

## 2.4 Uses and Exemptions for Districts – Generally

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**2.4.2 Nonconforming Uses** - Nonconforming uses shall be allowed to continue as provided in Section 4.89, *Nonconforming Uses*, of these Zoning Regulations

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## 3.3 Residential / Commercial District (R/C)

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**3.3.2 Allowable Uses Upon Issuance of Conditional Use Approval** - The following uses shall be allowed in the R/C District upon issuance of a conditional use approval by the DRB. Unless otherwise provided, only one principal use, with its accessory structures, may be approved on any one lot.

- a) Adaptive uses as provided in Section 5.6.8.
- b) Artist/Craft studio.
- c) Cemetery.
- d) Cottage industry as provided in Section 5.6.7.
- e) Day care center.
- f) One multi-family dwelling with three or four dwelling units.
- g) Extraction of earth resources as provided in Section 5.6.6.
- h) Funeral parlor.
- i) Inn or guest house.
- j) Museum.
- k) Office, Business.
- l) Office, Professional.
- m) Personal service business.
- n) Planned Unit Development, which may be a Planned Residential Development, as provided in Section 5.12, if no subdivision of land is proposed (see Section 5.12.1).
- ~~n~~) o) Powered Vehicle and/or Machinery Service
- ~~o~~) p) Outdoor recreational facility or park.
- ~~p~~) q) Religious or educational facility as provided in Section 5.10.4.
- ~~q~~) r) Restaurant, standard.
- ~~r~~) s) Retail business.
- ~~s~~) t) Retirement community.
- ~~t~~) u) State- or community-owned and operated facilities, to the extent allowed by Section 5.10.4.
- ~~u~~) v) Agriculture, silviculture and horticulture, as provided in Section 2.4.5.
- ~~v~~) w) Veterinary Clinics

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## 3.4 Gateway Commercial District (G)

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**3.4.2 Allowable Uses Upon Issuance of Conditional Use Approval** - The following uses, with accessory structures, may be allowed in the G District after issuance of conditional use approval by the DRB.

- a) Adaptive use as provided in Section 5.6.8.
- b) Amusement arcade.
- c) Artist/Craft studio.

- ~~d) Automobile service station.~~
- e)d) Bank.
- f)e) Business yard.
- g)f) Catering service.
- h)g) Cemetery.
- i)h) Cottage industry as provided in Section 5.6.7.
- j)i) Day care center.
- k)j) Dwelling, single-family attached to a principal structure approved for a permitted or conditional use.
- l)k) Dwelling, two-family
- m)l) Dwelling, multi-family with three or four dwelling units.
- n)m) Educational or religious facility as provided in Section 5.10.4.
- o)n) Extraction of earth resources as provided in Section 5.6.6.
- p)o) Food processing establishment.
- q)p) Funeral parlor.
- r) ~~Garage, repair.~~
- s)q) Group home, as provided in Section 5.11.
- t)r) Hotel or motel.
- u)s) Inn or guest house.
- v)t) Kennel
- w)u) Light Manufacturing.
- x)v) Multi-use commercial building with uses from this section or 3.4.1.
- y>w) Museum.
- z)x) Offices, Business.
- aa)y) Offices, Professional.
- bb)z) Personal services.
- aa) Planned Unit Development, which may be a Planned Residential Development, as provided in Section 5.12, if no subdivision of land is proposed (see Section 5.12.1).
- cc)bb) Powered Vehicle and/or Machinery Service
- dd)cc) Private club.
- ee)dd) Recreation, indoor or outdoor facility or park.
- ff)ee) Research laboratory.
- gg)ff) Retail business associated with light manufacturing with a maximum size of 3,000 square feet.
- hh)gg) Retirement community.
- ii)hh) State- or community-owned and operated institutions and facilities, to the extent allowed by Section 5.10.4.
- jj)ii) Tavern, provided that it is associated with an onsite distillery, brewery, or winery.
- kk)jj) Agriculture, silviculture and horticulture, as provided in Section 2.4.5.
- ll)kk) Veterinary Clinics

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### 3.5 Village Commercial District (V/C)

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**3.5.2 Allowable Uses Upon Issuance of Conditional Use Approval** - The following uses may be allowed in the V/C District after issuance of conditional use approval by the DRB. Unless otherwise provided, only one principal use, with its accessory structures, may be approved on one lot.

- a) Adaptive use as provided in Section 5.6.8.
- b) Bank.
- c) Catering service.
- d) Commercial multi-use building.
- e) Business yard.

- f) Educational facility as provided in Section 5.10.4.
- g) Equipment supply and/or rental.
- h) Funeral parlor.
- ~~i) Garage, vehicle repairs and service.~~
- j) Group home.
- k) Hotel or motel.
- l) Light manufacturing
- m) Lumber yard / Building supply business.
- n) Planned Unit Development as provided in Section 5.12, if no subdivision of land is proposed (see Section 5.12.1).
- o) Powered Vehicle and/or Machinery Service
- p) Private club.
- q) Recreation, indoor or outdoor, facility or park.
- r) Research laboratory.
- s) Restaurant, fast food or take-out.
- t) Retirement community.
- u) Rooming or boarding house.
- v) State- or community-owned and operated institutions and facilities, to the extent allowed by Section 5.10.4.
- w) Storage, outdoor as an accessory use to any permitted or conditional use.
- x) Tavern.
- y) Veterinary Clinics
- z) Wholesale trade.
- aa) Dwelling Units as part of a Planned Unit Development.
- ab) Agriculture, silviculture and horticulture as provided in Section 2.4.5

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**3.6 Commercial District (C)**  
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**3.6.2 Allowable Uses Upon Issuance of Conditional Use Approval** - The following uses may be allowed in the C District after issuance of conditional use approval by the DRB. Unless otherwise provided, only one principal use, with its accessory structures, may be approved on one lot:

- a) Adaptive use as provided in Section 5.6.8.
- b) Amusement arcade.
- c) Automobile and/or marine sales.
- ~~d) Automobile service station.~~
- e) Bank.
- f) Business yard.
- g) Car wash.
- h) Catering service.
- i) Commercial multi-use building.
- j) Distribution Center.
- k) Educational facility as provided in Section 5.10.4 .
- l) Equipment supply and/or rental.
- m) Extraction of earth resources as provided in Section 5.6.6.
- n) Funeral parlor.
- ~~o) Garage, vehicle repairs and service.~~
- p) Group home.
- q) Hotel or motel.
- r) Light manufacturing
- s) Lumber yard / Building supply business.
- t) Planned Unit Development as provided in Section 5.12, if no subdivision of land is proposed (see Section 5.12.1).
- u) Powered Vehicle and/or Machinery Service

- u)t) Private club.
- v)u) Recreation, indoor or outdoor, facility or park.
- w)v) Research laboratory.
- x)w) Restaurant, fast food or take-out.
- y)x) Retirement community.
- z)y) Rooming or boarding house.
- aa)z) State- or community-owned and operated institutions and facilities, to the extent allowed by Section 5.10.4.
- bb)aa) Storage, outdoor as an accessory use to any permitted or conditional use.
- bb) Tavern.
- cc) Vehicle Fueling Station
- dd) Veterinary Clinics
- ee) Warehouse Use.
- ff) Wholesale trade.
- gg) Agriculture, silviculture and horticulture, as provided in Section 2.4.5.

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**3.7 Industrial / Commercial District (I/C)**  
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**3.7.2 Allowable Uses Upon Issuance of Conditional Use Approval** - The following uses, with accessory structures, may be allowed in the I/C District after issuance of conditional use approval by the DRB.

- a) Adaptive use as provided in Section 5.6.8.
- b) Amusement arcade.
- c) Automobile and/or marine sales ~~and/or service business.~~
- ~~d) Automobile service station.~~
- e)d) Commercial multi-use building
- f)e) Bank.
- g)f) Business yard.
- h)g) Communications, telecommunications, as provided in Section 6.12.
- i)h) Extraction of earth resources as provided in Section 5.6.6.
- ~~j) Garage, vehicle repairs and service.~~
- k)i) Hotel or motel.
- l)j) Kennel.
- m)k) Light manufacturing.
- n)l) Lumber yard or building supply business.
- o)m) Mobile home sales business.
- p)n) Outdoor storage as an accessory use to in connection with any conditional or permitted use.
- q)o) Planned Unit Development as provided in Section 5.12, if no subdivision of land is proposed (see Section 5.12.1).
- p) Private club.
- r)q) Powered Vehicle and/or Machinery Service
- s)r) Recreation facility, outdoor or indoor.
- t)s) Research laboratory.
- u)t) Restaurant, fast-food or take-out.
- v)u) Restaurant, standard.
- w)v) Retail business.
- x)w) Storage, indoor.
- y)x) State- or community-owned and operated institutions and facilities, to the extent allowed by Section 5.10.4.
- z)y) Tavern.

- z) Theater.
- aa) Vehicle Fueling Station
- bb) Veterinary Clinics
- cc) Agriculture, silviculture and horticulture, as provided in Section 2.4.5.

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## 4.7 Nonconforming Structures

~~The following shall apply to all nonconforming structures, except for those within the Flood Hazard Overlay District, which also must comply with the provisions of Section 6.8 of these regulations:~~

- ~~a. May undergo normal repair and maintenance without a permit if such action does not increase the structure's degree of nonconformity~~
- ~~b. May be restored or reconstructed after damage to its prior condition from any cause provided that the reconstruction does not increase the degree of nonconformity that existed prior to the damage, and provided that a zoning permit is obtained within 12 months of the date the damage occurred.~~

~~A Nonconforming structure may be replaced or restored after damage or destruction by fire or other casualty, and expansion may be permitted as long as the noncompliance of any aspect of the structure is not increased; provided, however, that such replacement or restoration shall be substantially complete within 365 days of the date of the damage or destruction. The DRB may permit such extensions of the 365-day time period as may be equitable, if the lot owner is prevented from commencing or substantially completing construction due to circumstances beyond the lot owner's control. A damaged or destroyed Nonconforming structure which is not substantially replaced or restored in compliance with this section shall not thereafter be used and shall be removed.~~

~~4.7.1. The regulations under this section do not construe or imply the permitting of the use of a structure declared unsafe by an appropriate governmental authority or the continuation of an establishment declared to be health hazard by an appropriate governmental authority.~~

~~4.7.2. Nonconforming structures may continue to exist unchanged indefinitely.~~

~~4.7.3. Nonconforming structures within the Flood Hazard Overlay District will also be subject to the regulations of Section 6.8.~~

~~4.7.4. Nonconforming structures may undergo normal repair and maintenance without a zoning permit provided that the structure's degree of nonconformity is not increased.~~

~~4.7.5. The Administrative Officer may approve the replacement, restoration, or reconstruction of a nonconforming structure after damage or destruction by fire, flood, collapse, explosion, or other similar casualty to its prior condition provided that:~~

- ~~a) the reconstruction does not increase the degree of nonconformity that existed prior to the damage; and~~
- ~~b) a zoning permit is issued within 12 months of the date the damage occurred.~~

~~4.7.6. The Administrative Officer may approve the replacement, restoration, reconstruction, and expansion of a nonconforming structure for reasons other than damage or destruction provided that the structure's degree of nonconformity is not increased.~~

~~4.7.7. The Administrative Officer may approve the relocation of a nonconforming structure on the same property provided that the change in location of the structure does not increase the structure's degree of nonconformity.~~

~~4.7.8. The Development Review Board may allow a nonconforming structure to extend, or further extend, into a wetland or wetland buffer, thus increasing its degree of nonconformity, provided that it is permitted by the state Wetlands Program as pursuant to Section 6.9.5.~~

~~4.7.9. For the purpose of Section 4.7, the phrase "degree of nonconformity" shall mean:~~

- ~~a) the volume of the nonconforming structure within a required setback;~~

- a) The height of the nonconforming structure above a maximum height;
- b) the square footage that the nonconforming structure's footprint or any associated impervious surface occupies within a wetland buffer; or
- c) the extent to which the nonconforming structure exceeds any other required dimensional standard.

**4.7.108 Setback Modifications** - Subject to Conditional Use Review, the Development Review Board may allow for the expansion of any nonconforming structure built prior to April 1, 1969 no closer than five (5) feet to any lot line or edge of a public or private right of way and an increase in building footprint as a result of the expansion by no more than 10% of the total ground area of the lot. For example, if the lot is 8,000 square feet, the Development Review Board could allow an increase of 800 square feet in lot coverage.

~~Purpose—Richmond contains a large number of buildings that were built prior to the enactment of Richmond's Zoning Regulations and do not conform to setback and/or lot coverage requirements. Current zoning may prohibit even small increases in these buildings due to the restrictions on setbacks and lot coverage. Small increases in the size of these buildings may, in appropriate cases, be beneficial to landowners without adversely affecting neighbors or the interests protected by Richmond's Zoning Regulations. It is the purpose of this section to allow for such increases subject to conditional use review under Section 5.6, as needed to authorize the modification or waiver of district front, side and rear yard setback and lot coverage requirements in accordance with the Act [§4414(8)].~~

~~**4.8.1 Applicability**—The DRB may issue conditional use approval for the expansion of any nonconforming structure substantially completed prior to April 1, 1969 (an “existing building”). If lawful additions were made to any existing building after April 1, 1969, the term “existing building” shall include the original building and such additions. The conditional use approval may allow expansion of an existing building to occur no closer than five (5) feet to any lot line or edge of a public or private right of way and increases in lot coverage as a result of the expansion by no more than 10% of the total ground area of the lot. (For example, if the lot is 8,000 square feet, conditional use approval could allow an increase of 800 square feet in lot coverage.)~~

~~**4.8.2 Selectboard Notification**—The Administrative Officer shall notify the Selectboard of applications to modify setbacks that are adjacent to land owned by the Town and Town rights-of-way whether held as a right-of-way or fee title, at the same time such application is referred to the DRB.~~

~~**4.8.3 Review Criteria**—Prior to issuing conditional use approval for the waiver or modification of setback and coverage requirements, the DRB must find that the proposed expansion:~~

- ~~a) is in compliance with conditional use criteria of these Zoning Regulations, including the general standards, specific standards and performance standards outlined under Section 5.6, and with state law, and~~
- ~~b) the structure must be found to be otherwise in compliance with these Zoning Regulations.~~

~~**4.8.4 Conditions of Approval**—The DRB may require design modifications, screening or other conditions to mitigate Undue Adverse Effects to adjoining properties or public rights of way....~~

## **4.89 Nonconforming Uses**

~~A Nonconforming Use may continue to exist, subject to the following:~~

~~A Nonconforming Use shall not be changed to other than a permitted use. Any Nonconforming Use that ceases for 365 consecutive days shall not be permitted to resume, and intent to abandon the use shall be conclusively presumed for such non-use unless it qualifies under the “Adaptive Use” section (5.6.8) of these Zoning Regulations. If it can be shown that the usage has traditionally been intermittent, the historical rate will be used to assess abandonment and continued use.~~

~~Any increase or expansion of a Nonconforming Use may occur only after DRB approval. The DRB may approve increases in nonconforming uses that involve an increase of 25% or less in physical characteristics such as, but not limited to, square footage or traffic flow, after Conditional Use Review.~~

~~**4.8.1** A non-conforming use may be continued indefinitely provided it remains unchanged.~~

4.8.2 The structure containing a nonconforming use may undergo normal repair and maintenance without a zoning permit provided that the nonconforming use is not changed, enlarged, expanded, moved or altered.

4.8.3. The Administrative Officer may approve the replacement, restoration, or reconstruction of a structure containing a nonconforming use to its prior condition after damage or destruction by fire, flood, explosion, collapse, or other similar casualty provided that:

- a) the reconstruction does not change, enlarge, expand, move or alter the nonconforming use; and
- b) a zoning permit is issued within 12 months of the date the damage or destruction occurred; and
- c) all other requirements of the zoning district in which the structure containing the use is located are met.

4.8.4 A nonconforming non-residential use that ceases for 12 or more months shall be deemed discontinued by the Administrative Officer, regardless of the intent to resume the prior use, and shall not be permitted to resume. A residential use may be resumed within a legal, vacant structure at any time.

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#### **4.10-9 Noise**

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##### **4.910.1 Residential Noise**

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##### **4.910.2 Commercial Noise.**

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##### **4.910.3 Terms.**

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##### **4.910.4 Exemptions.**

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#### **4.104 Exterior Lighting**

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##### **4.104.1 General Guidelines**

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##### **4.104.2 General Requirements**

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##### **4.104.3 Parking Lot & Security Lighting**

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##### **4.104.4 Illuminated Signs.**

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##### **4.104.5 Roads or Highways Lighting.**

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##### **4.104.6 Lighting of Gasoline Station Aprons and Canopies.**

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**4.104.7 Lighting of Building Facades and Roofs.**

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**4.112 Height of Buildings and Structures**

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**4.112.1**

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**4.112.2**

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**4.112.3**

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**4.112.4**

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**4.112.5**

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**4.112.6**

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**4.112.7**

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**4.123 Performance Standards**

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**4.13 Vehicle Fueling Stations** - All Vehicle Fueling Stations shall adhere to the following requirements and standards:

**4.13.1.** Vehicle Fueling Stations may have up to four pumping islands, allowing up to eight vehicles to receive liquid or gaseous fuels at one time.

**4.13.2.** All Vehicle Fueling Stations shall have one or more DC Fast Charger electric vehicle charging station(s) with a Society of Automotive Engineers (SAE) Combined Charging System (CCS).

**4.13.3.** Customary accessory uses for Vehicle Fueling Stations include the retail sales of vehicle accessories; food and beverages prepared for off-premises consumption, but which may be consumed on or off premises; and other convenience store items. Up to 20% of the floor space within a structure containing the aforementioned accessory uses may be used for tables and/or chairs.

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**5. PERMITS AND APPROVALS**

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**5.7.7 Nonconforming Signs** - A sign which does not comply to these Zoning Regulations which is lawfully in use when these Zoning Regulations become effective may continue in use but, shall be subject to the provisions of Sections 4.7 and 4.89 of these Zoning Regulations.



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## 5.10 Requirements for Specific Structures

**5.10.1 Accessory Structure** - An accessory structure includes any structure that is customarily incidental and subordinate to the principal structure or use on a lot, including but not limited to, fences, walls, barns, sheds, greenhouses, gazebos, patios, accessory electric vehicle charging stations and free-standing garages. Accessory structures (except for non-structural fences and walls which mark property boundaries, or enclose portions of the property, and are less than 6 feet high, and accessory electric vehicle charging stations) shall conform to the setbacks established in the applicable Zoning District, unless a greater setback is required by these Zoning Regulations.

**5.10.2 Seasonal Dwelling** - A “seasonal dwelling” or “camp” structure shall not be occupied more than 180 days in any one-year period. Camps which are pre-existing nonconforming structures or nonconforming uses shall be governed by Sections 4.7 or 4.94.8 of these Zoning Regulations. New camps and conversions of camps to single-family dwellings shall be permitted wherever single-family dwellings are permitted as long as all requirements for a single-family dwelling are met. Each camp which is converted to year-round single-family use shall be located on a separate conforming lot on which there is no other principal structure.

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## 6. SPECIAL ZONING REGULATIONS

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### 6.8.15 Nonconforming Structures and Uses

Special provisions regarding Nonconforming Structures and uses apply to Section 6.8. The general provisions of Section 4.7 and 4.89 shall also apply...

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### 6.9 Wetlands

~~No building, roadway or septic system shall be constructed within 100 feet of a Class I wetland and within 50 feet of a Class II wetland. Classifications of wetlands are established by the State of Vermont.~~

~~In addition, no draining, dredging, filling, or alteration of the water flow shall occur within 50 feet of Class I and Class II wetlands, unless such use has been approved by the Vermont Department of Environmental Conservation’s Wetlands Section through the issuance of a Conditional Use Determination.~~

6.9.1 Applicability. Any land development on a lot containing a known or suspected wetland identified by the Vermont Significant Wetlands Inventory, the Wetlands Advisory Layers, or the Wetlands Screening Tool shall require a zoning permit issued by the Administrative Officer.

6.9.2 No land development shall occur within a Class I or II wetland, or wetland buffer, unless approved or exempted by the Vermont Wetlands Program.

6.9.3 Wetland Buffers. All Class I and II wetlands shall be surrounded by a buffer of the following widths:

- a) 100 feet for a Class I wetland;
- b) 50 feet for a Class II wetland;

### 6.9.4. Application Requirements.

Applications for development within Class I or II wetlands, and wetland buffers shall provide the following:

- a) A wetlands delineation and assessment of the wetland prepared by a professional wetlands ecologist in accordance with the Vermont Wetlands Rules put forth by the Agency of Natural Resources;

- b) A site plan indicating the location of the proposed land development in relation to the wetland and the wetland buffer;
- c) A permit approving such development issued by the state Wetlands Program;
- d) An erosion prevention and sediment control plan in accordance with the current Vermont Standards and Specifications for Erosion Prevention and Sediment Control.

6.9.5 The Development Review Board may approve the reconstruction, replacement or relocation of a nonconforming structure and existing impervious surfaces that extend into, or further into, a wetland or wetland buffer provided that a permit approving such development is issued by the state Wetlands Program.

6.9.6 The creation of new lawns or areas of pavement, including for parking, within wetlands or wetland buffers is prohibited unless approved by the state Wetlands Program. Supplemental planting within a wetland or wetland buffer with appropriate native vegetation to restore and enhance the function of the wetland is allowed.

6.9.7 New on-site septic systems, including septic tanks and leach fields, are prohibited in wetlands and wetland buffers. Replacement systems may be allowed with the appropriate state and federal permits.

6.9.8 Storage of hazardous or other materials is prohibited in wetlands and wetland buffers.

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## 7. DEFINITIONS

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### 7.2 Specific

For the purpose of these Zoning Regulations, certain words and terms are hereby defined as follows:

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**Accessory Electric Vehicle Charging Station** – A structure or device for the free or retail dispensing of electricity as a vehicle fuel within an on-street or off-street parking space, or incidental to a residential or commercial building that does not dispense liquid or gaseous fuel.

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~~**Automobile Service Station** – Any building, land area, or other premises, or portion thereof, used for the retail dispensing or sales of vehicular fuels; servicing and repair of automobiles and light trucks; and including as an accessory use the sale and installation of lubricants, tires, batteries, and similar vehicle accessories. This definition does not include any other uses, such as restaurants, deli's, car washes, etc. which may only be allowed under separate review and approval under these Zoning Regulations.~~

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**DC Fast Charger** – A battery charger designed for use with commonly available electric vehicles that are capable of receiving direct current (DC) electricity. The DC Fast Charger will comply with Society of Automotive Engineers (SAE) standard J1772 and Underwriters Laboratory standard 2251, or successor standards, and will be rated at a minimum of 50 kilowatts electric power output.

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~~**Garage, Repair** – Any building, premises, and land in which or upon which a business, service, or industry involving the maintenance, servicing, repair, or painting of vehicles is conducted or rendered.~~

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~~**Impervious Surface** - An area which significantly restricts or prevents penetration such as but not limited to asphalt paving and concrete surfaces but not including a gravel or grassed surface. – A manmade surface, including but not~~

limited to a roof, or a paved or unpaved road, driveway, walkway or parking area, from which precipitation runs off rather than infiltrates

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**Powered Vehicle and/or Machinery Service** – A commercial establishment, including land and buildings, for which the principal use is the repair and maintenance of powered vehicles and/or machinery. Accessory uses include rebuilding, reconditioning and body shop work; the sale and installation of parts and accessories, the provision of electricity as a vehicle fuel, and the sale or leasing of no more than four vehicles at any one time.

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**Setback** - ~~The distance from a Lot Line or, if applicable, from the center line of the Road or Highway right-of-way, to the edge of any structure on the Lot, including the building footprint, edge of deck, cantilevered areas, but not including the roof overhang~~ the building footprint or of any structure on the lot, including the edge of a deck, cantilevered area, on-ground patio or parking area. However, the setback provisions of these Zoning Regulations do not apply to fences or signs outside of a road right-of-way, except where specifically provided. The setback provisions of these Zoning Regulations do not apply to fences, walls of 3 feet or less in height, roof overhangs that extend no more than three (3) feet from the structure, or signs outside a road right-of-way, except where specifically provided. Setbacks for septic systems shall be dictated by state law.

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**Structure** - An assembly of materials for occupancy or use, including, but not limited to, a building, mobile home or trailer, sign, wall or fence and, except a wall or fence on an operating farm. ~~The term Structure also includes storage tanks for liquid, and gas, oil, propane, or other fuel storage tanks that are principally above ground. Unless otherwise specifically provided, (1) the term Structure does not include parking areas and driveways, (2) for purposes of determining setbacks, the term Structure does not include fences, except where specifically provided, and (3) for the determination of setbacks, septic systems shall not be considered structures and the setbacks shall be dictated by state law. See also Mobile Home, Recreational Vehicle.~~ The term structure does not include tanks that are fully underground, septic system components, and impervious surfaces such as driveways or parking areas.

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**Vehicle Fueling Station** -- Any building, land area, or other premises, or portion thereof, used for the retail dispensing or sale of liquid or gaseous vehicular fuels including, but not limited to, gasoline, diesel, kerosene, ethanol, ammonia, methane (including natural gas), propane, or hydrogen, in addition to the retail dispensing of electricity as a vehicle fuel. The presence of an Accessory Electric Vehicle Charging Station shall not alone render the use a Vehicle Fueling Station.

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**Wetlands** - ~~Means those areas that are~~ An area that is inundated by surface or groundwater with a frequency sufficient to support vegetation or aquatic life that depend on saturated or seasonally saturated soil conditions for growth and reproduction. Such areas include but are not limited to marshes, swamps, sloughs, potholes, fens, river and lake overflows, mud flats, bogs and ponds, but excluding such areas as which grow food or crops in connection with farming activities.

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**Wetland Buffer** – The area contiguous to a wetland which serves to protect the values and functions of the wetland.