



Draft changes to  
Gateway Commercial  
Zoning District, Jan 22,  
2015

# Zoning Regulations

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Village Commercial parking; Added §5.7.5 Directory Signs;  
Added new definitions §7.2 – for directory sign and driveway)**

**Last Amended: 2014 – May 27 (Added Jolina Court Interim Zoning\*)**

**2014 – June 24 (Amended §6.8.8, §6.8.16, §6.8.15\*)**

**\* Amendments attached to the end of the document**

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## INTRODUCTION

In accordance with the Vermont Municipal and Regional Planning and Development Act, 24 V.S.A., Chapter 117 (referred to herein as “the Act”), there are hereby established Zoning Regulations for the Town of Richmond which are set forth in the text and maps that constitute these regulations.

These regulations shall be known and cited as the  
“Town of Richmond Zoning Regulations.”

The regulations that follow *do not* intend to threaten or compromise any lawfully existing residence, structure or business; these lawfully existing uses and structures shall be grand-fathered and accepted at current locations and levels of activity, as provided in these Zoning Regulations.

Richmond’s rural character will be protected by zoning regulations that support current patterns of use; and by small-scale, rather than large-scale, development.

### 1. OVERVIEW

#### 1.1 Purpose

The purpose of these Zoning Regulations is to promote the health, safety and general welfare of the inhabitants of the Town of Richmond, Vermont and to enhance the value of property, to secure safety from fire and congestion, and to further the purposes of the Town Plan and the Act (§4302).

#### 1.2 Application of Zoning Regulations

No “Land Development” (see definition, Section 7) shall commence without the issuance of a Zoning Permit, as provided in Section 5.1.

#### 1.3 Legal Status

These Zoning Regulations shall become effective twenty-one (21) days after the date of adoption by the Richmond Selectboard, subject to §4442(d) of the Act. The zoning regulations heretofore in effect in the Town of Richmond shall be deemed repealed upon the Effective Date of these Zoning Regulations.

#### 1.4 Amendment or Repeal of Sections

Any amendment, repeal of sections or revision of the other provisions of these Zoning Regulations shall be prepared in accordance with the Act as may be amended from time to time. Any request for an amendment to these Zoning Regulations, including the official Zoning District Map, shall be submitted in writing to the Planning Commission for consideration. A proposed amendment supported by a petition signed by not less than five percent of Richmond voters shall be corrected by the Commission only for technical deficiencies and warned for a public hearing. The Planning Commission shall prepare and approve a written report on all proposed amendments in accordance with the Act.

#### 1.5 Severability

Invalidity of any section or provision of these Zoning Regulations shall not be held to invalidate any other section or provision of these Zoning Regulations.

#### 1.6 Conflicting Ordinances or Regulations

In case of any inconsistency between a provision of these Zoning Regulations and a provision of any other applicable ordinance or regulation of the Town, the provision that was adopted or materially amended later

than the other shall control unless otherwise required by law. Under Section 6.8.3.a), the provisions of the Flood Hazard Overlay District take precedence when they impose a greater restriction than other regulations. If any provision of these Zoning Regulations is or becomes inconsistent with the Act, the Act shall control.

## 1.7 Definitions and Index

Many of the terms used in these Zoning Regulations are defined in Section 7 and these definitions should be referred to for a correct interpretation of the regulations. Some of the more prominent terms are capitalized to draw attention to their having definitions, though many defined terms are not capitalized. Special definitions are in Section 6.8 and Section 6.12. The index in the final section of this document can also be used to find references to specific topics.

## 2. ZONING DISTRICT REGULATIONS - GENERAL

### 2.1 Establishment of Zoning Districts

The Town of Richmond is divided into the following Zoning Districts in accordance with the Official Zoning District Map:

- 2.1.1 A/R - Agricultural / Residential District
- 2.1.2 HDR - High Density Residential District
- 2.1.3 R/C - Residential / Commercial District
- 2.1.4 G - Gateway Commercial District
- 2.1.5 V/C - Village Commercial District
- 2.1.6 C - Commercial District
- 2.1.7 I/C - Industrial / Commercial District
- 2.1.8 MHP - Mobile Home Park District

### 2.2 Determination of Zoning District Boundaries

If the location of a Zoning District boundary is at issue, then the following rules shall apply:

- 2.2.1 **Centerlines** - A boundary indicated on the Zoning District Maps as appearing to follow a road, stream, or right of way shall be construed to follow the centerline of such road, stream, or right of way.
- 2.2.2 **Lot lines** - A boundary indicated on the Zoning District Maps as appearing to follow a lot line shall be construed as following such lot line.
- 2.2.3 **Shorelines** - A boundary indicated as appearing to follow a shoreline shall be construed as following the shoreline at the normal mean water level.
- 2.2.4 **Contour lines** - A boundary indicated as appearing to follow a contour line showing elevation shall be construed as following such contour line.
- 2.2.5 **Use of Scale** - In cases where a Zoning District boundary is not indicated as appearing to follow any of the above, the boundary shall be determined by using the scale of the Zoning District Maps.
- 2.2.6 **Divided Parcels** - When a lot is divided by a Zoning District boundary line, Land Development in each portion of the lot shall meet the requirements of the Zoning District in which the portion of the lot lies. If the Zoning District boundary passes through a lot and results in an area of land in a Zoning District which is smaller than the minimum lot size permitted in the Zoning District, such area of land shall be considered to lie in the same district as the larger portion of the lot.

## 2.3 Zoning District Map

The written provisions of these Zoning Regulations shall apply to the Zoning Districts as shown on the official Zoning District Map, such Map being a part of these Zoning Regulations.

## 2.4 Uses and Exemptions for Districts - Generally

- 2.4.1 Application** - Except as otherwise specifically provided in these Zoning Regulations, no use shall be allowed in a Zoning District except for those uses specifically mentioned as being allowed in such Zoning District. The DRB may, on appeal or in considering a conditional use application, allow a use which it finds is substantially similar to a use specifically mentioned as being allowed in such Zoning District.
- 2.4.2 Nonconforming Uses** - Nonconforming uses shall be allowed to continue as provided in Section 4.9, *Nonconforming Uses*, of these Zoning Regulations.
- 2.4.3 Uses Subject to Site Plan Review** - Many allowed uses require "Site Plan Review" by the DRB under Section 5.5 of these Zoning Regulations. Such uses have been identified as having significant impacts on the area and/or resources of the Town. The uses to which site plan review applies are identified in section 5.5.1. If an application is considered under Conditional Use review (section 5.6), then Site Plan review criteria shall also be considered by the DRB, though no separate hearing is required.
- 2.4.4 Recreational Paths** - Recreation paths shall be allowed in any district. Parcels of land which do not meet the lot area requirements for a Zoning District but which are suitable for recreation path use may be conveyed to the Town, a land trust, or similar group, to be utilized for such purposes.
- 2.4.5 Accepted Agricultural and Silvicultural Practices** - In accordance with the Act (§4413), accepted agricultural practices as defined by the Secretary of Agriculture, Food and Markets (including Farm Structures) and accepted silvicultural practices as defined by the Commissioner of Forests, Parks and Recreation, are not regulated by these Zoning Regulations. However, a person shall notify the Administrative Officer in writing of the intent to build a Farm Structure and shall abide by all setback requirements approved by the Secretary of Agriculture, Food and Markets.

## 2.5 Land Capability

No application shall be approved and no Zoning Permit shall be issued for Land Development unless the lot meets the following criteria in addition to the other applicable requirements of these Zoning Regulations. These criteria are designed to ensure the capability of the land to support the proposed Land Development.

- 2.5.1 Areas with Special Guidelines for Land Development** - The following portions of a lot are governed by the following special provisions:
- Land within the Flood Hazard Overlay District must meet the provisions of Section 6.8, *Flood Hazard Overlay District*, of these Zoning Regulations;
  - Land within the Water Source Protection Areas must meet the provisions of Section 6.10, *Water Supply Source Protection*, of these Zoning Regulations;
  - Land with a slope of 20% or more must meet the provisions of Section 6.11, *Steep Slopes*, of these Zoning Regulations; and,
  - Land within 50 ft. of a shoreline must meet the provisions of Section 6.7, *Shoreline Protection Overlay District*, of these Zoning Regulations.
- 2.5.2 Non-Developable Portions** - Each Lot must contain at least one contiguous 10,000 square foot area of land that is capable of supporting Land Development, excluding land on the lot that is subject to a permanent conservation easement held by a qualified organization in accordance with 10 VSA §6301a.(2). The following areas of a lot shall be deemed incapable of supporting any Land Development:
- Wetlands, streams, rivers, ponds, or lakes;
  - Slopes equal to or greater than thirty-five percent - 35%;
  - Publicly owned land or publicly owned or controlled Road or Highway right of ways;

- d) Privately owned vehicular or utility easements or rights of way;
- e) Those portions of a lot for which development rights have been transferred to another party; and,
- f) Any land within the flood hazard overlay district for uses not authorized within the flood hazard overlay district (Section 6.8).

## **2.6 Administratively Created Lots**

- 2.6.1** A Zoning Permit may be issued by the Administrative Officer for the division of one (1) lot (the "original lot") which exceeds 25 acres into two (2) lots (the "remainder lot" and the "new lot") without DRB review under the Richmond Subdivision Regulations as amended, provided neither the "remainder lot" nor the "new lot" shall be further subdivided within seven (7) years without DRB approval under the Town of Richmond Subdivision Regulations. Thereafter, either lot may be further subdivided per this section, subject to the same provisions provided within this section. A final plat showing the original and remainder lot shall be filed in the Richmond Town Clerk's Office within 180 days of such approval. If not so filed, the approval shall be void.
- 2.6.2** No Zoning Permit may be issued by the Administrative Officer under this Section unless each lot created complies with all pertinent state and local statutes, regulations and ordinances relating to water supply, sewage disposal, vehicular access, environmental impact and other provisions of these Zoning Regulations and with the standards of the Richmond Subdivision Regulations.
- 2.6.3** A Zoning Permit for an administratively created lot may be appealed to the DRB under Section 8.4.1, and shall be recorded in the land records of the town in accordance with Section 8.5.

### 3. ZONING DISTRICT REGULATIONS - SPECIFIC - USE INDEX

No Zoning Permit shall be issued for Land Development on any lot in any Zoning District unless such Land Development is permitted in that Zoning District and complies with the requirements and standards set forth for that Zoning District and all other rules and regulations applicable to such Land Development.

The chart below summarizes the uses allowed by district, and the required level of review for obtaining a Zoning Permit. In the case of a conflict between a particular use in the following table and the list of uses in the section that pertains to a particular zoning district, the section pertaining to the zoning district shall control.

- A = Administrative Review by the Administrative Officer, with no review required by the DRB.
- SP = Site Plan Review by the DRB (see Section 5.5), after the Administrative Officer has reviewed the application for completeness and general compliance with these Zoning Regulations.
- CU = Conditional Use Review by the DRB (see Section 5.6), which includes Site Plan Review criteria, after the Administrative Officer has reviewed the application for completeness and general compliance with these Zoning Regulations.
- Blank = Use is not allowed in that district.

Only one use is permitted on one lot unless multiple uses are provided for by these Zoning Regulations. NOTE: The following chart is for reference purposes only. Each zoning district chapter shall be reviewed to determine the allowed uses within the zoning district.

**A/R:** Agricultural / Residential District; **HDR:** High Density Residential District; **R/C:** Residential / Commercial District; **G:** Gateway Commercial District; **V/C:** Village Commercial; **C:** Commercial District; **I/C:** Industrial / Commercial District; **MHP:** Mobile Home Park District.

Use Allowed in District	A/R	HDR	R/C	G	V/C	C	I/C	MHP
Accessory Dwelling <sup>1</sup>	A/CU	A/CU	A/CU	A/CU	A/CU	A/CU	A/CU	A/CU
Accessory Uses or Structures	A	A	A	A	A	A	A	A
Adaptive Use	CU	CU	CU	CU	CU	CU	CU	
Agriculture	CU	CU	CU	CU	CU	CU	CU	CU
Amusement Arcade				CU		CU	CU	
Artists/Crafts Studio	CU	CU	SP	SP	SP	SP	SP	
Automobile and/or marine sales						CU	CU	
Automobile Service Station				CU		CU	CU	
Bank				CU	CU	CU	CU	
Bed and Breakfast	SP	SP	SP	SP				
Boarding or Rooming House					CU	CU		
Business Yard				CU	CU	CU	SP	
Car Wash						CU	SP	
Catering Services				CU	CU	CU	SP	
Cemetery	CU	CU	CU	CU				
Commercial Multi-Use				CU	CU	CU	CU	
Communication Use							CU	
Cottage Industry <sup>2</sup>	CU	CU	CU	CU				
Day Care Center	CU	CU	CU	CU	SP	SP		CU
Child Care Home <sup>3</sup>	A/CU	A/CU	A/CU	A/CU				A/CU
Distribution Center						CU	SP	
Dwelling, Residential								
Single-Family	A	A	A	CU <sup>4</sup>				A
Two-Family	A	A	A	CU <sup>4</sup>				A
Multi-Family (Three or Four Units)		CU	CU	CU <sup>4</sup>				
Educational Facility	CU	CU	CU	CU	CU	CU		
Equipment Supply and Rental					CU	CU	SP	
Extraction of Earth Resources	CU	CU	CU	CU		CU	CU	
Food Processing Establishment				CU	CU	CU	SP	
Funeral Parlor			CU	CU	CU	CU		
Garage, Repair				CU	CU	CU	CU	
Group Home <sup>5</sup>	A	A	A	CU				A
Home Occupation	A	A	A	A				A
Horticulture	CU	CU	CU	CU	CU	CU	CU	CU
Hotel / Motel				CU	CU	CU	CU	
Inn or Guest House	CU	CU	CU	CU	SP	SP		
Kennel	CU			CU			CU	
Light Manufacturing								
Business, Maximum 5000 s.f.				CU				
Business, No Maximum s.f.				CU	CU	CU	CU	
Lumber Yard					CU	CU	CU	
Mobile Home Park								CU
Museum	CU	CU	CU	CU	SP	SP		
Office								
Business, Maximum 2500 s.f.			CU					
Business, Maximum 5000 s.f.				CU				
Business, No Maximum s.f.				CU	SP	SP	SP	
Professional, Maximum 2500 s.f.	CU	CU	CU					
Professional, Maximum 5000 s.f.				CU				
Professional, No Maximum s.f.				CU	SP	SP	SP	

Use Allowed in District	A/R	HDR	R/C	G	V/C	C	I/C	MHP
Personal Services								
Maximum per business 2500 s.f.	CU	CU	CU					
Maximum per business 5000 s.f.				CU				
NO Maximum square footage				CU	SP	SP	SP	
Planned Residential Development <sup>5</sup>	CU	CU	CU	CU	CU	CU	CU	
Planned Unit Development <sup>5</sup>			CU	CU	CU	CU	CU	
Private Club				CU	CU	CU	CU	
Recreation Facility or Park, Outdoor	CU	CU	CU	CU	CU	CU	CU	CU
Recreation Facility, Indoor				CU	CU	CU	CU	
Religious Use	CU	CU	CU	CU	SP	SP		
Research Laboratory				CU	CU	CU	CU	
Research Laboratory, Max 5000 s.f.				CU				
Restaurant								
Fast-Food / Take-Out					CU	CU	CU	
Standard, No maximum s.f.					SP	SP	CU	
Standard, Maximum 2500 s.f.			CU					
Standard, Maximum 5000 s.f.				CU				
Retail								
Business, max. 2500 s.f./floor			CU					
Business, max. 5000 s.f./floor				CU				
Business, No Maximum					SP	SP	CU	
Retirement Community	CU	CU	CU	CU	CU	CU	CU	
Silviculture	CU	CU	CU	CU	CU	CU	CU	CU
State and Community Operated Facility	CU	CU	CU	CU	CU	CU	CU	
Storage, Indoor							CU	
Storage, Outdoor					CU	CU	CU	
Tavern				CU	CU	CU	CU	
Theater					SP	SP	CU	
Warehouse Use						CU	SP	
Wholesale Trade					CU	CU	SP	

<sup>1</sup> Conditional use review shall be required for accessory dwellings that increase the height or footprint of the single-family dwelling or for accessory dwellings which are to be located in a new accessory structure. In addition, accessory dwellings that are located in nonconforming single family structures (in certain districts) are an allowed use.

<sup>2</sup> This applies to Cottage Industries that are not Home Occupations, as Home Occupations do not require conditional use review (see Sections 5.6.7 and 5.11, and definition in Section 7).

<sup>3</sup> For a Child Care Home with a maximum of six full-time and four part-time children, a permit is issued following administrative review only. For a Child Care Home serving more than six full-time and four part-time children, a conditional use review is required (DRB review).

<sup>4</sup> [In the Gateway Commercial district, the single family dwelling must be attached to a principal structure approved for a permitted or conditional use.](#)

<sup>5</sup> For PUDs and Residential PUDs, a separate conditional use review by the DRB is only required in the case that no subdivision is proposed; if a subdivision is proposed, the PUD or Residential PUD will be reviewed concurrently with the subdivision review (see Section 5.12.1).

<sup>6</sup> A group home within 1,000 feet of another group home requires conditional use review.

<sup>7</sup> [In the Gateway Commercial District, for new development, at least 40% of the gross floor area must be in commercial use.](#)

### 3.1 Agricultural / Residential District (A/R)

**Purpose** - The Residential /Agricultural District is designed primarily to retain and provide areas of low density housing, particularly of the single-family type, in a rural setting. Agricultural and forestry uses of all types are essential to the concept of a rural setting. Areas of moderate density housing surrounded by open space or working landscapes, as well as homesteading occupations and cottage industries are accepted features of this district. Privacy, greenery, scenic views and vistas, local natural recreational opportunities, working residences and/or small residential clusters constitute the "character of the neighborhood".

**3.1.1 Allowable Uses on Issuance of Zoning Permit by Administrative Officer** - The following uses shall be allowed in the A/R District after issuance of a Zoning Permit by the Administrative Officer. Unless otherwise provided, only one principal use may be approved on one lot:

- a) Accessory dwelling as provided in Section 5.9.
- b) Accessory uses and structures to uses in 3.1.1.
- c) Child Care Home as provided in Section 5.11.
- d) Group Home as provided in Section 5.11.
- e) Home Occupation as provided in Section 5.11.
- f) One bed and breakfast.
- g) One single-family residential dwelling.
- h) One two-family residential dwelling.
- i) Agriculture, silviculture and horticulture.

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

- a) Adaptive use, 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) Extraction of earth resources as provided in Section 5.6.6.
- g) Inn or guest house.
- h) Kennel.
- i) Museum.
- j) Professional offices with a maximum size of 2500 square feet gross floor area.
- k) Personal Service with a maximum size of 2500 square feet gross floor area.
- l) Planned Residential Development, as provided in Section 5.12.
- m) Outdoor recreation facility or park.
- n) Religious or educational facility as provided in Section 5.10.4 .
- o) Retirement community.
- p) State- or community-owned and operated institutions and facilities, to the extent allowed by Section 5.10.4 .
- q) Agriculture, silviculture and horticulture, as provided in Section 2.4.5 .

**3.1.3 Dimensional Requirement For lots in the A/R District** - No Zoning Permit may be issued for Land Development in the A/R District unless the lot proposed for such Land Development meets the following dimensional requirements:

- a) **Lot Area** - No lot shall be less than one (1) acre. The purchase of additional land by the owner of such lot from an adjacent lot owner shall be permitted, provided such purchase does not create a lot of less than the minimum lot area required in the Zoning District for the lot on the part of the seller..
- b) **Lot Dimensions** - Each lot must contain a point from which a circle with a radius of fifty (50) feet can be inscribed within the boundary of the lot.

- c) **Lot Frontage** - No lot having frontage on a public or private road shall have less than one hundred (100) feet of continuous uninterrupted length of said frontage or the lot must have access to a public or private road with approval by the DRB pursuant to Sections 4.2, Required Frontage, and 4.3, Approval for Interior Lots with No Frontage.
- d) **Lot Coverage** - The total amount of ground on a lot that can be covered by any structure or impervious material shall not exceed 30%.

**3.1.4 Dimensional Limitations for Structures on Lots in the A/R District** - No Zoning Permit may be issued for a structure in the A/R District unless the structure proposed for the lot meets the following dimensional requirements:

- a) **Height** - The height of any structure shall not exceed thirty-five (35) feet, except as provided in Section 6.6, Taller Structures, of these Zoning Regulations.
- b) **Front Yard Setback** - All structures shall be set back at least thirty (30) feet from each front lot line, or fifty-five (55) from the center line of each public or private Road or Highway right of way contiguous to the lot, whichever is greater.
- c) **Side Yard Setback** - A principal structure shall be set back at least twenty (20) feet from each side lot line. An accessory structure shall be set back at least ten (10) feet from the side lot line.
- d) **Rear Yard Setback** - A principal structure shall be set back at least twenty (20) feet from a rear lot line. An accessory structure shall be set back at least ten (10) feet from the rear lot line.

**3.1.5 Other Requirements Applicable to Lots in the A/R District** - No Zoning Permit may be issued for Land Development in the A/R District unless the Land Development meets the following requirements:

- a) **Parking Requirements** - Parking requirement shall be regulated as provided in Section 6.1.
- b) **Signs** - Signs shall be regulated as provided in Section 5.7.
- c) **Access** - Access shall be regulated as provided in Section 4.1 through 4.4.
- d) **Traffic Impact** - Traffic shall not exceed 10 vehicle trip ends during the peak evening hours.

**3.1.6 Residential PUD** - Subdivision of lots using a Residential PUD under Section 5.12 of these Zoning Regulations is encouraged in the A/R District and is required for all subdivisions over nine (9) lots in the A/R District as provided in Section 5.12.2. The retention of agricultural, forest or outdoor recreational land will be encouraged in such Residential PUD subdivisions.

## 3.2 High Density Residential District (HDR)

**Purpose** - The standards of this district are designed to promote the higher density housing that is characteristic of village centers and growth areas. The efficient use of infrastructure will be served by allowing closer placement of residential units, with neighborhoods located close to the retail services of the commercial district. This proximity allows for energy-efficient pedestrian traffic, roadways and school bus traffic. Planning for road crossings, sidewalks, curbside trees, bikeways, pocket parks and recreational activities, and other amenities, will be crucial to maintaining an inviting atmosphere while encouraging high density residential growth. Various types of residential units may be permitted in a Residential PUD within the HDR district.

Traditional spacing and setbacks for houses shall be maintained to preserve the integrity of the New England village atmosphere. Home occupations within residences, day care facilities, proximity to schools and civic institutions, pedestrian pathways to essential services and close-knit residential groups constitute the "character of the neighborhood."

**3.2.1 Allowable Uses on Issuance of Zoning Permits by Administrative Officer** - The following uses shall be allowed in the HDR District after issuance of a Zoning Permit by the Administrative Officer. Unless otherwise provided, only one principal use may be approved on one lot:

- a) Accessory dwelling as provided in Section 5.9.
- b) Accessory uses or structures to the uses in 3.2.1.
- c) Child care home, as provided in Section 5.11.
- d) Group home, as provided in Section 5.11.
- e) Home occupation, as provided in Section 5.11.
- f) One bed and breakfast.
- g) One single-family dwelling unit.
- h) One two-family dwelling.

**3.2.2 Allowable Uses Upon Issuance of Conditional Use Approval** - The following uses may be allowed in the HDR District after issuance of a 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 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 except in a Residential PUD in the HDR District, where more than one multi-family dwelling may be permitted on a lot within a Residential PUD so long as the number of units proposed for the entire Residential PUD does not exceed the number which could have been approved for the subdivision of the lot without a Residential PUD, as provided in Section 5.12.
- g) Extraction of earth resources as provided in Section 5.6.6.
- h) Inn or guest house.
- i) Museum.
- j) Office, Professional with a maximum size of 2,500 square feet of gross floor area.
- k) Personal Service with a maximum size of 2,500 square feet gross floor area.
- l) Planned Residential Development, as provided in Section 5.12, if no subdivision of land is proposed (see Section 5.12.1).
- m) Outdoor recreational facility or park.
- n) Religious or educational facility as provided in Section 5.10.4 .
- o) Retirement community.
- p) State- or community-owned and operated institutions and facilities, to the extent allowed by Section 5.10.4 .
- q) Agriculture, silviculture and horticulture, as provided in Section 2.4.5 .

**3.2.3 Dimensional Requirements for Lots in the HDR District** - No Zoning Permit may be issued for Land Development in the HDR District unless that lot proposed for such Land Development meets the following dimensional requirements.

- a) **Lot Area** - Except as provided under Section 4.6.1, no lot served by a municipal water and sewer system shall be less than 2/3 acre. This minimum lot area requirement shall be increased to one (1) acre for any lot not served by municipal water and sewer systems. The purchase of additional land by the owner of a lot from an adjacent lot owner will be permitted, provided such purchase does not create a lot of less than such minimum size on the part of the seller. In the case of the use of a lot for a multi-family dwelling of 3 or more units for lots served by municipal water and sewer systems, two-third (2/3) acre of land per dwelling unit shall be required. In the case of a use of a lot for a multi-family dwelling of three (3) or more units, one (1) acre per dwelling unit shall be required for lots not served by municipal water and sewer systems.
- b) **Lot Dimensions** - Each lot must contain a point from which a circle with a radius of thirty-five (35) feet can be inscribed within the boundary of the lot.
- c) **Lot Frontage** - No lot having frontage on a public or private road shall have less than seventy-five (75) feet of continuous uninterrupted length of said frontage or the lot must have access to a public or private road with approval by the DRB pursuant to Sections 4.2 and 4.3.

- d) **Lot Coverage** - The total ground area of a lot covered by all structures, parking areas, walkways, driveways, and areas covered by impervious materials shall not exceed forty percent (40%) of the total ground area of the lot.

**3.2.4 Dimensional Limitations for Structures on Lots in the HDR District** - No Zoning Permit may be issued for a structure in the HDR District unless the structure proposed for the lot meets the following dimensional requirements:

- a) **Height** - The height of any structure, with the exception of exemptions listed in Section 6.6, shall not exceed thirty-five (35) feet.
- b) **Front Yard Setback** - All structures shall be set back at least twenty (20) feet from each front lot line, or thirty-five (35) feet from the center line of each public and private Road or Highway right of way contiguous to the lot, whichever is greater.
- c) **Side Yard Setback** - A principal structure shall be set back at least ten (10) feet from each side lot line. An accessory structure shall be set back at least five (5) feet from each side lot line.
- d) **Rear Yard Setback** - A principal structure shall be set back at least fifteen (15) feet from the rear lot line. An accessory structure shall be set back at least five (5) feet from the rear lot line.
- e) **No Build Zone** - No construction of improvements may occur within five (5) feet of any lot line (except for fences and walls which mark property boundaries or enclose portions of the property and are less than 6 feet high). "Construction of improvements" means all construction activities such as, but not limited to, driveways (except where adjacent to the public or private right of way providing access to the lot), fences, recreational improvements, parking areas, excavation, grading or filling.

**3.2.5 Other Requirements Applicable to the HDR District** - No Zoning Permit may be issued for Land Development in the HDR district unless the Land Development meets the following requirements:

- a) **Parking Requirements** - Parking requirements shall be regulated as provided in Section 6.1.
- b) **Signs** - Signs shall be regulated as provided in Section 5.7.
- c) **Traffic Impact** - No Zoning Permit shall be issued for a use which generates more than 10 vehicle trip ends during the P.M. peak hour for the first 40,000 square feet of lot area or fraction thereof, plus 1 vehicle trip end for each additional 1,000 square feet of lot area. In making the determination of traffic impact, the Administrative Officer or DRB shall utilize "Trip Generation - Seventh Edition - 2003", Institute of Traffic Engineers (ITE), or its equivalent, or any subsequent and most recent publication thereof, and may use estimates from other sources, including local traffic counts, if the above publication does not contain data for a specific use or if a use contains unique characteristics that cause it to differ from national traffic estimates.
- d) **Access** - Access shall be regulated as provided in Sections 4.1 through 4.4.

**3.2.6 Residential PUD** - Subdivision of lots using a Residential PUD under Section 5.12 of these Zoning Regulations are encouraged in the HDR District and are required for subdivisions of over three (3) lots in the HDR District, as provided in Section 5.12.2, in order to encourage innovation of design and layout of residential uses.

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

**Purpose** - The standards of this district are designed to allow residential use and residential-compatible commercial use to co-exist in a traditional village style; to allow for the transition of residences to residential-appearing businesses in the "downtown village" area; and to encourage flexibility of economic development while protecting existing residences. The "character of the neighborhood" is primarily residential, with the addition of residential-compatible retail uses to uses found in other residential districts. Businesses shall resemble residences in size and architectural characteristics.

Traditional spacing and setbacks for houses will maintain the integrity of the New England village atmosphere. Home occupations within residences, day care facilities, proximity to schools and civic institutions, pedestrian pathways to essential services and close-knit residential groups constitute the "character of the neighborhood".

**3.3.1 Allowable Uses on Issuance of Zoning Permits by Administrative Officer** - The following uses shall be allowed for any lot in the R/C District after issuance of a Zoning Permit by the Administrative Officer. Unless otherwise permitted, only one principal use shall be permitted on one lot:

- a) Accessory dwelling as provided in Section 5.9.
- b) Accessory uses or structures to the uses in 3.3.1.
- c) Child care home, as provided in Section 5.11.
- d) Group home, as provided in Section 5.11.
- e) Home occupation, as provided in Section 5.11.
- f) One bed and breakfast.
- g) One single-family dwelling unit.
- h) One two-family dwelling.

**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).
- o) Outdoor recreational facility or park.
- p) Religious or educational facility as provided in Section 5.10.4 .
- q) Restaurant, standard.
- r) Retail business.
- s) Retirement community.
- t) State- or community-owned and operated facilities, to the extent allowed by Section 5.10.4 .
- u) Agriculture, silviculture and horticulture, as provided in Section 2.4.5 .

**3.3.3 Dimensional Requirement for Lots in the R/C District** - No Zoning Permit may be issued for Land Development in the R/C District unless the lot proposed for such Land Development meets the following dimensional requirements:

- a) **Lot Area** - Except as provided under Section 4.6.1, no lot served by a municipal water and sewer system shall be less than 1/3 acre. This minimum lot area requirement shall be increased to one (1) acre for any lot not served by municipal water and sewer systems. The purchase of additional land by the owner of a lot from an adjacent lot owner will be permitted, provided such purchase

- does not create a lot of less than the minimum area required in the Zoning District on the part of the seller. In the case of use of a lot for 3 or more dwelling units served by municipal water and sewer systems, one-third (1/3) acre of land per dwelling unit shall be required and one (1) acre of land per dwelling unit shall be required for lots not served by municipal water and sewer systems.
- b) **Lot Dimensions** - Each lot must contain a point from which a circle with a radius of twenty-five (25) feet can be inscribed within the boundary of the lot.
  - c) **Lot Frontage** - No lot having frontage on a public or private road shall have less than seventy-five (75) feet of continuous uninterrupted length of said frontage or the lot must have access to a public or private road with approval by the DRB pursuant to Sections 4.2 and 4.3.
  - d) **Lot Coverage** - The total ground area of a lot covered by all structures, parking areas, walkways, driveways, and areas covered by impervious materials shall not exceed forty percent (40%) of the total ground area of the lot.

**3.3.4 Dimensional Limitations for Structure on Lots in the R/C District** - No Zoning Permit may be issued for a structure in the R/C District unless the structure proposed for the lot meets the following dimensional requirements:

- a) **Height** - The height of any structure shall not exceed thirty-five (35) feet, except as provided in Section 6.6.
- b) **Front Yard Setback** - All structures shall be set back at least twenty (20) feet from each front lot line, or thirty-five (35) feet from the center line of each public or private Road or Highway right of way contiguous to the lot, whichever is greater. Accessory structures shall be placed no closer to the front lot line than the principal structure.
- c) **Side Yard Setback** - A principal structure shall be set back at least ten (10) feet from each side lot line. An accessory structure shall be set back at least five (5) feet from the side lot line.
- d) **Rear Yard Setback** - A principal structure shall be set back at least fifteen (15) feet from the rear lot line. An accessory structure shall be set back at least five (5) feet from the rear lot line.

**3.3.5 Other Requirements Applicable to Lots in the R/C District** - No zoning Permit may be issued for Land Development in the R/C District unless the Land Development meets the following requirements:

- a) **Parking Requirements** - Parking Requirements shall be regulated as provided in Section 6.1.
- b) **Loading Space Requirements** - Off-Road or Highway loading requirements shall be as required in Section 6.1.
- c) **Signs** - Signs shall be regulated as provided in Section 5.7.
- d) **Traffic Impact** - No permit or approval shall be issued for a use which generates more than 35 vehicle trip ends during the P.M. peak hour for the first 40,000 square feet of lot area or fraction thereof, plus 1 vehicle trip end for each additional 1,000 square feet of lot area. In making the determination of traffic impact, the Administrative Officer or DRB shall utilize "Trip Generation - Seventh Edition - 2003", Institute of Traffic Engineers (ITE) , or its equivalent, or any subsequent and most recent publication thereof, and may use estimates from other sources, including local traffic counts, if the above publication does not contain data for a specific use or if a use contains unique characteristics that cause it to differ from national traffic estimates.
- e) **Access** - Access shall be regulated as provided in Sections 4.1 through 4.4.
- f) **Character of the Neighborhood Standards** - In addition to the specific standards listed under Section 5.6.2 for conditional use approval, any non-residential use in the R/C District shall also meet the following standards prior to issuance of conditional use approval:
  - i. A non-residential use shall not exceed 2500 square feet gross floor area per floor with a two story maximum. A building containing dwelling units, a group home, or a guest house is a "residential use" for the purposes of this subsection.
  - ii. All new structures or additions to existing structures shall be residential in character with style, massing, lot placement and scale similar to those found in the existing residential neighborhood.

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- iii. For conversions of residences to commercial or multi-family use, fire escapes, signs, storefront windows or other features that will compromise the architectural integrity of the building shall not be placed on the front of the building.
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3.4 Gateway Commercial District (G) draft Jan 22, 2015

**Purpose** - The standards of this district are designed to allow for commercial uses in an area that has importance as a scenic entrance to the Town of Richmond. The rural character of the northern approach to the Town will be enhanced by carefully planned commercial development, and urban strip development will be avoided. Accesses here will be carefully managed, curb cuts will be few, and internal circulation required to avoid impeding the flow of traffic on Route 2. Green space, landscaping to screen parking from both Route 2 and other "character of the neighborhood" criteria must be met in order to retain the flavor of an entranceway to a dynamic yet rural and historic small town.

**3.4.1 Allowable Uses on Issuance of Zoning Permits by Administrative Officer** - The following uses shall be allowed for any lot in the G District after issuance of a Zoning Permit by the Administrative Officer. Unless otherwise permitted, only one principal use shall be permitted on one lot:

- a) Accessory dwelling as provided in Section 5.9.
- b) Accessory uses or structures to the uses in 3.4.1.
- c) Bed and breakfast.

**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) Bank.
- e)f) Business Yard.
- f)g) Catering service.
- g)h) Cemetery.
- h)i) Cottage industry as provided in Section 5.6.7.
- i)j) Day care center.
- j)k) Dwelling, single-family attached to a principal structure approved for a permitted or conditional use.
- k)l) Dwelling, two-family
- l)m) Dwelling, multi-family with three or four dwelling units.
- m)n) Educational or religious facility as provided in Section 5.10.4 .
- o) Extraction of earth resources as provided in Section 5.6.6.
- n)p) Food processing establishment.
- q) Funeral parlor.
- e)r) Garage, repair.
- p)s) Group home, as provided in Section 5.11.
- e)t) Hotel or motel.
- r)u) Inn or guest house.
- e)v) Kennel
- t)w) Light Manufacturing, ~~with a maximum size of 5000 square feet of gross floor area.~~
- w)x) Multi-use commercial building with uses from this section or 3.4.1.
- v)y) Museum.
- w)z) Offices, Business, ~~with a maximum size of 5000 square feet gross floor area.~~
- x)aa) Offices, Professional, ~~with a maximum size of 5000 square feet gross floor area.~~
- y)bb) Personal services ~~with a maximum size of 5000 square feet gross floor area.~~
- cc) 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).
- z)dd) Private club.
- aa)ee) Recreation, indoor or outdoor facility or park.
- bb)ff) Research laboratory ~~with a maximum size of 5000 square feet gross floor area.~~

- ee)gg) Restaurant, standard with a maximum size of 5000 square feet gross floor area.
- ee)hh) Retail business with a maximum size of 5000 square feet gross floor area.
- ee)ii) Retirement community.
- jj) State- or community-owned and operated institutions and facilities, to the extent allowed by Section 5.10.4 .
- ff)kk) Tavern, provided that it is associated with an onsite distillery, brewery, or winery.
- gg)ll) Agriculture, silviculture and horticulture, as provided in Section 2.4.5 .

**3.4.3 Dimensional Requirements Applicable to Lots in the G District** - No Zoning Permit shall be issued for Land Development in the G District unless the lot proposed meets the following dimensional and/or density requirements:

- a) **Lot Area** - Except as provided under Section 4.6.1, no lot served by municipal or community water and sewer systems shall be less than 1/3 acre. This minimum lot area requirement shall be increased to one (1) acre for any lot not served by municipal or community water and sewer systems. If multiple uses are permitted in one or more buildings on a lot, the lot shall be of sufficient size to allow 1/3 acre per use *with* municipal or community water and sewer or 1 acre per use *without* municipal or community water and sewer. In the case of use of a lot for 3 or more dwelling units served by municipal or community water and sewer systems, one-third (1/3) acre of land per dwelling unit shall be required and one (1) acre of land per dwelling unit shall be required for lots not served by municipal or community water and sewer systems.
- b) **Lot Dimensions** - Each lot must contain a point from which a circle with a radius of twenty-five (25) feet can be inscribed within the boundary of the lot.
- c) **Lot Frontage** - No lot having frontage on a public or private road shall have less than seventy-five (75) feet of continuous uninterrupted length of said frontage or the lot must have access to a public or private road with approval by the DRB pursuant to Sections 4.2 and 4.3.
- d) **Lot Coverage** - The total ground area covered by all structures, parking areas, walkways, driveways and any other impervious surfaces shall not exceed forty percent (40%) of the total ground area of the lot.

**3.4.4 Dimensional Limitations for Structures on Lots in the G District** - No Zoning Permit shall be issued for a structure in the G District unless the structure proposed for the lot meets the following dimensional requirements:

- a) **Height** - The height of any structure shall not exceed thirty-five (35) feet, except as provided in Section 6.6.
- b) **Front Yard Setback** - All structures shall be set back at least fifty (50) feet from the edge of the Route 2 right-of-way and thirty (30) feet from the edge of all other right-of-ways.
- c) **Side Yard Setback** - A principal structure shall be set back at least ten (10) feet from each side lot line. An accessory structure shall be set back at least five (5) feet from the side lot line.
- d) **Rear Yard Setback** - A principal structure shall be set back at least fifteen (15) feet from the rear lot line. An accessory structure shall be set back at least ten (10) feet from the rear lot.
- e) **Maximum Building Size** - No building shall have a footprint exceeding ~~40,000~~ 10,000 square feet, with the exception of buildings that are setback more than 200 feet from the edge of the Route 2 right-of-way and thirty (30) feet from the edge of all other right-of-ways. Buildings setback more than 200 feet from the edge of the Route 2 right-of-way and thirty (30) feet from the edge of all other right-of-ways shall not have a footprint exceeding 17,000 square feet.
- e)ff) **Residential Mixed Use Requirement** – In the Gateway Commercial District at least 40% of the gross floor area of new development must be in commercial use.

**3.4.5 Other Requirements Applicable to Lots in the G District** - No Zoning Permit shall be issued for Land Development in the G District unless the Land Development meets the following requirements:

- a) **Parking** - ~~Parking shall be located to the side or rear of the building.~~ Parking shall be located to the side or rear of the building. For lots with no frontage on Route 2 parking may be located in the front of the building, if appropriately screened from Route 2. For properties with multiple buildings and multiple uses the project will be reviewed under the PUD standards and flexible parking design and layout maybe considered, however for properties with multiple buildings. no parking may be located in front of the building front line that is located closest to RT 2. Parking areas shall be landscaped to minimize the visual impact from neighboring roads and properties. Shared parking with neighboring properties shall be encouraged. Parking shall be otherwise regulated as provided in Section 6.1.
- b) **Loading Space Requirements** - Off Road or Highway loading requirements shall be regulated as provided in Section 6.1.
- c) **Signs** - Signs shall be regulated as provided in Section 5.7.
- d) **Traffic Impact** - No permit or approval shall be issued for a use which generates more than 70 vehicle trip ends during the P.M. peak hour for the first 40,000 square feet of lot area or fraction thereof, plus 1 vehicle trip end for each additional 1,000 square feet of lot area. In making the determination of traffic impact, the Administrative Officer or DRB shall utilize "Trip Generation - Seventh Edition - 2003", Institute of Traffic Engineers (ITE), or its equivalent, or any subsequent and most recent publication thereof, and may use estimates from other sources, including local traffic counts, if the above publication does not contain data for a specific use if a use contains unique characteristics that cause it to differ from national traffic estimates.
- e) **Access** - Any curb cuts created in addition to the ones already existing as of the date of these Zoning Regulations, shall be no closer than 250 feet to any other existing or new curb cut for Route 2. An access shall otherwise be regulated as provided in Sections 4.1 through 4.4. Existing curb cuts shall be eliminated when possible.
- f) **Character of the Neighborhood** - In addition to the specific standards listed in Section 5.6.2 for conditional use approval, any use in the Gateway District shall also meet the following standards prior to the issuance of conditional use approval:
  - i. A single principal structure must have an entrance ~~and or~~ windows facing toward Route 2. Multiple grouped buildings may have their entrances in whatever direction is appropriate to their access. Within a group, the building closest to Route 2 must have an entrance or windows facing Route 2.
  - ii. Principal structures must have a steeply pitched roof (4:12) or greater. The roof pitch requirement may be waived for buildings with footprints that exceed 10,000 square feet and rooftop equipment shall be shielded from view from Route 2.
  - iii. There must be landscaping between the building and Route 2 of 50'.
  - iv. Structures shall be built of, or have an appearance of, wood or brick.

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

**Purpose** - The standards of this district are designed to retain and provide areas for the sale of retail or wholesale of those types of goods and services required by the residents of the community. Strip development with multiple curb cuts is discouraged. An attractive, pedestrian friendly, compact area of retail operations is encouraged. Parking and traffic flow shall be considered as part of the site plan review process for any Land Development in this district. Residential uses that are compatible with a village commercial district will be permitted after conditional use approval and site plan review.

**3.5.1 Allowable Uses Upon Issuance of Zoning Permit by Administrative Officer** - The following uses shall be allowed uses in the V/C District upon issuance of a Zoning Permit by the Administrative Officer. Site Plan Review and approval by the DRB shall also be required. Unless otherwise provided, only one principal use may be approved on any one lot:

- a) Accessory dwelling as provided in Section 5.9.
- b) Accessory uses or structures, except outdoor storage, to the uses in 3.5.1.
- c) Artist/Craft studio.

- d) Day care center.
- e) Inn or guest house.
- f) Museum.
- g) Office, business or professional.
- h) Personal services business.
- i) Religious use as provided in Section 5.10.4
- j) Restaurant, standard.
- k) Retail business.
- l) Theater, indoor.

**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) Private club.
- p) Recreation, indoor or outdoor, facility or park.
- q) Research laboratory.
- r) Restaurant, fast food or take-out.
- s) Retirement community.
- t) Rooming or boarding house.
- u) State- or community-owned and operated institutions and facilities, to the extent allowed by Section 5.10.4.
- v) Storage, outdoor as an accessory use to any permitted or conditional use.
- w) Tavern.
- x) Wholesale trade.
- y) Dwelling Units as part of a Planned Unit Development.
- z) Agriculture, silviculture and horticulture as provided in Section 2.4.5 .

**3.5.3 Dimensional Requirement for Lots in the V/C District** - No Zoning Permit may be issued for Land Development in the V/C District unless the lot proposed for such Land Development meets the following dimensional requirements:

- a) **Lot Area** - Except as provided under Section 4.6.1, no lot served by a municipal or community water and sewer system shall be less than one-third (1/3) acre. This minimum lot area requirement shall be increased to one (1) acre for any lot not served by municipal or community water and sewer systems. The purchase of additional land by the owner of a lot from an adjacent lot owner will be permitted, provided such purchase does not create a lot of less than the minimum area required in the Zoning District on the part of the seller. In the case of a lot for three (3) or more dwelling units served by municipal or community water and sewer systems, one-third (1/3) acre of land per dwelling unit shall be required and one (1) acre of land per dwelling unit shall be required for lots not served by municipal or community water and sewer systems.

- b) **Lot Dimensions** - Each lot must contain a point from which a circle with a radius of twenty-five (25) feet can be inscribed within the boundary of the lot.
- c) **Lot Frontage** - No lot having frontage on a public or private road shall have less than seventy-five (75) feet of continuous uninterrupted length of said frontage or the lot must have access to a public or private road with approval by the DRB pursuant to Sections 4.2 and 4.3.
- d) **Lot Coverage** - The total ground area covered by all structures, parking areas, walkways, driveway and areas covered by impervious materials shall not exceed fifty percent (50%) of the total ground area of the lot.

**3.5.4 Dimensional Limitations for Structures on Lots in the V/C District** - No Zoning Permit may be issued for a structure in the V/C District unless the structure proposed for the lot meets the following dimensional requirements:

- a) **Building Height** - The height of any structure shall not exceed thirty-five (35) feet, except as provided in Section 6.6.
- b) **Front Yard Setback** - All structures shall be set back at least twenty (20) feet from the front lot line.
- c) **Side Yard Setback** - A principal structure shall be set back at least ten (10) feet from each side lot line. An accessory structure shall be set back at least five (5) feet from the side lot line.
- d) **Rear Yard Setback** - A principal structure shall be set back at least fifteen (15) feet from the rear lot line. An accessory structure shall be set back at least ten (10) feet from the rear lot.

**3.5.5 Other Requirements Applicable to Lots in the V/C District** - No Zoning Permit may be issued for Land Development in the V/C District unless the Land Development meets the following requirements:

- a) **Parking Requirements** - New land development is exempt from meeting the required number of parking spaces, per Section 6.1.2, for the following parcels: 10 East Main Street (EM0010); 26 Bridge Street (BR0026); 30 Bridge Street (BR0030); 38 Bridge Street (BR0038); 39 Bridge Street (BR0039); 48 Bridge Street (BR0048); 52 Bridge Street (BR0052).

With the exception of the number of required parking spaces for those parcels, Section 6.1.2 shall apply to the V/C District. In all other respects. Required parking shall be regulated as provided in Section 6.1 within the V/C district.

- a) **Signs** - Signs shall be regulated as provided in Section 5.7.
- b) **Traffic Impact** - No permit or approval shall be issued for a use which generates more than 70 vehicle trip ends during the P.M. peak hour for the first 40,000 square feet of lot area or fraction thereof, plus 1 vehicle trip end for each additional 1,000 square feet of lot area. In making the determination of traffic impact, the Administrative Officer or DRB shall utilize "Trip generation - Seventh Edition - 2003", Institute of Traffic Engineers (ITE), or its equivalent, or any subsequent and most recent publication thereof, and may use estimates from other sources, including local traffic counts, if the above publication does not contain data for a specific use or if a use contains unique characteristics that cause it to differ from national traffic estimates.
- c) **Access** - Access shall be regulated as provided in Sections 4.1 through 4.4.

### 3.6 Commercial District (C)

**Purpose** - The standards of this district are designed to retain and provide areas for the sale at retail or wholesale of those types of goods and services required by the residents of the community. Strip development with multiple curb cuts is discouraged. An attractive, pedestrian friendly, compact area of retail operations is encouraged. Parking and traffic flow shall be considered as part of the site plan review process for any Land Development in this district. Residential uses that are compatible with a commercial district will be permitted after conditional use approval and site plan review.

**3.6.1 Allowable Uses Upon Issuance of Zoning Permit by Administrative Officer** - The following uses shall be allowed in the C District upon issuance of a Zoning Permit by the Administrative Officer. Site Plan Review and approval by the DRB shall also be required. Unless otherwise provided, only one principal use may be approved on any one lot:

- a) Accessory dwelling as provided in Section 5.9.
- b) Accessory uses or structures, except outdoor storage, to the uses in 3.6.1.
- c) Artist/Craft studio.
- d) Day care center.
- e) Inn or guest house.
- f) Museum.
- g) Office, business or professional.
- h) Personal services business.
- i) Religious use as provided in Section 5.10.4 .
- j) Restaurant, standard.
- k) Retail business.
- l) Theater, indoor.

**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) Private club.
- v) Recreation, indoor or outdoor, facility or park.
- w) Research laboratory.
- x) Restaurant, fast food or take-out.
- y) Retirement community.
- z) Rooming or boarding house.
- aa) State- or community-owned and operated institutions and facilities, to the extent allowed by Section 5.10.4 .
- bb) Storage, outdoor as an accessory use to any permitted or conditional use.
- cc) Tavern.
- dd) Warehouse Use.
- ee) Wholesale trade.

- ff) Agriculture, silviculture and horticulture, as provided in Section 2.4.5 .

**3.6.3 Dimensional Requirement for Lots in the C District** - No Zoning Permit may be issued for Land Development in the C District unless the lot proposed for such Land Development meets the following dimensional requirements:

- a) **Lot Area** - Except as provided under Section 4.6.1, no lot served by a municipal or community water and sewer system shall be less than one-third (1/3) acre. This minimum lot area requirement shall be increased to one (1) acre for any lot not served by municipal or community water and sewer systems. The purchase of additional land by the owner of a lot from an adjacent lot owner will be permitted, provided such purchase does not create a lot of less than the minimum area required in the Zoning District on the part of the seller. In the case of a lot for three (3) or more dwelling units served by municipal or community water and sewer systems, one-third (1/3) acre of land per dwelling unit shall be required and one (1) acre of land per dwelling unit shall be required for lots not served by municipal or community water and sewer systems.
- b) **Lot Dimensions** - Each lot must contain a point from which a circle with a radius of twenty-five (25) feet can be inscribed within the boundary of the lot.
- c) **Lot Frontage** - No lot having frontage on a public or private road shall have less than seventy-five (75) feet of continuous uninterrupted length of said frontage or the lot must have access to a public or private road with approval by the DRB pursuant to Sections 4.2 and 4.3.
- d) **Lot Coverage** - The total ground area covered by all structures, parking areas, walkways, driveway and areas covered by impervious materials shall not exceed fifty percent (50%) of the total ground area of the lot.

**3.6.4 Dimensional Limitations for Structures on Lots in the C District** - No Zoning Permit may be issued for a structure in the C District unless the structure proposed for the lot meets the following dimensional requirements:

- a) **Building Height** - The height of any structure shall not exceed thirty-five (35) feet, except as provided in Section 6.6.
- b) **Front Yard Setback** - All structures shall be set back at least twenty (20) feet from the front lot line.
- c) **Side Yard Setback** - A principal structure shall be set back at least ten (10) feet from each side lot line. An accessory structure shall be set back at least five (5) feet from the side lot line.
- d) **Rear Yard Setback** - A principal structure shall be set back at least fifteen (15) feet from the rear lot line. An accessory structure shall be set back at least ten (10) feet from the rear lot.

**3.6.5 Other Requirements Applicable to Lots in the C District** - No Zoning Permit may be issued for Land Development in the C District unless the Land Development meets the following requirements:

- a) **Parking Requirements** - Parking shall be regulated as provided in Section 6.1.
- b) **Loading Space Requirements** - Off-Road or Highway loading requirements shall be regulated as provided in Section 6.1.
- c) **Signs** - Signs shall be regulated as provided in Section 5.7.
- d) **Traffic Impact** - No permit or approval shall be issued for a use which generates more than 70 vehicle trip ends during the P.M. peak hour for the first 40,000 square feet of lot area or fraction thereof, plus 1 vehicle trip end for each additional 1,000 square feet of lot area. In making the determination of traffic impact, the Administrative Officer or DRB shall utilize "Trip generation - Seventh Edition - 2003", Institute of Traffic Engineers (ITE), or its equivalent, or any subsequent and most recent publication thereof, and may use estimates from other sources, including local traffic counts, if the above publication does not contain data for a specific use or if a use contains unique characteristics that cause it to differ from national traffic estimates.
- e) **Access** - Access shall be regulated as provided in Sections 4.1 through 4.4.

### 3.7 Industrial / Commercial District (I/C)