

ARTICLE 2. ZONING DISTRICTS & DISTRICT STANDARDS

As Amended & Adopted by the Warren Select Board March 25, 2008

Section 2.1 Establishment of Zoning Districts & Zoning Map

(A) The following zoning districts are hereby established in the Town of Warren:

- Forest Reserve (FR)
- Rural Residential (RR)
- Warren Village Historic Residential (WVR)
- Sugarbush Village Residential (SVR)
- Vacation Residential (VR)
- Alpine Village Residential (AVR)
- Sugarbush Village Commercial (SVC)
- German Flats Commercial (GFC)
- Access Road Commercial (ARC)
- Warren Village Commercial (WVC)
- Airport Commercial (AC)
- Bobbin Mill Commercial (BMC)
- Flood Hazard Overlay District (FHO)
- Meadowland Overlay District (MO)

(B) The location and boundaries of zoning districts are defined in the "Narrative Description of Zoning District Boundaries" in the Appendix. The Meadowland Overlay District, is established as shown on the official "Town of Warren Meadowland Overlay District Map, dated January 14, 2008", which is based on the original aerial photograph entitled "Meadowland Map, Town of Warren" dated 1979. The Flood Hazard Overlay District includes identified areas of special flood hazard in and on the most current flood insurance studies and maps for the Town of Warren, published by the Department of Homeland Security, Federal Emergency Management Agency, National Flood Insurance Program, as provided by the Secretary of the Agency of Natural Resources [under 10 V.S.A. §753], which are hereby adopted by reference and declared to be part of these regulations. The official zoning map and flood hazard overlay shall be located in the Town Clerk's office and shall be the final authority as to the current zoning status of land and waters in the town.

(C) The official zoning map and overlays shall be identified by the signatures of the Select Board, as attested to by the Town Clerk. No changes of any nature shall be made on the official map or overlays except in conformance with zoning amendment procedures and requirements set forth in Section 1.5 and the Act [§§ 4441, 4442].

Section 2.2 Interpretation of Zoning District Boundaries

(A) If the location of a boundary is uncertain, then the following rules shall apply:

- (1) Boundaries indicated as approximately following the center lines of streams, roads, transportation and utility rights-of-way shall be construed to follow such center lines.
- (2) Boundaries indicated as approximately following property boundaries or platted lot lines shall be construed to follow such lot lines.
- (3) Boundaries indicated as following lake or pond shorelines shall be construed as being parallel the normal mean lake level. In the event of change in the shoreline the boundary shall be construed

as moving with the shoreline.

- (4) Boundaries indicated as following elevation contours shall be construed to follow such contours.
 - (5) With regard to the Meadowland Overlay District, boundaries correspond to historically viable farmland in production as interpreted by the Planning Commission from Orthophoto maps prepared by the Vermont Division of Property Valuation and Review, published in 1979.
 - (6) Boundaries indicated as parallel to or extensions of features under the subsections (1)-(5) shall be so construed. Boundaries indicated as lines perpendicular to lines or features described in subsections (1)-(3) shall be construed to proceed at right angles from such lines or features. Distances not specifically indicated shall be determined by the scale of the official zoning map.
 - (7) The abandonment or relocation of a right-of-way or roadway, or the change in a line or feature which references a district boundary line, after the effective date of these regulations, shall not affect the location of such boundary line, except as otherwise noted under Subsection (C).
 - (8) Where available (i.e., in Zones A1- A30, AE and AH) the base flood elevations and floodway limits provided by the National Flood Insurance Program (NFIP) in the Flood Insurance Study and accompanying maps shall be used to administer and enforce the flood hazard area overlay district provisions of these regulations. In areas where base flood elevations and floodway limits have not been provided by the NFIP (i.e., Zone A), base flood elevations and floodway data provided by FEMA or available from state or federal agencies or other sources shall be obtained and reasonably used to administer and enforce flood hazard area overlay provisions. Single structures or legally recorded parcels of land for which "Letters of Map Amendment" or "Letters of Map Revision" have been issued by FEMA and recorded in the town land records shall be excluded from the Flood Hazard Overlay District.
- (B) When the Administrative Officer cannot definitely determine the location of a district boundary by the scale or dimensions given on the official zoning map and associated overlays or by the above rules, the Planning Commission and/or the appropriate state official (the State National Flood plain Insurance Program Coordinator) shall be consulted prior to making the final determination. A determination by the Administrative Officer regarding the location of a district boundary may be appealed to the Development Review Board under Section 9.5.
- (C) Where a district boundary line divides a lot in single ownership on or after the effective date of these regulations or of amendments thereto, the Development Review Board may permit, as a conditional use, the extension of the regulations for either portion of the lot not to exceed 100 feet beyond the district line into the remaining portion of the lot.
- (D) When a lot is situated partly in the Town of Warren and partly in a neighboring town, the standards of these regulations shall be applied to that portion of the lot that lies in the Town of Warren in the same manner as if the entire lot were situated therein.

Section 2.3 Application of District Standards

- (A) The standards for each district shall apply uniformly to each class of use and/or structure, unless otherwise specified in these regulations. All uses and structures must comply with all prescribed standards for the district in which they are located as set forth in Tables 2.1 - 2.14, and as defined in Article 10, unless otherwise permitted under Planned Residential Development (PRD) or Planned Unit

Development pursuant to Article 8. Nonconforming uses and structures shall be regulated in accordance with Section 3.8.

(B) Overlay district standards shall be applied concurrently with the standards for underlying districts. Where overlay districts impose more restrictive standards on the use of a structure or land, the standards of the overlay district shall apply.

(C) Allowed uses for each district are classified as "**permitted**," to be reviewed in accordance with Section 9.3, or "**conditional**" to be reviewed in accordance with Article 5.

(D) Any use not allowed by these regulations, unless specifically exempted under Section 9.2, shall be deemed to be prohibited.

Section 2.4 District Objectives, Uses and Standards

The following tables set forth the stated purpose, allowable uses and specific standards for each zoning district.

Table 2.1
Forest Reserve District (FR)

(A) Purpose. The Forest Reserve District is intended to protect lands characterized by high elevations, steep slopes, soils unsuitable for on-site septic disposal, intact wildlife habitat, productive forest land, headwater streams and associated water supplies and scenic resources, and to limit development in areas of town with poor access and/or proximity to public services and facilities while accommodating activities associated with the operation of an alpine ski resort, and sustainable forest management.

(B) Permitted Uses

- (1) Accessory Dwelling; see Section 4.1(A)(1)]
- (2) Agriculture (see Section 9.2)
- (3) Forestry (see Section 9.2)
- (4) Home Child Care (see Section 4.5)
- (5) Home Occupation (see Section 4.8)

(C) Conditional Uses

- (1) Accessory Dwelling (see Section 4.1(A)(2))
- (2) Accessory Use or Structure
- (3) Bed & Breakfast (see Section 4.10)
- (4) Commercial Water Extraction
- (5) Group Home (see Section 4.7)
- (6) Outdoor Recreation Facility (structures shall be limited to primitive shelters and huts associated with recreational trails and outdoor recreational activities)
- (7) Single Family Dwelling
- (8) Ski Facilities/Services
- (9) Ski Lifts
- (10) Telecommunications Facility (see Section 4.17)

(D) Dimensional Standards: Within the Forest Reserve District, the following standards shall apply to all development

Minimum Lot Size: 25 acres (or as permitted under Article 8)

Minimum Lot Frontage 200 ft.

Maximum Residential

Maximum Building Height: 35 ft.

Density: 1 unit per 25 acres

Maximum Lot Coverage: 2%

Minimum Setback¹

(all property boundaries): 150 feet

¹ Setback requirements exclude forestry and outdoor recreation not involving the construction or use of structures

(E) Supplemental Development Standards - Permitted Uses

(1) Forestry activities shall meet all applicable state regulations, and shall, as a minimum standard, comply with Acceptable Management Practices for Maintaining Water Quality on Logging Jobs in Vermont, published by the Vermont Department of Forests, Parks & Recreation.

(2) Forest management activities designed as pre-development site preparation, such as road and driveway construction (including excavation related to the construction or upgrade of logging roads and the conversion of logging roads to development roads or driveways), clearing and/or grading for house-sites and septic systems or related work, shall be reviewed by the Development Review Board under these regulations in accordance with subsections (F) (1). Where a landowner fails to submit pre-development plans for review, the Board may limit development to the non-impacted portion of the property and/or direct the manner in which the site will be restored or re-vegetated prior to development.

ARTICLE 2. ZONING DISTRICTS & DISTRICT STANDARDS

Section 2.4 Establishment of Zoning Districts & Zoning Map

The following zoning districts tables will have the added permitted uses as described below:

4.18 Telecommunications Facilities (C)(1), Co-Located, (C)(2) Temporary wireless telecommunications facilities & (D), de Minimis Review

District Tables	ZONING DISTRICT NAMES	Co- Located	De Minimis	Temporary Wireless
Table 2.1	Forest Reserve (FR)	✓	✓	
Table 2.2	Rural Residential (RR)	✓	✓	
Table 2.3	Warren Village Historic Residential (WVR)	✓	✓	
Table 2.4	Sugarbush Village Residential (SVR)	✓	✓	
Table 2.5	Vacation Residential (VR)	✓	✓	✓
Table 2.6	Alpine Village Residential (AVR)	✓	✓	
Table 2.7	Sugarbush Village Commercial (SVC)	✓	✓	
Table 2.8	German Flats Commercial (GFC)	✓	✓	
Table 2.9	Access Road Commercial (ARC)			
Table 2.10	Warren Village Commercial	✓	✓	
Table 2.11	Airport Commercial (AC)	✓	✓	
Table 2.13	Meadowland Overlay District		✓	

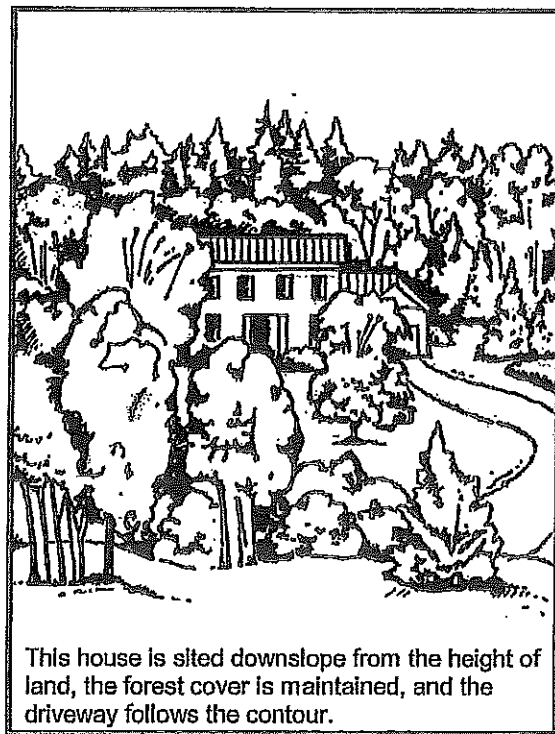
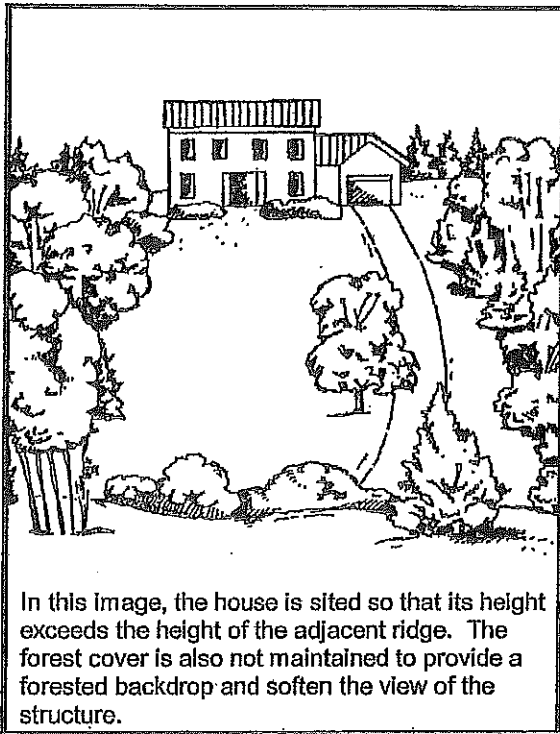
Table 2.1 (continued)

(F) Supplemental Development Standards - Conditional Uses

In addition to the standards set forth in Section 5.3, when reviewing applications for conditional uses within the Forest Reserve District, the Development Review Board shall find that the proposed development complies with the following standards.

- (1) **Clearing and Landscaping.** On wooded sites, existing forest cover shall be maintained adjacent to proposed structures to interrupt the facade of buildings, provide a forested backdrop to structures, and/or soften the visual impact of new development as viewed from public roads and properties. The Board shall consider the location of proposed structures relative to existing vegetation, and may require additional planting and/or limit the amount of clearing adjacent to proposed development to provide screening and maintain a forested backdrop. A plan for the maintenance of remaining and proposed trees may be required; such a plan shall address specific measures to be taken to ensure the survival and, if necessary, replacement of designated trees during or after site development and the installation of all site improvements.
- (2) **Access.** Access roads, including the conversion of logging roads to private roads or driveways and utility corridors, shall use or share existing accesses and rights-of-way where feasible; follow existing contours and linear features (e.g., tree lines, stone walls); and be located to minimize stream and wetland crossings, and avoid to the extent practical the fragmentation of resource lands and wildlife habitat, and other adverse impacts to natural and scenic resources as identified in the Warren Town Plan and/or through site investigation.
- (3) **Placement of Structures.** Careful consideration shall be given to the location of proposed structures relative to site conditions, existing vegetation, and the location of fragile features (including but not limited to steep slopes, streams and identified habitat and natural areas). The following guidelines shall be considered by the Board and applicant to ensure compliance with this standard. Structures generally shall:
 - (a) be minimally visible from public roads and properties, and not stand in contrast to surrounding landscape patterns and features or serve as a visual focal point;
 - (b) be located down-slope of ridgelines and prominent knolls, and be designed so that the height of proposed structures will not exceed the elevation of any adjacent ridgeline and/or the height of the adjacent tree canopy serving as the visual backdrop to the structure;
 - (c) not adversely affect natural and scenic resources and fragile areas identified in the Warren Town Plan or through site investigation, including wetlands, streams, critical habitat, steep slopes, areas of unstable or shallow soils and/or soil types that are generally unsuitable for development and on-site septic disposal; and
 - (d) with regard to building materials, the Board shall consider proposed materials (e.g., roof materials and window treatments), and may impose conditions to minimize visual impacts as viewed from public roads and properties.

Table 2.1 (continued)



The Board, however, may approve a project that does not strictly conform with one or more of these guidelines if they find that strict conformance would not result in the most appropriate development alternative for the site or achieve the purpose of the district.

- (4) **Erosion Control.** The Development Review Board may require an erosion control plan prepared in accordance with Section 3.4. Clearing may be limited to one or more portions of the property to prevent erosion and sedimentation of streams; buffer areas in addition to the minimum requirements set forth in Section 3.13 may be required to protect streams, wetlands and other fragile features.
- (5) **Setbacks.** Notwithstanding the minimum setback requirements set forth in subsection (D), the Development Review Board may waive the minimum setbacks if the Board determines that such a waiver would allow for the placement of a structure in a location which more fully complies with the standards set forth in subsection (F)(3), above.

(G) Exemptions

- (1) Notwithstanding this provision, the following development activities shall be exempt from the standards set forth in subsections (E) and (F) if conducted as an accessory to a commercial alpine ski resort. Such development activities shall, however, be reviewed by the Development Review Board in accordance with the process and standards set forth in Article 5:
 - (a) alteration, replacement and/or installation of ski lifts; and
 - (b) clearing associated with the maintenance, expansion and/or creation of alpine ski trails.

Table 2.2
Rural Residential District (RR)

(A) Purpose. The purpose of the Rural Residential District is to maintain a clean, healthy environment, maintain the town's historic working landscape, encourage the productive use and protection of natural resources, and allow residential development at moderate densities in appropriate locations.

(B) Permitted Uses

- (1) Accessory Dwelling [see Section 4.1(A)(1)]
- (2) Accessory Use or Structure
- (3) Agriculture (see Section 9.2)
- (4) Forestry (see Section 9.2)
- (5) Group Home (see Section 4.7)
- (6) Home Child Care (see Section 4.5)
- (7) Home Occupation (see Section 4.8)
- (8) Single Family Dwelling

(C) Conditional Uses

- (1) Accessory Dwelling [see Section 4.1(A)(2)]
- (2) Accessory Use or Structure (to a conditional use)
- (3) Adaptive Reuse (see Section 4.2)
- (4) Bed & Breakfast (see Section 4.10)
- (5) Boarding House
- (6) Campground (see Section 4.4)
- (7) Cemetery
- (8) Commercial Water Extraction
- (9) Composting Facility
- (10) Cottage Industry (see Section 4.8)
- (11) Day Care Facility (see Section 4.5)
- (12) Duplex Dwelling
- (13) Extraction of Earth Resources (excluding processing; see Section 4.6)
- (14) Gallery/Artist Studio
- (15) Inn
- (16) Kennel
- (17) Lodge
- (18) Mobile Home Park (see Section 4.12)
- (19) Multi-Family Dwelling (in PRD only, pursuant to Article 8)
- (20) Outdoor Recreation Facility
- (21) Place of Worship (see Section 4.14)
- (22) Public Facility (closed; see Section 4.14)
- (23) Salvage Yard (see Section 4.15)
- (24) Sawmill

(D) Dimensional Standards: The following standards shall apply to all development within the Rural Residential District:

Minimum Lot Size:	1 acre	Minimum Rear Setback:	25 feet
Maximum Residential Density:	See Subsection (E)	Minimum Lot Frontage:	200 feet
Minimum Front Setback–		Maximum Building Height:	35 feet
Lincoln Gap, Roxbury			
& Brook Roads:	100 feet		
All other roads:	40 feet		
Minimum Side Setback:	25 feet		

Table 2.2 (continued)

(E) Supplemental Development Standards

- (1) The maximum residential density for all lots created by subdivision after the effective date of these regulations shall be as follows:

Maximum Density (1-3 lots):	1 unit/acre
Maximum Density (4-20 lots):	1 unit/3 acres
Maximum Density (20+ lots):	1 unit/5 acres

In approving subdivisions in this district in accordance with Articles 6 and 7, the Development Review Board shall place appropriate conditions on the subdivided parcel to ensure that the total density does not exceed the allowable density under this subsection in the event that subdivided lots are further subdivided at a future date. Such conditions shall be included in the municipal land use permit to be recorded in accordance with Section 9.8, and may include notations limiting future subdivision to be placed on the final plat and/or the designation of a portion of the subdivided parcel as open space in accordance with Section 7.4.

- (2) Land development on land with a slope gradient of 15% or greater shall prepare and implement an erosion control plan, to be approved by the Development Review Board, in accordance with Section 3.4.
- (3) Notwithstanding the dimensional standards set forth in Subsection (D), structures in excess of the 35' height requirement, and structures located within the setback area, may be permitted as a conditional use in accordance with the procedures and standards set forth in Article 5 and Section 3.6.
- (4) Notwithstanding the conditional uses set forth in Subsection (D), Wastewater Treatment/Collection Facilities may be permitted as a conditional use in accordance with Section 5.2, providing such facilities are limited to distribution and disposal facilities (e.g., treatment plants, leach fields), and collection systems which only serve parcels within this district with frontage on the segment of West Hill Road (TH #46) between Route 100 and Ellen Lane (TH #46), and parcels within the Warren Village Historic Residential District.

Table 2.3
Warren Village Historic Residential District (WVR)

(A) Purpose. The purpose of the Warren Village Historic Residential District is to maintain the residential character and historic settlement pattern of Warren Village, while allowing for appropriate home-based business enterprises and civic uses in a central location well served by community services and facilities, and support the Village's function as a community center.

(B) Permitted Uses

- (1) Accessory Dwelling [(see Section 4.1(A)(1)]
- (2) Accessory Use or Structure
- (3) Agriculture (see Section 9.2)
- (4) Forestry (see Section 9.2)
- (5) Group Home (see Section 4.7)
- (6) Home Child Care (see Section 4.5)
- (7) Home Occupation (see Section 4.8)
- (8) Single Family Dwelling

(C) Conditional Uses

- (1) Accessory Dwelling [see Section 4.1(A)(2)]
- (2) Accessory Use or Structure (to a conditional use)
- (3) Adaptive Re-use (see Section 4.2)
- (4) Bed & Breakfast (see Section 4.10)
- (5) Boarding House
- (6) Cemetery
- (7) Community Care Facility
- (8) Cottage Industry (see Section 4.8)
- (9) Cultural Facility
- (10) Day Care Facility (see Section 4.5)
- (11) Duplex Dwelling
- (12) Educational Facility (see Section 4.14)
- (13) Gallery/Artist Studio
- (14) Multi-Family Dwelling
- (15) Outdoor Recreation Facility
- (16) Place of Worship (see Section 4.14)
- (17) Public Facility (closed; see Section 4.14)
- (18) Public Facility (open; see Section 4.14)
- (19) PUD (See Article 8, Sec (G) Village Standards)
- (20) Wastewater Treatment/Collection Facility

(D) Dimensional Standards: The following standards shall apply to all development within the Warren Village Historic Residential District

Minimum Lot Size:	1/4 acre	Minimum Front Setback (porches & entry ways)	10 feet
Max Density (single-family dwelling):	1 unit/ 1/4acre	Minimum Side Setback	15 feet
Max Density (multi-family dwelling):	4 units/acre	Minimum Rear Setback	20 feet
Minimum Front Setback:	20 feet	Maximum Building Height	35 feet

(E) Supplemental Development Standards:

- (1) Land development on land with a slope gradient of 15% or greater shall prepare and implement an erosion control plan, to be approved by the Development Review Board, in accordance with Section 3.4.
- (2) Notwithstanding the dimensional standards set forth in Subsection (D), structures in excess of the 35' height requirement, and structures located within the setback area, may be permitted as a conditional use in accordance with the procedures and standards set forth in Article 5 and Section 3.6.

Table 2.3
Warren Village Historic Residential District (WVR)

(A) Purpose. The purpose of the Warren Village Historic Residential District is to maintain the residential character and historic settlement pattern of Warren Village, while allowing for appropriate home-based business enterprises and civic uses in a central location well served by community services and facilities, and support the Village's function as a community center.

(B) Permitted Uses

- (1) Accessory Dwelling [(see Section 4.1(A)(1)]
- (2) Accessory Use or Structure
- (3) Agriculture (see Section 9.2)
- (4) Forestry (see Section 9.2)
- (5) Group Home (see Section 4.7)
- (6) Home Child Care (see Section 4.5)
- (7) Home Occupation (see Section 4.8)
- (8) Single Family Dwelling

(C) Conditional Uses

- (1) Accessory Dwelling [see Section 4.1(A)(2)]
- (2) Accessory Use or Structure (to a conditional use)
- (3) Adaptive Re-use (see Section 4.2)
- (4) Bed & Breakfast (see Section 4.10)
- (5) Boarding House
- (6) Cemetery
- (7) Community Care Facility
- (8) Cottage Industry (see Section 4.8)
- (9) Cultural Facility
- (10) Day Care Facility (see Section 4.5)
- (11) Duplex Dwelling
- (12) Educational Facility (see Section 4.14)
- (13) Gallery/Artist Studio
- (14) Multi-Family Dwelling
- (15) Outdoor Recreation Facility
- (16) Place of Worship (see Section 4.14)
- (17) Public Facility (closed; see Section 4.14)
- (18) Public Facility (open; see Section 4.14)
- (19) Wastewater Treatment/Collection Facility

(D) Dimensional Standards: The following standards shall apply to all development within the Warren Village Historic Residential District

Minimum Lot Size:	1 acre	Minimum Front Setback	
Max Density (single-family dwelling):	1 unit/acre	(porches & entry ways)	10 feet
Max Density (multi-family dwelling):	4 units/acre	Minimum Side Setback	20 feet
Minimum Front Setback:	20 feet	Minimum Rear Setback	20 feet
		Maximum Building Height	35 feet

(E) Supplemental Development Standards:

- (1) Land development on land with a slope gradient of 15% or greater shall prepare and implement an erosion control plan, to be approved by the Development Review Board, in accordance with Section 3.4.
- (2) Notwithstanding the dimensional standards set forth in Subsection (D), structures in excess of the 35' height requirement, and structures located within the setback area, may be permitted as a conditional use in accordance with the procedures and standards set forth in Article 5 and Section 3.6.

Table 2.4
Sugarbush Village Residential District (SVR)

(A) Purpose. The purpose of the Sugarbush Village Residential District is to encourage the economic viability of existing high density residential and lodging facilities in areas adjacent to the Lincoln Peak ski area that are well served by centralized infrastructure and utilities, and to allow for additional development in a manner that reinforces the function of Sugarbush Village as a compact growth center for the Mad River Valley.

(B) Permitted Uses

- (1) Accessory Dwelling [see Section 4.1(A)(1)]
- (2) Accessory Use or Structure
- (3) Agriculture (see Section 9.2)
- (4) Bed & Breakfast (see Section 4.10)
- (5) Boarding House
- (6) Forestry (see Section 9.2)
- (7) Group Home (see Section 4.7)
- (8) Home Child Care (see Section 4.5)
- (9) Home Occupation (see Section 4.8)
- (10) Single Family Dwelling

(C) Conditional Uses

- (1) Accessory Dwelling [see Section 4.1(A)(2)]
- (2) Accessory Use or Structure (to a conditional use)
- (3) Community Center
- (4) Cultural Facility
- (5) Day Care Facility (see Section 4.5)
- (6) Duplex Dwelling
- (7) Educational Facility (see Section 4.14)
- (8) Gallery/Artist Studio
- (9) Indoor Recreation Facility (as accessory to another permitted or conditional use)
- (10) Inn (see Section 4.10)
- (11) Place of Worship (see Section 4.14)
- (12) Mixed Use (see Section 4.11)
- (13) Multi-Family Dwelling
- (14) Outdoor Recreation Facility
- (15) Personal Service
- (16) Private Club
- (17) Public Facility (closed; see Section 4.14)
- (18) Public Facility (open; see Section 4.14)
- (19) Restaurant
- (20) Ski Lifts
- (21) Ski Services/Facilities
- (22) Wastewater Treatment/Collection Facility

(D) Dimensional Standards The following standards shall apply to all development within the Sugarbush Village Residential District:

Minimum Lot Size:	7,000 square feet (or as permitted under Article 8)
Maximum Density (dwellings):	6 units/acre
Maximum TDR Density (dwellings):	12 units/acre (see Section 3.16)
Maximum Density (inn/hotel rooms):	12 rooms/acre
Maximum TDR Density (inn/hotel rooms):	24 rooms/acre (see Section 3.16)
Minimum Front Setback:	25 feet
Minimum Side & Rear Setbacks:	20 feet
Maximum Building Height:	50 feet
Maximum Lot Coverage:	66%

Table 2.4 (continued)

(E) Supplemental Development Standards:

- (1) In addition to the procedures and standards set forth in Articles 6 and 7, all land subdivision shall be reviewed in accordance with the standards set forth in Section 8.4.
- (2) Land development on land with a slope gradient of 15% or greater shall prepare and implement an erosion control plan, to be approved by the Development Review Board, in accordance with Section 3.4.
- (3) Notwithstanding the dimensional standards set forth in subsection (D), structures in excess of the 35' height requirement, and structures located within the setback area, may be permitted as a conditional use in accordance with the procedures and standards set forth in Article 5 and Section 3.6.

Table 2.5
Vacation Residential District (VR)

(A) Purpose. The purpose of the Vacation Residential District is to allow the development of residential development at moderate densities, and the establishment of limited commercial uses related to the tourism industry, in close proximity to Sugarbush Resort.

(B) Permitted Uses

- (1) Accessory Dwelling [see Section 4.1(A)(1)]
- (2) Accessory Use or Structure
- (3) Agriculture (see Section 9.2)
- (4) Bed & Breakfast (see Section 4.10)
- (5) Boarding House
- (6) Forestry (see Section 9.2)
- (7) Group Home (see Section 4.7)
- (8) Home Child Care (see Section 4.5)
- (9) Home Occupation (see Section 4.8)
- (10) Single Family Dwelling

(C) Conditional Uses

- (1) Accessory Dwelling [see Section 4.1(A)(2)]
- (2) Accessory Use or Structure (to a conditional use)
- (3) Campground
- (4) Community Care Facility
- (5) Cottage Industry (see Section 4.8)
- (6) Day Care Facility (see Section 4.5)
- (7) Duplex Dwelling
- (8) Gallery/Artist Studio
- (9) General Services
- (10) Indoor Recreation (as accessory to another permitted or conditional use)
- (11) Inn (see Section 4.10)
- (12) Lodge
- (13) Mixed Use (see Section 4.11)
- (14) Multi-Family Dwelling [in PRD approved under Section 8.3 only]
- (15) Ski Services/Facilities
- (16) Outdoor Recreation
- (17) Personal Service
- (18) Private Club
- (19) Restaurant
- (20) Ski Lifts
- (21) Telecommunications Facility (see Section 4.17)
- (22) Warehouse/Storage
- (23) Wastewater Treatment/Collection Facility

(D) Dimensional Standards: The following standards shall apply to all development within the Vacation Residential District

Minimum Lot Size:	1 acre (or as permitted under Article 8)	Minimum Side Setback:	25 feet
Maximum Density (single-family dwelling):	1 unit/acre	Minimum Rear Setback:	25 feet
Maximum Density (multi-family dwelling):	3 units/acre	Minimum Lot Frontage:	150 feet
Maximum Density (affordable housing):	6 units/acre	Maximum Building Height:	50 feet
Maximum TDR Density (multi-family):	6	Maximum Lot Coverage:	50%
	units/acre	Minimum Front Setback:	40 feet
Maximum Density (inn/hotel rooms):	6 rooms/acre		
Maximum TDR Density (inn/hotel rooms):	12 rooms/acre		

Table 2.5 (continued)

(E) Supplemental Development Standards

- (1) Land development on land with a slope gradient of 15% or greater shall prepare and implement an erosion control plan, to be approved by the Development Review Board, in accordance with Section 3.4.
- (2) Notwithstanding the dimensional standards set forth in subsection (D), structures in excess of the 35' height requirement, and structures located within the setback area, may be permitted as a conditional use in accordance with the procedures and standards set forth in Article 5 and Section 3.6.

Table 2.6
Alpine Village Residential District (AVR)

(A) Purpose. The purpose of the Alpine Village Residential District is to maintain the residential character of the Alpine Village development by prohibiting the types of commercial uses that are allowed in the surrounding Rural Residential District while protecting water quality and other environmental features associated with poor soil conditions.

(B) Permitted Uses

- (1) Accessory Dwelling [see Section 4.1(A)(1)]
- (2) Accessory Use or Structure
- (3) Agriculture (see Section 9.2)
- (4) Forestry (see Section 9.2)
- (5) Group Home (see Section 4.7)
- (6) Home Child Care (see Section 4.5)
- (7) Home Occupation (see Section 4.8)
- (8) Single Family Dwelling

(C) Conditional Uses

- (1) Accessory Dwelling [see Section 4.1(A)(2)]
- (2) Accessory Use or Structure (to a conditional use)
- (3) Community Center
- (4) Outdoor Recreation Facility
- (5) Day Care Facility
- (6) Duplex Dwelling

(D) Dimensional Standards: The following standards shall apply to all development within the Alpine Village Residential District.

Minimum Lot Size:	1 acre	Minimum Front Setback:	20 feet
Minimum Lot Frontage:	75 feet	Minimum Side & Rear Setback:	15 feet
Maximum Density:	1 unit/acre	Maximum Building Height	35 feet
Maximum Lot Coverage:	25%		

(E) Supplemental Development Standards

- (1) Within the Alpine Village Residential District, an accessory structure may be permitted on a non-contiguous lot to the principal structure, including lots that are bisected by a public or private road or right-of-way, providing:
 - (a) the accessory structure is customary and subordinate and incidental to the principle structure, and in no circumstances is used or occupied as a dwelling; and
 - (b) non-contiguous lots are not greater than 100 feet apart, as measured from the nearest boundaries; and
 - (c) the non-contiguous lots remain in common or affiliated ownership.
- (2) Septic systems shall meet all applicable local and state regulations, including a minimum setback of 100 feet from drilled wells (200 feet if septic system is uphill of well), and 150 feet from springs or shallow wells (500 feet if the septic system is uphill of the spring or shallow well).
- (3) Land development on land with a slope gradient of 15% or greater shall prepare and implement an erosion control plan, to be approved by the Development Review Board, in accordance with Section 3.4.
- (4) Notwithstanding the dimensional standards set forth in Subsection (D), structures in excess of the 35' height requirement, and structures located within the setback area, may be permitted as a conditional use in accordance with the procedures and standards set forth in Article 5 and Section 3.6.

Table 2.7
Sugarbush Village Commercial District (SVC)

(A) Purpose. The purpose of the Sugarbush Village Commercial District is to encourage the development of a compact, mixed use growth center at the base of the Lincoln Peak (formerly Sugarbush South) ski area. Such development should accommodate four-season resort activities; should serve as a functional and visual extension of existing development within Sugarbush Village; and should occur in accordance with a comprehensive base area plan that establishes a clear indication of the desired and anticipated pattern of future development.

(B) Permitted Uses

(1) Accessory Use or Structure

(C) Conditional Uses

- (1) Bed & Breakfast (see Section 4.10)
- (2) Boarding House
- (3) Cultural Facility
- (4) Day Care Facility (see Section 4.5)
- (5) Duplex Dwelling
- (6) Gallery/Artist Studio
- (7) General Services
- (8) Hotel (see Section 4.10)
- (9) Indoor Recreation
- (10) Inn (see Section 4.10)
- (11) Mixed Use (see Section 4.11)

(C) Conditional Uses (continued)

- (12) Multi-Family Dwelling
- (13) Office
- (14) Outdoor Recreation Facility
- (15) Personal Service
- (16) Place of Worship (see Section 4.14)
- (17) Private Club
- (18) Public Facility (closed; see Section 4.14)
- (19) Public Facility (open; see Section 4.14)
- (20) Retail
- (21) Restaurant
- (22) Ski Lifts
- (23) Ski Services/Facilities
- (24) Warehouse/Storage
- (25) Wastewater Treatment/Collection Facility

(D) Dimensional Standards: The following standards shall apply to all development within the Sugarbush Village Commercial District.

Minimum Lot Size:	As determined by the Development Review Board in accordance with PUD approval under Section 8.4.
Maximum Density (dwellings):	20 units/acre
Maximum Density (lodging/hotel rooms):	40 rooms/acre
Maximum TDR Density (dwellings):	30 units/acre
Maximum TDR Density (lodging/hotel rooms):	60 rooms/acre
Minimum Setbacks:	N/A
Minimum Lot Frontage:	N/A
Maximum Building Height	50 feet

(E) Supplemental Development Standards - All Uses

- (1) In addition to the procedures and standards set forth in Articles 6 and 7, all land subdivision shall be reviewed in accordance with the standards set forth in Section 8.4.
- (2) Notwithstanding the dimensional standards set forth in Subsection (D), structures in excess of the 35' height requirement, and structures located within the setback area, may be permitted as a conditional use in accordance with the procedures and standards set forth in Article 5 and Section 3.6.

Table 2.8
German Flats Commercial District (GFC)

(A) Purpose. The purpose of the German Flats Commercial District is to recognize the existing commercial development in a traditional crossroads setting in close proximity to Sugarbush Resort, while limiting commercial strip development along the German Flats and Sugarbush Assess Roads.

(B) Permitted Uses

- (1) Accessory Dwelling [see Section 4.1(A)(1)]
- (2) Accessory Use or Structure
- (3) Agriculture (see Section 9.2)
- (4) Bed & Breakfast (see Section 4.10)
- (5) Boarding House
- (6) Forestry (see Section 9.2)
- (7) Home Child Care (see Section 4.5)
- (8) Inn (see Section 4.10)
- (9) Office

(C) Conditional Uses

- (1) Accessory Dwelling [see Section 4.1(A)(2)]
- (2) Accessory Use or Structure (to a conditional use)
- (3) Cultural Facility
- (4) Day Care Facility (see Section 4.5)
- (5) Duplex Dwelling
- (6) Gallery/Artist Studio
- (7) Hotel (see Section 4.10)
- (8) Indoor Recreation (as accessory to another permitted or conditional use)
- (9) Lodge
- (10) Mixed Use (see Section 4.11)
- (11) Multi-Family Dwelling
- (12) Outdoor Recreation
- (13) Personal Service
- (14) Private Club
- (15) Retail
- (16) Restaurant
- (17) Wastewater Treatment/Collection Facility

(D) Dimensional Standards: The following standards shall apply to all development within the German Flats Commercial District:

Minimum Lot Size:	1 acre
Maximum Density (dwellings):	6 units/acre
Maximum Density (lodging/hotel rooms):	12 rooms/acre
Maximum TDR Density (dwellings):	12 units/acre
Maximum TDR Density (lodging/hotel rooms):	24 rooms/acre
Minimum Front Setback:	50 feet
Minimum Side & Rear Setback:	50 feet
Minimum Lot Frontage:	200 feet
Maximum Lot Coverage	66%
Maximum Building Height	50 feet

(E) Supplemental Development Standards:

Notwithstanding the dimensional standards set forth in Subsection (D), structures in excess of the 35' height requirement, and structures located within the setback area, may be permitted as a conditional use in accordance with the procedures and standards set forth in Article 5 and Section 3.6.

Table 2.9
Access Road Commercial District (ARC)

(A) Purpose. The purpose of the Access Road Commercial District is to encourage the development of commercial amenities for the travelers in a compact setting at the intersection of Route 100 and the Sugarbush Access Road.

(B) Permitted Uses

- (1) Accessory Dwelling [see Section 4.1(A)(1)]
- (2) Accessory Use or Structure
- (3) Agriculture (see Section 9.2)
- (4) Forestry (see Section 9.2)
- (5) Home Child Care (see Section 4.5)
- (6) Home Occupation (see Section 4.8)

(C) Conditional Uses

- (1) Accessory Dwelling [see Section 4.1(A)(2)]
- (2) Accessory Use or Structure (to a conditional use)
- (3) Bed & Breakfast (see Section 4.10)
- (4) Boarding House
- (5) Cottage Industry (see Section 4.8)
- (6) Duplex Dwelling
- (7) Gallery/Artist Studio
- (8) Group Home (see Section 4.7)
- (9) Inn (see Section 4.10)
- (10) Mixed Use (see Section 4.11)
- (11) Multi-Family Dwelling
- (12) Outdoor Recreation
- (13) Place of Worship (see Section 4.14)
- (14) Personal Service
- (15) Private Club
- (16) Office
- (17) Retail
- (18) Restaurant
- (19) Single Family Dwelling

(D) Dimensional Standards: The following standards shall apply to all development within the Access Road Commercial District

Minimum Lot Size:	30,000 sq. ft
Maximum Density (dwellings):	3 unit/acre
Maximum Density (hotel/motel):	6 rooms/acre
Minimum Front Setback:	25 feet
Minimum Side Setback:	25 feet
Minimum Rear Setback:	15 feet
Minimum Lot Frontage:	150 feet
Maximum Lot Coverage:	60%
Maximum Building Height:	35 feet

(E) Supplemental Development Standards:

Notwithstanding the dimensional standards set forth in Subsection (D), structures in excess of the 35' height requirement, and structures located within the setback area, may be permitted as a conditional use in accordance with the procedures and standards set forth in Article 5 and Section 3.6.

Table 2.10
Warren Village Commercial District (WVC)

(A) Purpose. The purpose of the Warren Village Commercial District is to maintain the character and historic settlement pattern of Warren Village, while encouraging a mix of commercial, residential and civic uses within the Village core.

(B) Permitted Uses

- (1) Accessory Dwelling [see Section 4.1(A)(1)]
- (2) Accessory Use or Structure
- (3) Agriculture (see Section 9.2)
- (4) Forestry (see Section 9.2)
- (5) Group Home (see Section 4.7)
- (6) Home Child Care (see Section 4.5)
- (7) Home Occupation (see Section 4.8)
- (8) Single Family Dwelling

(C) Conditional Uses

- (1) Accessory Dwelling [see Section 4.1(A)(2)]
- (2) Accessory Use or Structure (to a conditional use)
- (3) Adaptive Re-use (see Section 4.2)
- (4) Bed & Breakfast (see Section 4.10)
- (5) Boarding House
- (6) Community Center
- (7) Community Care Facility
- (8) Cultural Facility
- (9) Day Care Facility (see Section 4.5)
- (10) Duplex Dwelling
- (11) Gallery/Artist Studio
- (12) Indoor Recreation Facility (as accessory to another permitted or conditional use)
- (13) Inn (see Section 4.10)
- (14) Mixed Use (see Section 4.11)
- (15) Multi-Family Dwelling
- (16) Personal Service
- (17) Place of Worship (see Section 4.14)
- (18) Office
- (19) Public Facility (open; see Section 4.14)
- (20) Retail
- (21) Restaurant (drive-thru prohibited)
- (22) Wastewater Treatment/Collection Facility

(D) Dimensional Standards: The following standards shall apply to all development within the Warren Village Commercial District

Minimum Lot Size:	10,000 sq. ft.
Maximum Density (dwellings):	4 units/acre
Maximum Density (lodging rooms):	8 units/acre
Minimum Front Setback:	10 feet
Minimum Side & Rear Setback:	10 feet
Minimum Lot Frontage:	75 feet
Maximum Lot Coverage:	66%
Maximum Building Height:	35 feet

ARTICLE 2, § 2.4 District Objectives & Uses
Table 2.10 Warren Village Commercial (WVC)

(A) Purpose. The purpose of the Warren Village Commercial District is to maintain the character and historic settlement pattern of Warren Village, while encouraging a mix of commercial, residential, and civic uses within the Village core.

(B) Permitted Uses

- (1) Accessory Dwelling [(see Section .1(A)(1)]
- (2) Accessory Use or Structure
- (3) Agriculture (see Section 9.2)
- (4) Forestry (see Section 9.2)
- (5) Group Home (see Section 4.7)
- (6) Home Child Care (see Section 4.5)
- (7) Home Occupation (see Section 4.8)
- (8) Single Family Dwelling

(C) Conditional Uses

- (1) Accessory Dwelling [see Section 4.1(A)(2)]
- (2) Accessory Use or Structure (to a conditional use)
- (3) Adaptive Re-use (see Section 4.2)
- (4) Bed & Breakfast (see Section 4.10)
- (5) Boarding House
- (6) Community Center
- (7) Community Care Facility
- (8) Cultural Facility
- (9) Day Care Facility (see Section 4.5)
- (10) Duplex Dwelling
- (11) Elderly Housing
- (12) Gallery/Artist Studio
- (13) Indoor Recreation Facility (as accessory to another permitted or conditional use)
- (14) Inn
- (15) Mixed Use (see Section 4.11)
- (16) Multi-Family Dwelling
- (17) Personal Service
- (18) Place of Worship (see Section 4.14)
- (19) Office
- (20) Personal/Group Instruction
- (21) Public Facility (open; see Section 4.14)
- (22) PUD (See Article 8, Sec (G) Village Standards)
- (23) Retail
- (24) Restaurant (drive-thru prohibited)
- (25) Wastewater Treatment/Collection Facility

(D) Dimensional Standards: The following standards shall apply to all development within the Warren Village Commercial District

Minimum Lot Size:	10,000 sq. ft.
Maximum Density (dwellings):	4 units/acre
Maximum Density (lodging rooms):	8 units/acre
Minimum Front Setback:	10 feet
Minimum Side & Rear Setback:	10 feet
Minimum Lot Frontage:	75 feet
Maximum Lot Coverage:	66%
Maximum Building Height:	35 feet

Table 2.11
Airport Commercial District (AC)

(A) Purpose. The purpose of the Airport Commercial District is to allow uses necessary for the operation of the Sugarbush Airport, in addition to compatible recreation and commercial activities appropriate for the rural setting.

(B) Permitted Uses

- (1) Accessory Dwelling [see Section 4.1(A)(1)]
- (2) Accessory Use or Structure
- (3) Agriculture (see Section 9.2)
- (4) Forestry (see Section 9.2)

(C) Conditional Uses

- (1) Accessory Dwelling [see Section 4.1(A)(2)]
- (2) Accessory Use or Structure (to a conditional use)
- (3) Aircraft Runway & Landing
- (4) Aircraft Storage & Maintenance
- (5) Aircraft Sales, Rental & Instruction
- (6) Airport Control Facility
- (7) Campground
- (8) Commercial Water Extraction
- (9) Day Care Facility
- (10) Indoor Recreation Facility
- (11) Industry (see Section 4.9)
- (12) Mixed Use (see Section 4.11)
- (13) Outdoor Recreation
- (14) Private Club
- (15) Restaurant (accessory to other conditional uses only)
- (16) Warehouse/Storage

(D) Dimensional Standards: The following standards shall apply to all development within the Airport Commercial District

Minimum Lot Size/Density:	12,000 sq. ft./use
Minimum Setback from Eastern District Boundary:	700 feet (from Woods Road South)
	300 feet (from two southeast abutting properties)
Minimum Front Setback:	100 feet
Minimum Side Setback:	100 feet
Minimum Rear Setback:	100 feet
Minimum Lot Frontage:	150 feet
Maximum Building Height	35 feet
Maximum Lot Coverage	60%

(E) Supplemental Development Standards - All Uses

- (1) No single structure may exceed a total of 12,000 square feet of enclosed floor space.
- (2) Driveway accesses (curb-cuts) shall be a minimum of 400 feet apart.
- (3) Notwithstanding the performance standards set forth in Section 3.11, nothing in these regulations shall prevent the normal operation of small general aviation aircraft.

Table 2.12
Bobbin Mill Commercial District (BMC)

(A) Purpose. The purpose of the Bobbin Mill Commercial District is to encourage the continued viability and expansion of an area adjacent to Warren Village historically used for industrial purposes, and to limit industrial uses within that district to sites with convenient access to Route 100.

(B) Permitted Uses:

- (1) Accessory Dwelling [see Section 4.1(A)(1)]
- (2) Accessory Use or Structure
- (3) Agriculture (see Section 9.2)
- (4) Forestry (see Section 9.2)
- (5) Group Home (see Section 4.7)
- (6) Home Child Care (see Section 4.5)
- (7) Home Occupation (see Section 4.8)
- (8) Single Family Dwelling

(C) Conditional Uses (Allowed above elevation of 950' msl only):

- (1) Accessory Dwelling [see Section 4.1(A)(2)]
- (2) Accessory Use or Structure (to a conditional use)
- (3) Bed & Breakfast
- (4) Composting Facility
- (5) Community Center
- (6) Cottage Industry
- (7) Cultural Facility
- (8) Day Care Facility (see Section 4.5)
- (9) Duplex Dwelling
- (10) Extraction of Earth Resources (including processing; see Section 4.6)
- (11) Gallery/Artist Studio
- (12) Mixed Use (see Section 4.11)
- (13) Multi-Family Dwelling (in PRD only)

(14) Outdoor Recreation

(15) Personal Service

(16) Wastewater/Treatment Collection Facility

(D) Conditional Uses (Allowed below elevation of 950' msl only):

- (1) Accessory Dwelling [see Section 4.1(A)(2)]
- (2) Accessory Use or Structure (to a conditional use)
- (3) Commercial Water Extraction
- (4) Composting Facility
- (5) Cultural Facility
- (6) Day Care Facility (see Section 4.5)
- (7) Extraction of Earth Resources (including processing; see Section 4.6)
- (8) Industry (see Section 4.9)
- (9) Mixed Use (see Section 4.11)
- (10) Office
- (11) Outdoor Recreation
- (12) Outdoor Storage
- (13) Personal Service
- (14) Private Club
- (15) Public Facility (closed; see Section 4.14)
- (16) Retail
- (17) Restaurant (as accessory to other conditional use only)
- (18) Warehouse
- (19) Wastewater Treatment/Collection Facility

(E) Dimensional Standards: The following standards shall apply to all development within the Bobbin Mill Commercial District

Minimum Lot Size:	30,000 square feet
Maximum Density (single family dwellings):	1 unit/30,000 square feet
Maximum Density (multi-family dwellings):	5 units/acre
Minimum Front Setback from Bobbin Mill Rd. (TH#43):	50 feet
Minimum Front Setback from Lincoln Gap Rd. (TH#3):	100 feet
Minimum Side and Rear Setbacks:	50 feet [see subsection (F)]
Minimum Lot Frontage:	150 feet
Maximum Building Height:	50 feet
Maximum Lot Coverage:	60%

Table 2.12 (continued)

(F) Supplemental Development Standards - All Uses

- (1) Conditional uses listed in subsection (C) must have direct access onto Lincoln Gap Road (Town Highway #3).
- (2) Conditional uses listed in subsection (D) must have direct access onto the Bobbin Mill Road (Town Highway #43) and/or Route 100.
- (3) No building shall exceed 30,000 square feet of total enclosed floor space.
- (4) The maximum overall development for the entire district shall not exceed an overall density 8,000 square feet per acre.
- (5) Above an elevation of 950' msl, the Extraction of Earth Resources and Composting Facility may be used together as a Mixed Use, but not in combination with other uses.
- (6) Notwithstanding the side and rear setbacks set forth in subsection (E), and the river and stream setbacks set forth in Section 3.13, the minimum setbacks in the proximity of the existing mill site is designated as a line circumscribing the corners of the existing foundation nearest to the streambanks, as described in figure 2.1
- (7) Notwithstanding the dimensional standards set forth in subsection (D), structures in excess of the 35' height requirement, and structures located within the setback area, may be permitted as a conditional use in accordance with the procedures and standards set forth in Article 5 and Section 3.6.

Figure 2.1

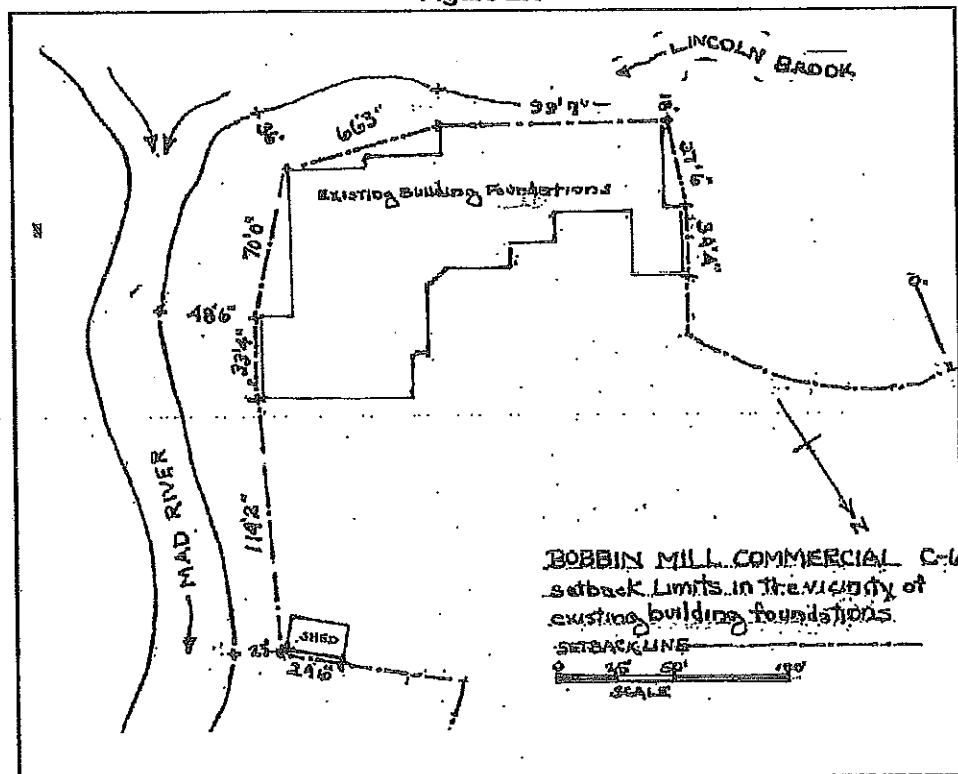


Table 2.13
Meadowland Overlay District (MO)

(A) Purpose. The purpose of the Meadowland Overlay District is to promote the continuation of agriculture, protect historically viable farmland and prime agricultural soils, and preserve Warren's rural character and working landscape in accordance with the Warren Town Plan.

(B) Permitted Uses

- (1) Agriculture (see Section 9.2)
- (2) Forestry (see Section 9.2)

(C) Conditional Uses

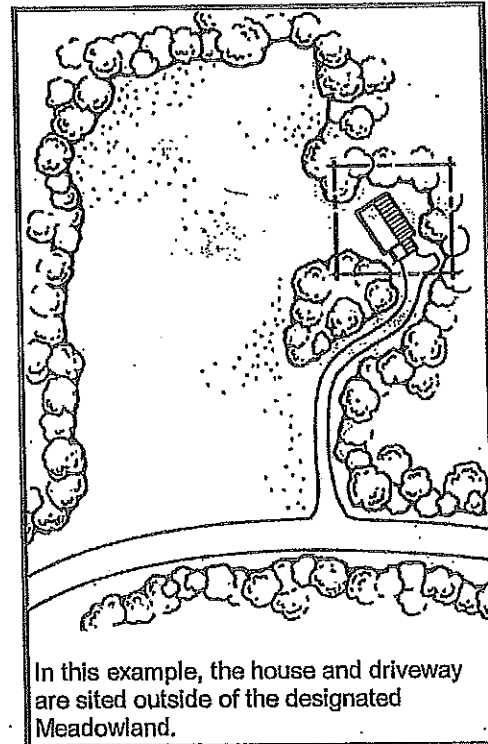
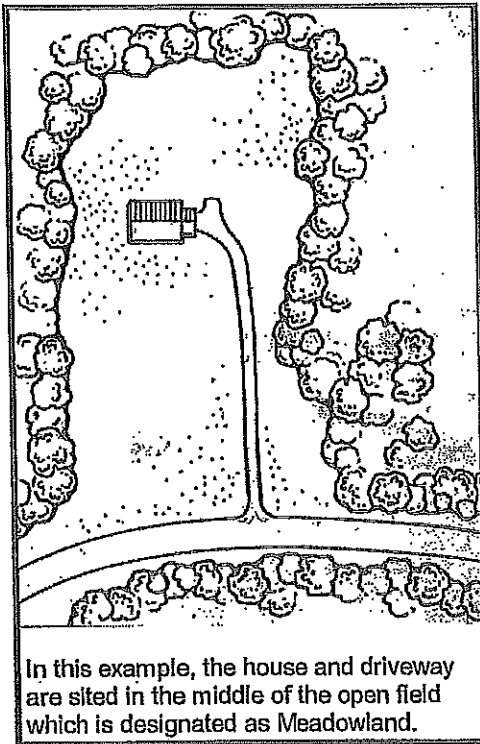
All other permitted or conditional uses listed for the underlying district, unless otherwise specifically excluded under Subsection (E), below.

(D) Dimensional Standards. As set forth for the underlying district.

(E) Supplemental Development Standards

- (1) No land development or land use, other than agriculture and forestry, may be issued a zoning permit by the Administrative Officer until the Development Review Board grants conditional use approval in accordance with Article 5. In granting approval, the Board shall find that the development meets the standards set forth in either subsections (a) or (b), below:
 - (a) The lot on which development is proposed contains developable land which is not designated meadowland and that the placement of the proposed use and/or development on the lot:
 - (i) minimizes the disruption of the scenic quality of the site; and
 - (ii) retains the maximum possible meadowland for agricultural use through means such as, but not limited to, clustering under PRD provisions, reduction in allowable density, and/or the donation of development rights; and
 - (iii) utilizes the least productive land and protects primary agricultural soils, and that the development will not conflict with existing agricultural uses in the area.
 - (b) The proposed development is situated entirely on a lot containing no developable land other than meadowland, which lot was created prior to January 1, 1984; that the development will not conflict with existing agricultural uses in the area; and that the placement of the proposed use on the lot:
 - (i) minimizes the disruption of the scenic quality of the site; and
 - (ii) retains the maximum possible amount of meadowland for agricultural use through means such as, but not limited to, clustering under PRD provisions, and/or the reduction in allowable density and/or sale or donation of development rights; and
 - (iii) utilizes the least productive land and protects primary agricultural soils.
- (2) Management plans, as described under Section 7.4, may be required to maintain open land as a condition of subdivision approval.

Table 2.13 (continued)



- (3) Pursuant to Section 3.16, the Meadowland Overlay District is designated as a sending area for the transfer of development rights to designated receiving areas. Development rights may be transferred to designated receiving areas, per the requirements of Section 3.16, at a total density of one unit per every acre of preserved land.

Table 2.14
Flood Hazard Overlay District (FHO)

(A) Purpose: The purpose of the Flood Hazard Overlay District is to promote public health, safety and welfare by preventing or minimizing hazards to life or property due to flooding. It is also the intent to the Town of Warren to regulate development within identified areas of special flood hazard in accordance with state and federal law in order to ensure that the town and private property owners are eligible for federal flood insurance through the National Flood Insurance Program (NFIP) and other available federal disaster recovery and hazard mitigation funds (see also Article 5).

(B) Permitted Uses

- (1) Agriculture (see Section 9.2)
- (2) Forestry (see Section 9.2)
- (3) Outdoor Recreation (no structures)

(C) Conditional Uses

All other permitted or conditional uses listed for the underlying district, unless otherwise specifically exempted under Section 9.2.

(D) Dimensional Standards

As set forth for the underlying district unless otherwise specified under Article 3 and/or Article 4.

(E) Flood Hazard Area Standards:

- (1) Uses permitted within the Flood Hazard Overlay District specifically include agriculture and forestry, unimproved open space, recreational and educational uses, and those uses generally permitted within existing single family dwellings (i.e., day care facilities and group homes as defined, and home occupations). All other uses and structures, including but not limited to new buildings, the cumulative substantial improvement of existing buildings, and any development within a floodway, shall be subject to conditional use review under Section 5.3 (D), as well as all other applicable municipal and state regulations. Projects reviewed under this provision shall only be subject to the standards set forth in Section 5.3(D) unless they are also identified as a conditional use in the underlying district.
- (2) All development and subdivisions in this district shall be reviewed to assure that the potential for flood damage is minimized, public facilities and utilities (e.g., sewer, septic, water, and electrical systems) are constructed to minimize flood damage, and adequate drainage is provided to reduce exposure to flood hazards.
- (3) Mandatory state [§ 4424] and federal [44 CFR 60.3 and 60.6] requirements for continued eligibility in the National Flood Insurance Program – including but not limited to associated structural standards, definitions, administrative and variance requirements – are hereby adopted by reference and shall be applied to all development in this district. Accordingly:
 - (a) Applications for development within the Flood Hazard Overlay District shall be submitted in accordance with the provisions of Section 5.2, and are subject to state and federal agency referral requirements in accordance with Section 9.3.
 - (b) Development in the Flood Hazard Overlay District shall be subject to conditional use review under Article 5, although such review shall be limited to review under the criteria set forth in Subsection 5.3 (D) specific to development within designated flood hazard areas, as well as applicable requirements of the underlying zoning district. Where this overlay imposes more restrictive standards on the construction and use of structures or land, the provisions under this overlay district shall control.
 - (c) Requests for variances for development within the Flood Hazard Overlay District shall be subject to review under Section 9.6, including but not limited to variance criteria under subsection 9.6(B)

specific to variances with designated flood hazard areas.

- (d) Permits, certifications and variance actions for development within the Flood Hazard Overlay District shall be recorded by the Administrative Officer in accordance with Section 9.8.
- (4) Junkyards and storage facilities for floatable materials, explosives, flammable liquids, or other hazardous or toxic materials, are prohibited within the floodway.
- (5) **Warning & Disclaimer of Liability.** These regulations do not imply that lands outside of the Flood Hazard Overlay District or development permitted within this district will be free from flooding or flood damages. These regulations shall not create any liability on the part of the Town of Warren or any town official or employee for any flood damages that result from reliance on these regulations, or any decision lawfully made hereunder.

Table 2.15 Warren Village Mixed Use District (VMU)

(A) Purpose. The purpose of the Warren Village Mixed Use District is to strengthen Warren Village's status as a Town center in order to promote its social, governmental, commercial and residential functions in the community, while taking special care to protect the residential character and the quality of life enjoyed by its residents.

(B) Permitted Uses

- (1) Accessory Dwelling [see Section 4.1(A)(1)]
- (2) Accessory Use or Structure
- (3) Agriculture (see Section 9.2)
- (4) Forestry (see Section 9.2)
- (5) Group Home (see Section 4.7)
- (6) Home Child Care (see Section 4.5)
- (7) Home Occupation (see Section 4.8)
- (8) Single Family Dwelling
- (9) Duplex

(C) Conditional Uses

- (1) Accessory Dwelling [see Section 4.1(A)(2)]
- (2) Accessory Use or Structure (to a conditional Use)
- (3) Adaptive Re-use (see Section 4.2)
- (4) Bed & Breakfast (see Section 4.10)
- (5) Boarding House
- (6) Community Center
- (7) Care Facility
- (8) Cottage Industry
- (9) Cultural Facility
- (10) Day Care Facility (see Section 4.5)
- (11) Duplex Dwelling
- (12) Educational Facility
- (13) Elderly Housing
- (14) Gallery/Artist Studio
- (15) General Services
- (16) Indoor Recreation Facility (as accessory to another permitted or conditional use)
- (17) Inn (see Section 4.10)
- (18) Mixed Use (see Section 4.11)
- (19) Multi-Family Dwelling
- (20) Personal Service
- (21) Place of Worship (see Section 4.14)
- (22) Office
- (23) Personal/Group Instruction
- (24) Public Facility (open; see Section 4.14)
- (25) PUD (See Article 8, Section (G) Village Standards *not drafted*.)
- (26) Retail
- (27) Restaurant (drive-thru prohibited)
- (28) Wastewater Treatment/Collection Facility

(D) Dimensional Standards: The following standards shall apply to all development within the Warren Village

Mixed Use District	
Minimum Lot Size:	¼ Acre
Maximum Density (dwellings):	4 units/ acre
Maximum Density (lodging rooms):	8 units/acre
Minimum Front Setback:	10 feet
Minimum Side Setback:	10 feet
Minimum Rear Setback:	15 feet
Maximum Lot Coverage:	66%
Maximum Building Height:	35 feet

(E) Supplemental Development Standards

ARTICLE 2, § 2.4 District Objectives & Uses **Table 2.15** Warren Village Historic Residential District (WVR), approved by the Warren Select Board on January 10th, 2012, Effective January 31, 2012

1. Residential component - at least 40% of total enclosed floor space must be dedicated to long term (over 30 days) residential use only.
2. Scale of construction space - The scale of new construction should be consistent with that of surrounding buildings. Specifically, buildings shall not exceed the average façade length or area (height times length) of buildings within 200 feet by more than 50%, except by a conditional use approval. Building orientation, height to width ratio, and placement of doors and window openings should be proportional to those of surrounding buildings where present.
3. Design standards for dwellings - New dwellings shall be designed with compatible materials, scale to existing residential buildings on the same block. Front-loaded garage doors should be located no closer to the street to the dwelling's front facade. Side load side load garages, or detached garages in rear yards, are encouraged.
4. Accessory buildings - Detached accessory dwellings and accessory structures should utilize similar compatible exterior materials as that of the principal structure.

Article 2, Section 2.4
Table 2.14 Flood Hazard Overlay District (FHO)

A. Statutory Authority & Purpose: In accordance with 10 V.S.A. Chapter 32, and V.S.A. Chapter 117 §4424, §4411 and §4414, there is hereby established a bylaw for areas at risk of flood damage in the Town of Warren, Vermont. The purpose of the Flood Hazard Overlay District is to promote public health, safety and welfare by preventing or minimizing hazards to life or property due to flooding. It is also the intent to the Town of Warren to regulate development within identified areas of special flood hazard in accordance with state and federal law in order to ensure that the town and private property owners are eligible for federal flood insurance through the National Flood Insurance Program (NFIP) and other available federal disaster recovery and hazard mitigation funds (see also Article 5).

B. It is the purpose of this bylaw to:

- A. Implement the goals, policies, and recommendations in the current municipal plan;
- B. Avoid and minimize the loss of life and property, the disruption of commerce, the impairment of the tax base, and the extraordinary public expenditures and demands on public services that result from flooding related inundation and erosion;
- C. Ensure that the selection, design, creation, and use of development in hazard areas is reasonably safe and accomplished in a manner that is consistent with public wellbeing, does not impair stream equilibrium, flood plain services, or the stream corridor,
- D. Manage all flood hazard areas designated pursuant to 10 V.S.A. Chapter 32 § 753, the municipal hazard mitigation plan; and make the Town of Warren, its citizens, and businesses eligible for federal flood insurance, federal disaster recovery funds, and hazard mitigation funds as may be available.

C. Warning of Disclaimer of Liability

This bylaw does not imply that land outside of the areas covered by this bylaw will be free from flood damages. This regulation shall not create liability on the part of the Town of _Warren, or any municipal official or employee thereof, for any flood damages that result from reliance on this regulation, or any administrative decision lawfully made hereunder.

D. Lands to Which these Regulations Apply

(1) Regulated Flood Hazard Areas

These regulations shall apply to the Special Flood Hazard Area in and on the most current flood insurance studies and maps published by the Department of Homeland Security, Federal Emergency Management Agency, National Flood Insurance Program, as provided by the Secretary of the Agency of Natural Resources pursuant to 10 V.S.A. Chapter 32 § 753, which are hereby adopted by reference and declared to be part of these regulations. The location of the boundary shall be determined by the Zoning Administrator (ZA). If the applicant disagrees with the determination made by the ZA, a Letter of Map Amendment from FEMA shall constitute proof.

(2) Base Flood Elevations and Floodway Limits in Special Flood Hazard Areas

Where available, base flood elevations and floodway limits provided by the National Flood Insurance Program and in the Flood Insurance Study and accompanying maps shall be used to administer and enforce these regulations. In Special Flood Hazard Areas where base flood elevations and/or floodway limits *have not* been provided by the National Flood Insurance Program in the Flood Insurance Study and accompanying maps, it is the applicant's Responsibility to develop the necessary data.

Table 2.14 Flood Hazard Overlay District (FHO)

#	Activity	Hazard Zone	
	P Permitted		
	C Conditional Use Review	Special Flood	Floodway
	X Prohibited	Hazard Area	
	A Exempted		
1	New Structures	X	X
2	Storage	X	X
3	Improvements to Existing Structures	P, C	C
4	Small Accessory Structures	P	X
5	At Grade Parking	P	C
6	Replacement water supply or septic systems	C	C
8	Fill as needed to elevate existing structures	C	C
9	Fill	X	X
12	Grading	C	C
13	Road maintenance	A	A
14	Road improvements	C	C
15	Bridges and culverts	C	C
16	Channel management	C	C
17	Recreational vehicles	P	P
18	Open space, recreation	A	A
19	Forestry	A	A
20	Agriculture	A	A

Table 2.16
Fluvial Erosion Hazard Overlay District
Regulations adopted November 12th, 2013

(A) PURPOSE

The purposes of the Fluvial Erosion Hazard (FEH) Area Overlay District are to: 1) Implement related goals, policies, objectives, and recommendations of the current municipal plan, hazard mitigation plan, and supporting river corridor management plans; 2) Avoid and minimize the loss of life and property, the disruption of commerce, the impairment of the tax base, and the extraordinary public expenditures that result from flood-related erosion; 3) Avoid and minimize the undue adverse effect on public services and facilities, including roads, bridges, culverts, and emergency services, during and after fluvial erosion events; 4) Protect mapped fluvial erosion hazard areas that are highly subject to erosion due to naturally occurring stream channel migration and adjustment; 5) Limit new development within fluvial erosion hazard areas to protect public safety and to minimize property loss and damage due to fluvial erosion; and 6) Allow rivers and streams to maintain or re-establish their natural equilibrium, thereby avoid the need for costly and environmentally degrading stream channelization and bank stabilization measures.

(B) APPLICABILITY

- 1) The Fluvial Erosion Hazard Overlay District is depicted on the most current Fluvial Erosion Hazard (FEH) maps on file at the municipal office. These maps, prepared for the Town of in accordance with state-accepted stream geomorphic assessment and mapping protocols, are hereby adopted by reference and declared to be part of these regulations. If uncertainty exists with respect to the location of a district boundary, the location shall be determined by the Administrative Officer [Zoning Administrator] from the map, in consultation with the Vermont River Management Program.
- 2) New development may be allowed within the FEH District if, based on a review by the River Management Program (RMP) of the Vermont Agency of Natural Resources, it is determined that the proposed development is not located or should not be located within the FEH area due to an error in delineating the FEH boundary. A letter of determination from the RMP shall constitute proof of that adjustment.
- 3) The Fluvial Erosion Hazard (FEH) District shall be superimposed over any other zoning districts. Where there is a conflict between the underlying zoning district and the FEH District, the more restrictive regulation shall apply.

(C) PERMITTED USES

The following uses, if so allowed within the underlying zoning district, are allowed in the FEH Area Overlay District upon meeting the District Development Standards in Section (H) and District Application Requirements in Section (I) and upon receiving the issuance of a zoning permit. The zoning permit shall be issued following receipt of written comments from the State, which will be incorporated under associated conditions of approval or reasons for denial.

- 1) Improvements to an existing structure that cumulatively do not increase the structural footprint by more than 500 square feet, and do not decrease the structure's existing setback distance from the stream channel, as measured horizontally from the nearest point of the structure to the top of bank.
- 2) Accessory structures to an existing principal structure that:
 - a) In total have a combined footprint area of no more than 500 square feet.
 - b) At a minimum, do not decrease the setback distance from the stream channel established by existing structures on the lot.
 - c) Are located within 50 feet of the existing primary building.
- 3) Recreational vehicles.

(D) PROHIBITED USES

The following uses and activities are specifically prohibited within the FEH Area Overlay District:

- 1) All new development, including new structures, dwellings, septic systems, and other infrastructure and utilities, except as specified under Sections (C), (E), and (F).
- 2) Junk or salvage yards.

- 3) The storage of floatable materials, chemicals, fertilizers, pesticides, explosives, flammable liquids, and other toxic or hazardous materials.
- 4) Fill, except as necessary to elevate existing structures above base flood elevation.

(E) CONDITIONAL USES

The following uses, if allowed within the underlying zoning district, are also allowed in the FEH Area Overlay District subject to conditional use review and approval by the Development Review Board prior to the issuance of a zoning permit:

- 1) Fill, only to elevate existing structures above base flood elevation as required within Special Flood Hazard Areas or as otherwise authorized by the State.
- 2) Infrastructure and utility improvements necessary to serve existing structures and uses that do not decrease the structure's existing setback distance from the stream channel, as measured horizontally from the nearest point of the structure to the top of bank.
- 3) At-grade parking for existing structures and uses.
- 4) New or replacement storage tanks for existing structures.
- 5) Grading and excavation.
- 6) Stream crossings and stream channel management activities, as authorized by the State.
- 7) Improvements to existing driveways, roads, bridges and culverts.
- 8) Public facilities which are functionally dependent upon their proximity to water.
- 9) New driveways and access roads.
- 10) Improvements to existing flood and stormwater management facilities, as authorized by the State River Management Program [RMP].
- 11) Outdoor recreation facilities, excluding structures.

(F) EXEMPT ACTIVITIES

The following activities are exempt from the requirements of this overlay district:

- 1) The removal of a structure of building in whole or in part.
- 2) Normal maintenance and repair of existing utilities and infrastructure (e.g., water and wastewater systems, driveways, roads, bridges and culverts, water impounded systems for the primary purpose of snow making and stormwater drainage systems).
- 3) Normal maintenance and repair of existing structures that involve no additions, expansions or relocations.
- 4) Lawns and gardens located outside of any required riparian buffer area, excluding grading, fill, terracing and structures.
- 5) Forestry (silviculture) activities, excluding structures, conducted in accordance with Vermont Department of Forests, Parks and Recreation Accepted Management Practices (AMPs).
- 6) Agricultural activities conducted in accordance with Vermont Agency of Agriculture, Food, and Markets Accepted Agricultural Practices (AAPs); however, no new or expanded farm structures, or manure, fertilizer or pesticide storage structures shall be constructed within the FEH overlay district, in accordance

with Section 4.07 the AAPs. Prior to the construction of any farm structure, written notification, including a sketch of the proposed structure and any required setbacks, must be filed with the municipality.

- 7) Power generation, transmission and telecommunications facilities regulated by the Vermont Public Service Board under 30 V.S.A. §248.

(G) DISTRICT DEVELOPMENT STANDARDS

- 1) All development within this district, unless specifically exempt from regulation under Section (F) above, shall meet the following standards, as applicable to the proposed use or activity:
 - a) Improvements to existing structures shall not decrease the distance between the structure and the stream channel as measured horizontally from the top of bank.
 - b) Fill is allowed within this district only as required to elevate existing structures above base flood elevation, or as otherwise authorized by the State in association with stream crossings, channel management activities, or other allowed activities within this District. Fill shall not decrease the existing distance between the structure and the top of bank.
 - c) New stream crossings by transportation and utility corridors shall be allowed only if it is determined by the Development Review Board that a new crossing is justified for routing, public or emergency vehicle access, and that there are no other viable routes or locations for a crossing outside the FER Overlay District or within an existing utility or road crossing. Stream crossings shall be located and designed in accordance with state guidelines, and to minimize fluvial erosion and flooding hazards both up- and downstream from the crossing area.
 - d) Bridges and culverts shall be located, designed, sized, and regularly inspected and maintained to minimize erosion as well as flooding hazards.
 - e) In this District all new and/or replaced utility lines, including water, sewer, power, telephone, and cable lines, shall be buried.
 - f) Recreational vehicles on the site will be fully licensed and ready for highway use.
- 2) In addition to other requirements for conditional uses under Section (E) of these regulations, the DRB, in consultation with the River Management Program (RMP), must find that conditional uses within this district shall not:
 - a) Increase the susceptibility of the property or other properties to fluvial erosion damage.
 - b) Increase the potential for materials to be swept into the stream channel or onto other land and cause damage from fluvial erosion.

(H) APPLICATION REQUIREMENTS

- 1) In addition to other required application materials and fees, applications for development within the FEH Overlay District shall include the following:
 - a) A project description, including the type and purpose of development, a description of alternatives considered to proposed development, including alternate locations on site, especially outside of the Fluvial Erosion Hazard Area, and why it must be located within, rather than outside of, the FEH Overlay District.
 - b) A general location map showing the location of the proposed development in relation to existing development, the FEH District boundaries, and the nearest public road.
 - c) A site plan of the property, drawn to scale, that shows all water bodies, the district boundaries; pre- and post-development grades and drainage; the location of existing structures, infrastructure, utilities and rights-of-way; and the shortest horizontal distance of the proposed development to the center line (or measured to the top of the nearest bank if not possible to measure to the center line) of any of the mapped stream channels.

- d) A state project review sheet that identifies required state permits and approvals.
 - e) Identification of the horizontal distance from the centerline of the nearest public road to the center line (or top of nearest bank if not possible to measure to the center line) of any stream.
 - f) Other information as deemed necessary to determine project conformance with district requirements. This may include an impact or other assessment of the site, prepared by a qualified professional.
- 2) The Administrative Officer [Zoning Administrator] shall refer complete applications for all development proposed within the FEH Overlay District to the RMP at the Vermont Agency of Natural Resources. No municipal permit or approval shall be issued until comments have been received from the State, or 30 days have elapsed from the date of referral, whichever is sooner.

(I) DECISIONS

Agency comments shall be incorporated as applicable in municipal findings and determinations. The Development Review Board (DRB) may recess the proceedings on any application pending submission of additional information.

(J) CERTIFICATES OF OCCUPANCY

Prior to the issuance of a certificate of occupancy by the Administrative Officer [Zoning Administrator] for development within this district, the applicant shall document that development has been completed as approved by the municipality, and that all applicable municipal and state permits have been obtained.

(K) WARNING AND DISCLAIMER OF LIABILITY

This Overlay District does not imply that land outside of the areas covered by this District will be free from fluvial erosion hazards. This regulation shall not create liability on the part of the Town of Warren, or any municipal official or employee thereof, for any flood or erosion damages that result from reliance on this regulation, or any administrative decision lawfully made hereunder.