

Underhill Center Village District: District Standards & Uses

Community Forums (Oct 2012)

Town Plan Recommendations: Underhill Center (currently Water Conservation District)

1. **Overlay District vs. Separate District** – The Planning Commission should examine whether to propose an overlay district or a separate zoning district for the Underhill Center Village district.
2. **Boundaries** – The Planning Commission shall hold public forums with community members to determine where the boundaries of the Underhill Center overlay or separate district should be.
3. **Lot Sizes, Setbacks** – The Planning Commission shall hold public forums on proposals as to lot size and set-backs in the Village Center district so that mixed use development, in-fill, and greater densities are encouraged. Examine and revise, if necessary, dimensional requirements to reflect different uses in the district(s).
4. **Uses** – The Planning Commission shall hold public forums on proposed types of permitted and conditional uses in this area. The Planning Commission shall gather information from citizens as to what kind of uses should be allowed and whether they should be allowed as permitted or conditional, in this zoning district. Give more precise definitions of uses allowed within this district.
5. **Purpose** – Once the Planning Commission has determined what types of uses shall be allowed in the district and how the district(s) shall be configured, they should propose a new definition for the district. Proposed Purpose:

To allow for the continuation of existing small-scale commercial, residential, and public uses and to encourage development that is compatible with and promotes a compact, historic village settlement pattern. This may include higher density of development as supported by existing and planned infrastructure, while being mindful of the important gravel recharge area.

6. **Gravel Recharge Area Regulations** – The Planning Commission, in consultation with the Conservation Commission, should develop regulations that give guidance to landowners as to how to protect the gravel recharge area while allowing for the proposed increased density of the Village Center.
7. **Community Septic Systems** – The Town shall encourage through regulations the development of community septic systems and innovative septic designs as allowed by the state to encourage the denser development of the proposed village center overlay district.
8. **Amend Regulations** – After public forums and consensus on the boundaries, uses, and dimensional lot requirements of the district, the Planning Commission will amend the land use and development regulations to allow for the new requirements of the district and recommend adoption of the amendments to the Selectboard.

[The Water Conservation] district encompasses the traditional village center of Underhill Center. In this district the zoning is for five-acre lots. This is not reflective of the current lot size, particularly in the village center, as many of the lots' creation preceded local zoning.

A problem with zoning that is not reflective of the actual traditional development pattern is that landowners on preexisting small lots are forced into variance hearings when they cannot meet the stated setbacks that would not be problematic for development on a 5-acre lot. This can add permitting time and expense for landowners that their neighbors do not have to expend. A remedy to this problem is to create a village center overlay district within the Water Conservation district that would allow for denser development, smaller lot sizes and set-backs. The requirements of the overlay district would encourage development in the traditional village center, while preserving the underlying goal of the zoning district, to protect the gravel aquifer recharge area.

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Purpose: The purpose of the Underhill Center Village District is to allow for the continuation of existing, small scale commercial, residential and public uses, and to allow for infill development that is compatible with and promotes the existing compact, pedestrian-friendly, historic village settlement pattern. This may include higher density of development as supported by existing and planned infrastructure, while being mindful of the important gravel recharge area.

	Current	Proposed
Residential Density		
Residential Use	NA	Max: 4 units/acre
Mixed Use	NA	Max: 2 units/acre
Lot Dimensions		
Lot Area	Min: 5.0 acres	Min: 0.50 acre [21,780 SF]
Road Frontage (along ROW)	Min: 300 feet	Min: 75 feet
Setbacks – Principal Structures		
Front (from road right-of-way)	Min: 30 feet NA	Min: 5 feet Max: 20 feet or average
Side (from property line)	Min: 50 feet	Min: 10/15 feet (one side)
Attached (e.g., townhouse)	NA	Min: 0 feet
Rear (from property line)	Min: 50 feet	Min: 15 feet
Setbacks – Accessory Structures		
Front (from road right-of-way)	Min: 30 feet	Behind building line
Side (from property line)	Min: 20 feet	Min: 10/15 feet (one side)
Rear (from property line)	Min: 20 feet	Min: 10 feet
Setbacks– Driveways		
Side – Single Driveway (from property line)	Min: 12 feet	Min: 3 feet
Side – Shared (from property line)	Min: 0 feet	Min: 0 feet
Building Stories – Principal Buildings		
Residential	NA	Min: 1.0 Story
Nonresidential, Mixed Use	NA	Min: 1.5 Stories
Structure Height	Max: 35 feet	Max: 35 feet
Building Coverage (building footprints)	Max: 20%	Max: 30%
Lot Coverage (impervious surfaces)	Max: 30%	Max: 50%

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B. Permitted Uses:

1. Accessory Structure, Use (to a permitted use)
2. Agriculture (Section 10.2)
3. ~~Camp~~
4. Dwelling – Accessory (Section 4.2)
5. Dwelling – Single-family
6. Dwelling – Two-family
7. Forestry (Section 10.2)
8. Group Home (max: 8 residents; Section 4.11)
9. Home Child Care (max: 10 children; Section 4.8)
10. Home Occupation (Section 4.12)

Site Plan Review (see E.2):

11. Bed & Breakfast (max: 5 guest rooms; Section 4.6)
12. Public Facility (see E.12, Section 4.16)
13. Place of Worship (see E.12, Section 4.16)
14. ~~Wildlife Management Area~~

C. Conditional Uses:

1. Accessory Structure, Use (to a conditional use)
2. Adaptive Reuse (Section 4.3)
3. ~~Campground (Section 4.5)~~
4. Cemetery
5. Community Center
6. ~~Contractor's Yard (Section 4.7)~~
7. Cultural Facility
8. Day Care Facility (Section 4.8)
9. Dwelling – Multifamily (max: ~~8~~ 4 units)
10. ~~Extraction and Quarrying (Section 4.9)~~
11. Funeral Home
12. Garden Center
13. Health Clinic
14. Home Industry (Section 4.12)
15. Inn (max: 24 guest rooms; Section 4.6)
16. ~~Kenel~~
17. Mixed Use (Section 4.13)
18. Nature Center
19. Office
20. Outdoor Market
21. Personal Service
22. Private Club
23. Public Facility (see E.12; Section 4.16)
24. Recreation– Indoor
25. Recreation– Outdoor
26. Residential Care Facility (Section 4.11)
27. Restaurant (max: ~~90~~ 40 seats, no drive-through)
28. Retail Store (max: 2,500 SF)
29. School– Public, Private (see E.5, Section 4.16)
30. Snack Bar
31. Telecommunication Facility (Section 4.18)
32. Transit Facility
32. Veterinary Clinic

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Supplemental District Standards:

1. All allowed uses within this district must meet applicable general standards for development under Article III. Specified uses are also required to meet applicable use standards under Article IV.
2. Agriculture, forestry, single and two family dwellings, and associated accessory uses (including group home, home child care, and home occupations) do not require site plan review. All other permitted uses are subject to site plan review under Section 5.3. Such uses must receive site plan approval from the Development Review Board prior to the issuance of a zoning permit. Conditional uses are subject to conditional use review under Section 5.4 and must receive conditional use approval from the Development Review Board prior to the issuance of a zoning permit.
3. Maximum square footage (SF) limitations listed above for specified uses within this district refer to the maximum total gross floor area.
4. A minimum side setback of 15 feet is required on one side of the lot to accommodate a driveway and rear lot access by emergency vehicles and equipment, unless shared or an alternative rear lot access can be provided. Driveways shall be located not less than 3 feet from side and rear lot lines unless waived by the Development Review Board for shared driveways and for nonconforming lots with limited frontage [see Sections 3.2(D)(8) and 3.7(E)(3)].
5. A consistent building line (defined by primary building facades) shall be maintained along all road rights-of-way. The maximum front setback distance for principal structures shall equal the greater of 20 feet or the average of the front setback distances of principal structures on adjoining lots.
6. The principal building(s) and building entrance(s) shall be oriented parallel (facing) or perpendicular to the road right-of-way, and accessed from the right-of-way by a pedestrian walkway.
7. The following may encroach within the front setback area outside of the road right-of-way, subject to the issuance of a waiver by the DRB under Section ____: bay windows, porches, stairs, galleries, awnings, outdoor display, seating and dining areas, fencing (see Section ____) and signs (see Section ____). Encroachments shall not block pedestrian walkways nor interfere with corner sight distances for motor vehicles.
8. No building in this district shall exceed 35 feet in height (see Section ____). A principal, commercial building of less than two stories must have a pitched roof that, at minimum, is designed to accommodate 1.5 stories. A principal commercial building of two or more stories may have a flat roof.
9. Nonresidential uses shall be separated and screened from adjoining residential properties through the use of landscaping and architecturally compatible fencing or screening.
10. Onsite parking in this district shall be located to the side or rear of principal buildings, behind the building line. Nonresidential parking areas shall be screened from public rights-of-way and adjoining residential properties through the use of landscaping and architecturally compatible fencing or screening.

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11. For development subject to subdivision, site plan or conditional use review, the DRB may require increased side and rear setbacks, landscaping, and screening along property lines as necessary to provide privacy or to minimize the visual and physical impacts (noise, glare, etc.) of nonresidential development on adjoining residential properties and uses.
12. Public Facilities (see also 4.16):
 - a. Public facilities allowed as a permitted use within this district, subject to site plan review, are limited to places of worship and facilities owned and operated by the Town of Underhill or other public agency that are open to the public and intended for general public access or use (e.g., town office, town hall, post office, public park, playground), with the exception of public or private schools or other educational facilities certified by the Vermont Department of Education, which are conditional uses in this district.
 - b. Public facilities allowed as conditional uses within this district, in addition to schools, are limited to other facilities that serve the public, but are not intended for general public access or use (e.g., fire and ambulance stations, town garage, transfer station, public water, regulated utility or wastewater facility).
 - c. Other institutional uses (e.g., correctional facilities, hospitals) and hazardous and solid waste management facilities are specifically prohibited in this zoning district.
13. Planned residential and planned unit developments (PRDs, PUDs) are allowed within this district to promote clustered development that maintains historic village settlement patterns and densities, minimizes the amount of impervious surface and impacts to groundwater recharge areas, avoids development in flood hazard areas, protects significant natural resources identified in the Underhill Town Plan, promotes the development of affordable housing in appropriate locations and provides open space, including parks, courtyards and playground areas. Dimensional standards may be modified or varied accordingly under Article IX.