

**UNDERHILL UNIFIED  
LAND USE & DEVELOPMENT REGULATIONS**

**Adopted March 1, 2011  
Amended March 6, 2012  
Amended March 4, 2014**

**Amended March 8, 2018  
Amended March 3, 2020**

		<u>PAGE</u>
<b>ARTICLE I.</b>	<b>AUTHORITY &amp; PURPOSE</b>	
Section 1.1	Enactment	1
Section 1.2	Purpose	1
Section 1.3	Application & Interpretation	1
Section 1.4	Effective Date	2
Section 1.5	Bylaw Amendments	2
Section 1.6	Severability	2
<b>ARTICLE II.</b>	<b>ZONING DISTRICTS</b>	
Section 2.1	Zoning Districts & Zoning Map	3
Section 2.2	Boundary Interpretations	3
Section 2.3	Application of District Standards	5
	District Tables	
Table 2.1	District Summary Table	7
Table 2.2	Underhill Flats Village Center District	9
Table 2.3	Underhill Center Village District	12
Table 2.4	Rural Residential District	15
Table 2.5	Water Conservation District	18
Table 2.6	Mt. Mansfield Scenic Preservation District	21
Table 2.7	Soil and Water Conservation District	24
Table 2.8	Flood Hazard Area Overlay District	27
<b>ARTICLE III.</b>	<b>GENERAL REGULATIONS</b>	
Section 3.1	Abandoned & Damaged Structures	29
Section 3.2	Access	30
Section 3.3	Conversion or Change of Use	<del>33</del> <u>31</u>
Section 3.4	Equal Treatment of Housing	<del>34</del> <u>32</u>
Section 3.5	Fences & Walls	<del>35</del> <u>33</u>
Section 3.6	Height Requirements	<del>36</del> <u>34</u>
Section 3.7	Lot, Yard & Setback Requirements	<del>38</del> <u>36</u>
Section 3.8	Nonconforming Lots	<del>39</del> <u>37</u>
Section 3.9	Nonconforming Structures	<del>40</del> <u>38</u>
Section 3.10	Nonconforming Uses	<del>40</del> <u>39</u>
Section 3.11	Outdoor Lighting	<del>41</del> <u>40</u>
Section 3.12	Outdoor Storage	<del>42</del> <u>41</u>
Section 3.13	Parking, Loading & Service Areas	<del>44</del> <u>42</u>
Table 3.1	Minimum Off-Street Parking Requirements	<del>44</del> <u>43</u>

**ARTICLE III. GENERAL REGULATIONS**

Section 3.14	Performance Standards	<u>4645</u>
Section 3.15	Ponds	<u>4746</u>
Section 3.16	Signs	<u>5049</u>
Section 3.17	Source Protection Areas	<u>5553</u>
Section 3.18	Steep Slopes	<u>5655</u>
Section 3.19	Surface Waters & Wetlands	<u>6362</u>
Section 3.20	Swimming Pools	<u>6766</u>
Section 3.21	Tennis Courts	<u>6866</u>
Section 3.22	Tiny Houses	<u>6866</u>
Section 3.23	Water Supply & Wastewater Systems	<u>6866</u>

**ARTICLE IV. SPECIFIC USE STANDARDS**

Section 4.1	Applicability	<u>7169</u>
Section 4.2	Adaptive Reuse of Historic Structures	<u>7169</u>
Section 4.3	Camper (Recreation Vehicle, Temporary Shelter)	<u>7270</u>
Section 4.4	Campground	<u>7371</u>
Section 4.5	Commercial Lodging (Bed & Breakfast, Inn)	<u>7472</u>
Table 4.1	Summary of Commercial Lodging Facility Standards	<u>7472</u>
Section 4.6	Contractor's Yard	<u>7573</u>
Section 4.7	Day Care Facility (Home Child Care, Day Care Facility)	<u>7573</u>
Section 4.8	Extraction & Quarrying	<u>7674</u>
Section 4.9	Gas Station	<u>8381</u>
Section 4.10	Group & Residential Care Homes	<u>8482</u>
Section 4.11	Home Business (Home Occupation, Home Industry)	<u>8482</u>
Table 4.2	Summary of Home Occupation & Home Industry Standards	<u>8785</u>
Section 4.12	Mixed Use	<u>8785</u>
Section 4.13	Mobile Home Park	<u>8886</u>
Section 4.14	Motor Vehicle Service & Sales	<u>9088</u>
Section 4.15	Multi-Dwelling Structures (Accessory Dwellings, Two-Family Dwellings and Multi-Family Dwellings)	<u>9290</u>
Table 4.4	Summary of Multi-Dwelling Structures	<u>9593</u>
Section 4.16	Public Facility	<u>9594</u>
Section 4.17	Salvage Yard	<u>9695</u>
Table 4.4	Salvage Yard Minimum Setback Requirements	<u>9897</u>
Section 4.18	Telecommunications Facility	<u>10099</u>
Section 4.19	Temporary Structure or Use	<u>109108</u>

**ARTICLE V. DEVELOPMENT REVIEW**

Section 5.1	Applicability	<u>111110</u>
Section 5.2	Development Review Process	<u>112111</u>
Section 5.3	Site Plan Review	<u>114113</u>
Section 5.4	Conditional Use Review	<u>119118</u>
Section 5.5	Waivers & Variances	<u>122121</u>

	<u>PAGE</u>
<b>ARTICLE VI. FLOOD HAZARD AREA REVIEW</b>	
Section 6.1 Statutory Authorization & Effect	<del>126</del> <u>125</u>
Section 6.2 Statement of Purpose	<del>127</del> <u>126</u>
Section 6.3 Lands to Which Regulations Apply	<del>127</del> <u>126</u>
Section 6.4 Permit Requirements	<del>128</del> <u>127</u>
Section 6.5 Development Review Procedures	<del>130</del> <u>129</u>
Section 6.6 Flood Hazard Area Development Standards	<del>131</del> <u>130</u>
Section 6.7 Nonconforming Structures	<del>134</del> <u>133</u>
Section 6.8 Variances	<del>134</del> <u>133</u>
Section 6.9 Administration & Enforcement	<del>135</del> <u>134</u>
<b>ARTICLE VII. SUBDIVISION REVIEW</b>	
Section 7.1 Purpose	<del>138</del> <u>137</u>
Section 7.2 Applicability [Minor, Major]	<del>138</del> <u>137</u>
Section 7.3 Sketch Plan Review	<del>140</del> <u>139</u>
Section 7.4 Application Requirements	<del>142</del> <u>141</u>
Section 7.5 Preliminary Subdivision Review	<del>143</del> <u>142</u>
Section 7.6 Final Subdivision Review	<del>145</del> <u>144</u>
Section 7.7 Plat Recording Requirements	<del>146</del> <u>145</u>
Section 7.8 Revisions to an Approved Subdivision	<del>147</del> <u>146</u>
<b>ARTICLE VIII. SUBDIVISION STANDARDS</b>	
Section 8.1 Applicability	<del>149</del> <u>148</u>
Section 8.2 General Standards	<del>150</del> <u>149</u>
Section 8.3 Natural & Cultural Resources	<del>153</del> <u>152</u>
Section 8.4 Open Space & Common Land	<del>158</del> <u>157</u>
Section 8.5 Stormwater Management & Erosion Control	<del>159</del> <u>158</u>
Section 8.6 Transportation Facilities	<del>161</del> <u>160</u>
<del>Table 8.1 Travel Lanes and Shoulder Widths, Rural Roads</del>	<del>165</del>
Section 8.7 Public Facilities & Utilities	<del>167</del> <u>162</u>
Section 8.8 Legal Requirements	<del>169</del> <u>165</u>
<b>ARTICLE IX. PLANNED UNIT DEVELOPMENT</b>	
Section 9.1 Purpose	<del>171</del> <u>166</u>
Section 9.2 Applicability	<del>171</del> <u>166</u>
Section 9.3 Application Requirements	<del>172</del> <u>167</u>
Section 9.4 Review Process	<del>173</del> <u>168</u>
Section 9.5 General Standards	<del>174</del> <u>169</u>
<b>ARTICLE X. ADMINISTRATION &amp; ENFORCEMENT</b>	
Section 10.1 Permits & Approvals	<del>176</del> <u>171</u>
Section 10.2 Exemptions	<del>177</del> <u>172</u>

	<u>PAGE</u>
<b>ARTICLE X. ADMINISTRATION &amp; ENFORCEMENT</b>	
Section 10.3 Zoning Permit	<u>179174</u>
Section 10.4 Certificates of Occupancy & Compliance	<u>182177</u>
Section 10.5 Appeals	<u>184179</u>
Section 10.6 Violations & Enforcement	<u>186181</u>
Section 10.7 Administrative Requirements & Procedures	<u>187182</u>

**ARTICLE XI. DEFINITIONS**

Section 11.1 Terms & Usage	<u>193188</u>
Section 11.2 General Definitions	<u>193188</u>
Section 11.3 Flood Hazard Area Regulation Definitions	<u>218213</u>
Section 11.4 Telecommunications Facility Regulation Definitions	<u>222217</u>

**ZONING MAP**

---

**APPENDICES**

Except where specifically incorporated by reference, the following Appendices are not part of the adopted bylaw. These documents are provided as recommended by the Planning Commission and Development Review Board as guidelines to aid applicants in meeting bylaw standards.

- A Road and Driveway Standards
  - 1. [Reserved, Underhill Highway Ordinance]
  - 2. VT A-76 Standards for Town and Development Roads
  - 3. VT B-71 Standards for Residential and Commercial Drives
  - 4. Diagrams
  - 5. Vermont State Design Standards  
(<http://www.aot.state.vt.us/progdev/standards/statabta.htm>)
  
- B Low Impact Development Guides
  - 1. Low Impact Development for Homeowners and Developers (VANR Brochure)
  - 2. Vermont Low Impact Development Guide for Residential and Small Sites
  - 3. Additional Resources (Publications, Web Sites, etc.) – available at Town Office
  
- C Landscaping Guides
  - 1. Lists of Native and Salt Tolerant Species
  - 2. Additional Resources (Publications, Web Sites, etc.) – available at Town Office