerline of Upper Main Street ~~on Summer Street~~. The turning west from said point ~~on Summer Street~~, forming a line parallel with Upper Main Street. Then west along this line parallel and ~~±~~200 feet south of the centerline of Upper Main Street to the centerline of Congress Street and then to a point 200' south of the centerline of Main Street. Then continuing west from Congress Street on the same from said point line to the centerline of East High Street and then turning north to the intersection of East High Street and Main Street and then west along A Street to the centerline intersection of the Lamoille River. Then continuing with the current of the Lamoille River to the intersection of the Truck Route Bridge. Then turning north up the Truck Route to the intersection with Bridge Street. Then turning west to fully include lot 69 on map 21 and then turning north along said parcel's property lines and arriving at traveling north along the Lamoille River to the Bridge Street Bridge. Then heading west along Bridge Street to include lots 55, 56, 57, 58, 59, 60, 61, 62 and 65 on the south side of said street. Then moving north to along the western property line of lot 69 on tax map 21 to the point of beginning.

fixes south border at 200' south of main street

Truck Route changes

### Section 1010. Commercial (COM).

#### 1011. COM #1 (Uptown).

From a point beginning at the northernmost corner of lot 180 on tax map 8 traveling in a clockwise direction around the district. The centerline of Route 15/Route 100 from the northernmost corner of lot 180 on the west, south to the western property line of lot 165 on tax map 8. The western and northern property lines of lot 166, 165 & 156 on tax map 8. ~~The western and northern property line of lot 156 on tax map 8. The southerly and eastern property line of lot 157 on tax map 8. The northern property lines of lots 154, 148, and 149 to a point of intersection with Sunset Drive on the east (but also including~~



house keeping  
by Country Home  
ctr.

all of lot 146). Then following Sunset Drive to the south east until it begins to curve to the southwest by lot 133 on tax map 8. Then turning north on the westerly property line of lot 133, following the same line, bisecting lot 134, to a point of intersection with the southerly property line of lot 135. 153, 152, 151, 150, 134, and 130 on tax map 8 Then turning easterly along the southerly property line of lot 135 to the point of intersection with Langdell Rd. Then following southeasterly on Langdell Rd until it intersects with Center Rd. Then turning up Center Rd and turning up Trombley Hill Rd to a point of intersection with Frazier Rd, and then continuing eastward on Frazier Rd to a point of intersection with the . The northern property lines of lots 90, 91, 92 and 93 on tax map 8. The eastern property lines of lots 90 to its intersection with the northeast corner of lot 72 on tax map 8. Then along the northern property lines of lots 66-1 & 66-3 and then down the eastern property line of parcel 66-3 to a point of intersection with the centerline of Route 15. Then across Route 15 and west to the eastern property line of lot 71, then crossing James Road and then along the southern property lines of lots 71-5 and 75 on tax map 8 to the centerline of Munson Avenue on the west. The centerline of Munson Avenue from the southwestern corner of lot 75 on tax map 8 on the north to the centerline of Harrel Street on the south. The centerline of Harrel Street from the centerline of Munson Avenue on the west, but including lot 139 on tax map 21, to the centerline of Route 100 on the west. Then turning south along the centerline of Route 100 to the southeast corner of lot 86 on tax map 21. Then turning west along the southern boundary of lot 86 and continuing along the southern boundary of lot 87. Then turning back north along the western boundaries of lots 87, 88, 113, 115, 127, 128 and 129 until a point of intersection with the Village/Town Boundary. Then from said point of intersection along the Village/Town Boundary on the east, crossing the Truck Route, to a point 1,000' west of Route 100 on the west. A line projection 1,000' west of the centerline of Route 100 from a point where the Village/Town Boundary is 1,000' west of the centerline of Route 100 on the south, then turning north to a point of intersection with the southern boundary line of lot 33 on map 20. Then turning northwest along the southern boundary lines of lot 33, 34 and 32-1. Then turning northeast along the western boundary line of lot 32-1 to a point of intersection with Needle's Eye Road. From this intersection of Needle's Eye Road and the northernmost corner of lot 32-1, heading northeast along the centerline of Needle's Eye Road to the western most corner of lot 180 on tax map 8 on the north and then turning east along the northern property line of lot 180 to the point of beginning.

1012.

**Commercial Zone #2 (Lower Village).**

From the intersection of the town/village boundary and the southern right-of-way line of the Alternate Truck Route in lot 328 on tax map 7, south along the town/village boundary crossing the centerline of Route 100 to a point of intersection with the town/village boundary and Route 100, then along the southern right-of-way line of Route 100 west to a point of intersection with the western right-of-way line of Jersey Way, and then south along the westerly edge of the Jersey Way right-of-way to the southernmost point of intersection with lot 3 on tax map 7 fronting on Jersey Way, and then west along the southern lot line of lot 3 and lot 4 on tax map 7 to the intersection of the town/village



boundary in lot 6, then projecting on the same plane from this point of intersection westward across parcel 07-007-01 to a point of intersection with the Truck Route and then northeast along the right-of-way line of the proposed Alternate Truck Route to the point of beginning.

**Section 1020. Business Enterprise (BE).**

Beginning at the intersection of Bridge St and the Town/Village Boundary on tax map 7, then south along the town/village boundary to a point of intersection with the Truck Route, but including parcel 07-328-1 directly to the northeast, then from the aforementioned point of intersection of the Village/Town boundary and the Truck Route, turning south along the Truck Route, continuing south on Route 100, passing the intersection of Morristown Corners Rd, to the southern boundary of lot 9 on tax map 7, then west along the southern boundary of lot 9 to Ryder Brook, then north along Ryder Brook, crossing Morristown Corners Rd and continuing north along Ryder Brook until the southern boundary of lot 320 that is on the east side of Ryder Brook, then turning east from Ryder brook along the southern boundary of lot 320, then turning north at the eastern boundary of lot 320, and then along the eastern boundaries of lots 319 and 301 to the point of intersection with Bridge St, then crossing Bridge St to include parcels 301, 301-2 & 301-3 on tax map 7 and then returning there from to the point of beginning at the intersection of Bridge St and the village/town boundary.

**Section 1040. Mixed Office Residential (MOR).**

*delete*  
~~From a point beginning at the intersection of Richmond Street and Park Street traveling in a clockwise direction around the district. From the intersection of Richmond St and Park St, traveling north to the eastern property line of lot 193 on tax map 21 to the northeastern corner of lot 193 on tax map 21 on the north. A line projected due north from the northwestern corner of lot 205 on tax map 21 from the northwestern corner of lot 205 on the south to the centerline of the Lamoille River on the north. The centerline of the Lamoille River from line projection due north from the northwestern corner of lot 205 on tax map 21 on the west to a line projection due north from the intersection of the northeast corner of the Morristown School property and Route 15A on the east. A line projection due north from the intersection of Route 15A and the northeast corner of the Morristown School property from the Lamoille River to the north to the centerline of Route 15A to the south. The centerline of Route 15A/Park Street from northwestern corner of Morristown School property to the east to the northwestern corner of lot 48 on tax map 22 on the west. The western property line of the Morristown School property from the centerline of Park St to the north to the centerline of Main St to the south. The eastern property line of lot 71 on tax map 22 from the centerline of Main Street to the north to 125' south of the centerline of Main St to south. 125' south of the centerline of Main St from the eastern property line of lot 71 on tax map 22 on the east to the intersection with Summer Street on the west. The turning northeast, crossing Upper Main St, and returning to the point of beginning at the intersection of Richmond St and Park St.~~

Harrel Street until the point of intersection with Munson Avenue. Then north up Munson Avenue to the point of beginning at the southwestern corner of lot 75 on map 8.

1054. **IND #4 (Trombley Hill).** From a point beginning at the intersection of Center Road and Frazier Road traveling in a clockwise direction along Center Road north to the Town boundary with Hyde Park. Then east along the town-line along the northern boundary of lot 114 on tax map 8 to the intersection with Trombley Hill Road. Then southwest along Trombley Hill Road to the intersection with Frazier Road and then west along Frazier Road to the point of origin at the intersection of Center Road and Frazier Road.
1055. **IND #5 (Bridge St & Cadys Falls Rd).** From a point beginning at the intersection of Bridge St and the eastern boundary of lot 301 on tax map 7, then traveling south along the eastern boundaries of lots 301 & 319 to the southern boundary of lot 320, then west along said boundary to the intersection with Ryder Brook, then south along the brook to the intersection with Morristown Corners Rd, then across said road and continuing along Ryder Brook to include lot 13, then north from the point of intersection of the Brook and the westernmost boundary of lot 13 back to Morristown Corners Rd, then crossing Morristown Corners Rd to the southwesterly boundary of lot 189, then traveling north along the western boundary of lot 189 to lot 190, then continuing along the western boundary of lot 190 to the point of intersection with lot 191, then turning east along the southern boundary line of lot 191 to the intersection of Cadys Falls Rd, then traveling north along Cadys Falls Rd to its intersection with Bridge St, then turning and traveling east along Bridge St to the point of beginning at the northeastern boundary of lot 301.
1056. **IND #6 (Airport). ~~Airport Business (AB)~~. *name change***  
From the intersection of Ryder Brook and the centerline of Route 100 east along said river until a point where the river intersects with lot 130-1 on tax map 12, then north along the western property line of said lot to the lot's northwest corner, then east approximately 800 feet along the northern lot line of said lot to the lot's northeast corner, then southwest along the eastern lot line for approximately 337 feet, then turning south along the eastern lot line there from for approximately 631 feet, then northwest along the lot's southern lot line to a point of intersection with lot 136 on tax map 12, then south along the eastern lot line of lot 136 on map 12 to a point of intersection with lot 143-1 on map 12, then southeast along the northern lot line of lot 143-1 on map 12, then turning south along the eastern lot line of said lot for approximately 309 feet, then turning west along the southern lot line of said lot to a point of intersection with the Ryder Brook and lot 144-1-2 on tax map 12, then south along the eastern lot lines of parcels 144-1-2 and 145 on map 12 to a point of intersection with the Goeltz Rd right-of-way line, then crossing Goeltz Rd to include parcel 12-156, then east to the centerline of Goeltz Rd until its intersection with Route 100, then north along the westerly right-of-way line in Route 100 until a point of intersection with lot 111 on tax map 12, then northwest along the southern lot line of lot 111 on map 12, continuing along the southern lot line of lot 113 on tax map 12, then turning mostly northeast along the western lot line of 113 on map 12,



continuing mostly north along the rear lot lines of lots 113-3, 113-2 and 113-1 on map 12, to a point of intersection with the Cochran Rd, then northeast along the easterly right of way line of Cochran Rd to its intersection with Route 100, then north along the right-of-way line of Route 100 to the beginning point of intersection with Ryder Brook.

**Section 1060. Special Use (SU).**

From a point beginning at northwestern corner of lot 239 on tax map 23 traveling clockwise around the district. The northern property line of lot 239 on tax map 23 from centerline of Maple Street on the west to southwestern corner of lot 83 on tax map 24 on the east. The southern property line of lot 83 on tax map 24 from the northeastern corner of lot 239 on tax map 23 on the west to the southeastern corner of lot 41 on tax map 24 on the west. The western property lines of lots, 40-7, 40-6, 40-3, and 40-2 on tax map 24 and lot 2 on tax map 8 from the southeastern corner on lot 83 on tax map 24 on the north to the centerline of Washington Highway on the south. The Village/Town Boundary from the centerline of Washington Highway on the north to a point 1,950' south along the Village/Town Boundary on the south. A line projecting from said point through lots 31 & 26 on tax map 13 on the east to a point of intersection with lot 25 on tax map 13. From said point of intersection with lot 25, turning northeast along its eastern property line and continuing along the eastern property lines of lots 11, 11-1, 12 and 13 on tax map 24. The southern property line of lots 14 and 14-1 to the southwestern corner of lot 14-1 on tax map 24. The southwestern corner of lot 14.1 on tax map 24 to the centerline of Washington Highway on the north. The centerline of Washington Highway from the northern corner of lot 14-1 on tax map 24 on the east to the centerline of Maple Street on the west. The centerline of Maple Street from the centerline of Washington Highway on the south to the northwestern of lot 239 on tax map 23 on the north.

**Section 1070. Special Industrial with Agriculture (SI).**

From a point beginning at the intersection of Garfield Road and the Morristown/Hyde Park town line traveling in a clockwise direction around the district. The town line between Morristown and Hyde Park from the centerline of Garfield Road on the west to the Morristown/Wolcott town line on the east. The town line between Morristown and Wolcott from the Morristown/Hyde Park town line on the north to centerline of the Lamoille River on the south. The centerline of the Lamoille River from the Morristown/Wolcott town line on the east to the centerline of the Garfield Road on the west. The centerline of Garfield Road from the centerline of Lamoille River on the south to the Morristown/Hyde Park town line on the north.

**Section 1080. High Density Residential (HDR).**

Beginning at a point at the intersection of Route 100 south and a line projection 125 200' south of western terminus of Lower Main Street traveling in a clockwise direction. 125200' south of the centerline of said point of beginning Main Street from Route 100 South on the west to the centerline of Congress Street on the east. Then bisecting Congress Street, remaining 200; south of the centerline of Upper Main Street to a point of



intersection with Summer Street. Then turning north up Summer Street to a point of intersection with Upper Main Street. Then crossing Upper Main Street to include the southern half of the Graded School Building property and continuing easterly along the rear property lines of parcels 21-002 and 22-056. Then turning southerly along the eastern property line of parcel 22-056, crossing Upper Main Street, and continuing southerly along the eastern property line of parcel 23-211 to a point on intersection with the Potash Brook. Then turning southwesterly along the flow of the brook, crossing Maple Street to a point where the projection of the eastern terminus of Union Street would bisect the brook. Then continuing from the point of intersection of the Potash Brook and the eastern projection of Union Street, west along Union Street to a point of intersection with Congress Street. Then turning south on Congress Street for approximately 925 feet e centerline of Congress Street from 125' south of the centerline of Main Street on the north to the culvert that takes that Potash Brook under Congress Street on the south. From this intersection of the Potash Brook and Congress Street on the east, then follow the flow of the Potash Brook to the west until its point of intersection with Randolph Road (which is just prior to where the Potash Brook joins the Boardman Brook). The intersection of the Potash Brook and Randolph Road and on the south, following Randolph north back to the point of beginning on Route 100 South.

**Section 1090. Medium Density Residential (MDR).**

1091. **MDR #1 (Central Village, Wilkins, Wabun, and up Elmore St).** From a point beginning at the centerline intersection of Congress Street and Union Street and 125' south of Main St. traveling in clockwise direction around the district. 125' south of the centerline of Main Street from the centerline of ~~From the intersection of Congress Street and Union Street on the west, traveling east along Union Street, crossing Summer and Courts Street, until a point of intersection with the Potash Brook. Then following and going against the current of the brook, across Maple Street, to the eastern property line of parcel 23-211. Then turning north along said eastern property line, crossing Upper Main Street, to the eastern property line of parcel 22-056. Then turning west from the northeast corner of parcel 22-256, along the northern property line of parcel 21-002 and continuing west, bisecting the Graded School Building property (parcel 21-003), and then to the eastern property line of lot 71 on map 22 on the east.~~ turning north from the westernmost point of the Graded School Building parcel to the southeast corner of the library (parcel 21-192). Then, from said corner of the library parcel, a line projecting north to the northwestern corner of lot 205 on tax map 21. Then traveling due north from said northwestern corner to a point of intersection with the Lamoille River. Then traveling east against the current of the Lamoille for approximately 3,500 feet to the westernmost point of lot 32 on map 8. Then a line projecting from the westernmost point of lot 32 on map 8, The eastern property line of lot 71 on tax map 22 from 125' south of Main Street on the south to the centerline of Main Street on the north. The western property line of the Morristown School property from the centerline of Main Street on the south to centerline of Park Street on the north. The centerline of Route 15A from northeastern corner of lot 48 on tax map 22 on the west to the southeasterly to the northeastern corner



of the Morristown School property on Route 15A (lot 43 on tax map 22) on the east. Then a line projecting south from the northeastern property line of the Morristown School's frontage on Route 15A property from the centerline of Route 15A on the north to the southwestern to the northernmost corner of lot 29-1-3 on tax map 8 on the south. A line projection from the southwestern northernmost corner of lot 29-1-3 on tax map 8 to approximately 2,200 linear feet to the village boundary line. Then turning southwesterly along the Village boundary line and continuing until a point of intersection with Route 12 at Demars Road. The continuing south along the Village boundary, across Route 12, along the southern property lines of lots 29-1-3, 29-1-6, 29-1-4, 29-1-2 and 22 to a point of intersection with lot 14 on tax map 8 on the east. Then following the Village/Town Boundary from the corner of lot 14 map 8 along and following the Village boundary in a counterclockwise motion to the southwestern corner of lot 40-2 on tax map 24 on the west. The southwestern corner of lot 40-2 on tax map 24 on the south, northeasterly to the southeastern corner of lot 41 on tax map 24. Then turning west along the southern property lines of lots 41 on tax map 24 and continuing westerly and southerly and along lot 83 (Copley Golf Club) on tax map 24 and westerly along the southern boundary of lot 238 (the Village garage) on tax map 23 to the centerline of Maple St. Then turning south on Maple St to the intersection of Washington Highway centerline of Maple St. on the north, across from Pleasant View Cemetery to the centerline of Washington highway on the south. Then from centerline of Washington Highway from the centerline of the said junction of Maple St. and Washington Highway, on the east to the centerline of the junction of Congress St. and Washington Highway on the west. The centerline of Congress St. from Washington Highway on the south to 125' south of Main St. a line projecting approximately 3,345 to the northwest to the point of intersection of Jersey Way, Jersey Heights, and LaPorte Road at the Village boundary line. Then turning east from said intersection along the Village boundary line for approximately 90 linear feet to the corner of the Village boundary line. Then following the Village boundary line north as it crosses the Truck Route and turns northeast into the Lamoille River. Then running with the flow of the river and following it to the northernmost point of lot 307 on tax map 7 (east side of the river). Then turning southeasterly along the southern property line of lot 307 to a point of intersection with the Truck Route. Then turning from the southeast corner of parcel 307 north up the Truck Route to a point of intersection with the Village Boundary line. Then turning east along the Village boundary line to a point 125 west of its intersection with Brooklyn St. Then turning southwesterly from said point 125 feet west of Brooklyn St. along the Village boundary line to a point of intersection with the driveway to the Brooklyn Heights condos located on parcel 87-1 on tax map 21. Then turning easterly along said driveway to Brooklyn Heights out to Brooklyn Street. Then turning northeasterly along Brooklyn Street to the northernmost point of lot 140 on tax map 21. Then turning southeasterly along the northern property line of lot 140 to its point of intersection with the Lamoille County Mental Health building on lot 138 of tax map 21. Then turning southwesterly along the western property line of the Lamoille Mental Health, continuing along the common property line between lots 145 and 213 on tax map 21 to the intersection with the Lamoille River. Then traveling south along and with the



flow of the Lamoille River to the intersection with the Lamoille Valley Rail Trail. Then from this intersection of the river and the Lamoille Valley Rail-Trail, west along the rail-trail, to its intersection with the Truck Route. Then south along the Truck Route (excluding lots 65 and 69 on tax map 21 that are part of the Central Business Zone) to the intersection of the Truck Route and the Lamoille River. Then traveling east, against the flow of the river, to the crossing of the Power- Plant Bridge located at the intersection of A St. and B. St. Then moving east from Power- Plant Bridge along A Street out to its intersection with Lower Main St. Then turning south from said intersection, across Route 100 / Jersey Heights, onto East High Street. Then turning south down East High Street to a point of intersection with the Potash Brook. Then travelling east along the Potash Brook, against its flow, to its intersection with Congress St. Then turning north up Congress St. to the point of beginning at the intersection of Congress and Union Streets.

~~1092. **MDR # 2 (South of Bridge St to West High St).** Traveling in a clockwise direction around the district, from a point beginning at the intersection of the Village/Town Boundary and the Long Bridge on Bridge Street traveling east on Bridge Street to the northwest corner of lot 65 on tax map 21. Turning south on the western property line of lot 65 to its southwest corner. Turning east along the southern property line of tax map 21 to the intersection of the Truck Route. Then continuing east across the Truck Route and along the rear property lines of lots 62, 61, 60 59, 58, 57, 56 and 55 to a point of intersection with the Lamoille River. Then heading south along the river to Power Plant Bridge. Here the zone comes ashore on the east side of the Lamoille River to include the lands accessed by East High Street, specifically lots 044, 045, 046, 211, 212 and 244, before continuing down river to a point of intersection with the Truck Route. Then crossing under the Truck Route and continuing down river to a point of intersection with the Long Bridge on Bridge Street the point of beginning.~~

~~1093-1092.~~

~~1093. **MDR # 3 (Wilkins & Wabun).** Traveling in a clockwise direction around the district, from a point beginning at the intersection of the Village/Town Boundary and the Long Bridge on Bridge Street heading north to the southern property line of lot 37 on tax map 20. Turning southeast east along the southern property line of lot 37 on tax map 20 to the centerline on the railroad right of way on the east. Then following the railroad right of way southeast to a point of intersection with the Truck Route. Then heading north along the Truck Route until the Village/Town Boundary. Then traveling east along Village/Town Boundary to a point of intersection with lot 129 on tax map 21. Then turning south along the rear property lines of lots 129, 128, 127, 115, 114, 88, 87 arriving at the southwest corner of lot 86. Then east along the southern property line of lot 86 to the intersection with Brooklyn Street. Then north on Brooklyn Street to the intersection of the Village/Town Boundary. Then southeast along the northern boundary of lot 140 to the shared property line with lot 138. Then south along this property line and along the rear property lines of lots 141, 142, 143, 144 and 145 to a point of intersection with the Lamoille River. The heading south with the current of the Lamoille River to the point of intersection with the railroad right of way. Then traveling west along the railroad right-~~



~~of way, across the Truck Route, until a point of intersection with the northeast corner of lot 69 on tax map 21. Then west along Bridge Street until the point of beginning.~~

**Section 1100. Low Density Residential (LDR).**

1101. **LDR #1 (Jersey Way area).** From a point beginning at the intersection of ~~Route 100 South and~~ Jersey Way, Jersey Heights, and the Village/Town Boundary traveling clockwise around the district. A line projecting southeasterly from the intersection of the Village/Town Boundary and said streets to the intersection of Washington Highway and Maple St. Then continuing from the intersection of Maple Street, easterly along Washington Highway Route 100, heading northeast along the Truck Route bridge to the centerline of the Lamoille River on the north, and then turning southeast to the centerline of Ward's Pond Brook on the east. ~~The centerline of Ward's Pond Brook and a line projection of the centerline of Ward's Pond Brook from the Lamoille River on the north to the center line of Route 100 South on the south. The centerline of Route 100 south from Ward's Pond Brook on the east to the centerline of Randolph Road on the east. The centerline of Randolph Road from the centerline of Route 100 South on the north to the junction of Randolph Road and Washington Highway on the south. The centerline of Washington Highway from the junction of Randolph Road and Washington Highway on the west~~ to the northeastern corner of lot 241 on tax map 23 on the east. The northeastern corner of lot 241 on tax map 23 along the southern property line of lot 14-1 on tax map 24. The southwestern corner of property line 14-1 along the northern property line of lot 13 on tax map 24. The southeastern corner of lot 13 on tax map 24 along the eastern property lines of lots 13, 12, 11-1 and 11 on tax map 24. The eastern property line of lot 25 on tax map 13 from the southwestern corner of lot 11 on tax map 24 on the north to a point 1,465' south of the centerline of Washington Highway on the south. A line through lots 26 & 31 on tax map 13 from a point 1,465' south of the centerline of Washington Highway on the west to a point 1,950' from the centerline of Washington Highway on the east. The Village/Town Boundary from a point 1,950' south of the centerline of Washington Highway on the north to the northwestern corner of lot 19 on tax map 13 on the south. The Village/Town Boundary from the northwest corner of lot 19 on tax map 13 on the east to the corner of the Village/Town boundary where it turns north on the west. Then northeast along the western boundary of lot 331, including the portion of parcels 07-007-01 and 07-007-02 that is are not part of the Section 1012 COM 2 Zone, then northerly along the Village/Town boundary to the centerline of Route 100 / Jersey Heights. Then traveling northeasterly on Route 100 Jersey Heights for approximately 650 linear feet to the point of beginning to where the Village/Town Boundary meets the Lamoille River.

1102. **LDR #2 (Park St to Elmore St).** From a point beginning at a line projection from the northeast corner of the Morristown School property that intersects the centerline of the Lamoille River and travels in a clockwise direction around the district. From the beginning point in the centerline of the Lamoille River, then traveling east from the intersection of the Morristown School property to the western property line of lot 33 on

tax map 8. The Village/Town Boundary from the centerline of the Lamoille River on the north to the southeastern corner of lot 23-07 on tax map 8. A line projection from the southeastern corner of lot 23-07 on the east to the southeastern corner of lot 29-1-2 on tax map 8 on the west. Then west along the southern property lines of lots 22, 29-1-2, 29-1-4, 29-1-6 and 29-1-3 to a point of intersection with lot 43 on tax map 22 (the Morristown School property). Then north along the eastern property line of the Morristown School property from the southwestern corner of lot 29-1-3 on tax map 8 on the south to the centerline of Route 15A on the north. A line due north from the intersection of the Morristown School property and Route 15A from the centerline of Route 15A on the south to the centerline of the Lamoille River on the north.

1103. LDR #3 (Sunset and Langdell). Traveling in a clockwise direction around the zone, beginning at the intersection of Sunset Dr. and the easternmost point of parcel 08-149, and turning northwest along the southern property line of said parcel, then turning north along its western boundary to a point on intersection with 08-147, then turning northwest along the southern lot line of parcel 08-147 to a point of intersection with parcel 08-154, then turning northeast from said point of intersection and running along the rear boundary lines of parcels 147, 146, 145, 144, 143, and 142 to the northernmost point of intersection of parcels 08-142 and 08-141-7, then turning southeast along the northern boundary of parcel 08-142 to a point of intersection with parcel 08-141, then running along the west, rear, and east side of parcel 08-141 to a point of intersection with parcel 08-140, then turning easterly along the northern property line of parcel 08-140 to a point of intersection with parcel 08-125, then turning northeast along the western property line of parcels 08-125 & 08-125-1 to the northernmost point of parcel 08-125-1, then, at said point, turning southeasterly along the northern lot line of parcel 08-125-1 to a point of intersection with Center Rd, then turning southwesterly down Center Rd to a point of intersection with Langdell Rd, then turning up Langdell Rd to the northeast corner of parcel 08-136, then turning southwest along the eastern boundaries of parcels 08-136 and 08-136 to a point of intersection with parcel 08-134, then turning northwest along parcel 08-134 to a point of intersection with Sunset Drive, then turning southerly down Sunset Drive to the point of beginning.

11043. LDR #43 (Cadys Falls). Traveling in clockwise direction, from a point beginning at the intersection of Cadys Falls Road and the Lamoille River, turning west along the river passing the southern boundary of Lot 07-212 to a point where the westernmost boundary of 07-213 abuts the river, then turning north away from the river along the western boundary of lot 07-213 to a point of intersection with Lot 07-214, then traveling west along the southern boundaries of Lots 07-214 & 07-215, then turning north along the western boundary of Lot 07-215 to a point of intersection with Griggs Road, from said point turning east on Griggs Road, but including Lots 07-233 & 07-234, to a point of intersection with the southwest corner of Lot 07-236, then turning north along the western boundary of Lot 07-236 and continuing in the same northerly direction along the eastern property line of Lot 07-232 until a point of intersection with Lot 07-244-3, then



turning briefly east until the intersection with Lot 07-244-1, then turning north and then northeast along the western boundary of Lot 07-244-1 and continuing in the same direction along the western boundary of Lot 07-245 until a the point of intersection with Cadys Fall Road, then turning south on Cadys Falls Road until a point of intersection with the northern boundary line of Lot 07-252, then heading east along the northern boundary line of Lot 07-252 until the point of intersection with the Lamoille Valley Rail Trail, then turning south along the Lamoille Valley Rail Trail until a point of intersection with the northernmost point of Lot 07-262, then traveling in a southwesterly direction along the westernmost boundary to Lot 07-262 to a point of intersection with Needle's Eye Road, then traveling southeast on Needle's Eye Road, including Lot 07-264, until the intersection with the easternmost point of Lot 07-294, then turning south and then west along the boundaries of Lot 07-294 to a point of intersection with the Lamoille River, then turning west with the flow of river to the point of beginning - at the intersection of the Lamoille River & Cadys Falls Road.

11054. **LDR #54 (Morristown Corners).** Traveling in a clockwise direction, from a point beginning at the intersection of Morristown Corners Road and the westernmost boundary of Lot 07-038, then running to the northeast along the rear boundaries of Lots 07-146, 07-147, 07-148 until the northern most point of Lot 07-153, then turning to the east from said point to the intersection with Stagecoach Road, then north on Stagecoach Road to a point of intersection with the northernmost point of Lot 07-169, then turning east along the northern boundary of Lot 07-169 to a point of intersection with Lot 07-179, then turning south along the eastern or rear boundaries of Lots 07-169, 07-170, 07-171 until the point of intersection with Lot 07-178 and Morristown Corners Road, crossing Morristown Corners Road to include Lots 07-019, 07-020 & 07-021 to the east side of Stagecoach Road and then crossing Stagecoach Road to include Lots 07-036, 07-037 & 07-038 on the west side of Stagecoach Road, then crossing Morristown Corners Road and heading northeast to the point of beginning.

**Section 1110. Rural Residential/Agricultural (RRA).**

All lands in the Town, excluding the Village of Morrisville, and the following Zones in the Town: AB, BED (partial), COM (partial), IND 2, IND 3, IND 4, IND 5, SI and parcels 07-007 & 07-007-01 in LDR 1.

**Section 1120. Sewer Service Management Area (SSMA).**

The Sewer Service Management Area shall include all the land in the village and the town that has a zoning designation other than Rural Residential Agricultural (RRA), Industrial #6 (Airport), and Special Industrial. The following areas, which would otherwise qualify for SSMA designation based on the preceding sentence, are specifically exempted therefrom: Low Density Residential (LDR) Zone 4 for Cadys Falls, LDR 5 for Morristown Corners, the area west of Ryder Brook in Industrial Zone #5 and parcels 08-157 and 08-164 on Silver Ridge Road.



~~From a point beginning where the Village/Town Boundary and Bridge Street meet along the eastern edge of Lake Lamoille traveling in a clockwise direction around the district. The intersection of the Village/Town Boundary and Bridge St along the eastern edge of Lake Lamoille north along the Village/Town Boundary to the western edge of lot 37 on tax map 20. The western edge of lot 37 on tax map 20 to the centerline of the railroad right of way. The centerline of the railroad right of way from the Village/Town Boundary on the south to the point where the centerline of the railroad right of way is 2,000' west of the centerline of Route 100. 2,000' west of the centerline of Route 100 from the point where the centerline of the railroad right of way is 2,000' west of the centerline of Route 100 on the south to the centerline of Needle Eye Rd on the north. The centerline of Needle Eyes Rd from a point 2,000' west of the centerline of Rte 100 on the west to the southernmost corner of lot 180 on tax map 8. From the southernmost corner of lot 180, northwest along said line to a point of intersection with parcel 179, then turning northeast along the boundary line between parcel 179 and 180 to a point of intersection with the centerline of Route 15/Route 100. Then crossing the centerline of Route 15/Route 100 to the western property line of lot 165 on tax map 8. The western and northern property line of lot 165 on tax map 8. The western and northern property line of lot 156 on tax map 8. The eastern property line of lot 157 on tax map 8. The northern property lines of lots 154, 148, 153, 152, 151, 150, 134, and 130 on tax map 8 to the intersection with Center Road. Then turning north and traveling along the centerline of Center Road to the Town Line with Hyde Park. Then east along said town line until the intersection with the centerline of Trombley Hill Road. Then turning south and traveling southwest along the centerline of Trombley Hill Road to its intersection with the centerline of Frazier Road. Then turning east and running along the centerline of Frazier Road, along the northern border of Lot 90, until its point of intersection with Lot 66. Then turning south along the eastern property lines of lots 90 and 72 on tax map 8 to the centerline of Route 15. The centerline of Route 15 from the centerline of Houle avenue on the west to a point 250' east of the centerline of the junction of Route 15 and Harrel Street. A line projection due south from a point on Route 15 250' east of the centerline of the junction of Route 15 and Harrel Street on the north to the centerline the Lamoille River on the south. The centerline of the Lamoille River due south from a point on Route 15 250' east of the centerline of the junction of Route 15 and Harrel Street to the western property line of lot 33 on tax map 8. The Village/Town Boundary from the centerline of the Lamoille River on the north along the western property lines of lots 33, 34 1, 34 3, 34 and then southeasterly along the northern property line of lot 23 on tax map 8 and then southwest along the eastern boundary of lots of lot 23, to a point of intersection with the northern property line of lot 14, then easterly along said northern border and then southeasterly along the eastern borders of lots 14,13,11, 10 and 7 to a point of intersection with Elmore Road. Then westerly along Elmore Road to the Village / Town boundary and then southerly along said boundary to the centerline of Washington Highway. The Village/Town Boundary from the centerline of Washington Highway on the north along the western property line of lot 33 on tax map 13 to the northwestern corner of lot 19 on tax map 13 on the south. The northwestern corner of lot 19 on tax map 13 on the south. The Village/Town~~

~~Boundary from the north western corner of lot 19 on tax map 13 on the east to the corner of the Village/Town boundary where it turns north on the west. Then north along the western boundary of lot 331 to the southwestern corner of lot 7-1 on tax map 7. The western boundaries of lots 7-1 and 7 to the centerline of Route 100. Crossing Route 100 and then south along Route 100 to the southern boundary of lots 11, 12, 10 and 9 on tax map 7 and then along the western boundary of lot 9 to Ryder Brook. Then traveling north along the centerline of Ryder Brook, crossing Morristown Corners Rd, past the western edge of Lots 322 and 322-2 and following the waterway through Lots 320 and 319 and to the northwestern corner of Lot 301. Crossing Bridge St from the northwestern corner of Lot 301 to the southwestern corner of lot 301-1 at Bridge St along the northern border of lot 301-1 on tax map 7 to the intersection of Bridge St and the Village/Town Boundary.~~

