

TOWN OF RANDOLPH, VERMONT

ZONING REGULATIONS

AS ADOPTED December 6, 1988

EFFECTIVE December 28, 1988

including amendments of

September 25, 1990

November 4, 1997*

April 13, 1999

June 6* and July 19, 2000

April 10, 2001

January 8, 2002 (*interim*)

January 29 and August 6, 2002

June 10 and August 26*, 2003

December 2, 2003 (*interim extension and amendment*)

April 5, 2005

September 12, 2006*

November 26, 2007*

September 16, 2009

(*Amendment was a map change only)

Also included:

Land Subdivision Control Regulations

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ARTICLE I

GENERAL PROVISIONS

SECTION 1.1 ENACTMENT

In accordance with the Vermont Planning and Development Act of 1968, hereinafter referred to as the "Development Act," as enacted or subsequently amended, Subchapter 6, Section 4401, there is hereby established a Zoning Regulation for Randolph which is set forth in the text and map that constitutes this Regulation. This Regulation shall be known and cited as the "Randolph Zoning Regulation."

SECTION 1.2 INTENT

It is the intent of this Zoning Regulation to provide and promote the health, safety, convenience, and general welfare of the Town by regulating the use of land and buildings thereon in the Town of Randolph and to further the purposes established in the Development Act, Section 4302.

SECTION 1.3 DEFINITIONS *(amended June 10, 2003)*

Definitions contained in Section 4303 of the Development Act shall be applicable throughout this Regulation. Furthermore, unless otherwise expressly stated in this Regulation, the following additional terms shall, for the purpose of this Regulation, have the meaning herein indicated.

Words in the present tense include the future, the single number includes the plural and vice-versa. The word "person" includes a partnership, corporation, or other entity. The word "lot" includes the word "plot" and the word "building" includes the word "structure".

1.3.1 ABUTTER

Shall mean all property owners whose property lines abut a proposed subdivision; those whose property lines lie directly across a public highway from the proposed subdivision; and those whose property lines lie a distance of not more than 300 feet from the proposed subdivision.

1.3.2 ACCESSORY BANK

A bank that is accessory to another principal use on the property, and within the principal structure.

1.3.3 ACCESSORY BUILDING

Any building whose use is incidental and accessory to the use of the principal building on the same lot or an adjoining lot under the same ownership.

1.3.4 ACCESSORY DAY CARE FACILITY

A day care facility that is an accessory use to another use on the parcel, either within the same structure or in an adjacent structure.

1.3.5 ACCESSORY RESTAURANT

A restaurant that is accessory to another principal use on the property such as a cafeteria serving on-site employees or serving guests at a hotel or conference center. Such accessory restaurants may be open to the general public.

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1.3.6 ACCESSORY USE

A use customarily incidental and subordinate to the principal use and located on the same lot. When applied to agriculture this shall be deemed to include the sale of products raised on the property.

1.3.7 ADMINISTRATOR

Means the Planning Administrator, or Zoning Administrator, or Administrative Officer as defined by Section 4442, Title 24, VSA.

1.3.8 ADVISORY COMMISSION

Means the Randolph Design Review Advisory Commission.

1.3.9 AGRICULTURAL LAND, PRIME and STATEWIDE IMPORTANCE

Land defined as such by the U.S. Department of Agriculture.

1.3.10 APPLICANT

Shall mean an owner, or his authorized agent.

1.3.11 BANK

An establishment for the custody, loan, exchange or issuance of money and other financial transactions and in which such transactions are made on the premises and in person. A bank may include office space and automatic teller machines. A savings and loan, trust company and a credit union shall be considered a bank.

1.3.12 BASE FLOOD (*amended June 10, 2003*)

The flood having a one percent (1 %) chance of being equaled or exceeded in any given year. Also referred to as the "100-year flood".

1.3.13 BASE FLOOD PLAIN (*amended June 10, 2003*)

The area that would be inundated by the base flood. On the FIRM, the base flood plain is Zone AE.

1.3.14 BASEMENT (*amended June 10, 2003*)

Any area of the building having its floor subgrade (below ground level) on all sides.

1.3.15 BOARD

Shall mean the Development Review Board of the Town of Randolph.

1.3.16 BUILDING (*amended June 10, 2003*)

Any structure having a roof and intended for the shelter, housing, or enclosure of person, animal, or materials. Any other structure more than eight (8) feet high shall be considered as a building, including a solid fence or wall, but excluding an electric transmission line or an electric light, telephone or telegraph pole, highway or railroad bridge, or flagpole.

For the purposes of the Flood Protection District provisions of these regulations, "building" means a walled and roofed structure including a gas or liquid storage tank that is principally above ground.

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1.3.17 BUILDING COVERAGE AREA

Area of a lot which, when viewed directly from above, is or would be covered by a structure or structures or any part thereof.

1.3.18 BUILDING HEIGHT

The vertical distance from the average finished grade surrounding the building to the highest point of the roof.

1.3.19 BUILDING LINE

A line parallel to a street at a distance equal to the required front yard or at a greater distance when otherwise legally established by the municipality or by private covenant.

1.3.20 CAMPER

An enclosure constructed with living facilities, mounted on or build into a motor vehicle or hauled by a motor vehicle, generally smaller than a travel trailer and used primarily for traveling, camping and recreation.

1.3.21 COVERAGE ENVELOPE

The area of a lot within which all building and lot coverage must be located.

1.3.22 COVERAGE, BUILDING

The portion of a parcel that is covered by structures.

1.3.23 COVERAGE, LOT

The portion of a parcel that is covered by manmade improvements, not including stormwater retention ponds or constructed natural features, but including structures, paved or gravel driveways, sidewalks and parking areas.

1.3.24 CULTURAL FACILITY

A museum, theater, concert hall, botanical or zoological garden, or other establishment which offers programs, performances or exhibits of cultural, educational, historical or scientific interest. Such facility may include educational classes.

1.3.25 DENSITY

Development density is measured in principal buildings per acre based on the lot, and prior to subdivision if subdivision is occurring.

1.3.26 DEVELOPMENT, UNSIGHTLY

A development or an aspect of a development that is unsightly. For the purposes of this regulation, the following aspects of a development are always considered "unsightly": solid waste dumpsters, outdoor tanks for such things as gases and liquids, outdoor storage of derelict equipment or materials, and loading areas.

1.3.27 DISTRICT

A district established by the provisions of Article II of this ordinance.

1.3.28 DISTRICT, OVERLAY (*amended June 10, 2003*)

A district, as herein defined, where certain provisions apply in addition to the provisions of the underlying district.

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1.3.29 DWELLING UNIT (D.U.)

A building or part of a building which contains living and sleeping accommodations for permanent occupancy.

1.3.30 DWELLING UNIT (D.U.) ONE FAMILY

A detached building designated for or occupied solely as a dwelling by one (1) family including a mobile home.

1.3.31 DWELLING UNIT (D.U.) TWO FAMILY

A detached building designated for or occupied solely as a dwelling, by two families living independently of each other.

1.3.32 DWELLING UNITS (D.U.) MULTIPLE

A dwelling or group of dwellings on one lot containing separate dwelling units for three (3) or more families, having separate or joint entrances, services or facilities.

1.3.33 FAMILY

A person keeping house separately or any number of individuals related by blood, marriage or adoption, living together as a single family unit.

1.3.34 FAMILY DWELLING UNIT

A dwelling or a part of a dwelling occupied or intended to be occupied by a family unit for residential purposes and including private kitchen facilities.

1.3.35 FLOOD INSURANCE MAP (*amended June 10, 2003*)

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

1.3.36 FLOOD INSURANCE RATE MAP (FIRM) (*amended June 10, 2003*)

An official map on which is delineated both the special hazards areas, if any, and the risk premium zones applicable to the Town.

1.3.37 FLOOD-PROOFING (*amended June 10, 2003*)

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

1.3.38 FLOODWAY (*amended June 10, 2003*)

The channel of a river or other watercourse and the adjacent land areas that must be reserved in order to discharge the base flood without cumulatively increasing the water surface elevation more than a designated height. On the FIRM, the floodway is the cross-hatched area within Zone AE.

1.3.39 FLOODWAY, FRINGE (*amended June 10, 2003*)

The area within the base flood plain (Zone AE) that may be developed provided the various development standards are met. On the FIRM, the fringe floodway area is the portion of Zone AE that is not cross-hatched.

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1.3.40 HAZARDOUS WASTE

Means any waste or combination of wastes of a solid, liquid, contained gaseous, or semi-solid form which in the judgment of the Secretary of the Agency of Environmental Conservation may cause, or contribute to, an increase in mortality or an increase in serious irreversible or incapacitating reversible illness, taking into account the toxicity of such waste, its persistence and degradability in nature, and its potential for assimilation, or concentration in tissue, and other factors that may otherwise cause or contribute to adverse acute or chronic effects on the health of persons or other living organisms, or any matter which may have an unusually destructive effect on water quality if discharged to ground or surface waters of the state. Such wastes include, but not limited to, those which are toxic, corrosive, flammable, irritants, strong sensitizers, or which generate pressure through decomposition, heat, or other means. Radioactive waste shall be considered hazardous.

1.3.41 HOTEL/MOTEL

A facility that offers transient lodging accommodations, either in one or more structures, to the general public for a fee. Such facilities may include, as accessory uses, restaurants, meeting rooms, entertainment and recreational facilities.

1.3.42 JUNK

Means old or scrap copper, brass, iron, steel, and other old or scrap or other material, including but not limited to rope, rags, batteries, glass, rubber debris, waste, trash or any discarded, dismantled, wrecked, scrapped or ruined motor vehicles or parts thereof.

1.3.43 JUNK MOTOR VEHICLE

Means a discarded, dismantled, wrecked, scrapped or ruined motor vehicle or parts thereof, or one other than an on-premise utility vehicle which is allowed to remain unregistered for a period of ninety (90) days from the date of discovery.

1.3.44 JUNKYARD

Means any place of outdoor storage or deposit, whether in connection with a business or not, which is maintained, operated or used for storing, keeping, processing, buying or selling junk or for the operation of an automobile graveyard.

1.3.45 LICENSEE

Means any person licensed to operate and maintain a mobile home park under this section.

1.3.46 LICENSING AUTHORITY

Means the Town of Randolph.

1.3.47 LOT WIDTH

The horizontal distance between the side lines of a lot measured at right angles to its depth along a straight line parallel to the front lot line at the minimum required setback line. The minimum lot width shall be maintained for the entire front yard setback requirement.

1.3.48 LOWEST FLOOR (*amended June 10, 2003*)

The lowest floor of the lowest enclosed area (including basement).

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1.3.49 MANUFACTURED HOME (*amended June 10, 2003*)

A structure, transportable in one or more sections, which is built on a permanent chassis and is designed for use with or without a permanent foundation when connected to the required utilities. For the purposes of the Flood Protection District provisions of these regulations, the term "manufactured home" also includes park trailers, travel trailers, and other similar vehicles parked on a site for greater than 180 consecutive days. For insurance purposes, the term "manufactured home" does not include park trailers, travel trailers, and other similar vehicles.

1.3.50 MANUFACTURING, LIGHT

The indoor processing, fabrication, assembly or packaging of any article, substance, commodity, or product.

1.3.51 MEAN SEA LEVEL (*amended June 10, 2003*)

The national Geodetic Vertical Datum (NGVD) of 1929 or other datum to which base flood elevations shown on a community's FIRM are referenced.

1.3.52 MOBILE HOME

A vehicle constructed with living facilities for use primarily as a permanent dwelling, generally over thirty (30) feet in length and eight (8) feet or more in width, which was originally constructed to be hauled by a tractor, truck or other special vehicle and shall be considered a one family dwelling for purposes of this Ordinance.

1.3.53 MOBILE HOME PARK

Any premises used or permitted to be used for the parking of more than one mobile home.

1.3.54 NON-CONFORMING BUILDING

A building, the use or construction of which does not conform to all of the applicable provisions of this Ordinance, but which was legally existing at the effective date hereof.

1.3.55 NON-CONFORMING USE

A use of land, building, or premises which is not a use permitted by the provisions of this Ordinance for the district in which such land, building or premises are situated, but which was legally existing at the effective date hereof.

1.3.56 NUISANCE

A condition or activity which results in an undue adverse effect on a use of land or public place or public way, where such effect exceeds the effects of existing uses as determined at the affected land or public place or way. Such undue adverse effects include those that stem from manifestations of a use including noise, vibration, dust, fire hazard, smoke, glare, radiation and discharges into air, water or soil.

1.3.57 OFFICE

A room or group of rooms used for conducting the affairs of a business, profession, service, industry or government.

1.3.58 OPEN SPACE

Open space is the portions of a parcel, either landscaped or essentially unimproved, which is to remain unbuilt. Yard area immediately adjacent to buildings, parking areas, services areas and other land associated with the operation of the principal use shall not be considered open space.

Randolph Zoning Regulations

Sewage disposal areas, utility and road rights-of-way or easements and stormwater management facilities also shall not be considered open space except where the applicant can establish to the satisfaction of the Board that they function as open space and will not detract from other open spaces.

1.3.59 OUTDOOR RECREATION

A parcel which may contain internal driveways and parking areas, and structures, equipment or manmade improvements for the primarily outdoor conduct or teaching of sports, leisure time activities, and other customary and usually participatory recreational activities including, but not limited to, stadium, tennis courts, golf courses, athletic fields, swimming pools and trails. Structures under 5,000 SF that are incidental to the use and house related retail, office, showers, concessions, etc are included in this definition.

1.3.60 PARCEL

A designated area of land established by plat, subdivision, or as otherwise permitted by law to be separately owned, used, developed, or built upon. "Lot" shall be synonymous with "parcel."

1.3.61 PARCEL, ORIGINAL

A parcel in the INT District as it existed on the effective date of the amendment {September 16, 2009} creating the INT District.

1.3.62 PERSON

Means an individual, a corporation, a partnership, an association, and any other incorporated or unincorporated organization or group.

1.3.63 PLAT

Shall mean the final map and accompanying information by which the subdivider's plan of subdivision, or site plan which is presented to the Board for approval. Plats, if approved, will be submitted to the Town Clerk for recording.

1.3.64 PREMISES

A LOT defined in this section.

1.3.65 PRINCIPAL BUILDING

A dominant building, or portion thereof, the use of which is fundamental and superior to any other use of land or lot.

1.3.66 PRINCIPAL USE

The use or uses dominant on a lot such use or uses being fundamental and superior to any other use of the land or the lot.

1.3.67 PLANNED UNIT DEVELOPMENT (PUD), PLANNED RESIDENTIAL DEVELOPMENT (PRD)

Shall be deemed a single development, as defined by 24 VSA, which may include, but not be limited to, multiple categories of land use (i.e. residential and recreational) and/or multiple types (i.e. one family detached, condominiums, etc.) where various categories and types of land use may be combined as design elements in a proposed development.

1.3.68 PUBLIC TRANSPORTATION FACILITIES

Facilities related to the provision of transportation services, including but not limited to highway maintenance, parking and transit facilities. Such facilities shall be owned and/or maintained by a local or state agency or municipality.

1.3.69 RECREATIONAL VEHICLE *(amended June 10, 2003)*

A vehicular-type of portable structure without permanent foundation which can be towed, hauled or driven and is primarily designed as temporary living accommodations for recreation, camping and travel use, and including, but not limited to, travel trailers, truck camper, camping trailers and self-propelled motor homes.

1.3.70 RESEARCH LABORATORY AND FACILITY

An establishment or other facility for carrying on investigation in the natural, physical or social sciences, or engineering and development.

1.3.71 RESIDENTIAL COMMUNITY DEVELOPMENT

A development that consists of dwelling units that are for sale or rent. The dwellings may be in the form of detached or attached houses, duplexes, apartments or multi-family structures. All land that is not covered by building is under one ownership or, if any of the dwelling units are individually owned, an ownership maintenance structure such as a community association is established that administers and maintains the common property and common elements of the community development. A residential community development shall include: recreational facilities and personal services that are designed primarily to serve the residents in the community; congregate residences (apartments and dwellings with communal dining facilities and services); and assisted living arrangements.

1.3.72 RESTAURANT

An establishment where food and drink is prepared, served and consumed primarily within the principal building or at seating provided outdoors and adjacent to the principal building.

1.3.73 RETAIL SALES

Establishment engaged in selling or short-term renting of goods or merchandise to the general public for personal or household consumption and rendering services incidental to the sale or rental of such goods.

1.3.74 RIGHT-OF-WAY LINE

A line dividing the street from the lot.

1.3.75 SCRAP YARDS

Any place of outdoor storage or deposit, whether in connection with a business or not, which is maintained, operated, or used for storing, keeping processing, buying, or selling scrap metals, including, but not limited to metals, rope, rags, batteries, glass, rubber debris, waste, trash or any discarded, dismantled, wrecked, scrapped or ruined motor vehicles, farm equipment, machinery or parts thereof.

1.3.76 SITE PLAN REVIEW

Site plan review shall mean the review and approval or disapproval of site plans for the development of tracts for uses other than one (1) and two (2) family dwellings and

appurtenances whether or not such development includes a subdivision or re-subdivision of the site.

1.3.77 SOLID WASTE

Means any garbage, refuse, septage, sludge from a waste treatment plant, water supply plant, or air pollution control facility and other discarded material including solid, liquid, semi-solid, or contained gaseous materials resulting from industrial, commercial, mining, or agricultural operations and from community activities but does not include animal manure and absorbent bedding used for soil enrichment or solid or dissolved material in industrial discharges which are point sources subject to permits under the Water Pollution Control Act., chapter 47 of Title 10.

1.3.78 STREET RIGHT-OF-WAY

A public way or a way opened to the public use or other right-of-way giving access to the lot but excluding an alley used for service access only.

Means, relates to and included street, avenue, boulevard, road, land, alley viaduct, highway freeway, and other ways. A discontinued highway shall not constitute an existing approved highway.

1.3.79 STRUCTURE, PARKING

A building or structure consisting of more than one level and used exclusively to store/park motor vehicles. Such a structure may be attached to another building but if it is within or under a building with another use it shall not be considered a parking structure.

1.3.80 SUB-DIVISION

Shall mean the division of a lot, tract, or parcel of land into three (3) or more lots, plats, sites, or other division of land for the purpose, whether immediate or future, of sale, lease or rent or of building development, or the extension of an existing road or street or the creation of one or more new streets or roads. The application of the term "subdivision" is to include but not be specifically be limited to condominium, or co-operative association and club owner.

When the owner of the initial lot, tract or parcel of land transfer ownership of portion of that land to a person or corporation, and that person or corporation further transfers ownership of any portion of that land that person or corporation, becomes a subdivider and must meet all the requirements of the subdivision regulation or if the owner of the initial lot transfers ownership of a second portion or lot from the initial lot, then he becomes a subdivider.

A public right-of-way will be construed as the boundary line of the lot, tract or parcel for purposes of subdivision.

1.3.81 SUBSTANTIAL IMPROVEMENT *(amended June 10, 2003)*

Any repair, reconstruction, or improvement of a structure, the cost of which equals or exceeds 50 percent of the market value of the structure either, (a) before the improvement or repair is started, or (b) if the structure has been damaged, and is being restored, before the damage occurred. The term does not, however, include either (1) any project for improvement of 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 of a state inventory of historic sites.

1.3.82 UNSIGHTLY

Something that visually offends the sensibilities of the average person.

1.3.83 TOURIST CABIN

A residential structure with or without kitchen facilities, and primarily intended for the accommodation of transients.

1.3.84 TOURIST HOME/GUEST HOME/BOARDING HOUSE

Any accessory use of a home that serves as the primary residence of the operator and offering less than ten (10) units of lodging, or board and lodging; for compensation; for the use of transients, or long term residence. (The unit herein defined is meant for sleeping accommodations only, may or may not have individual unit bathroom facilities; but does not include kitchen facilities.)

1.3.85 TRAVEL TRAILER

A vehicle constructed with living facilities, generally less than thirty (30) feet in length and eight (8) feet or less in width, designated to be towed by a passenger vehicle and used primarily for traveling, camping and recreation.

1.3.86 TRAVEL TRAILER PARK

Any premises used or permitted to be used for the parking of more than one occupied camper or travel trailer.

1.3.87 WAREHOUSE, PUBLIC (*amendment of August 6, 2002*)

A building available to the general public, at a fee, for the storage of farm products, furniture and other household goods, or commercial or private goods of any nature.

1.3.88 WASTE DISPOSAL SITES

Any place, whether in connection with a business or not, which is used for the disposal, storage or pick up of non-recoverable, recoverable, or reusable or unusable radiological or chemical materials, compounds, or solutions in the solid, liquid, or gaseous state, contained in manufactured vessels or natural features of containment.

1.3.89 YARD, FRONT

An open space adjacent to the street as measured from the street right-of-way line to the building line.

1.3.90 YARD, REAR

An open space between the building and the rear lot line, extending the full width of the lot areas perpendicular to the lot line.

1.3.91 YARD, REQUIRED FRONT, REAR OR SIDE

So much of the front, rear, or side yard is required by the applicable provisions of this ordinance.

1.3.92 YARD, SIDE

An open space between the building and a side lot line, extending from the front yard to the rear yard. Any yard not a rear yard or a front yard shall be deemed a side yard.

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1.3.93 ZONE AE (*amended June 10, 2003*)

See "Base Flood Plain", "Floodway" and "Floodway, Fringe."

1.3.94 ZONE X (*amended June 10, 2003*)

The area that would be inundated by the 500-year flood.

ARTICLE II

ZONING DISTRICTS AND APPLICATION OF REGULATIONS

2.1 LIST OF DISTRICTS

Randolph is hereby divided into the following districts¹ as shown on the Town Zoning Map:

<u>District</u>	<u>Symbol</u>
Flood Protection	FP
Residence	RES
Rural	RU
Civic-Tourist	CT
Commercial	C
Rural Village	RV
Apartment Residence	AR
Industrial	I
Interchange	INT

2.2 ZONING MAP

The location and boundaries of the said districts are established as shown on the attached Town Zoning Map. The Town Zoning Map is hereby made a part of the Regulation, together with all future notations, references, and amendments.

2.3 INTERPRETATION OF ZONE BOUNDARIES

If uncertainty exists as to the boundary of any district shown on the Town Zoning Map the Board shall determine the location of such boundary.

2.4 APPLICATION REGUALTIONS

The application of this Regulation is subject to Section 4405 and Section 4409 of the Development Act. Except as hereinafter provided, the following shall also apply:

- 2.4.1 No building shall be erected, moved, altered, razed, rebuilt, or enlarged, nor shall any land or building be used, designed, or arranged to be used for any purpose or in any manner except in conformity with all regulations, requirements, and restrictions specified in which such building or land is located.
- 2.4.2 Nothing contained in this Regulation shall required any change of plans, construction or designated use of a building complying with local laws in force prior to this Regulation, if a building shall have been completed in accordance with such plans within one year from the effective date of this Regulation.
- 2.4.3 Any use not specifically permitted by this Regulation shall be prohibited unless authorized by the BOARD if it finds, after a duly warned public hearing, that the proposed

¹ Other zoning districts have been added; see amendments.

use is not injurious, obnoxious, or offensive and is in keeping with the Character and permitted uses in the Zoning District. Any list of prohibited uses contained in any section of this Regulation shall not be deemed to be an exhaustive list, but has been included for the purposes of clarity and emphasis, and to illustrate, by example, some of the uses frequently proposed that are deemed undesirable and incompatible and are thus prohibited.

2.5 NON-CONFORMING USES AND NON-COMPLYING BUILDINGS

Non-conforming uses under this Ordinance shall be subject to the provisions of the Vermont Development Act, Section 4408 (b) and (c).

2.5.1 CONTINUANCE OF NON-CONFORMING USES

Any non-conforming use of building or premises lawfully existing at the effective date of this Ordinance or any pertinent amendment thereto, may be continued, and any building so existing which was designed, arranged, intended for, or devoted to a non-conforming use may be reconstructed structurally altered, and the non-conforming use therein changed, all subject to the following regulations.

- 2.5.2 No non-conforming use may be changed except to a conforming use, or, with the approval of the BOARD, a non-conforming use may be changed to another non-conforming use.
- 2.5.3 No non-conforming use shall, if once changed into a confirming use, be changed back again into a non-conforming use.
- 2.5.4 No non-conforming use shall be extended or expanded except with the approval of the BOARD, which shall have determined that no greater detrimental effect upon the community will result.
- 2.5.5 No non-conforming use which has been discontinued for a period of one year shall be thereafter resumed.

2.6 ENLARGEMENT OF NON-CONFORMING BUILDING

Any building which does not conform to the requirements of this Ordinance regarding building height limit, area, and width of lot, percentage of lot coverage, and required yards and parking facilities shall not be enlarged unless such enlarged portion conforms to the ordinance regarding the foregoing building and lot requirements applying to the district in which it is located and unless the use is governed by the Development Act.

2.7 CONSTRUCTION AFTER DAMAGE

Nothing in this Ordinance shall prevent the reconstruction within one year of a building damaged by fire, accident, the act of God, or of the public enemy, to its condition prior to such damage or prevent the restoration of a wall or structural member.

ARTICLE III

ADMINISTRATION AND ENFORCEMENT

3.1 ADMINISTRATIVE OFFICER

An Administrative Officer is hereby appointed to administer the Zoning Regulations, as provided in Section 4442 of the Development Act. Said Officer shall literally enforce the provision of this Regulation, and in so doing, shall inspect land development and maintain records of the actions taken, and perform all other necessary tasks to carry out the provisions of this Regulation and duties of the office. The Administrative Officer shall report all alleged violations of the Regulation to the BOARD in writing. Such reports shall be made part of the records of that body.

3.2 DEVELOPMENT REVIEW BOARD *(amended July 19, 2000)*

There has been established a Development Review Board as provided for in 24 VSA Ch. 117, hereinafter referred to as the BOARD. The rules of procedure, public notice, conditions for variance relief, and all other matters shall be as provided for in 24 VSA Ch. 117.

3.3 DESIGN REVIEW ADVISORY COMMISSION *(amended September 16, 2009)*

- A. These Regulations hereby establish a 5-member Design Review Advisory Commission as provided for in 24 VSA §4433 (1), (2) and (4), hereinafter referred to as the Advisory Commission.
- B. The majority of the membership of the Advisory Commission shall be residents of the Town of Randolph. It is preferable that at least one member be a resident of or property owner in Randolph Center and that members have a background in architecture, design, planning, civil engineering and/or community development. Such background is required for non-Randolph residents. Members are appointed by the Selectboard for terms of three years, with such terms being staggered so that no more than two members' terms expire in any one year. Initial terms may be for less than three years to meet this staggering requirement. Any appointment to fill a vacancy shall be for the unexpired term.
- C. The role of the Advisory Commission, as provided for in 24 VSA §4464(d) and in these Regulations, is to review applications for development in the INT District that require Board approval and prepare recommendations to the Board on each of the review standards required for the application relating to building design in 6.9.6. The Advisory Commission shall meet with the applicant and interested parties, conduct site visits and perform other fact-finding that will enable the preparation of recommendations. Such recommendations shall be non-binding.
- D. The procedures for the Advisory Commission shall be as provided for in 24 VSA §4433(2) and §4464(d). The Advisory Commission shall adopt rules of procedure as it deems necessary and appropriate for the performance of its functions as required under the Act and Vermont's Open Meeting Laws. Records of Advisory Commission transactions shall be filed with the Randolph Town Clerk as public records. As the Advisory Commission is acting only in an advisory capacity to the Board, it shall comply with the open meeting law

and its adopted rules of procedure but shall not conduct its meetings as public hearings before a quasi-judicial body nor shall such meetings be subject to the Municipal Administrative Procedures Act. However, that notwithstanding, meetings of the Advisory Commission shall be duly warned, including notices to abutters.

3.4 ZONING PERMITS

- A. After the effective date of this regulation, no building shall be erected, moved, razed, enlarged, or altered nor any land development commenced until a permit for such has been issued by the Administrative Officer, as provided by Section 4443 of the Development Act. Application for such permit shall be filed with the Administrative Officer, upon a form furnished by that Officer containing a sketch of the premises, showing the location and size of the proposed structure, or alterations, the approximate dimensions of the lot and all required open spaces, and such other information as the Administrative Officer may require to determine that the proposed building or structure or alteration or land use conforms as to the provision of this Regulation. A fee in the amount as set by the Selectmen shall accompany each application.
- B. Any permit issued hereunder shall become void if work described therein is not commenced within a period of one year from date of issue and diligently prosecuted thereafter.

3.5 CERTIFICATE OF OCCUPANCY

It shall be unlawful to use or occupy or permit the use of or occupancy of any land or structure, or part thereof created, erected, changed, converted, or wholly or partly altered or enlarged in its use or structure after the effective date of this chapter, within the area affected by such zoning regulations, until a certificate of occupancy is issued therefore by the Administrative Officer. A certificate of occupancy will be issued to non-public buildings when substantial completion of the structure is obtained.

3.6 APPEALS *(amended July 19, 2000)*

- A. Appeals from any decision or act of the Administrative Officer shall be made to the Board as provided for in 24 VSA Ch. 117 Section 4464.
- B. Appeals from any decision of the Board shall be made to the Environmental Court pursuant to 24 VSA Ch. 117 Section 4471. The Town, having adopted the Municipal Administrative Procedures Act, has resolved that decisions regarding an appeal of a decision or act of the Board shall be on the record in accordance with Rules 74 and 75 of the Rules of Civil Procedure.
- C. Notwithstanding the provisions of 24 VSA Ch. 117 Section 4471, decisions of the Board under 24 VSA Ch. 117 Section 4449 and Section 3.4.2 of these regulations, with respect to local Act 250 review of municipal impacts, are not subject to appeal, but shall serve as presumptions under the provisions of 10 VSA Ch. 151 (Act 250).

3.7 PENALTIES

Violations of this Regulation shall be regulated as prescribed in Section 4444 and Section 4445 of the Development Act

ARTICLE IV

4.1 SITE PLAN REVIEW

A. Applicability

Site Plan Review shall be required for the development of tracts for uses other than one (1) or two (2) family dwellings and appurtenances, whether or not such development includes a subdivision or re-subdivision of the site. No Zoning Permit may be issued by the Administrative Officer for any use or structure which requires site plan approval in the regulation, until the BOARD grants such approval. In considering its action the BOARD shall consider appropriate conditions and safeguards with respect only to the adequacy of traffic access, circulation and parking and landscaping and screening. The timing of its action and in all other regards, the BOARD shall conform to the requirements of 24 VSA ch. 117.

B. Application Procedure

1. A number of copies required by the Administrator not to exceed nine (9) copies of a site plan map and application shall be submitted and the BOARD shall review and approve or disapprove plans for all uses other than one (1) or two (2) family dwellings and appurtenances, whether or not such development includes a subdivision or re-subdivision of the site. The construction of a residential single or two family dwelling shall not be covered by this section. Required site plans shall show all buildings, parking areas, signs and landscaping at a scale sufficient to permit the study of all elements of the plan. All utilities shall also be shown and described. Typical elevations for all floor plans of all buildings may also be required. Elevations views for all signs shall be provided. In addition, the site plans shall show adjacent building outlines and other outstanding features within two hundred (200) feet of the development, or as required by the BOARD.
2. The BOARD shall consider and approve or disapprove site plans within 45 days from the date of the close of the public hearing. Failure to so act will be deemed an approval. One (1) copy of the site plan application shall be returned to the application together with any requirements, comments, or actions by the BOARD. A second copy indicating the same requirements, comments or action, shall be retained by the Zoning Administrator. *(amended July 19, 2000)*
3. If a site plan requires public roads, water, or sewers, the applicant may be required by the BOARD to furnish the town, as the case may be, a bond and covenant covering these improvements.

C. Review Criteria

The BOARD shall approve a site plan, with or without conditions as noted above, if it meets the following criteria:

1. The proposed use, design, and layout shall meet the provisions of the Zoning Ordinance and other Regulations and Ordinances of the Town and shall meet the intent of the Town Plan.
2. The proposed use, design, and layout will be of such a location and in such size and character that it will be in harmony with the appropriate and orderly development of the surrounding area.

3. The proposed use and layout will be of such nature that it will not make vehicular or pedestrian traffic hazardous. Factors for the BOARD to consider in the determination are the turning movements in relation to traffic flow, proximity to and relationship to intersections, adequacy of sight distances, location and access of off-street parking, provisions for pedestrian traffic, and minimization of pedestrian-vehicular contacts.
4. The proposed height and location of buildings or structures, walls, and fences, parking, loading and landscaping shall be that it will not interfere with or discourage the appropriate development in the use of land adjacent to the proposed site or unreasonably affect its use.

4.2 CONDITIONAL USE REVIEW

No zoning permit may be issued by the Administrative Officer unless conditional use has been granted by the BOARD. All conditional uses in the Town of Randolph will be evaluated using the following criteria:

- A. that the proposed use is consistent with the objectives of the comprehensive plan and the purposes of this ordinance.
- B. that the proposed use will not cause any hazard to health or property through:
 1. fire
 2. traffic
 3. accident
 4. unsanitary conditions
 5. excessive noise
 6. vibration
 7. odor
 8. other nuisances
- C. that the proposed use will not add a volume of traffic to the highways beyond their reasonable capacity.
- D. a continuous strip not less than six (6) feet wide shall be maintained between the right-of-way line and the balance of the lot which strip shall be suitably landscaped.

The BOARD may make specific requirements in order to satisfy these criteria. Such uses shall in addition be subject to any pertinent Ordinances of the Town of Randolph or Statutes of the State of Vermont.

4.3 LOCAL ACT 250 REVIEW *(amended July 19, 2000)*

- A. Pursuant to 24 VSA Ch. 117, Section 4401(d) and Section 4449, the Board is hereby authorized to undertake local Act 250 (10 VSA Ch. 151) review of municipal impacts caused by a "development" and/or "subdivision," as such terms are defined in 10 VSA Ch. 151.
- B. With respect to such developments or subdivisions, the Board, pursuant to the procedures established under 24 VSA Ch. 36 (the Municipal Administrative Procedures Act), shall hear applications for local Act 250 review of municipal impacts at a duly warned public hearing.
- C. All applicants for Act 250 permits for such developments or subdivisions located within the Town of Randolph shall go through this review process, unless all of the following apply:
 1. That the applicant can establish to the satisfaction of the Board that the applicant relied on a determination by the Vermont Environmental Board's local district coordinator that Act 250 jurisdiction did not apply to the development or subdivision in question

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and, based upon that reliance, the applicant obtained local permits without complying with the requirement for local Act 250 review.

2. The Vermont Environmental Board's local district coordinator's jurisdictional ruling was later reconsidered or overturned on appeal, with the result that Act 250 jurisdiction does apply to the development or subdivision for local Act 250 review.
 3. The Board waives its local Act 250 review jurisdiction in the interest of fairness to the applicant.
- D. Determinations by the Board regarding whether or not to waive its local Act 250 review jurisdiction shall not be subject to review.
- E. In the Board's local Act 250 review proceedings, the applicant shall demonstrate to the satisfaction of the Board that the proposed development or subdivision:
1. Will not cause an unreasonable burden on the ability of the municipality to provide educational services (Act 250 Criterion 6);
 2. Will not cause an unreasonable burden on the ability of the municipality to provide municipal or governmental services (Act 250 Criterion 7); and,
 3. Is in conformance with the Town Plan as adopted in accordance with the 24 VSA Ch. 117 (Act 250 Criterion 10).
- F. At the request of the Planning Commission, the Board may provide comment to the Planning Commission on all other Act 250 review criteria for any development or subdivision undergoing Act 250 review within the Town of Randolph.

4.4 PLANNED UNIT DEVELOPMENT (PUD)

A. Applicability

With the approval of a subdivision plan, the BOARD is hereby empowered to vary certain zoning regulations under the criteria and procedures established in Section 4417 of the Development Act.

B. Purpose

The purpose of this provision is to encourage more efficient use of land, innovation in design, to facilitate the adequate and economic provision of streets and utilities, and to preserve the qualities of open land.

C. Application Procedure

A site plan shall be submitted to the BOARD showing location height, and spacing of buildings, open space and their landscaping, street, driveways, off-street parking spaces, unique natural or man-made features, and physical conditions of the site, accompanied by a statement setting forth the nature of all proposed modifications, changes, or supplementations of the existing zoning regulations.

D. Permitted Uses

Uses shall be limited to those permitted or conditional uses approved within the district in which the PUD is proposed.

E. Standards for Review

The following standards shall be met in order for the BOARD to approve the application:

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1. The BOARD may allow for greater concentration of density, or intensity of land use, within some sections of the development than upon others. The approval for greater concentration of density in one section shall be offset by a lesser concentration in another or by an appropriate reservation of common space as long as overall density requirements of the total area are not exceeded. In deciding whether or not to allow for a great density, the BOARD shall consider the type or water and sewerage facilities and other proposed utilities and their ability to handle greater density or intensity of use.
2. Width, yard, coverage and height requirements for the district in which the development is to be located shall normally be met. The BOARD may vary these requirements to allow for innovative design and effective land use. Applicable procedures and requirements outlined in Section 4.1, and other sections of these regulations, as well as the Town of Randolph Subdivision Regulations shall also be met.
3. The PUD shall be an effective, unified treatment of the development possibilities of the project site. The development plan shall make appropriate provision for the preservation of streams and streambanks, steep slopes, wet areas, soils unsuitable for development, forested areas, historic areas, unique natural and man-made features.
4. Mixed uses shall be arranged so as to be compatible and ensure visual and aural privacy for project residents.
5. Proposed streets shall be in harmony with existing or approved thoroughfares.
6. The development shall be proposed over a reasonable period of time in order that adequate municipal services and facilities may be provided. If the development is to be phased, open spaces shall be developed simultaneously with residential or commercial units in various stages of the project.
7. When a PUD results in land available for parks, recreation or open space the BOARD may require as a condition of approval that donation of these lands for municipal purposes. In addition, the BOARD may establish such conditions on the ownership, use and maintenance of such lands as it deems necessary to assure the preservation of such lands for their intended purposes.

ARTICLE V

AMENDMENTS, INTERPRETATION, EFFECTIVE DATE

5.0 AMENDMENTS

This Regulation may be amended according to the requirements and procedures established in Sections 4403 and 4404 of the Development Act.

5.1 INTERPRETATION

In their interpretations and application, the provisions of this Regulation shall be held to be the minimum requirements adopted for the promotion of the public health, safety, comfort, convenience and general welfare. Except for Section 4409 (B) of the Development Act and where, in this Regulation, specifically provided to the contrary, it is not intended by the Regulation to repeal, abrogate, annul or in any way impair or interfere with any rules, regulations or permits previously adopted or issued pursuant to law relating to the use of buildings, structures, shelter or premises; nor is it intended by this Regulation to interfere with or abrogate or annul any easements, covenants or others agreements between parties; provided however, that where this Regulation imposes a greater restriction upon the use of a building or premises, or requires larger open spaces than are imposed or required by other statutes, ordinance, rule, regulations or permit or by an easement, or agreements, the provisions of this Regulation shall control.

5.2 EFFECTIVE DATE

This Regulation shall take effect twenty-one (21) days from the time of adoption by the Selectmen or after vote of a petitioned town meeting.

5.3 SEPARABILITY

Should any section or provision of the Regulation be decided by the courts to be unconstitutional or invalid, such decision shall not affect the validity of the Regulation as a whole or any part thereof other than the part so decided to be unconstitutional or invalid.

B. ZONING CONTROLS

GENERAL REQUIREMENTS

5.4 MISCELLANEOUS REQUIREMENTS

In accordance with the Development Act, Section 4406 and 4409 respectively, the following shall apply:

5.5 EXISTING SMALL LOTS

Any lot in individual and separate and nonaffiliated ownership from surrounding properties in existence on the effective day of any zoning regulation, including an interim zoning regulation, may be developed for the purposes permitted in the district in which it is located, even though not conforming to minimum lot size requirements, if such lot is not less than one-eighth acre in area with a minimum width or depth dimension of forty (40) feet.

5.6 REQUIRED FRONTAGE ON, OR ACCESS TO, PUBLIC ROADS OR PUBLIC WATERS

No land development may be permitted on lots which do not have frontage on either a public road or public water or, with the approval of the BOARD, access to such a road or waters by a permanent easement or right-of-way at least twenty (20) feet in width.

5.7 PROTECTION OF HOME OCCUPATIONS

Home Occupation is that accessory use of a dwelling that shall constitute either entirely or partly the livelihood of a person living in the dwelling subject to the following:

- a. No Home Occupation shall be permitted that:
 1. Changes the outside appearance of the dwelling or is visible from the street;
 2. Comprises an area within the existing dwelling, or accessory building, or in a combination of the two, that exceeds twenty-five percent (25%) of the living area of the dwelling to a maximum of five hundred (500) square feet;
 3. Employs anyone on the premises other than a household member residing in the dwelling. A waiver to a maximum of one non-household member may be granted if a hardship or necessity is demonstrated to the satisfaction of the BOARD;
 4. Generates traffic, parking, sewerage, or water use in excess of what is normal in the residential neighborhood;
 5. Creates a hazard to person or property or results in electrical disturbances, objectionable noise, vibration, smoke, dust, odors, heat or excessive glare, or other nuisance;
 6. Results in the outside storage or display of materials.
- b. Permits for Home Occupations shall be issued by the Zoning Administrator if all requirements have been met.
- c. Any approval for a Home Occupation is granted to the applicant for the length of time that the applicant occupies the dwelling. Approval shall terminate upon relocation by the applicant and shall neither remain with subsequent occupant of the dwelling nor transfer to a new location with the original applicant.

5.8 EQUAL TREATMENT OF HOUSING

- (a) Except as provided in Section 4407 (6) of this title, no zoning regulation shall have the effect of excluding mobile homes, modular housing, or other forms of prefabricated housing from

the municipality, except upon the same terms and conditions as conventional housing is excluded.

- (b) No zoning regulation shall have the effect of excluding from the municipality housing to meet the needs of the population as determined in Section 4382 (c) of this title.

5.9 STATUTORY LIMITATIONS

The following uses may only be regulated with respect to size, height, bulk, yards, courts, setbacks, density of buildings, off-street parking, loading facilities, landscaping and screening requirements:

- 5.9.1 Public utility power generating plants and transmission lines.
- 5.9.2 State or community owned and operated institutions and facilities.
- 5.9.3 Public and private schools and other educational institutions certified by the Vermont Department of Education.
- 5.9.4 Churches, convents, and parish houses.
- 5.9.5 Public and private hospitals.
- 5.9.6 If any bylaw is enacted with respect to any land development subject to regulations under state statutes, the more stringent or restrictive regulations applicable shall apply.
- 5.9.7 No zoning permit for the development of land of the following types or located within the following designated areas may be granted by a municipality prior to the expiration of a period of thirty (30) days following the submission of report to the state agency designated in each case, describing the proposed use, the location requested and an evaluation of the effect of such proposed use on the plan of the municipality and on the regional, if any:
 - (1) Forest and Parks Department. Any use in or within one thousand (1,000) feet of any state owned or leased property. This provision does not apply within any incorporated village or city.
 - (2) Department of Water Resources. Any of the following uses activities affecting ground or surface water resources:
 - (a) Any area designated as flood plain.
 - (b) The damming of streams so as to form an impounding area of five (5) acres or more for reservoir or recreational purposes.
 - (c) The drilling of wells deeper than fifty (50) feet or with an potential yield greater than twenty-five thousand (25,000) gallons per day, except this shall not apply to a well drilled by the owner of a farm or residence for his own use, or the use of the farm.
 - (3) Fish and Game Department. Game lands and stream bank areas owned or leased by the state.
 - (4) Vermont Aeronautics Commission. Airports.

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(5) Forest and Parks Department. The following recreational areas:

- (a) Ski areas with lifts or other equipment other than tows with total capacity of more than five hundred (500) persons per hour.
- (b) Camps with accommodations for more than fifty (50) persons.
- (c) Marinas with accommodations for twenty (20) or more boats with lengths in excess of twenty (20) feet.
- (d) Public beaches, or lands within one thousand (1,000) feet thereof.
- (e) Natural areas defined in Section 2010 of Title 10.

(6) Highway Department. Any use within five hundred (500) feet of the intersection of any entrance or exit ramp providing access to any limited access highway.

5.9.8 A state licensed or registered community care home or group home, serving not more than six (6) persons who are developmentally disabled or physically handicapped, shall be considered by right to constitute a permitted single-family residential use of property, except that no such home shall be so considered if it is located within one thousand (1,000) feet of another such home.

5.10 AUTOMOBILE SERVICE STATIONS, JUNK AND JUNKYARDS

All motor vehicles, registered or unregistered, which do not comply with the Motor Vehicle Regulations to pass inspection or which are not repaired to pass inspection within ninety (90) days shall be screened from the highway and adjacent property by suitable screening. Any automobile service station not conforming to this regulation at the time this amendment goes into effect shall become a conforming use within a ninety (90) day period.

Body repair service stations shall not have over eight (8) cars in their lot at any one time without complying to the screening requirements.

Junkyards, auto wrecking and the storage of waste materials permitted by approval of the Board, in Rural Zones and in the Industrial Zones shall either be out of sight of any highway or be screened as above.

In any district where junkyards, auto wrecking yards and yards for the storage of waste materials are permitted by approval of the BOARD, the above regulations shall apply.

5.11 MOBILE HOMES

5.11.1 PERMITS

No person shall locate or relocate a mobile home in the town of Randolph outside of a Mobile Home Park, unless such person shall first obtain from the Administrative Officer a permit therefore, except that a person may bring in a mobile home while visiting relative or friends and may park in the same on the property of said relative or friend for a period not to exceed seven (7) days without a license provided the mobile home is located at least twenty-five (25) feet from the dwelling of any neighbor or such friend or relative and not used as a residence.

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A person may park but not reside in a mobile home in the same manner on the property of relatives or friends who reside in the rural districts for a period not to exceed ninety-days with a permit.

An application for a mobile home permit shall be supplied by the Administrative Officer.

A mobile home so located shall meet all other regulations and requirements for any residential unit in that area as set forth in these regulations and such other regulations as shall be adopted by the town from time to time.

Mobile homes located in Randolph outside of a licensed Mobile Home Park at the time of enactment of this amendment shall continue to be subject to the provisions and requirements of the Zoning Ordinance in effect when the permit for that mobile home was issued.

5.12 *(deleted in amendments of July 19, 2000)*

5.13 TRAVEL TRAILERS AND CAMPERS

5.13.1 CAMPER PARK OR TRAVEL TRAILER PARK

No person or persons shall construct or operate a trailer camp without first obtaining site plan approval from the BOARD and a permit from the Administrative Officer.

5.13.2 APPLICATION

Application for a trailer camp site plan approval shall be made to the BOARD. The application shall be accompanied with a site plan and drawings prepared showing the property lines and area of the park, and where appropriate a contour map, a layout of the roads, walkways, trailer lots, parking areas, garbage collection stations, electrical distribution, water lines, sanitary sewer facilities and storm sewer drainage facilities.

5.13.3 TRAILER CAMP STANDARDS

The following regulations shall apply in respect to all trailer camps:

A trailer camp shall have an area of not less than five (5) acres.

Trailer camps shall provide for individual trailer driveways and parking.

Each trailer lot shall be at least twenty-five hundred (2,500) square feet in area and have a stable surface at least twenty (20) feet in width.

There shall be an undeveloped area of not less than one hundred (100) feet in depth between all camping trailer and tent sites and the traveled portion of any adjacent public highway; and any other lot boundary of the trailer camp shall be landscaped with existing or newly planted trees or other plant materials. The Board may reduce or waive the requirements of this subsection when in its opinion:

- a. Such a reduction or waiver will make it possible to preserve an attractive view from the site.

- b. Granting of the reduction of waiver will be in the public interest.

Each lot shall be located in a dry and well-drained area.

All roads within the site shall be of sufficient grade and alignment so as to permit safe traffic flow at all times. The design of roads shall be adequate to provide for the utilization of police, fire, ambulance, and other emergency vehicles. Proper traffic control signs shall be established as is consistent with the public safety.

5.14 OFF-STREET PARKING

5.14.1 PARKING FACILITIES REQUIRED

Parking facilities off street or highway right-of-way shall be provided to serve all buildings erected, moved, altered, or enlarged and all premises otherwise developed after the adoption of this ordinance. Such facilities shall be sufficient to accommodate the motor vehicles of all occupants, employees, customers and other persons normally visiting such building or premises at any one time.

5.14.2 LOCATION OF REQUIRED PARKING FACILITIES

Required parking facilities shall be located on the same lot as the building or other use which they serve, except that upon the approval of the BOARD required parking facilities may be located elsewhere.

5.14.3 REQUIRED PARKING

Off street parking spaces shall be provided in accordance with the specifications in this section in any district whenever any new use is established or when the present use is enlarged.

USE	PARKING SPACES REQUIRED
Residential	2 per family unit
A. Single Family	2 per family unit
B. Multi Family	1.5 per family unit
Church and School	1 per four seats in principal assembly room
Private Club or Lodge	¼ per maximum capacity
Theater or Auditorium	1 per 4 seats
Hospitals and Rest Homes	1 per 3 beds and 1 for each 2 employees on the maximum working shift
Personal and Professional Services Office, and Business Services	1 for every 250 square feet of gross floor space
Retail Stores, including Restaurants	6 for each 1000 square feet of gross floor space

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USE	PARKING SPACES REQUIRED
Industrial	2 for each 3 employees on the maximum working shift
Motel	1 space per room
Elderly Housing	1 space per 4 apartments
Recreation and other uses not listed above	As required by the BOARD

All stalls shall be 9' x 20'.

The above requirements may be modified by vote of the BOARD.

5.15 REMOVAL OF TOP SOIL, SAND AND GRAVEL

5.15.1 REMOVAL RESTRICTED

Unless the BOARD has granted a permit there shall be no removal from the premises in any district of earth, sand, gravel or clay, except as surplus material resulting from a bona fide construction, landscape or agricultural operation being executed on the premises, and provided that no permanent non-correctable damage is done to the landscape.

5.15.2 REMOVAL OF TOP SOIL

The BOARD may grant a permit in any district for the removal of top soil or loam from any area, provided that no less than four inches of top soil or loam remains and provided further that the entire area disturbed is seeded with a suitable cover crop or is put to cultivation.

5.15.3 REMOVAL OF SAND, GRAVEL AND CLAY

The BOARD, after public hearing, may permit the removal of sand, gravel or clay in any district and may require any of the following conditions where necessary to protect the public safety and public interest, including the protection of area land values:

- a) The applicant shall submit a plan showing existing grades in the area from which the above materials are to be removed, together with finished grades at the conclusion of the operation.
- b) The plan shall provide for proper drainage of the area of operation during and after completion and no bank shall exceed a slope of one (1) foot of vertical rise in feet of horizontal distance except in ledge rock. No removal shall take place within twenty (20) feet in a property line except that where the grade from a property line rises towards the lot where removal is to take place, material lying above the grade at the property line may be removed.
- c) At the conclusion of the operation or of any substantial portion thereof, the whole area where removal takes place shall be covered with four (4) inches of top soil, or an amount equal to the pre-existing depth of same, and seeded with a suitable cover crop, except where ledge rock is exposed. The cover crop shall be properly established.

- d) Before a permit is granted under this section, the applicant shall post a bond with the Treasurer of the Town of Randolph in an amount set by the Selectmen as sufficient to guarantee conformity with the provisions of the permit issued hereunder.

5.16 *(deleted in amendments of July 19, 2000)*

5.17 OTHER SPECIAL REGULATIONS

5.17.1 REDUCTION OF LOT AREA OR DIMENSIONS

No lot shall be diminished, or shall any yard, court, or any other open space be reduced unless in conformity with this Ordinance.

5.17.2 LOTS LYING IN MORE THAN ONE DISTRICT

In the case of lots lying in more than one (1) zoning district, the provisions of any zoning district may be applied for a distance not over thirty (30) feet into any other adjacent district.

5.17.3 PROJECTION INTO OPEN SPACES

Nothing in this Ordinance shall prohibit the projection of not more than one (1) foot into a required open space of pilasters, columns, belt courses, sills, cornices or other similar architectural features, nor the planting or landscaping of such open spaces.

5.17.4 OBSTUCTIONS AT STREET INTERSECTIONS

No fence, wall, hedge, shrubbery or other obstruction to vision in excess of two (2) feet in height shall be placed or allowed to grow at street intersections within the area formed by a line joining points on each front lot line twenty (20) feet from the intersection of the right-of-way.

5.17.5 LOTS ADJACENT TO A RAILROAD

In the case of that portion of a lot in a Commercial or Industrial District, where a portion of said lot is contiguous to a railroad right-of-way, no side or rear yard shall be required adjacent to such right-of-way.

5.17.6 DWELLINGS FOR MORE THAN ONE FAMILY

The number of family dwelling units on any lot shall not exceed one (1) for each unit of land area appearing under the heading "Minimum Lot Area Per Family Dwelling Unit" in the table applicable in the district in which such lot is located.

5.17.7 SIZE AND HEIGHT LIMITATIONS

The building height limit shall be applied separately for each wing or other distinct portion of the building, and may be increased for any building or distinct portion thereof by one (1) foot for

every two (2) feet by which such building or such portion thereof lies inside the nearest limiting line of any required front, side or rear yard. Spires, cupolas, towers, chimneys, flagpoles, penthouses, ventilators, tanks, radio or television aerials and similar features, occupying in the building area and not used for human occupancy, may be erected to a reasonable and necessary height.

5.17.8 ACCESSORY BUILDINGS

Accessory buildings shall not be located in the front yard setback and shall not be closer than four (4) feet to the rear and side lot lines.

5.17.9 USE OF LAND ACCESS OR PARKING

The use of land for access to or for parking in connection with a use shall be considered to be accessory to and part of such use, except that this provision shall not prohibit access across a Commercial District to a use lying in an Industrial District. Except as otherwise provided in this Ordinance, access to or parking in connection with a permitted use may take place in a required front, side or rear yard.

5.17.10 MORE THAN ONE PRINCIPAL BUILDING PER LOT

- A. There shall be no more than one principal building per minimum lot size specified for the zoning district. This provision shall not apply to PUDs.
- B. No more than one principal building may be placed on a lot unless such buildings and any buildings accessory to such principal buildings are able to be subdivided into two separate and individual lots, both lots and their respective uses conforming to all applicable provisions of this Regulation. Notwithstanding, to encourage clustering or to meet clustering requirements, this provision shall not apply in the INT Districts or to PUDs.

5.17.11 TWO OR MORE PRINCIPAL USES WITHIN A STRUCTURE *(amended 4/2001)*

For each building that has more than one principal use in the building, the minimum lot area requirement for the building shall be the greater of the lot area requirements of all the uses in the building.

5.17.12 SANITATION REQUIREMENTS

All private dwellings, including vacation homes and camps, connected with water shall have sewer facilities approved by the Administrative Officer.

5.17.13 ONE- AND TWO-FAMILY RESIDENCES IN THE COM AND IND DISTRICTS *(amended 4/5/05)*

Notwithstanding the Chart of Permitted and Conditional Uses, buildings already located within the COM and IND Districts which were originally built and occupied as single- or two-family homes may continue to be used, or revert to use, as single- or two-family residences.

5.18 TELECOMMUNICATION FACILITIES *(interim amendment expired 1/8/05)*

ARTICLE VI
DISTRICT REGULATIONS

6.1 FLOOD PROTECTION DISTRICT (FP) *(amended 6/10/03)*

The flood protection district is an overlay district. All other requirements of these regulations shall apply in addition to the provisions herein provided, unless it is otherwise so indicated.

A. District Objective

The Flood Protection District is established pursuant to Section 4412 of the Development Act with the following intents:

1. To minimize and prevent the loss of life and property, the disruption of commerce, the impairment of the tax base and the extraordinary public expenditures and demands on public service that result from flooding;
2. To ensure that the development in flood hazard areas is accomplished in a manner that minimizes or eliminates the potential for flood damage;
3. To promote agriculture in flood-prone areas; and
4. To maintain the Town of Randolph's eligibility for federal flood insurance.

B. District Boundaries

1. The base flood elevations and floodway limits (Zone AE) which define the district boundaries shall be as currently delineated and amended in the future by the National Flood Insurance Program in the Flood Insurance Study and accompanying maps.
2. Figure 1, "Floodway Schematic," pictorially indicates floodway areas and is included for clarity.

C. Prohibited Uses

In addition to those uses classified as prohibited on the Use Classification table in the underlying districts, the following are prohibited:

1. Floodway Areas
 - a. All structures and filling of land except with the approval of the Board as herein provided.
 - b. Junkyards and storage facilities for chemicals, explosives, flammable liquids, or other hazardous or toxic materials.
2. Fringe Floodway Areas
 - a. Filling of land except with the approval of the Board as herein provided.
 - b. Junkyards and storage facilities for chemicals, explosives, flammable liquids, or other hazardous or toxic materials

D. Development Review Procedures

In addition to other review procedures contained within these regulations, the following shall apply for proposed development within the Flood Protection District:

1. Prior to the issuance of a permit for the construction of new buildings, the substantial

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improvement of existing buildings, or for development in the floodway or fringe floodway, a copy of the application shall be submitted by the Administrator to the Vermont Department of Environmental Conservation in accordance with Section 4412 of the Development Act. A permit may be issued only following receipt of comments from the Department or the expiration of 30 days from the date the application was mailed to the Department, whichever is sooner.

2. Adjacent communities and the Vermont Department of Environmental Conservation shall be notified at least 15 days prior to issuing any permit for the alteration or relocation of a watercourse and copies of such notification shall be submitted to the Administrator of the Federal Insurance Administration.
3. Proposed development shall be reviewed to assure that all necessary permits have been received from those governmental agencies from which approval is required by Federal or State law.

E. Development Standards

In addition to other standards contained within these regulations, the following shall apply:

1. Floodway Areas
 - a. Development within the floodway is prohibited unless a registered professional engineer certifies that the proposed development will not result in any increase in flood levels during the occurrence of the base flood and will not obstruct the stream channel.
 - b. Any development that meets the above standard shall also meet the standards set forth below for development in the Fringe Floodway Areas.
2. Fringe Floodway Areas
 - a. All development shall be designed to minimize flood damage to the proposed development and to public facilities and utilities, and to provide adequate drainage to reduce exposure to flood hazards.
 - b. Structures shall:
 - i. be designed and/or modified and adequately anchored to prevent flotation, collapse, or lateral movement of the structure during the occurrence of the base flood;
 - ii. be constructed with materials resistant to flood damage;
 - iii. be constructed by methods and practices that minimize flood damage;
 - iv. be constructed with electrical, heating, ventilation, plumbing, and air conditioning equipment and other service facilities that are designed and/or located so as to prevent water from entering or accumulating within the components during flooding.
 - c. The flood carrying capacity within any altered or relocated portion of a watercourse shall be maintained.
 - d. New and replacement water supply and sanitary sewage systems shall be designed to minimize or eliminate filtration of flood waters into the systems and discharges from the systems into flood waters.

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- e. On-site waste disposal systems shall be located to avoid impairment to them or contamination from them during flooding.
- f. New and replacement manufactured homes shall be elevated on properly compacted fill such that the top of the fill (the pad) under the entire manufactured home is above the base elevation.
- g. The lowest floor, including basement, of all new buildings and existing buildings to be substantially improved for residential purposes shall be built or modified to be at or above the base flood elevation.
- h. New building and existing buildings to be substantially improved for non-residential purposes shall either (1) meet the requirements of subparagraph g above, or (2) be designed to be watertight below the base flood elevation with walls substantially impermeable and with structural components having the capability of resisting hydrostatic and hydrodynamic loads and effects of buoyancy. A permit for a building proposed to be flood-proofed shall not be issued until a registered professional engineer or architect has reviewed the structural design, specifications and plans, and has certified that the design and proposed methods of construction are in accordance with accepted standards of practice for meeting the provisions of this subsection.
- i. All new construction and substantial improvements with fully enclosed areas below the lowest floor that are subject to flooding shall be designed to automatically equalize hydrostatic flood forces on exterior walls by allowing for the entry and exit of floodwaters. Designs for meeting this requirement must either be certified by a registered professional engineer or architect or meet or exceed the following minimum criteria: 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.
- j. Recreational vehicles placed on sites within Zones A1-A30, AH and AE shall either (1) be on the site for fewer than 180 consecutive days, (2) be fully licensed and ready for highway use, or (3) meet all standards of §60.3(b)(1) of the National Flood Insurance Program Regulations and the elevation and anchoring requirement for "manufactured homes" of §60.3(c)(6)

F. Duties and Responsibilities of the Administrator

The Administrator shall maintain a record of:

- 1. All permits issued for development in the Flood Protection District.
- 2. The elevation, in relation to mean sea level, of the lowest floor, including basement, of all new or substantially improved buildings.
- 3. The elevation, in relation to mean sea level, to which buildings have been flood proofed.
- 4. All flood-proofing certifications required under this regulation.
- 5. All variance actions, including justification for their issuance.

G. Variances to the Development Standards

Variances shall be granted by the Board only:

1. In accordance with these regulations and in accordance with the criteria for granting variances found in 44 CFR, Section 60.6, of the National Flood Insurance Program regulations;
2. Upon a determination that during the base flood discharge, the variance will not result in increased flood levels;

Upon a determination that the structure or other development is protected by methods that minimize flood damages during the base flood and create no additional threats to public safety.

6.2 APARTMENT RESIDENCE DISTRICT (AR)

To provide for single family, two (2) family and multi-family residential areas in those Village areas of the Town are suitable to such uses in order to accommodate the present population and land use in this area and to provide for future growth.

6.2.1 PERMITTED USES

See Use Table.

6.2.2 LOT REQUIREMENTS

All dwellings must be connected with public water and sewer.

10,000 sq. ft. single family unit
15,000 sq. ft. two family unit
15,000 sq. ft. + 5,000 sq. ft. per family unit for each additional unit greater than 2 units
Min. lot width..... 100 ft.
Front yard setback.....30 ft.
Rear yard setback.....30 ft.
Side yard setback20 ft.
Max. bldg. coverage40 %
Max. bldg. height30 ft.

6.3 RESIDENCE DISTRICT (RES) (RURAL 2-20)

The purpose of this district is to provide residential areas to accommodate the present population in the town and the growth to be expected in the future. To provide defined neighborhoods where availability of water and sewage disposal permit.

6.3.1 PERMITTED USES

See Use Table.

6.3.2 LOT REQUIREMENTS

MINIMUM LOT AREA

RESIDENTIAL

- 10,000 sq. ft. single family unit connected to public water and sewer
- 20,000 sq. ft. single family unit connected to public water or sewer
- 40,000 sq. ft. single family unit if water and sewer on-site
- 30,000 sq. ft. two (2) family unit connected to public water or sewer
- 30,000 sq. ft. + 10,000 sq. ft. per family unit for each additional unit greater than two (2) committed to public water or sewer

- Min. lot width 100 ft.
- Front yard setback.....30 ft.
- Rear yard setback30 ft.
- Side yard setback.....20 ft.
- Max. bldg. coverage25 %
- Max. bldg. height.....30 ft.

RURAL 2-20

- 20,000 sq. ft. single family unit connected to public water and sewer
- 1 acre single family unit connected to public water or sewer
- 2 acres single family unit if water and sewer on site
- 30,000 sq. ft. two (2) family unit connected to public water and sewer
- 30,000 sq. ft. per family unit for two (2) or more units connected to public water or sewer
- 1.5 acres per family unit if water and sewer on site for two (2) or more units
- 10,000 sq. ft. per family unit three (3) or more units connected to public water and sewer

- Min. lot width 100 ft.
- Front yard setback.....30 ft.
- Rear yard setback30 ft.
- Side yard setback.....20 ft.
- Max. bldg. coverage25 %
- Max. bldg. height.....30 ft.

6.4 RURAL DISTRICTS (RU3) (RU5)

To protect and encourage farming of all kinds, as an important part of the Town's economic base and to provide areas for residence at a density consistent with the capacity of the soil and topography as to furnish a potable water supply and to accommodate a private disposal system for such buildings.

6.4.1 PERMITTED USES

See Use Table.

6.4.2 LOT REQUIREMENTS

RURAL 3 ACRE AND RURAL 5 ACRE

- Min. lot width 300 ft.
- Front yard setback..... 30 ft.
- Rear yard setback 30 ft.

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Side yard setback.....	30	ft.	
Max. bldg. coverage.....	15	%	
Max. bldg. height.....	30	ft.	(silos not included)

Barns, Stables

Rear yard setback	200	ft.
Side yard setback.....	200	ft.
Front yard setback.....	50	ft.

6.5 RURAL VILLAGE DISTRICT (RV)

To provide areas for residence and commerce to co-exist in the same neighborhood and allow for future growth as an economic and social center for the surrounding area.

6.5.1 PERMITTED USES

See Use Table.

6.5.2 LOT REQUIREMENTS

10,000 sq. ft. single family unit connected to public water <u>and</u> sewer	
20,000 sq. ft. single family unit connected to public water <u>or</u> sewer	
40,000 sq. ft. single family unit if water and sewer on site	
30,000 sq. ft. two (2) family unit connected to public water <u>or</u> sewer	
30,000 sq. ft. per family unit for two (2) or more units if water and sewer on site	
30,000 sq. ft. + 10,000 sq. ft. per family unit for each additional unit greater than two (2) connected to public water <u>or</u> sewer	
20,000 sq. ft. for all other uses	
Min. lot width.....	100 ft.
Front yard setback.....	30 ft.
Rear yard setback	30 ft.
Side yard setback.....	20 ft.
Max. bldg. coverage.....	25 %
Max. bldg. height.....	30 ft.

6.6 CIVIC-TOURIST DISTRICT (CT)

To provide central locations along main highways in the Village and Town for community buildings of all kinds, public, organizational and institutional, which should be accessible to residents of the town and region. To provide accommodations and services for tourists and vacationers.

6.6.1 PERMITTED USES

See Use Table.

6.6.2 LOT REQUIREMENTS

Min. lot area	20,000	sq. ft.
Min. lot area per family unit	15,000	sq. ft.
Min. lot width.....	100	ft.
Front yard setback.....	40	ft.
Rear yard setback.....	30	ft.
Side yard setback	20	ft.
Max. bldg. coverage	40	%
Max. bldg. height	30	ft.

6.7 COMMERCIAL DISTRICT (COM) *(amended 4/5/05)*

To concentrate the regional and town-wide business, to provide areas for its best development and to protect these locations by excluding other kinds of development which would serve to scatter new businesses and limit the expansion of present business; to provide areas sufficiently compact for the convenience of pedestrians, and with sufficient area to allow parking space for patrons who come by automobile.

Notwithstanding the above, buildings already located within the COM District which were originally built and occupied as single- or two-family homes may continue to be used, or revert to use, as single- or two-family residences. *(this paragraph only - interim amendment expired 1/8/04; adopted as permanent 4/5/05)*

6.7.1 PERMITTED USES

See Use Table.

6.7.2 LOT REQUIREMENTS

Min. lot area	12,000	sq. ft.
Min. lot area per family unit	5,000	sq. ft.
Min. lot width.....	100	ft.
Max. bldg. height	30	ft. or consistent with height of existing buildings in the area.
Setbacks and max. bldg. coverage will be approved during the site plan review process. Green strips are encouraged.		

6.8 INDUSTRIAL DISTRICTS (I or IND) *(amended 4/5/05)*

To create a type of district suited to modern industrial techniques and plan design for research and manufacture of products, where they will have space for expansion of assembly line construction, for parking and for landscaping which will make them fit into rural landscape. To provide location with good highway access and where possible rail access also for industrial uses which would be appropriate to the region.

Notwithstanding the above, buildings already located within the IND Districts which were originally built and occupied as single- or two-family homes may continue to be used, or revert to use, as single- or two-family residences.

6.8.1 PERMITTED USES

See Use Table.

6.8.2 LOT REQUIREMENTS

Min. lot area	20,000	sq. ft.
Min. lot width.....	150	ft.
Front yard setback.....	40	ft.
Rear yard setback.....	30	ft.
Side yard setback	20	ft.
Max. bldg. coverage	40	%
Max. bldg. height	40	ft.

6.9 **INTERCHANGE DISTRICTS (INT-NE, INT-SE, INT-NW and INT-SW)** *(amended September 16, 2009)*

6.9.1 INTERCHANGE DISTRICTS PURPOSES AND PRECEDENCE

The Interchange ("INT") Districts encompass lands that are near the highway interchange of Vermont Route 66 ("VT Route 66") and Interstate 89 ("I-89") at Exit 4. This interchange area provides an important transportation connection between regional services, employment, and other activities. Existing grades, accesses, and road geometry already have created less than optimal traffic conditions in the area. It is important that the transportation function of the interchange is not adversely impacted by future development

The Exit 4 area is a very scenic area that offers largely rural views of fields and forest, as well as long distance vistas of the Green Mountains. This scenic quality is of value both to the state and Randolph, and therefore future development in these districts must be done in such a manner as to preserve this value while allowing development. This is done through a combination of design and siting standards, and uses that can be carried out in a manner that is sensitive to the many scenic qualities of the area.

Much of the land near the interchange is either prime agricultural land or of statewide importance. Some of this land will need to be developed to meet other objectives in the districts, however this bylaw offers incentives to keep the land open and productive for agriculture.

An interstate interchange such as this, with public sewer available to most of it, also offers tremendous development potential that can use this public infrastructure, allowing more intense development than is possible or desired elsewhere. However, it should not be a source of competition for vitality with the village center to the east or the downtown to the west. Therefore, it is important that the uses permitted in the districts be specific ones that are best practiced in these particular areas, rather than other parts of town.

The lands in the four quadrants formed by the intersection of VT Route 66 and Interstate 89 have unique combinations of natural features, scenic qualities, access, topography, and infrastructure. Therefore, a district was created for each quadrant, and the standards in the four interchange districts were made based on these qualities and weigh these values differently. Accomplishing these varied purposes will require careful, context-sensitive design to ensure that new buildings are of a character, scale and architectural integrity that are appropriate to their settings and uses.

A. The purposes of the Northeast Interchange District (INT-NE) are:

1. To encourage a limited mix of land uses which are primarily commercial in nature where new development will employ residents within the region in well-paying jobs

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which do not detract from the vitality of Randolph's traditional downtown and village centers. Some residential development is also encouraged within the district;

2. To protect scenic views of open fields and woodlands that have prominent visibility from VT Route 66;
 3. To maintain and enhance traffic safety and efficiency on VT Route 66 and access to I-89;
 4. To preserve a portion of the agricultural land though limitations on the placement of coverage.
- B. The purposes of the Southeast Interchange District (INT-SE) are:
1. To encourage a limited mix of land uses which include compact residential development, office, and residential community developments;
 2. To protect natural features, including steep slopes and wetlands;
 3. To maintain and enhance traffic safety and efficiency on VT Route 66 and access to I-89;
 4. To preserve scenic views of the forested hillside that have prominent visibility from I-89 and of fields from VT Route 66;
 5. To preserve a portion of the agricultural land though limitations on the placement of coverage.
- C. The purposes of the Southwest Interchange District (INT-SW) are:
1. To encourage a limited mix of land uses which are primarily commercial in nature where new development will employ residents within the region in well-paying jobs which do not detract from the vitality of Randolph's traditional downtown and village centers;
 2. To protect natural features, including surface waters;
 3. To maintain and enhance traffic safety and efficiency on VT Route 66 and access to I-89;
 4. To preserve scenic views and vistas, including open fields, that have prominent visibility from I-89 and VT Route 66, as well as distant views of the Green Mountains;
 5. To preserve a portion of the agricultural land though limitations on the placement of coverage.
- D. The purposes of the Northwest Interchange District (INT-NW) are:
1. To encourage a limited mix of land uses which residential and commercial in nature where new development will employ residents within the region in well-paying jobs which do not detract from the vitality of Randolph's traditional downtown and village centers;
 2. To protect natural features, including surface waters;
 3. To maintain and enhance traffic safety and efficiency on VT Route 66 and access to I-89;

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4. To preserve scenic views of open fields and hills that have prominent visibility from I-89 and VT Route 66;
 5. To preserve a portion of the agricultural land though limitations on the placement of coverage.
- E. Whenever the provisions of this section differ from those prescribed by any other provision of these Regulations, the provision which imposes the greater restriction or higher standard shall govern.

6.9.2 APPLICATION AND REVIEW PROCEDURES FOR THE INTERCHANGE DISTRICTS

A. Permitted Use Applications

An applicant proposing development in any of the INT Districts for uses listed in §6.9.3 B shall submit a zoning permit application, the proper fee, and other forms provided to the applicant by the Administrator.

B. Conditional Use Preliminary Discussion (Pre-application)

1. Preliminary discussion of proposed development under §6.9.3 C is optional upon the request of the applicant, but encouraged. The purpose of the preliminary discussion is to enable the developer, Board, other municipal officials and interested parties to discuss and clarify potential issues that may arise from the proposed development before the final application materials are prepared.
2. The discussion shall be conducted at a public meeting held by the Board that shall be duly warned in the same manner as a public hearing on the project would be. No written findings, conclusions or decision shall be provided to the applicant and any comments by the Board, the applicant and interested parties are non-binding.

C. Conditional Use Applications

For development listed in §6.9.3 C, in addition to the requirements in subsection A above, the applicant shall also submit additional plans and materials as required to enable the Board to determine if the proposed project meets the criteria for conditional use approval and any other review criteria. The number of copies of application materials to be provided by the applicant shall be determined by the Administrator.

D. Conditional Use Design Review

1. Upon determination by the Administrator that the application is complete, the Administrator shall forward the application materials to the Advisory Commission established under §3.3, which shall, within 30 days of receipt of the application, hold a duly warned public meeting. At the public meeting the Advisory Commission shall review the proposed development's conformance with E (open space), F (scenic Sensitivity), I (clustering), J (landscaping), K (screening), and P (outdoor lighting) under §6.9.5 and the standards under of §6.9.6.
2. The recommendations of the Advisory Commission shall be in writing and signed by at least the Chair of the Advisory Commission, and shall be submitted to the Administrator within 20 days of the last public meeting on the application. If the Advisory Commission finds that an application fails to comply with one or more of the review criteria, its recommendations may also suggest remedies to correct the deficiencies that resulted in the negative recommendations.

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3. The Administrator shall forward a copy of the recommendations to the applicant, preferably within three business days of receipt, and coordinate with the applicant a schedule for the public hearing with the Board. It is understood that the applicant may need additional time to prepare a response to the Advisory Commission's recommendations, especially if they are negative or if significant changes are recommended. A public hearing date for the Board shall not be set until the Advisory Commission has completed its review and provided its recommendations as set forth above.
4. The Administrator shall provide the Board with copies of the Advisory Commission's recommendations with the other application materials.

E. Approvals - **Applicable in this district only**

1. Conditional use approval requires that a project meet the criteria set forth in §4.1 and §4.2, §6.9.4 (general and dimensional standards), §6.9.5 (supplemental standards), and §6.9.6 (building design standards). The Board may attach conditions to its approval to further these standards, as appropriate. Projects receiving conditional use approval shall not also require separate site plan approval.
2. Subdivision approval pursuant to the Randolph Land Subdivision Control Regulations shall be required for the subdivision of a lot into two or more parcels, except approval shall not be required for lot line adjustments (i.e. when needed to clarify existing boundaries, and where the beginning and ending number of parcels are equal and neither of the lots changes total size by more than 5%). (Lot line adjustment still do require a permit under the town's zoning.) Subdivision plans shall comply with the applicable provisions of §6.9.5 L (access and circulation), M (traffic and road capacity), and N (parking and service areas), which shall be based on the proposed uses for the lots. Configurations of lots and coverage envelopes shall comply with the applicable provisions of §6.9.6 E (open space) and I (clustering). The dimensional standards for building development shall be as described in §6.9.4.
3. The subdivider shall determine the coverage envelope for each parcel to be created in the subdivision, which shall include previously-approved coverage envelopes and all areas previously developed and proposed to be developed. All building and lot coverages shall be limited to the coverage envelope with the exception of driveways or roads to access another parcel's coverage envelope or as required in §6.9.5 L.

6.9.3 EXEMPT, PERMITTED, AND CONDITIONAL USES IN THE INTERCHANGE DISTRICTS

A. Exempt Uses

Pursuant to 24 VSA §4413(d), accepted agricultural and silvicultural (forestry) practices are exempt from these Regulations.

B. Permitted Uses

One- and two-family dwelling units are permitted only in the INT-NW, INT-NE, and INT-SE Districts and shall comply with §6.9.4 (general and dimensional standards).

C. Conditional Uses

Conditional uses may be combined within a building, or be separate principal buildings on the same lot per §§5.17.10-11. The following uses shall require conditional use approval:

1. INT-NE District

- Light manufacturing facility
- Office
- Public transportation facility
- Research laboratories and facility
- Outdoor recreation
- Cultural facility
- Accessory retail

2. INT-NW District

- Multi-family dwelling units
- Residential care facility
- Residential community development
- Outdoor recreation
- Cultural facility
- Accessory day care facility
- Office
- Research laboratory and facility
- Accessory restaurant
- Light manufacturing
- Accessory retail

3. INT-SW District

- Accessory day care facility
- Hotel/motel with or without conference facilities
- Outdoor recreation
- Office
- Research laboratory and facility
- Accessory restaurant
- Accessory bank
- Cultural facility
- Light manufacturing
- Accessory retail

4. INT-SE District

- Multi-family dwelling units
- Office
- Hotel/motel with or without conference facilities
- Residential care facility
- Residential community development
- Dormitory
- Outdoor recreation
- Accessory retail
- Accessory restaurant

D. Prohibited Uses

All uses not listed above and, notwithstanding other provisions of this Regulation, planned unit development, commercial removal of earth materials, and camper and travel trailer parks, are prohibited.

6.9.4 GENERAL AND DIMENSIONAL STANDARDS IN THE INTERCHANGE DISTRICTS

The following shall apply to all development in the INT Districts:

- A. Minimum lot sizes – For all uses the minimum lot size shall be five acres, except for multi-family dwellings of greater than 10 units, which shall need an additional $\frac{1}{2}$ acre per dwelling unit. Minimum lot sizes may be smaller, as detailed in part B below, if the lot is part of a development or subdivision approved pursuant to subsection B below.
- B. Density and lot size bonus for conserved land in a subdivision or for multiple principal buildings on the same lot – For all uses, an increase in density, and a decrease in the minimum lot size and the dwelling unit requirements may be approved upon proposed development of a parcel in accordance with the following:
1. If a minimum of 50 percent of the subject parcel is protected in a contiguous block from future development by a permanent conservation easement approved by the Board and in a form acceptable to the Town Attorney, and that permanently encumbers the land against further subdivision and development and furthers its use or maintenance as open, agricultural or forested, then:
 - a. the maximum density for the development shall be changed from five acres to three acres per principal building,
 - b. The minimum lot size shall be reduced to $\frac{1}{2}$ acre, and
 - c. For multi-unit dwellings there shall be no more than one dwelling unit per $\frac{1}{4}$ acre of lot size.
 2. If a minimum of 75 percent of the subject parcel is protected as in subsection B.1 above, then:
 - a. the maximum density for the development shall be changed from five acres to two acres per principal building,
 - b. The minimum lot size shall be reduced to $\frac{1}{4}$ acre, and
 - c. For multi-unit dwellings there shall be no more than one dwelling unit per $\frac{1}{4}$ acre of lot size.
 3. Any conservation easement established for the purpose of obtaining a density and lot size bonus or both shall be recorded in the land records, and deeds and all subsequent deeds conveying all or any part of the original parcel shall reference the conservation easement.
- C. Minimum lot widths – The minimum lot width shall be 80 feet for lots less than 1 acre in size, 150 feet for lots 1 to 3 acres in size and 200 feet for lots over 3 acres.
- D. Maximum building height – For all uses, the maximum building height shall be 35 feet, although the Board may approve by waiver a non-residential building up to 50 feet in height if the Board makes an affirmative finding that it is in accordance with the standards set forth in §6.9.5 F (scenic sensitivity) and §6.9.6 C (height). Notwithstanding any other

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provision of this bylaw, within the Scenic View Area (as shown on the Town Zoning Map) in the INT-SW District, no development, except access drives and signage, shall exceed 1,080 feet above mean sea level at their highest point, in order to leave an unobstructed view of the Green Mountains from I-89 and from VT 66.

- E. Minimum setback of building and parking for new structures – All buildings and parking shall be set back at least 170 feet from the centerline of VT Route 66 and have front yard setbacks of at least 60 feet from the centerlines of other public or private roads. For residential uses, the side and rear yard set back requirements for principal buildings and parking shall be 20 feet, and for non-residential uses 30 feet, except if varied under §4.4.
- F. Minimum setback on VT Route 66 of building and parking for expansion of existing structures – All expansions of existing buildings and existing parking shall be set back at least 170 feet from the centerline of VT Route 66, or the existing setback of the existing building or parking if less than 170 feet, but in no case less than 95 feet from the centerline of VT Route 66.
- G. Maximum building and lot coverages
 - 1. Except as otherwise provided herein, maximum building coverage is 8 percent and maximum lot coverage is 24 percent.
 - 2. However, for any development on non-prime agricultural soils, such development's building coverage and parking coverage will be counted as only having half of its actual size, provided the actual final lot coverage shall not exceed 30%. Prime agricultural soils shall be those mapped as such by the USDA NRCS, however, based upon more detailed soil studies done according to the USDA standards, the Board may find that the areas covered by these soils differ from those shown on any maps that are part of this bylaw.

Regardless of actual soils, any original parcel, with less than 10 acres and developed as of January 1, 2008, will be treated as having no prime agricultural soils under this provision and 6.9.5 E.
 - 3. For contiguous parcels the allowable coverages may be transferred across lot lines and based on the total combined acreage of all such parcels, provided that such areas that have been used for coverage calculations are recorded in the permit and in the land records for all parcels involved, stating the remaining allowable coverage of each lot, if any.
- H. Maximum slope - No slope shall be created that is over a 50% grade unless if required for stormwater management or landscaping features, and no development shall take place on any natural slope over 30%.

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- I. Surface water and wetland protection - All structures shall be set back a minimum of 50 feet from the top of streambanks on perennial streams and from the edges of wetlands that are classified or would qualify as Class I or II pursuant to the Vermont Wetland Protection Rules. A certified professional soil scientist, paid for by the applicant, shall delineate all such wetlands on the parcel or determine that none exist. An undisturbed, vegetated buffer strip shall be maintained for a minimum of 50 feet from all perennial streams and wetlands, as measured horizontally from the top of the streambank or delineated wetland boundary. Perennial streams are those streams shown as such in the latest VCGI surface water layer, however, based on visual inspection and/or expert testimony the Board may add or delete streams that are covered under this section. No clearing, excavation, filling, grading or development shall occur within the buffer strip, with the exception of clearing and associated site improvements necessary to accommodate the following activities:
1. the minimum necessary crossings for roads, paths, trails, driveways and utilities;
 2. streambank stabilization and restoration projects, in accordance with applicable state and federal regulations;
 3. stormwater management facilities, in accordance with accepted best management practices;
 4. agriculture in accordance with Accepted Agricultural Practices (AAPs) as defined by the Secretary of Agriculture, Food and Markets, or
 5. silviculture (forestry) in accordance with Accepted Management Practices (AMPs) as defined by the Commissioner of Forests, Parks and Recreation.
- J. Drive-through and walk-up windows are prohibited in all INT districts.

6.9.5 SUPPLEMENTAL CONDITIONAL USE STANDARDS IN THE INTERCHANGE DISTRICTS

- A. Nuisances – Uses in the all the INT Districts shall not create nuisances. An applicant for a conditional use shall identify in the application all manifestations of the proposed use. Such manifestations include any noise, vibration, dust, fire hazard, smoke, glare, radiation, and discharges into the air, water or soil resulting from the proposed use. Such identification of each manifestation shall include, at a minimum, the nature, the location of the source or origin, and the times, duration and amount of occurrence.
- B. Hazardous materials - The storage of hazardous materials, either indoors or outdoors, shall at least meet the state requirements for such storage. Additionally, an applicant proposing to store hazardous materials shall provide to the Board as part of the application materials any recommendations of the Randolph Fire Services Advisory Committee, or, if it has none, a statement from the Committee that it has reviewed the application and it has no recommendations. In the interest of public safety, the Board may impose any or all of the Committee's recommendations as conditions of conditional use approval.
- C. Accessory uses – Unless otherwise provided, with the exception of parking garages and warehouses accessory to a light manufacturing facility, an accessory use shall not exceed a gross floor area of 50 percent of the gross floor area of the principal use.
- D. Retail sales – Notwithstanding subsection C above, retail sales are only allowed as an accessory use as provided below:

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1. The retail sale of goods manufactured on-site in the principal, non-retail use, is allowed provided the amount of gross floor space devoted to such retail sales does not exceed 25 percent of the total gross floor space of the principal use.
2. Accessory and incidental retail sales - For the purpose of this standard, accessory and incidental retail sales are those that are primarily intended to provide goods and services to employees, guests and customers of other uses located within the same building or lot. Such retail sales shall comply with the following standards:
 - a. In the INT-NE and INT-SE Districts, retail sales that are accessory and incidental to one or more principal use or uses in the same building are allowed provided the total area devoted to retail sales does not occupy a space greater than 10 percent of the gross floor space of the principal use or 2,000 SF, whichever is less, and the retail sales are not advertised through signage visible from a public highway.
 - b. In the INT-NW and INT-SW Districts, retail sales that are accessory and incidental to one or more principal use or uses in the same building are allowed provided the total square footage of retail space within the building, shall not exceed 10 percent of the gross floor space of the building or 5,000 square feet of gross floor area, whichever is less, and the retail sales are not advertised through signage visible from a public highway.

E. Open Space

The location, configuration and use of open space shall meet the following standards:

1. Priority shall be given to open fields and meadows that are highly visible from adjacent public roads and that contain statewide or prime agricultural soils, including plans to maintain the open nature of the desired vegetation (mowing, etc.). Statewide and prime agricultural soils shall be those mapped as such by the USDA NRCS, however, based upon more detailed soil studies done according to the USDA standards, the Board may find that the areas covered by these soils differ from those shown on any maps that are part of this bylaw.
2. Open space shall be integrated and connected to open space on adjoining properties as feasible.
3. Forested areas may have management plans that allow harvesting that does not interfere with other aspects of the forest, such as streambank buffers or visual screening.

F. Scenic Sensitivity

1. Development shall minimize adverse impacts to scenic views.
2. To help the Board make a determination on the impacts to scenic views, a visual impact assessment performed by a qualified consultant and paid for by the applicant shall be required, except as waived below. Such an impact assessment shall include visual representations (e.g., site plans, architectural renderings, photographic simulations) and/or field tests, and shall include the following information:
 - a. the scenic sensitivity of the area, including scenic features, views and vistas that may be visually impacted by the development on- or off-site;

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- b. the frequency and length of time the development would be viewed by the traveling public on I-89 and VT Route 66;
 - c. the distance of the proposed development from public vantage points and the degree to which the development site would be screened by existing topography, vegetation and structures;
 - d. background features that may emphasize or obscure the development; and
 - e. proposed methods to avoid or mitigate adverse visual impacts.
 3. The Board may waive the requirement that a visual impact assessment be submitted in instances involving minor alterations to existing structures or sites that pose a negligible risk of impact on scenic resources and views.
- G. Topography and Grading – Site development shall integrate development into existing topography in accordance with the following:
 1. The visual and environmental impacts of development on hillsides shall be minimized by limiting the extent of site clearing and disturbance, and by retaining existing vegetation when possible and/or re-vegetating cleared areas.
 2. Changes to the natural topography shall be minimal, and cut and fill shall be limited to the minimum area necessary. Where construction on steep slopes is necessary to ensure compliance with other standards of these regulations, grading for access roads shall follow existing contours.
- H. Stormwater Management
 1. Applications for projects requiring state stormwater construction and/or operation permits shall include a copy of the design(s) for such permit(s) that is either approved or has been submitted to the state for approval. If the design has been approved, a copy of approval shall be included.
 2. Projects below the regulatory threshold for requiring a state stormwater construction permit but which will involve $\frac{1}{2}$ acre or more of total earth disturbance shall be required, at a minimum, to physically mark the limits of disturbance prior to any earth disturbance and do the following in compliance with "The Low-Risk Site Handbook for Erosion Prevention and Sediment Control" developed by the Vermont Agency of Natural Resources:
 - a. install and maintain a stabilized construction entrance.
 - b. install and maintain silt fencing.
 - c. temporarily or permanently stabilize exposed soils within 28 days of initial disturbance.
 - d. provide winter stabilization of exposed soil.
 3. All developments that have long-term operational stormwater systems shall identify related long-term maintenance and management requirements and entities responsible for fulfilling those requirements, and shall be designed to maximize sheet flow of runoff. Collected flows shall be conveyed by the use of open channels whenever possible with at least a 2-foot wide flat bottom and stone lined only if required due to flow velocities. Any drainage swales and pond edges shall be planted with native vegetation tolerant of standing water or wet conditions.

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Additionally, to the extent feasible, any permanent runoff control (stormwater) systems shall be incorporated into the site design and landscaping as an amenity and shall appear as naturally-occurring features that complement existing landforms and open space areas, rather than as rigid, engineered facilities.

4. Any project that creates at least $\frac{1}{2}$ acre of new impervious surface shall prepare and implement a stormwater management plan certified by an engineer to be in compliance with state standards for an operational stormwater permit.
- I. Clustering – The organization of buildings and of related site improvements, including roads, driveways, parking areas and parcel boundaries, shall meet the following criteria:
1. Development shall be arranged in compact clusters of buildings and associated site improvements which are surrounded by open space that complies with subsection E above.
 2. Development clusters shall incorporate landscaping and/or screening in a manner that creates a well-defined edge between the development and adjoining open space.
 3. When multiple buildings are proposed, they shall be arranged in a campus-style setting in which buildings relate to one another functionally through pedestrian connections, shared facilities (including formal open space such as courtyards, greens, or plazas), and relate visually through building orientation and the use of common materials, colors, architectural details and signage.
 4. Development shall have a clear pedestrian scale and orientation, including an interconnected internal network of pedestrian paths linking building entrances and parking areas, and external pedestrian connections to adjacent development when proximity warrants such interconnections.
 5. Development shall maximize the use of shared facilities with adjacent development, including access, parking and service areas, utilities, and accessory uses and structures.
- J. Landscaping – Landscaping shall complement the open, agrarian character of the INT- SW and INT-NW Districts, and the INT-NE and INT-SE Districts adjacent to the village of Randolph Center; as well as forests in the INT-SE District. A landscaping plan shall be provided that complies with the following:
1. Landscaping shall:
 - a. complement and incorporate the existing landscape of open agricultural fields bordered by defined hedgerows on land of gentle to moderate slope, and forested hillsides on steeper slopes and along stream corridors;
 - b. provide separation between incompatible adjacent land uses or activities;
 - c. provide a transition from built features to open space;
 - d. interrupt the facades of buildings;
 - e. visually reduce the scale and bulk of large buildings;
 - f. define site features, such as main entrances and circulation corridors;
 - g. improve the aesthetic appearance of parking lots and service areas; and

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- h. enhance environmental quality (e.g., wildlife habitat, soil stabilization, air and water quality, and energy conservation).
- 2. Plantings shall:
 - a. include a suitable combination of trees, shrubs, groundcover plants, mowed meadows or lawn areas, and herbaceous materials. A variety of plants should be used to provide interest, accent, and contrast, with an emphasis on species that are indigenous to Vermont;
 - b. be arranged to complement their natural or formal setting or both, and to visually enhance the appearance of the site year-round; plants should not be placed in a manner that would obstruct a viewshed, visible from I-89 or VT Route 66, which is characterized by a view across a nearby undeveloped field or meadow (foreground view) to a focal point of distant mountains (background view); and
 - c. be of sufficient quantity, size and spacing to meet functional and design objectives within the specified time.
 - d. be installed within and contiguous to parking areas. Landscaping shall include the use of shade trees to provide a tree canopy in suitable locations, such as along pedestrian walkways, and in center islands.
- 3. Permit conditions shall ensure that all landscaping and plantings shall be maintained in a healthy and living condition and shall be replaced as needed.

K. Screening

- 1. Where topography or natural features do not adequately screen unsightly or incompatible development from the view of adjoining properties or public rights-of-way, additional screening shall be required to provide an attractive permanent, year-round visual barrier. A diversity of plant species, rather than single-species plantings, should be used to create a visually-interesting screen which mimics hedgerows and forest cover characteristic of the area.
- 2. In order to protect specific outstanding scenic areas, development in the INT-NW and INT-SW Districts on lands over 1,100 feet above mean sea level, shall be screened by existing or new plantings to minimize the visual impact of buildings. Development in the INT-NE District on land above 1,320 feet above mean sea level shall be fully screened from view from VT Route 66 by existing or new plantings. Development in the INT-SE District shall be fully screened from view from the travel lanes of I-89 (not on/off ramps) by existing vegetation or new plantings on the lot.
- 3. Parking areas for non-residential structures shall be screened to reduce the visibility of the parking area off-site through the use of topography, buildings, vegetation and/or the use of architecturally-compatible fencing or walls. Additionally, parking areas shall be bordered by landscaped buffers that are integrated with the overall landscaping plan for the site and include shade trees in suitable locations
- 4. Screening shall also be required in the following cases:
 - a. where more intensive land uses are proposed next to less intensive uses (e.g., where residential uses are adjacent to an industrial use);

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- b. adjacent to garbage collection and utility areas, satellite antennas, outdoor storage and loading areas, and other outdoor facilities; and
- c. to minimize adverse physical or visual impacts to adjacent properties, or public rights-of-way.

L. Access and Circulation – All development shall comply with the following:

1. With the exception of accesses (curb-cuts) used solely for agricultural, forestry or emergency response purposes, no parcel may be served by more than one access onto VT Route 66. For the purposes of this subsection, contiguous parcels under common or affiliated ownership on the effective date of this amendment shall be considered one parcel unless separated by an existing deeded easement or right-of-way in favor of others, and a shared use of the existing access or crossing of the easement or right-of-way is not feasible or would create use conflicts or unsafe conditions.
2. Non-residential development in the INT-NW District must use Harvey Road for access. Impacts of additional traffic entering or exiting Harvey Road on the functioning of VT Route 66 or the accesses off of/onto I-89 may need to be mitigated through permit conditions requiring modifications to the location of Harvey Road, the combination of proposed accesses with existing accesses, improvements to Harvey Road and/or VT Route 66, new signage in the area, turning lanes, etc.
3. Residential development in the INT-NW District must use Hebard Hill Road as its access.
4. To maintain and enhance traffic safety and efficiency on VT Route 66 and access to I-89, all lots created in a subdivision that only has access to VT Route 66 shall utilize one shared access onto it unless the Board finds that more than one access is necessary for vehicular and pedestrian safety within the subdivision.
5. Driveways and roads are prohibited to traverse through a stream buffer or wetland unless the Board finds that no other safe option exists, and then may only do so in a manner that minimizes any impact to the buffer.
6. The vehicular and pedestrian network shall be integrated with adjacent uses and parcels. To this end, development shall:
 - a. establish shared access and parking within the site;
 - b. provide for connecting roads between parcels;
 - c. include pedestrian sidewalks or pathways within the interior of the site connecting concentrated areas of development, and between buildings to ensure pedestrian safety; and
 - d. incorporate plans for transit stops or similar facilities, where current or future needs justify.
7. Any parcel where the number of existing accesses exceeds the number allowed under this subsection L may be required to eliminate or combine accesses in order to meet the applicable standard.
8. The Board shall require, where feasible, shared access(es) between lots created in a subdivision, and the provision for accesses to future development on adjoining

parcels. If such a designated shared access has been provided on an adjoining parcel, the new development shall utilize the designated shared access unless the Board finds that due to conditions beyond the control of the applicant, conditions have changed such that the designated shared access would be a safety hazard or would create a significant hardship to the applicant.

9. All driveways and new roads shall be located so that:
 - a. a safe sight stopping distance is provided, as determined by posted traffic speed, terrain, alignments and hazards associated with winter road conditions;
 - b. the intersection is directly opposite an existing road or driveway to form a four-way intersection, if feasible. Intersections with existing state or town highways creating centerline offsets of less than 125 feet shall not be permitted;
 - c. the intersection intersects the existing road at an angle of between 70 and 90 degrees;
 - d. access roads and driveways shall not exceed a grade of plus or minus three percent within 50 feet of a state highway or town road; and shall not be greater than eight percent at any point.
 - e. no structure or planting shall reduce sight distances below state standards for the posted speed limits.

M. Traffic and Road Capacity

1. Traffic generated by the proposed development shall not result in unreasonable traffic congestion or exceed the capacity of roads and intersections in the vicinity of the development.
2. For any new use or change in existing use where the resulting total peak hour trips of all uses on the property equals or exceeds 75, the Board shall require the preparation of a traffic impact study to identify impacts and mitigation measures necessary to ensure road safety and efficiency, the cost of which is to be borne by the applicant. A traffic impact study may be required if the Board determines that the development may generate traffic of a volume or type that has the potential to adversely impact the mobility or safety of a road.
3. Due to the importance of the state and interstate highway system in the INT districts, and the proximity of any development in the area to VT Route 66 and I-89, any development, whether or not it requires a state access permit, must also receive approval from the Vermont Agency of Transportation ("VTrans") prior to, and as a condition of, town approval, and any conditions of the VTrans approval shall be made conditions of approval under this bylaw.
4. The implementation of mitigation measures, including required road improvements necessitated by the proposed development, shall be the responsibility of the applicant as follows:
 - a. Where an existing private access road is inadequate or unsafe, the Board shall require the applicant to upgrade the access road to the extent necessary to serve additional traffic resulting from the development and to conform to the standards set forth in subsection (L).

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- b. In situations where a development may require the realignment, widening or an increase in the capacity of an existing road, or where the Randolph Town Plan or Capital Budget and Program indicates that such improvements may be required in the future, the applicant shall be required to reserve land needed to accommodate the necessary improvements.
 - c. Where a development requires improvements to existing town highway(s) to ensure safe and efficient access that will function at a Level of Service C or better during peak periods, the Board shall condition any approval to ensure that:
 - i. The project is phased in a manner that ensures that all road and intersection improvements necessary to accommodate traffic resulting from the development are completed prior to, or concurrent with, completion of the project.
 - ii. The applicant has entered into a binding agreement with the Vermont Randolph Selectboard specifying the terms under which the highway improvements will be completed, including design specifications, project schedule and funding mechanism. At the discretion of the Selectboard, the applicant may be required to fund a proportional share of any road and intersection improvements necessary to accommodate traffic resulting from a proposed project.
- N. Parking and Service Areas - Parking and service areas shall be provided in accordance with the requirements of §5.14 and the following standards:
 - 1. Parking, service and loading areas of principal buildings shall be located to minimize visibility from public rights-of-way, unless otherwise specifically approved by the Board based on existing site limitations. Loading bays shall be architecturally integrated into overall building design.
 - 2. Large, single expanses of parking shall be avoided through the use of a number of smaller, interconnected parking areas that conform to site topography and are integrated into site design unless, as an alternative to surface parking, underground and/or multi-story parking facilities are constructed to provide parking for one or more nearby use. Parking structures (garages) are encouraged, and may serve as shared accessory structures for multiple uses on a parcel or on multiple parcels. The footprint of a parking structure shall be considered lot coverage, not building coverage.
 - 3. Shared parking between adjoining buildings or parcels is required unless the Board finds it is not feasible. Requirements for the sharing of parking shall be made either at the time of approval if similar provisions have been made on contiguous parcels, or contingent upon the future development of adjoining properties. In the event that shared parking between uses or properties is feasible, the number of required parking spaces may be reduced pursuant to §5.14.3.
- O. Outdoor Storage
 - 1. The outdoor storage or display of goods, supplies, vehicles, equipment, machinery or other materials must be specifically approved by the Board. In approving such outdoor display or storage, the Board may place conditions on the area and location of such storage or display, and shall require appropriate screening.

2. Mechanical equipment, utility boxes, and receptacles for trash and recyclables (other than those for use by pedestrians) shall be located to minimize visibility and screened from view.
- P. Outdoor Lighting - To ensure appropriate lighting and energy efficiency while minimizing undesirable effects, and to maintain a dark night sky, the following standards apply to all sources of outdoor illumination:
1. Any development with new or changed outdoor lighting shall include information regarding all proposed lighting fixtures, including fixture type, mounting location and height, illumination levels and distribution. A lighting plan, prepared by a qualified engineer or lighting expert, shall be required for a parcel with non-residential buildings or with multiple buildings.
 2. Outdoor lighting fixtures shall be limited to recessed, shielded or fully cut-off fixtures so that the distribution of the light meets the Illuminating Engineering Society of North America (IESNA) standards for cut-off fixtures.
 3. All outdoor lighting shall be kept to the minimum required for safety, security and intended use through the installation of timers, dimmers, or sensors. When determining appropriate levels of illumination for specific applications, the Board shall consider technical resources, such as publications of the IESNA and the Vermont Outdoor Lighting Manual.
 4. Outdoor lighting fixtures shall be energy-efficient, using Pulse-Start metal halide, high-pressure sodium, fluorescent, LED (light-emitting diode) technology, or technology of equivalent or greater energy efficiency. However, incandescent lighting may be allowed, provided it is controlled by a motion sensor.
 5. Outdoor lighting shall only be illuminated during the hours of operation unless such illumination is necessary for safety or security reasons.
- Q. Utilities - All utilities, including electricity and telecommunications lines (but not including solar-power or wind-power facilities), shall be installed underground where visible from a public way, unless the Board finds that burial of such lines is not feasible due to site conditions.

6.9.6 BUILDING DESIGN STANDARDS IN THE INTERCHANGE DISTRICTS

Buildings within the Interchange Districts shall relate to the natural features of the site and shall establish or contribute to a unified and coherent architectural concept that portrays a sense of quality and permanence, builds on traditional (New England vernacular) themes, and incorporates a pedestrian scale. Buildings shall be designed in accordance with the following criteria:

A. Design Compatibility

1. All buildings on the same parcel shall incorporate a consistent architectural theme. Architectural design, materials, colors, forms, detailing, signs and landscaping shall work together to express a consistent design.
2. Building footprints shall be varied within a development to avoid repetitious building outlines or continuous expanses of similar building outlines.

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B. Orientation - Buildings shall be oriented in a manner that conforms to local topography and minimizes adverse visual impacts. In addition, the following shall apply:

1. Where buildings are grouped on a site, primary building facades and entrances shall maintain a consistent orientation in relation to each other or to a main access road, a central green or plaza or a prominent natural feature.
2. Any building visible from a public (state or town) road or highway shall be oriented or sufficiently screened so that the "back" of the building, including loading bays and service entrances, is not visible from public rights-of-way.

C. Height

1. The height of structures shall preserve scenic views visible from public roads. Buildings shall not obstruct views of distant focal points as viewed from I-89 and/or VT Route 66. Buildings in the INT-SE District shall not be visible from I-89.
2. The height of new development shall be compatible with, or provide a visual transition from, the height of existing adjacent development. Notwithstanding the maximum height for the zoning district, the Board may allow a building with a maximum height of up to 50 feet if it makes an affirmative finding that the building is in accordance with the following:
 - a. the additional building height is necessary to accommodate a specific process that cannot otherwise be accommodated in a building designed in accordance with the maximum height standard; and
 - b. the building is sited in a location in which the natural grade provides partial screening of the building, reducing the visual scale of the building as viewed from I-89 and VT Route 66.

D. Scale – The design of large buildings shall create visual interest, achieve an architectural scale that is pedestrian-friendly, and reduce the structure's apparent mass and bulk. This may be accomplished through the use of:

1. modulation (wall projections, recesses);
2. articulation (varying building façades, footprints);
3. variations in roofline (e.g., dormers, gables, cornices, decorative facings);
4. upper story setbacks;
5. fenestration (spacing of windows, entryways);
6. architectural detailing;
7. **smaller scale additions.**

E. Facades - All visible facades shall conform to the following standards:

1. All facades visible from a public way shall be treated with compatible architectural detailing and materials as are used in the primary (front) facade.
2. Long, blank walls shall be avoided. Methods to avoid this include window and entry placement, changes in color and/or texture, and the use of architectural details such as offsets or projections.

3. The size and placement of windows and doors shall relate to the overall form of the building.
4. Windows, doors, walls, and other architectural features shall be highlighted and treated in a decorative manner to break up flat surfaces that would otherwise appear massive and bulky.
5. Principal entryways shall be pedestrian-scaled and oriented, and prominently identified through the use of architectural elements (e.g., porticos, recesses) and landscaping.
6. Building elements shall not function as advertising. The use of franchise architecture, where a building reflects a standardized design template to serve as franchise advertisement, is prohibited. Incorporation of franchise or design elements unique or symbolic of a particular business shall be unobtrusive and secondary to the overall architectural design.

F. Rooflines

1. Rooflines shall reduce perceived building height and mass, increase compatibility with smaller scale development, and add interest to the overall design of the building. To achieve these ends, rooflines may be varied by the use of alternating dormers, stepped roofs, gables or other roof elements to reinforce building articulation, and incorporate a variety of vertical dimensions such as multi-planed and intersecting rooflines are encouraged.
2. Buildings, or portions thereof, having eave heights of 20 feet or less above ground level, and/or buildings that are less than 4,000 SF of gross floor area, shall incorporate moderately to steeply pitched roofs, unless the Board determines, upon recommendation from the Advisory Committee, that another roof type is appropriate.
3. Flat-roof designs shall include architectural details such as cornices and decorative facings to provide visual interest, where such details would be visible to the public.
4. Rooftop mechanical and electrical equipment shall, to the extent feasible, be screened from public view and incorporated in building design as an integral architectural element.

- G. Materials – Building materials shall provide architectural aesthetic quality, durability, and shall be compatible with the architectural style of the building and vernacular architecture typical of rural New England.

6.10 CONSERVATION ZONE

To provide for protection of surface reservoirs and to enhance the natural beauty of the rivers in the Town. No structures, paving, or filling will be allowed.

6.10.1 ZONE BOUNDARIES

200 ft. from the village reservoir

50 ft. each side of the Second and Third Branches of the White River

6.11 SPECIAL PROVISIONS

- 6.11.1 Retail sale of food or beverage - The sale of food or beverages for consumption is prohibited on the premises of single family, two (2) family and multi-family dwellings except where board is provided to transients.
- 6.11.2 Frontyard setback waiver - On established streets where the homes on either side are less than thirty (30) feet from the street, any new homes or additions or construction attached to existing homes or buildings of any kind may be located as close to the curb as the adjacent houses.
- 6.11.3 Incidental agriculture and keeping of livestock - Agriculture, the keeping of not more than two (2) head of livestock and of poultry up to twenty-five (25) birds, truck gardening, nursery crops, including greenhouses incidental thereto is a Conditional Use as shown in the Use Table. No livestock or poultry shall be housed within one hundred (100) feet from any street line or any lot line. This paragraph shall not permit raising of swine or fur bearing animals other than rabbits. No manure or dust producing fertilizer shall be stored in the open within one hundred (100) feet from any street line or lot line. However, those lands presently being used as a full time farming enterprise shall be exempt if the storage does not create an environmental hazard.
- 6.11.4 Elder housing - The Board may waive the density requirements of a zoning district when an elderly housing project is proposed.
1. Provides common area space of approximately fifteen (15) square feet per unit within the complex.
 2. Provides that the proposal will not adversely effect the character of the neighborhood.
- 6.11.5 Service stations – Service stations which are defined as including auto body and auto repair will be prohibited in Village Civic Tourist and conditional in Town Civic Tourists.

ARTICLE VII – *(deleted in amendments of July 19, 2000)*

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CHART OF PERMITTED AND CONDITIONAL USES	AR	RES & RU2-20	RU3	RU5	RV	CT	COM	IND	FP
Ambulance services	C	C	C	C	C	C	C	C	
Amusement parks				C					
Appliance, radio, TV, clock repairs					C		P		
Article 6, paragraph 6.11.3	C	C	C	P	C	C			C
Assembly halls			C	C	C	C	P		
Auction facilities			C	C	C		C		
Auto & vehicle wrecking and junkyards				C				P	
Auto and truck sales				C	C		C	P	
Autobody repairs			C	C	C	C	P	C	
Automobile repairs			C	C	C	C	P	C	
Barber shops & beauty parlors					C	C	P		
Beverages								P	
Blacksmith			C	C	C		C	C	
Blueprint and copy services					C		P	C	
Bowling alleys						C	P		
Camping facilities				C					
Candy								P	
Canning operations				C				P	
Cemeteries		C	C	P	C				
Cleaning establishments					C	C	P		
Commercial kennels			C	P	C				
Concrete mixing plants				C				P	
Correctional and penal facilities	C	C	C	C	C	C	C		
Court houses	C	C	C	C	C	C	C		
Cultural facilities	C	C	C	C	C	C	C		
Dairy products				C				P	
Dance halls						C	P		
Data processing facilities				C		C	P		
Distribution and storage facilities incl. truck terminals, storage of petroleum, chemicals, fertilizers, cement, scrap metal, waste paper, glass, cold or frozen food, feed grain			C	C				P	
Dormitories	P	C	C	P	C				
Dress making					C	C	P		
Electrical contractors					C		P	C	
Engineering offices & facilities				C		C	P		
Farm machinery & equipment				C	C		C	P	
Farm machinery sales and repair			C	P	C				

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CHART OF PERMITTED AND CONDITIONAL USES	AR	RES & RU2-20	RU3	RU5	RV	CT	COM	IND	FP
Farm supplies - sales & storage			C	P	C		P		
Financial institutions						P	P		
Fire stations	C	C	C	C	C	C	C		
Firewood and timber production			C	P	C				P
Fraternal & community institutions	C	C	C	C	C	C			
Fruit and vegetable production			C	P	C				P
Fur-bearing and animal production			C	P	C				P
Furniture & upholstery repair					C		P		
Furniture mfr.								P	
Garages and parking areas - buses			C	C	C			P	
Gasoline filling stations			C	C	C	C	P	C	
General food products								P	
General grocery			C	C	C	C	P		
General retail sales					C	C	P		
Glass sales and installation					C		P	C	
Golf courses				P					P
Golf driving ranges				C		C			P
Half-way houses & rehabilitation services	C	C	C	C	C				
Health care facilities	C	C	C	C	C	C			
Heavy contractors equipment				C	C		C	P	
Home & garden equipment							P		
Home or cottage industries	P	P	P	P	P	P			
Homes for children or the aged	C	C	C	C	C				
Hotels, motels, inns, tourist cabins				P	C	P	C		
Laundromats					C	C	P		
Lumber and building materials				C	C		C	P	
Manufacturing								P	
incl. foundries, metal stamping, metal fabrication or heat treating, metal plating, grinding, polishing machining, forging, electrical equip, electronics, machinery mfr, sporting goods, musical instruments, clocks & watches, dental/surgical instruments, furniture, household fixtures & appliances, toys, silversmith, ceramic products, optical goods, bricks, tile & terra cotta products, extrusions, knitting, weaving, spinning, fiber mfg & preparation, dyeing, bleaching, printing (textile), clothing mfg, fertilizer mfg, paints & dyestuffs, stone cutting, monument production, cosmetics & drug mfr.									

Randolph Zoning Regulations

CHART OF PERMITTED AND CONDITIONAL USES	AR	RES & RU2-20	RU3	RU5	RV	CT	COM	IND	FP
Manufacturing, assembly, treatment or compounding of articles from previously prepared materials such as bone, cellophane, canvas, cork, feathers, film, glass, hair, horn, leather, paper, plastic, precious metals, stones, steel, textiles, tobacco, or wood								P	
Meeting and conference facilities				P	C	P	C		
Millwork mfg								P	
Miniature golf courses				C		C			C
Multi-family dwelling	P	C	C	P	C	C	C		
Municipal office buildings and garages	C	C	C	C	C	C	C		
Office equipment repair					C		P	C	
Offices for governmental agencies	C	C	C	C	C	C	C		
Outdoor recreational facilities	C	C	C	C	C	C			C
Pallets and containers								P	
Paper board								C	
Parks	P	P	P	P	P	P			P
Personal & professional business offices	C	C	P	P	C	P	P		
Photographic studios					C	C	P		
Picnic areas	C	C	C	C	C	C			C
Planing mills								P	
Playground	C	C	C	P	C	C			P
Plumbing					C		P	C	
Police stations	C	C	C	C	C	C	C		
Pool and billiard parlors						C	P		
Post offices	C	C	C	C	C	C	C		
Poultry processing, slaughterhouses				C				C	
Private schools (incl. nursery schools)	C	C	C	C	C	C	C		
Private schools for: secretarial, vocational, dancing, music	C	C	C	C	C	C	C		
Public parking garages or areas			C	C	C	C	P		C
Publishing & printing							P	P	
Pulp/paper mfr.								C	
Radio and TV stations			C	C	C	P	P		
Rail and bus terminals			C	C	C	P	P	P	
Real estate or insurance offices	C	C	P	P	P	P	P		
Religious institutions incl. churches, parish houses, convents, monasteries, church community bldgs.	C	C	C	C	C	C	C		
Research laboratories				C				C	

Randolph Zoning Regulations

CHART OF PERMITTED AND CONDITIONAL USES	AR	RES & RU2-20	RU3	RU5	RV	CT	COM	IND	FP
Restaurants, diners, cafes			P	P	P	P	P		
Riding stables				P		C			
Saloons, lounges, bars, bottle clubs					C	C	C		
Sawmills				C				P	
Schools and colleges	C	C	C	C	C	C	C		
Single family & two family dwellings	P	P	P	P	P	P	*	*	
Skating rinks - indoor						C	P		
Skating rinks - outdoor	C	C	C	C	C	C			P
Ski areas				C					
Small equipment repair (with engines)			C	C	C		P	C	
Stone crusher				C					
Swimming pools	C	C	C	C	C	C	C		
Tailoring					C	C	P		
Tennis courts	C	C	C	C	C	C	C		C
Theaters - indoor						C	P		
Theaters - outdoor				C					
Tourist home/guest home/boarding house	C	C	C	C	C	P	C		
Turf culture - commercial			C	P	C				P
Undertaking	C	C	C	C	C		C		
Utility offices			C	C	C	C	P		
Utility service facilities	C	C	C	C	C	C	C	C	
Veterinary hospitals and facilities			C	P	C			C	
Wallboard (cellulose fiber)								C	
Warehouse, public					C				

P = permitted use

C = conditional use (requires approval from the Board)

*See §5.17.13

EV and INT Districts not included in this chart.

LIST OF USES BY ZONING DISTRICT

FLOOD PLAIN DISTRICT

PERMITTED USES

Firewood and timber production	Parks
Fruit and vegetable production	Playgrounds
Fur-bearing animal production	Skating rinks – outdoor
Golf courses	Turf culture – commercial
Golf driving ranges	

CONDITIONAL USES

Article 6, Paragraph 6.11.3	Picnic areas
Miniature golf courses	Public parking garages or areas
Outdoor recreation facilities	Tennis courts

RESIDENTIAL DISTRICT

PERMITTED USES

Home or cottage industries	Single family and two family dwellings
Parks	

CONDITIONAL USES

Article 6, paragraphs 6.11.3 and 6.11.4	Personal and professional business offices
Ambulance services	Picnic areas
Cemeteries	Playgrounds
Correctional and penal facilities	Police stations
Court houses	Post offices
Cultural facilities	Private schools (including nursery schools)
Dormitories	Private schools for: secretarial
Fire stations	Real estate or insurance offices
Fraternal and community institutions	Religious institutions
Half-way houses and rehabilitative services	Schools and colleges
Health care facilities	Skating rinks – outdoor
Home for children or the aged	Swimming pools
Multi-family dwelling	Tennis courts
Municipal office buildings and garages	Tourist home, guest home, boarding house
Offices for governmental agencies	Undertaking
Outdoor recreation facilities	Utility service facilities

APARTMENT RESIDENTIAL DISTRICT

PERMITTED USES

Boarding houses	Multi-family dwelling
Dormitories	Parks
Home or cottage industries	Single family and two family dwellings

CONDITIONAL USES

Article 6, paragraphs 6.11.3 and 6.11.4	Playgrounds
Ambulance services	Police stations
Correctional and penal facilities	Post offices
Court houses	Private schools (including nursery schools)
Cultural facilities	Private schools for: secretarial
Fire stations	Real estate or insurance offices
Fraternal and community institutions	Religious institutions
Half-way houses and rehabilitative services	Schools and colleges
Health care facilities	Skating rinks – outdoor
Home for children or the aged	Swimming pools
Municipal office buildings and garages	Tennis courts
Offices for governmental agencies	Tourist home, guest home, boarding house
Outdoor recreation facilities	Undertaking
Personal and professional business offices	Utility service facilities
Picnic areas	

RURAL 5 ACRES DISTRICT

PERMITTED USES

Article 6, paragraphs 6.11.3 & 6.11.4	Meeting and conference facilities
Cemeteries	Multi-family dwelling
Commercial kennels	Parks
Dormitory	Personal and professional offices
Farm machinery sales and repair	Playgrounds
Farm supplies – sales and storage	Real estate or insurance offices
Firewood and timber production	Restaurants, diners, cafes
Fruit and vegetable production	Riding stables
Fur-bearing animal production	Single family and two family dwellings
Golf courses	Turf culture – commercial
Home or cottage industries	Veterinary hospitals and facilities
Hotel, motels, inn, dormitory	

CONDITIONAL USES

Ambulance services	Auto-body repairs
Amusement parks	Automobile repairs
Assembly halls	Blacksmith
Auction facilities	Camping facilities
Auto and vehicle wrecking and junkyards	Canning operations
Auto and truck sales	Concrete mixing plants

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Correctional and penal facilities	Police stations
Court homes	Post offices
Cultural facilities	Poultry processing, slaughterhouses
Dairy products	Private schools (including nursery schools)
Data processing facilities	Private schools for: secretarial
Distribution and storage facilities	Public parking garages or areas
Engineering offices and facilities	Radio and TV stations
Farm machinery and equipment	Rail and bus terminals
Fire stations	Religious institutions
Fraternal and community institutions	Research laboratories
Garages and parking areas – buses	Sawmills
Gasoline filling stations	Schools and colleges
General grocery	Skating rinks – outdoor
Golf driving ranges	Ski areas
Half-way houses and rehabilitative services	Small equipment repair (with engines)
Health care facilities	Stone crushers
Heavy contractors equipment	Swimming pools
Homes for children or aged	Tennis courts
Lumber and building materials	Tourist home, guest home, boarding house
Miniature golf courses	Undertaking
Municipal office buildings and garages	Utility offices
Offices for governmental agencies	Utility service facilities
Outdoor recreation facilities	Water and sewerage treatment facility
Picnic areas	

CIVIC TOURIST DISTRICT

PERMITTED USES

Financial institutions	Radio and TV stations
Home or cottage industries	Rail and bus terminals
Hotel, motels, inn, dormitory	Real estate or insurance offices
Meeting and conference facilities	Restaurants, diners, cafes
Parks, playgrounds, picnic areas	Single family and two family dwellings
Personal and professional offices	Tourist home

CONDITIONAL USES

Article 6, paragraphs 6.11.3 and 6.11.4	Multi-family dwellings
Ambulance services	Municipal office buildings and garages
Assembly halls	Offices for governmental agencies
Auto-body repairs	Outdoor recreation facilities
Automobile repairs	Photographic studios
Barber shops and beauty parlors	Picnic areas
Bowling alleys	Police stations
Cleaning establishments	Pool and billiard parlors
Correctional and penal facilities	Post offices
Court homes	Private schools (including nursery schools)
Cultural facilities	Private schools for: secretarial
Dance halls	Public parking garages or areas
Data processing facilities	Religious institutions
Dress making	Riding stables
Engineering offices and facilities	Saloons, lounges, bars, bottle clubs
Fire stations	Schools and colleges
Fraternal and community institutions	Skating rinks - indoor
Gasoline filling stations	Skating rinks – outdoor
General grocery	Swimming pools
General retail sales	Tailoring
Golf driving ranges	Tennis courts
Health care facilities	Theaters - indoor
Laundromats	Utility offices
Miniature golf courses	Utility service facilities

COMMERCIAL DISTRICT

PERMITTED USES

Article 6, paragraphs 6.11.3 and 6.11.4	Bowling alleys
Appliance, radio, TV, clock repairs	Cleaning establishments
Assembly halls	Dance halls
Auto-body repairs	Data processing facilities
Automobile repairs	Dress making
Barber shops and beauty parlors	Electrical contractors
Blueprint and copy service	Engineering offices and facilities

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Farm supplies – sales and storage
Financial institutions
Furniture and upholstery repairs
Gasoline filling stations
General grocery
General retail sales
Glass sales and installation
Home and garden equipment
Laundromats
Office equipment repair
Personal and professional offices
Photographic studios
Plumbing

Pool and billiards
Public parking garages or areas
Publishing and printing
Radio and TV stations
Rail and bus terminals
Real estate or insurance offices
Restaurants, diners, cafes
Skating rinks – indoor
Small equipment repair (with engines)
Tailoring
Theaters – indoor
Utility offices

CONDITIONAL USES

Ambulance services
Auction facilities
Auto and truck sales
Blacksmith
Correctional and penal facilities
Court homes
Cultural facilities
Farm machinery and equipment
Fire stations
Heavy contractors equipment
Hotels, motels, inns, tourist cabins
Lumber and building materials
Meeting and conference facilities
Multi-family dwellings

Municipal office buildings and garages
Offices for governmental agencies
Police stations
Post offices
Private schools (including nursery schools)
Private schools for: secretarial
Religious institutions
Saloons, lounges, bars, bottle clubs
Schools and colleges
Swimming pools
Tennis courts
Tourist home, guest home, boarding house
Undertaking
Utility service facilities

RURAL 3 ACRES DISTRICT

PERMITTED USES

Home or cottage industries
Parks
Personal and professional offices

Real estate or insurance offices
Restaurants, diners, cafes
Single family and two family dwellings

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CONDITIONAL USES

Article 6, paragraphs 6.11.3 & 6.11.4	Homes for children or aged
Ambulance services	Multi-family dwelling
Assembly halls	Municipal office buildings and garages
Auction facilities	Offices for governmental agencies
Auto-body repairs	Outdoor recreation facilities
Automobile repairs	Picnic areas
Blacksmith	Playgrounds
Cemeteries	Police stations
Commercial kennels	Post offices
Correctional and penal facilities	Private schools (including nursery schools)
Court homes	Private schools for: secretarial
Cultural facilities	Public parking garages or areas
Distribution and storage facilities	Radio and TV stations
Dormitory	Rail and bus terminals
Farm machinery sales and repair	Religious institutions
Farm supplies – sales and storage	Schools and colleges
Fire stations	Skating rinks – outdoor
Firewood and timber production	Small equipment repair (with engines)
Fraternal and community institutions	Swimming pools
Fruit and vegetable production	Tennis courts
Fur-bearing animal production	Tourist home, guest home, boarding house
Garages and parking areas - buses	Turf culture – commercial
Gasoline filling station	Undertaking
General grocery	Utility offices
Half-way houses and rehabilitative services	Utility service facilities
Health care facilities	Veterinary hospitals and facilities

RURAL VILLAGE DISTRICT

PERMITTED USES

Home or cottage industries	Restaurants, diners, cafes
Parks	Single family and two family dwellings
Real estate or insurance offices	

CONDITIONAL USES

Article 6, paragraphs 6.11.3 & 6.11.4	Cemeteries
Ambulance services	Cleaning establishments
Appliance, radio, TV, clock repairs	Commercial kennels
Assembly halls	Correctional and penal facilities
Auto and truck sales	Court homes
Auto-body repairs	Cultural facilities
Automobile repairs	Dormitory
Barbershops and beauty parlors	Dress making
Blacksmith	Electrical contractors
Blueprint and copy service	Farm machinery and equipment

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Farm machinery sales and repair	Photographic studios
Farm supplies – sales and storage	Picnic areas
Fire stations	Playgrounds
Firewood and timber production	Plumbing
Fraternal and community institutions	Police stations
Fruit and vegetable production	Post offices
Fur-bearing animal production	Private schools (including nursery schools)
Furniture and upholstery repair	Private schools for: secretarial
Garages and parking areas - buses	Public parking garages or areas
Gasoline filling station	Radio and TV stations
General grocery	Rail and bus terminals
General retail sales	Religious institutions
Glass sales and installation	Saloons, lounges, bars, bottle clubs
Half-way houses and rehabilitative services	Schools and colleges
Health care facilities	Skating rinks – outdoor
Heavy contractors equipment	Small equipment repair (with engines)
Homes for children or aged	Swimming pools
Hotel, motels, inns, tourist cabins	Tailoring
Laundromats	Tennis courts
Lumber and building materials	Tourist home, guest home, boarding house
Meeting and conference facilities	Turf culture – commercial
Multi-family dwelling	Undertaking
Municipal office buildings and garages	Utility offices
Office equipment repair	Utility service facilities
Offices for governmental agencies	Veterinary hospitals and facilities
Outdoor recreation facilities	Warehouse, Public
Personal and professional business offices	

INDUSTRIAL DISTRICT

PERMITTED USES

Auto and vehicle wrecking and junkyards	General food products
Auto and truck sales	Heavy contractors equipment
Beverages	Lumber and building materials
Candy	Manufacturing
Canning operations	Millwork manufacturing
Concrete mixing plants	Pallets and containers
Dairy products	Planing mills
Distribution and storage facilities	Publishing and printing
Farm machinery and equipment	Rail and bus terminals
Furniture manufacturing	Sawmills
Garages and parking areas - buses	

CONDITIONAL USES

Ambulance services	Blacksmith
Auto-body repairs	Blueprint and copy service

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Electrical contractors
Fire stations
Gasoline filling station
Glass sales and installation
Office equipment repair
Paper board
Plumbing
Poultry processing, slaughter houses

Pulp/paper manufacturing
Research laboratories
Small equipment repair (with engines)
Utility service facilities
Veterinary hospitals and facilities
Wall board (cellulose fiber)
Water and sewerage – treatment facilities

AMENDMENTS

East Valley District - April 13, 1999

(Mixed Use District – Effective September 4, 1990, was deleted
September 16, 2009 and replaced with the INT District)

Randolph Zoning Regulations

EAST VALLEY (EV) DISTRICT USE CLASSIFICATIONS

USE		EV
ANIMALS		
1	Horse training and riding stables	P
2	Kennels (commercial)	C
3	Veterinary hospitals	P
AUTOMOBILES & TRUCKS		
4	Auto repairs	P
5	Auto sales and repairs	P
6	Car wash facilities	P
7	Auto wrecking and junkyards	C
8	Automobile service station	C
ENTERTAINMENT & RECREATION		
9	Indoor entertainment & recreation facilities	C
10	Outdoor entertainment & recreation facilities	C
11	Camping facilities	C
EQUIPMENT		
12	Heavy equipment sales and repairs	C
13	Contractor's shop or yard	C
14	Power equipment sales and repairs	P
FOOD SERVICE		
15	Restaurants and cafes	P
16	Cafeterias and fast-food restaurants	C
17	Bars and lounges	C
MANUFACTURING & INDUSTRY		
18	Light manufacturing facilities	P
19	Heavy manufacturing facilities	X
20	Warehouse, private	C
21	Utility power generating plants	C
22	Solid waste management facilities	C
23	Hazardous waste management facilities	X
OFFICES		
24	Business and professional offices	P
25	Banks	P

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USE		EV
OFFICES (cont'd)		
26	Research laboratories and facilities	C
27	Radio and television facilities	C
28	Healthcare facilities	P
RESIDENTIAL		
29	One- or two-family dwellings	P
30	Multi-family dwellings	C
31	Sheltered care facilities	C
32	Intermediate & extended care facilities	C
33	Housing for the elderly and/or disabled	P
34	Hotels and motels	C
35	Tourist houses	P
RETAIL SALES & SERVICE		
36	Retail sales with outdoor display of goods	P
37	Retail sales without outdoor display of goods	P
38	Convenience stores	P
39	Personal service shops	P
TRANSPORTATION		
40	Trucking terminals	C
41	Bus and train terminals	C
42	Bus garages	C
43	Taxi service facilities	C
44	Ambulance facilities	P
MISCELLANEOUS		
45	Drive-thru facilities	C
46	Assembly halls	P
47	Laundromats	C
48	Funeral homes	P
49	Day care facilities	P
50	Warehouse, public	P
51	Educational institutions, public or private	P
52	Churches, convents and parish houses	P

P - Permitted Use **C** - Conditional Use **X** - Prohibited Use

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EAST VALLEY DISTRICT
LOT AND DIMENSIONAL REQUIREMENTS
(Minimums unless otherwise indicated)

		EV
Lot Area	SF	
One-family		10,000
Two-family		20,000
Multi-family		10,000 per family unit
Other uses		20,000
Lot Width	FT	100
Front Setback ¹	FT	30
Rear Setback ¹	FT	30
Side Setback ¹	FT	20
Max. Bldg. and Pkg. Coverage	%	75
Max. Bldg. Height	FT	30

¹ All setbacks are for principal buildings.

PROVISION AND DEFINITIONS
that are applicable to
THE EAST VALLEY DISTRICT ONLY
Effective April 13, 1999

PROVISION FOR DRIVE-THRU FACILITIES IN THE EAST VALLEY DISTRICT

If a proposed project involves a permitted use with a drive-thru facility, the entire project shall require conditional use review and approval.

DEFINITIONS FOR THE EAST VALLEY DISTRICT

ASSEMBLY HALL - A building or group of buildings under single management available for temporary rental for meetings or other assemblages and functions. An assembly hall may or may not provide kitchen facilities for the preparation of food to be served on the premises for the people in attendance.

AUTOMOBILE REPAIRS - The maintenance, servicing, repairing or painting of automobiles.

AUTOMOBILE SERVICE STATION - Any structure, land or portion thereof used for the retail dispensing or selling of vehicular fuels, including as an accessory use the sale and installation of lubricants, tires, batteries and similar vehicle accessories.

BANK - An establishment for the custody, loan, exchange or issuance of money and other financial transactions and in which such transactions are made on the premises and in person. A bank may include office space and automatic teller machines. A savings and loan, trust company and a credit union shall be considered a bank.

BAR or LOUNGE - A structure or part of a structure used primarily for the sale and dispensing of alcoholic beverages by the drink. A bar may or may not include the sale and service of food to be eaten on the premises.

BED AND BREAKFAST - See "Tourist House."

BOARDING HOUSE - See "Tourist House."

CAFETERIA OR FAST-FOOD RESTAURANT - An establishment whose principal business is the sale of pre-prepared or rapidly prepared food directly to the customer in a ready-to-consume state for consumption either within the restaurant building or off premises.

CAMPING FACILITY - A commercial establishment whereby a plot of ground upon which two or more campsites are located, established or maintained for use as temporary living quarters. Such living quarters may include a tent or other such portable enclosure or a recreational vehicle.

CAR WASH FACILITY - A structure containing facilities for washing motor vehicles, either automatically or semi-automatically, for a fee.

COMMUNITY CARE HOME - A residential facility, state licensed or registered, providing food, shelter, and personal guidance with supervision, serving not more than six (6) persons who

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are developmentally disabled or physically handicapped. A facility that meets this definition except that it serves more than 6 people shall be considered a sheltered care facility.

CONVENIENCE STORE - A commercial establishment not exceeding 3,500 square feet gross floor area offering personal services or items for sale in small quantities for daily use such as prepackaged food products, household items, newspapers, magazines, sandwiches and freshly prepared foods for off-site consumption. A convenience store may include the selling and dispensing of vehicular fuels.

COVERAGE, BUILDING AND PARKING - Area of a lot expressed as a percentage of the total area of the lot which, when viewed from directly above, is covered by a structure and is used for parking, access, traffic circulation, sidewalks and similar features.

DAY CARE FACILITY - A facility which operates according to a license or registration from the State of Vermont where care is provided on a regular basis for periods not exceeding 24 consecutive hours, either in the licensee's residence or other structure, for children under the age of 16.

DRIVE-IN FACILITY - An establishment which, by design, physical facilities, service or by packaging procedures, encourages or permits customers to receive services, obtain goods, or be entertained while remaining in their motor vehicles.

EQUIPMENT, HEAVY - Large vehicles and machinery used primarily in agricultural and industrial operations including, but not limited to, tractors, bulldozers and accessories.

EQUIPMENT, POWER - Small vehicles and machinery used primarily for residential and light commercial purposes including, but not limited to snowmobiles, chainsaws, lawnmowers and accessories.

ENTERTAINMENT FACILITIES - Establishments engaged in providing amusement for a fee or admission charge and including such activities as dance halls, theaters, musical entertainment, bowling alleys, billiard halls and commercial sports.

ESTABLISHMENT - An economic unit, generally at a single physical location, where business is conducted or services or industrial operations performed.

EXTENDED CARE FACILITY - A facility providing full-time convalescent or chronic care to individuals who, by reason of advanced age, chronic illness or infirmity, are unable to care for themselves.

HOTEL/MOTEL - A facility which offers transient lodging accommodations, either in one or more structures, to the general public at a fee. Such facilities may include, as accessory uses, restaurants, meeting rooms, entertainment and recreational facilities.

HOUSING FOR THE ELDERLY - Multifamily dwelling designed for people over the age of 60 years.

HOUSING FOR THE DISABLED - Multifamily dwelling designed for people with physical or developmental disabilities.

INTERMEDIATE CARE FACILITY - A facility which provides, on a regular basis, health-related care and services to individuals who do not require the degree of care and treatment which a hospital or extended care facility is designed to provide, but who, because of their mental or physical conditions, require care and services (above the level of room and board) which are made available to them.

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JUNK - Old or scrap metals, plastics, rubber or other material, including but not limited to rope, rags, batteries, glass, tires, waste, trash or any discarded, dismantled, wrecked, scrapped or ruined motor vehicles or parts thereof.

JUNK MOTOR VEHICLE - A discarded, dismantled, wrecked, scrapped or ruined vehicle that is propelled or drawn by power other than muscular power, including trailers or parts thereof, or one other than an on-premise utility vehicle which is allowed to remain unregistered for a period of ninety (90) days from the date of discovery.

JUNKYARD - Any place of outdoor storage or deposit which is maintained, operated or used in connection with a business for storing, keeping, processing, buying or selling junk or as a scrap metal processing facility. A junkyard shall also be any place of outdoor storage or deposit, not in connection with a business which is maintained or used for storing or keeping four or more junk motor vehicles which are visible from any portion of a public highway. It is not, however, a garage where wrecked or disabled motor vehicles are stored for less than 90 days for inspection or repairs.

KENNEL - An establishment in which more than six dogs or cats which are more than one year old are housed, groomed, bred, boarded, trained or sold.

KITCHEN FACILITIES - An area within a dwelling unit, place of lodging or other structure that is intended for the storing, cooking, preparing or handling of food and beverage.

LAUNDROMAT - An establishment providing washing, drying or dry cleaning machines on the premises for rental use to the general public.

MANUFACTURING - The processing and fabrication of any article, substance or commodity. Manufacturing where the processes involved will produce noise, vibration, air pollution, water pollution, ground pollution, fire hazard and/or noxious emissions which are detectable outside the facility shall be considered "heavy manufacturing," and all others shall be considered "light manufacturing."

OFFICE - A room or group or rooms used for conducting the affairs of a business, profession, service, industry or government.

PERSONAL SERVICE SHOP - A place of business whereby a person is serviced on the premises, including, but not limited to beauty salons, barber shops, tailors, tattoo parlors, massage parlors, and health care facilities such as offices where doctors, dentists, massage therapists, chiropractors and other health care professions treat patients.

RECREATION FACILITY - A place designated and equipped for the conduct or teaching of sports, leisure time activities and other customary and usual recreational activities.

RECREATIONAL VEHICLE - A vehicular-type portable structure without permanent foundation which can be towed, hauled or driven and primarily designed as temporary living accommodation for recreation, camping and travel use and including but not limited to travel trailers, truck camper, camping trailers and self-propelled motor homes.

RESEARCH LABORATORIES AND FACILITIES - An establishment or other facility for carrying on investigation in the natural, physical or social sciences, or engineering and development as an extension of investigation with the objective of creating end products.

RESTAURANT OR CAFE - An establishment where food and drink is prepared, served and consumed primarily within the principal building. Take-out service and outdoor seating may be included.

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RETAIL SALES AND SERVICE, GENERAL - Establishment engaged in selling goods or merchandise to the general public for personal or household consumption and rendering services incidental to the sale of such goods. A farm stand that sells products that are not grown or produced on the property shall be considered general retail sales.

SCRAP YARDS - See "Junkyards."

SHELTERED CARE FACILITY - A residential facility for the care of people which, in addition to providing food and shelter to more than six persons unrelated to the proprietor, also provides personal care service beyond food, shelter and laundry.

TERMINAL - A place where transfer between modes of transportation take place, or a terminating point where goods are transferred from a vehicle to a storage area or to other vehicles, or picked up by other forms of transportation.

TOURIST HOUSE - Any accessory use of a home that serves as the primary residence of the operator and offers less than ten (10) units of lodging, or board and lodging; for compensation; for the use of transients, or long term residents. The unit herein defined is meant for sleeping accommodations only, may or may not have individual unit bathroom facilities; but does not include kitchen facilities. A facilities which meets this definition except that it offers 10 or more units shall be considered a hotel.

TRAVEL TRAILER PARK - See "Camping Facility".

WAREHOUSE, PRIVATE - A building used primarily for the storage of goods and materials for a specific commercial establishment or group of establishments in a particular industrial or commercial field.

WAREHOUSE, PUBLIC - A building available to the general public, at a fee, for the storage of farm products, furniture and other household goods, or commercial or private goods of any nature.

WASTE DISPOSAL SITES - Any place, whether in connection with a business or not, which is used for the disposal, storage or pick up of non-recoverable, recoverable, or reusable or unusable radiological or chemical materials, compounds, or solutions in the solid, liquid, or gaseous state, contained in manufactured vessels or natural features of containment.

WASTE, HAZARDOUS - Means any waste or combination of wastes of a solid, liquid, contained gaseous, or semi-solid form which in the judgment of the Secretary of the Agency of Environmental Conservation may cause, or contribute to, an increase in mortality or an increase in serious irreversible or incapacitating reversible illness, taking into account the toxicity of such waste, its persistence and degradability in nature, and its potential for assimilation, or concentration in tissue, and other factors that may otherwise cause or contribute to adverse acute or chronic effects on the health of persons or other living organisms, or any matter which may have an unusually destructive effect on water quality if discharged to ground or surface waters. Such wastes include, but are not limited to, those which are toxic, corrosive, flammable, irritants, strong sensitizers, or which generate pressure through decomposition, heat, or other means. Radioactive waste shall be considered hazardous.

WASTE, SOLID - Any garbage, refuse, septage, sludge from a waste treatment plant, water supply plant, or air pollution control facility and other discarded material including solid, liquid, semi-solid, or contained gaseous materials resulting from industrial, commercial, mining, or agricultural operations and from community activities but does not include animal

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manure and absorbent bedding used for soil enrichment or solid or dissolved materials in industrial discharges which are point sources subject to permits under the Water Pollution Control Act., chapter 47 of Title 10.

APPENDIX A

District Maps

APPENDIX B

Land Subdivision Control Regulations