

# Town of Manchester, Vermont

## Zoning Ordinance



Adopted by the Selectboard on October 24, 1983

Includes all subsequent amendments; most recently  
effective as of April 2013

# MANCHESTER ZONING ORDINANCE

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Additional Maps for General Planning and Informational Purposes Only: Flood Hazard Areas, Wetlands, Biological Areas, Topographic Map





**Building, Accessory:** Any building which is subordinate to and whose use is incidental and accessory to the use of the principal building on the same lot, or an adjoining lot under the same ownership. Garages and other similar buildings which are more sizable and more actively or directly related to the principal building shall be considered primary, not accessory buildings for purposes of setback requirements. An accessory building shall be one which is not attached to the principal building by any covered porch, breezeway or other roofed structure. (Amended 7/2000)

**Building Area or Coverage:** The ground area enclosed by the walls of a building, together with the area of all covered porches and other roofed portions, excluding eaves. (Amended 7/2000)

**Building Height:** The distance between the average grade level of a structure and a point which equals the average between the highest ridge of the roof and the lowest eave height of that roof at the top plate. The height of antenna structures, wind turbines with blades less than 20 feet in diameter, or rooftop solar collectors less than 10 feet high, any of which are mounted on complying structures, are not regulated unless otherwise governed under §8.10 (Design Review) or §8.21 (Wireless/Telecommunications Facilities). (Amended 8/05)

**Business Services:** Establishments primarily engaged in rendering services to business establishments on a fee or contract basis, such as advertising, building maintenance, management & consulting, equipment rental, and other similar services as approved by the Development Review Board (new definition, 5/2000)

### 1.03 C

**Change of Use:** Any change of use from one category of use to another (e.g. residential to commercial, etc.) or within a category of use (e.g. one retail use to another, one manufacturing use to another, or from single-family use to two-family or multi-family use). A change of use shall also include any change of character of the business activity (e.g., retail to wholesale).

**Child care/day care facility:** Any place, operated as a business or service on a regular or continuous basis whether for compensation or not, which provides child care. Child care is the developmentally appropriate care, protection, and supervision which is designed to ensure wholesome growth and educational experiences for children outside of their homes for periods of less than 24 hours. (consistent with State regs when amended, 3/95)

**Club:** Building or use catering exclusively to the members of an organization and their guests for recreational purposes and not operated primarily for profit.

**Condominium:** Privately owned dwelling units as defined in the condominium ownership act of the State of Vermont.









vehicles placed on a site for greater than 180 consecutive days. For insurance purposes the term "manufactured home" does not include park trailers, travel trailers, and other similar vehicles. *(Amended 7/91)*

Mobile homes are not prohibited by this bylaw except to the same extent as conventional housing is restricted or regulated, and as provided in the sections of flood hazard areas (§8.2 et seq.) and mobile home parks (§8.5 et seq.).

**Mobile Home Park:** Any premises used or permitted to be used for parking of more than two mobile homes.

**Motel:** A building or group of detached or connected buildings designed or intended to be used primarily for providing sleeping accommodations for travelers, or for seasonal occupancy. An automobile court or tourist court or motor lodge shall be deemed to be a motel.

**Motel/Hotel Unit:** A hotel/motel room customarily designed for occupancy by one or two people.

#### 1.14 N

**Non-conforming Building or Structure:** A building, structure, or part of a structure that does not conform to the present bylaws, but was in conformance with all applicable laws, ordinances, and regulations prior to the enactment of the present bylaws, including a structure improperly authorized as a result of error by the administrative officer. *(Amended 7/00 & 8/05)*

**Nonconforming lots or parcels:** Lots or parcels that do not conform to the present bylaws covering dimensional requirements, but were in conformance with all applicable laws, ordinances, and regulations prior to the enactment of the present bylaws, including a lot or parcel improperly authorized as a result of error by the administrative officer. *(Added 8/05)*

**Nonconforming use:** Use of land that does not conform to the present bylaws, but was in conformance with all applicable laws, ordinances, and regulations prior to the enactment of the present bylaws, including a use improperly authorized as a result of error by the administrative officer. *(Added 8/05)*

**Nonconformity:** a nonconforming use, structure, lot, or parcel. *(Added 8/05)*

**Non-conforming Use:** A use of land or of a structure which does not comply with the provisions of this bylaw, where such use existed and conformed to all applicable laws, ordinances, and regulations prior to the enactment of this bylaw and any pertinent amendment hereto.

















Approval shall be based on a site development plan, prepared in conformance to the requirement of §3.4, and failure of the development to conform to such Site Plan shall constitute a violation of this Bylaw.

The Development Review Board shall act to approve or disapprove any such requested conditional use within 45 days after the date of the final public hearing, and failure to so act within such period shall be deemed approval.

### **3.4 SITE DEVELOPMENT PLAN** *(amended 7/94, 7/95, & 8/05).*

#### **1.A. Zoning Applications**

Zoning applications for anything other than a single-family residence or allowable uses therein shall be accompanied by a Site Development Plan (site plan) conforming to the requirements of this section. No permits shall be issued for the aforementioned uses until approval has been granted by the Zoning Administrator or the Development Review Board, as herein provided.

The Zoning Administrator shall review all applications for permitted uses (not including conditionally permitted uses) according to the following standards, excepting only those permitted uses that require an Act 250 permit as provided in 10 V.S.A. Chapter 151. Projects subject to Act 250 shall be reviewed for site plan approval by the Development Review Board.

The ZA may approve applications for one and two family dwellings and accessory structures (except where design review is required; then, ZA approval must be contingent upon that); changes of use in existing buildings where no new impacts as compared with existing uses may reasonably be anticipated; and other amendments to administrative permits where conformance with the bylaw is found. The ZA may also approve minor amendments to permits issued by the DRB (or PC or ZBA if a project predates the existence of the DRB), where no material changes or impacts are expected, and where bylaw conformance is found.

Administrative site plan review shall be conducted as described in this section. In general, new commercial, professional, or industrial development will require review by the Development Review Board, as will projects requiring a hearing before Act 250. General and site specific conditions shall be attached to all permits, as appropriate and necessary for each application, to implement relevant bylaw provisions and Town Plan policies.

However, the authority to approve an application administratively does not mean that the ZA is required to do so. The ZA reserves the right to refer any application to the DRB where it is deemed that Board level review or interpretation is appropriate or necessary. In such cases, the applicant shall be responsible for any additional fees or submittals needed for Board review.





B. The Site Development Plan shall show:

- i. Boundaries, dimensions, and total area of the lot;
- ii. Existing and proposed buildings on the lot and on adjacent lots within a distance of 50 feet from the subject lot;
- iii. Existing and proposed streets and driveways adjacent to and within a distance of 50 feet from the subject lot;
- iv. Proposed pedestrian and vehicular circulation, including parking areas, service areas, loading zones, and points of access to public rights of way;
- v. Existing and proposed landscaping, trees, shrubs, hedges, greenspace, benches and other pedestrian amenities, open space, open space linkages, park and playground facilities, and bodies of water;
- vi. Existing and proposed easements, rights-of-way, and other encumbrances upon the land;
- vii. Tables or charts describing relevant site statistics, including but not limited to total project acreage, undevelopable land calculations, total greenspace, required and proposed parking, % of building coverage, maximum building heights, gross square footage and active floor area, landscaping details, and lighting details;
- viii. Existing and proposed exterior lighting;
- ix. Existing and proposed grading, at a scale which is appropriate for the site and sufficiently clear to demonstrate the nature of the proposal and its potential impacts;
- x. Location of dumpsters or other exterior recycling/waste disposal facilities;
- xi. Potential or proposed location(s) of itinerant vendors;
- xii. Stormwater drainage/discharge plans;
- xiii. The proposed treatment of the perimeter of the lot, including buffers, and, where appropriate, integration with adjacent lots; and
- xiv. Any other information as may be required to adequately assess the proposed project.

3. The Development Review Board shall act to approve or disapprove any such Site Plan within sixty (60) days after the date upon which it receives the proposed plan, and failure to so act within such period shall be deemed approval.

**3.5 RESERVED**

Table of Land Uses and Zoning Districts  
as related to  
§3.6 of the Zoning Ordinance and 24 VSA §4413 (Added 8/05)

	state owned & operated facilities	municipally owned & operated facilities	public & private schools	churches, et al	public & private hospitals	regional solid waste facilities	hazardous waste management facilities
C-1	✓	✓	✓	✓	✓		
C-2	✓	✓	✓	✓	✓		
C-3	✓	✓	✓	✓	✓		
GR-1		✓	✓	✓	✓		
GR-2		✓	✓	✓	✓		
GR-3		✓	✓	✓	✓		
SR							
FRR		✓					
FR							
TC-2, TC-3	✓	✓	✓	✓	✓		
TC-4							
IND 1-5	✓	✓	✓	✓	✓	I-5 only	I-5 only









#### **4.1.5 Accessory Uses Permitted in Farming and Rural Residential Zone**

- (1) Accessory uses customarily incidental to a permitted use on the same lot. Accessory buildings shall not be used for dwelling purposes.
- (2) Accessory uses to a conditional use, §4.1.4, are permitted only when applied for, and are granted as a part of the conditional use.





#### **4.2.5 Accessory Uses Permitted in Single Residential Districts**

- (1) Accessory uses customarily incidental to a permitted use on the same lot. Accessory buildings shall not be used for dwelling purposes.
- (2) Uses accessory to a conditional use, §4.2.4, are permitted only when applied for and are granted as a part of the conditional use.

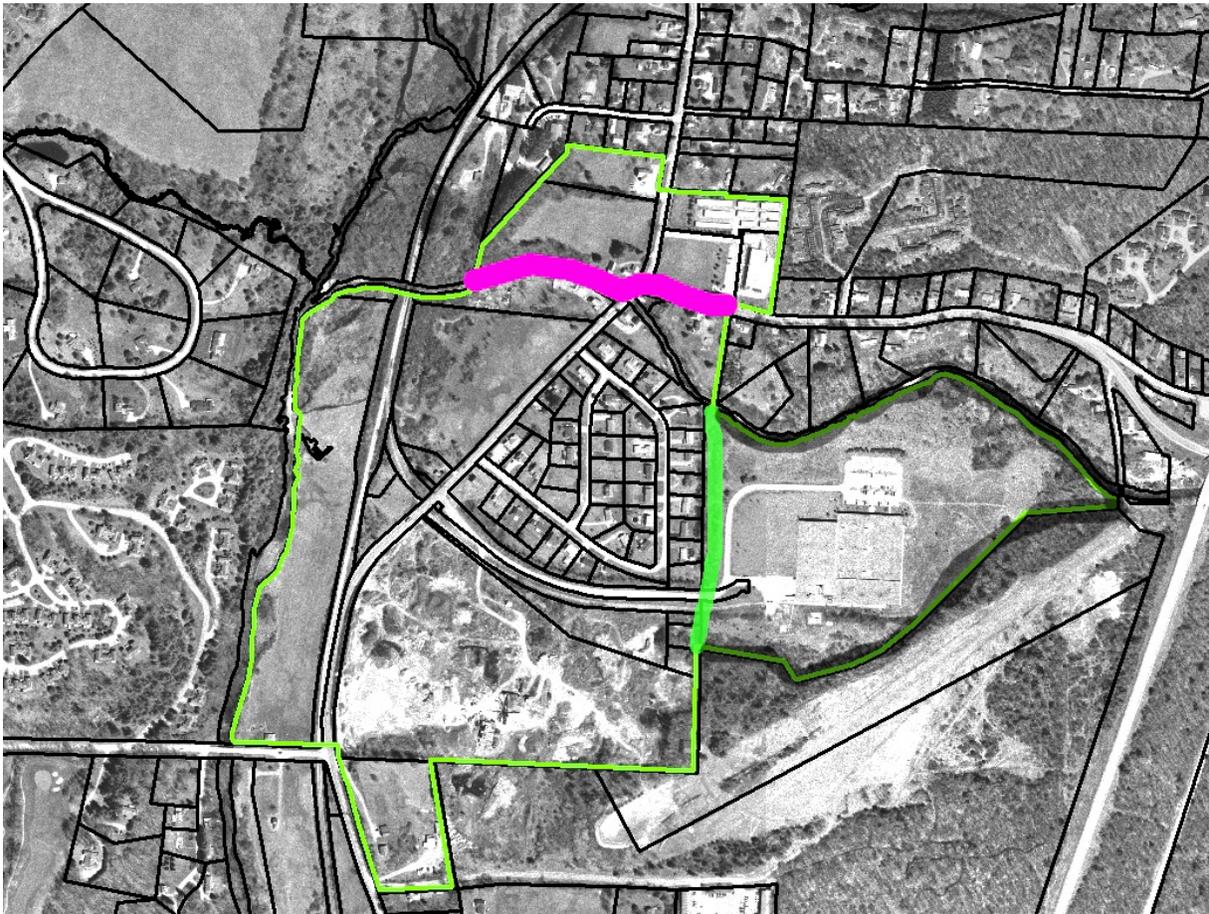












Division of GR-2 into two zoning districts: Mixed Use (north of Bourn Brook) and GR-2 (south of Bourn Brook)



#### 4.5.4 Permitted Uses in the Mixed Use District

- (1) Uses permitted in §4.3.3 (General Residential #1 Districts).
- (2) Post Office

#### 4.5.5 Conditional Uses Permitted in the Mixed Use District

The following may be permitted as conditional uses in the Mixed Use District, in conformance with the provisions of §3.3:

All uses conditionally permitted in the GR#1 District, except motels, hotels, and restaurants; nor are fast food restaurants permitted (*NOTE: need to add this clause in anywhere else in the bylaw where restaurants may be listed as a non-permitted use*). Maximum building coverage for non residential uses in this Mixed Use District may be up to 15%.

Conditional use review under §3.3.2 of the bylaw, “character of the area affected”, shall also include consideration of architectural and site design, as well as setbacks for buildings, parking lots, and accessory structures as related to the size and height of buildings, and the nature and intensity of land use and impacts thereof, to ensure reasonable compatibility with the neighborhood. The intent is to maintain and enhance the built and natural environments in these districts, and to avoid adverse impacts upon neighboring properties or uses, especially residences (*amended 6/2001*).

#### 4.5.6 Special Requirements, Conditional Industrial Uses in the Mixed Use District

Industrial uses as provided in §6.4.6 (1-3) that also meet the definition of Light Industry/Manufacturing, and that meet the standards described in §§6.4.01 - 6.4.05, §6.4.11, and as provided below:

##### **PERFORMANCE STANDARDS** (*added 7/1991 & amended 7/2001*)

- A. Maximum building coverage to land area is 15%. Buildings on the same lot shall be separated by at least 20 feet.
- B. At least 30% of the lot area shall be open, planted green space. Open space areas shall not be unduly isolated from one another by unrelated physical obstructions such as buildings and paved vehicular areas. Open space linkages to adjacent properties shall also be considered in the open space plan.
- C. Buildings shall be sited in an orderly, non-random fashion, and consideration shall be given to external design of buildings and related site improvements. Materials and design details shall take into account harmony and proportion and adjacent land uses. Buildings which are eligible for the















Historic Main Street has served as the core of the business community since the Town's early days. In many ways, it has retained many of the essential elements of traditional New England village character: historic architectural styles, buildings close to the street, on-street parking, an attractive streetscape, an intimate pedestrian atmosphere, and a true mixed-use environment. Main Street is still a place where folks can comfortably grab a bite to eat, make a variety of stops for business and pleasure, and converse with friends and acquaintances.

Although the built environment in the immediate Main Street area was constructed during the horse-and-buggy days, it has survived remarkably intact into these automobile-oriented times. Notably, it is that part of the District's streetscape, which was created before the automobile's powerful influence on the built environment, that is found most desirable today.

### 6.0.2 Definition

The Historic Main Street District is defined as that part of the Commercial-1 zone along Main Street, running from the Junction to Adams Park, as shown on the map below:

Historic Main Street  
Boundary 



### 6.0.3 Relationship to Other Bylaws



hotels & motels  
restaurants  
conversion of an existing residential or accessory building...into a professional building...,  
(as described in Section 4.3.4(8))  
Post offices

4. Retail
5. Municipal uses
6. Clubs
7. Business services, personal services, light manufacturing, or wholesaling

#### 6.0.6 Conditional Uses

The following may be permitted as a conditional use in the C#1 Districts in conformance with the provisions of §3.3:

1. Indoor private recreational facility..., (as described in Section 4.3.4 (10))
2. Places of amusement or assembly

#### 6.0.7 Accessory Uses

1. Accessory uses customarily incidental to a permitted use, on the same lot. The Development Review Board may permit the use of accessory buildings for dwelling purposes as part of a mixed use project.
2. Uses accessory to a conditional use, §6.1.5, are permitted only when applied for and are granted as part of the conditional use.

#### 6.0.8 Use of Existing Buildings

Full use of buildings existing on the date of adoption of this section of the bylaw (May 9, 2000) may be permitted by the Development Review Board, where it is demonstrated that the purposes and standards of this section are satisfied, and where it is demonstrated that the goals and policies of the Town Plan are satisfied (Part I Section 4, Part II Sections 1, 2, 5, and 8).

Full use of first floors may be permitted on an unrestricted basis for all uses permitted in the District. Full use of upper floors may be permitted on an unrestricted basis for non-retail uses. Retail uses may be permitted on upper floors only if all bylaw requirements are fully satisfied



Consideration shall be given to replacing streetlights with carriage lamp-style fixtures of a style more appropriate for the historic character of the District.

#### 6.O.11 Architectural Design

In any permit proceeding, consideration shall be given to how a project maintains or enhances the historic character of this District, in a manner consistent with the Town Plan and any adopted Design Guidelines. This is not intended to mean that this District should be treated as a museum, nor that each and every existing architectural element or structure must be retained "as-is". Rather, it requires a demonstration that proposed renovations, additions, or structures will be compatible with, and will enhance, the flavor and character of this historic District. Since this area is also a design district, a permit issued through the design review process will be considered proof that municipal goals and intent have been satisfied with regard to architectural design.

#### 6.O.12 Parking & Circulation

In general, landowners and the Town should seek to preserve and expand the supply of parking spaces. However, in certain cases, it may be preferable to shift around, consolidate, or delete parking spaces to help achieve other goals related to streetscape design, greenspace/landscape design, or public safety.

Parking requirements may be satisfied on-site as per §8.4. Alternatively, where good cause is demonstrated, and where the Development Review Board determines on a site-specific basis that on-site parking is neither feasible nor desirable, then appropriate mitigation shall be provided (for example, a contribution to a municipal parking fund in lieu of providing on-site parking).

In any permit proceeding, it must be demonstrated that relevant goals in the Town Plan, Transportation Plan, and any adopted Design Guidelines are satisfied. Toward that end, consideration shall be given to possibilities for improvements to pedestrian and vehicular circulation. At a minimum, the applicant/landowner shall propose alternatives for closing, sharing, or consolidating curbcuts, creating easements and links with adjoining uses or

properties, moving parking areas to rear yards, merging parking areas to create more effective and efficient use of land, and upgraded sidewalks, paths, and crosswalks.



#### **6.1.4 Permitted Uses in the Commercial #1 District**

Land may be used and buildings may be erected for the following uses:

- (1) Public and semi-public uses enumerated in §3.6;
- (2) Offices and banks;
- (3) Clubs;
- (4) Any use permitted or conditionally permitted in §4.3 (General Residential #1 District) and §4.4 (General Residential #2 Districts);
- (5) Municipal uses;
- (6) Newspaper and/or job printing;
- (7) Places of amusement or assembly;
- (8) Any other business, service establishment, light manufacturing or wholesaling.

#### **6.1.5 Conditional Uses Permitted in the Commercial #1 Districts**

The following may be permitted as a conditional use in the C#1 District in conformance with the provisions of §3.3:

- (1) Used car lots provided that such used car lots are not detrimental to the general neighborhood and are maintained so as not to create a nuisance. The number of used cars stored on the lot may be specifically limited by the Development Review Board.

#### **6.1.6 Accessory Uses Permitted in the Commercial #1 District**

- (1) Accessory uses customarily incidental to a permitted use, on the same lot. Accessory building shall not be used for dwelling purposes.
- (2) Uses accessory to a conditional use, §6.1.5, are permitted only when applied for and are granted as part of the conditional use.



### 6.2.3 Special Requirements

- (1) A continuous vegetated strip shall be maintained at a width of 20 feet from the front property (ROW) line, such strip to be interrupted only by pedestrian paths or driveways. No parking shall be permitted within such strip, and a variety of shade trees shall be planted every 20 feet.
- (2) Parking must conform to the requirements set forth in §8.4.

### 6.2.4 Permitted Uses in the Commercial #2 Districts

Land may be used and buildings be erected for the following uses:

- (1) Public and semi-public uses enumerated in §3.6;
- (2) Any permitted use in §4.3 (General Residential #1 District);
- (3) Professional Buildings and banks;
- (4) Restaurants;
- (5) Low-intensity retail businesses such as antiques, gifts, flowers, clothing, sporting goods, crafts, and other similar uses approved by the Development Review Board. Specifically prohibited are convenience stores, fast food restaurants, gas stations, and other such high traffic generators. (added back in & amended 6/96)

### 6.2.5 Conditional Uses in the C#2 Districts

The following may be permitted as conditional uses in the C#2 Districts, in conformance with the provisions of §3.3:

Accessory buildings customarily incidental to a permitted use on the same lot. Accessory buildings shall not be used for dwelling purposes.

### 6.2.6 Greenspace Performance Standards *(entirely new section; added 6/96)*

#### A. Purpose:

1. To clarify general landscaping, aesthetics, and screening requirements;
2. To clarify “base level” standards for landscaping, aesthetics, and screening that apply to all projects in the Commercial-2 zone; and
3. To clarify more desirable landscaping and aesthetic outcomes, above and beyond the base level standards, that in exchange for these qualitative improvements, would entitle a landowner to a reduction in quantitative requirements otherwise required by this Ordinance.



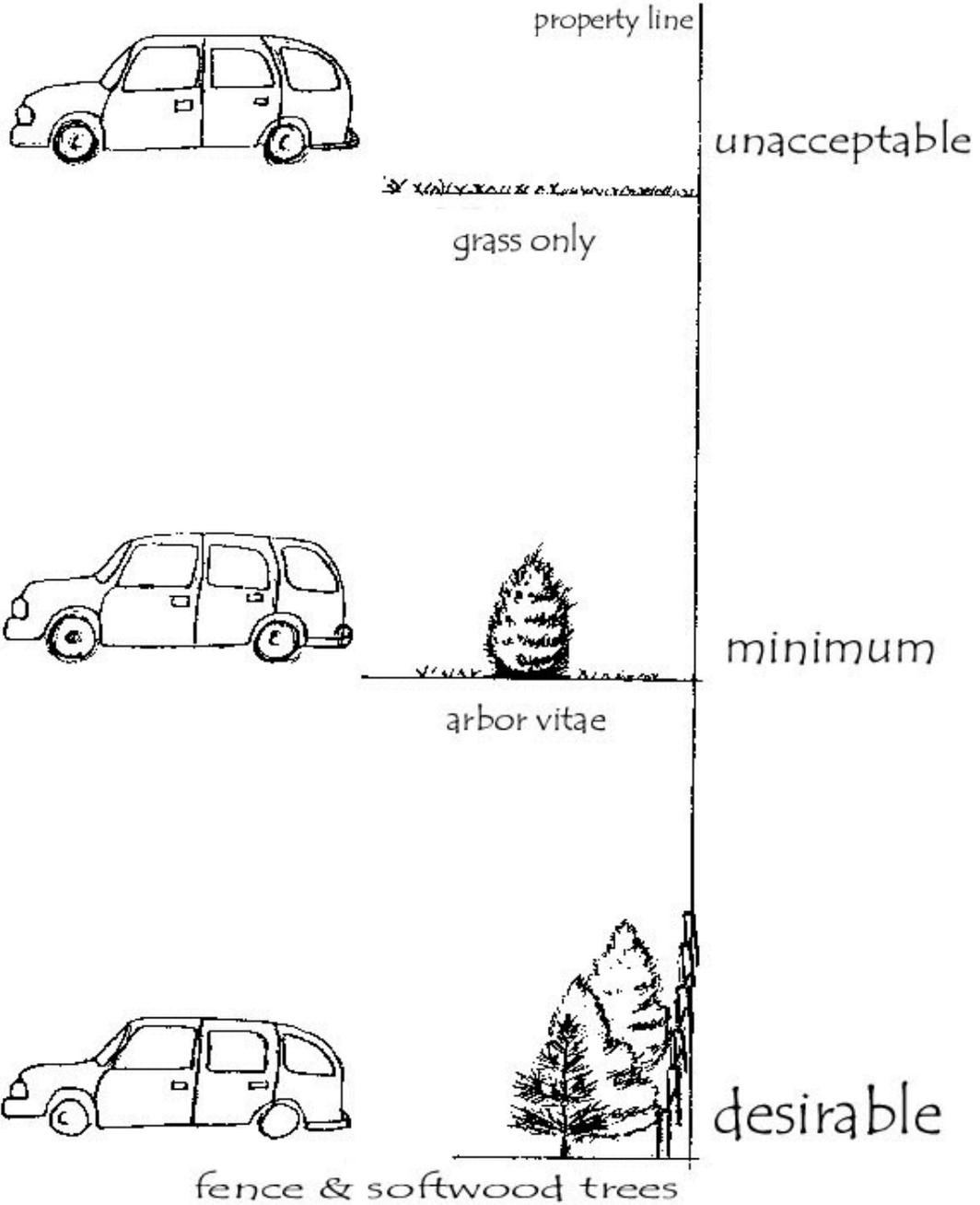




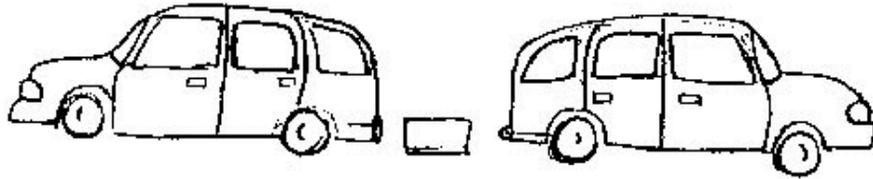




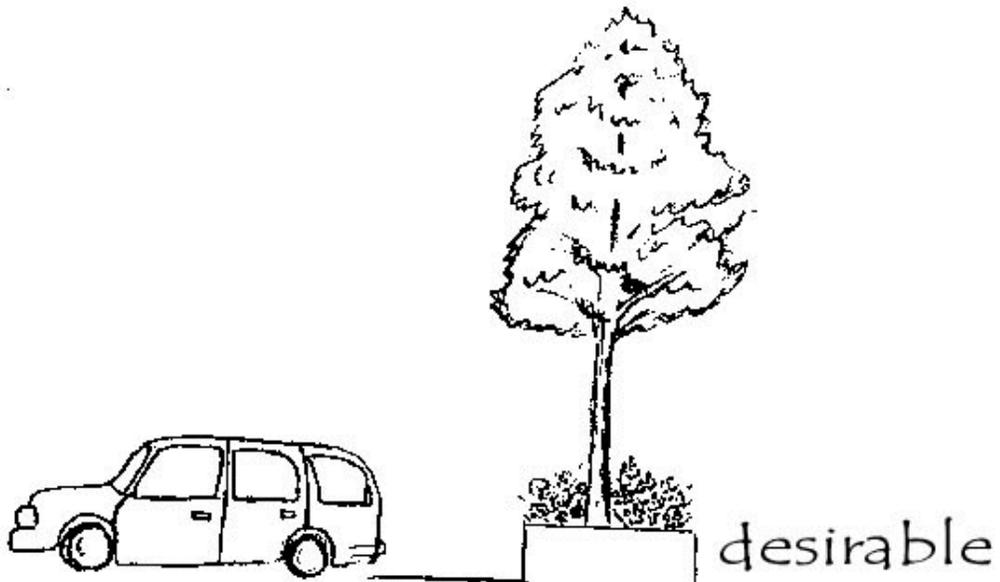
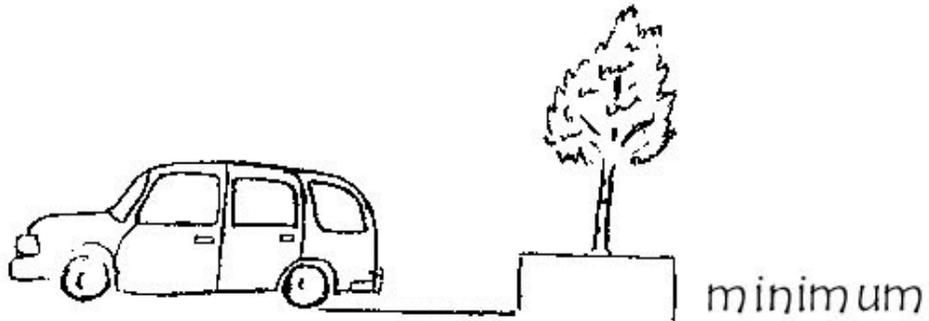
# Landscaping for setback buffers



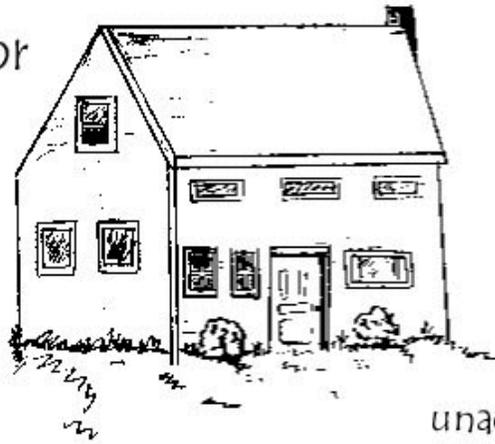
# Landscaping for parking lot islands



unacceptable



# Landscaping for buildings



unacceptable



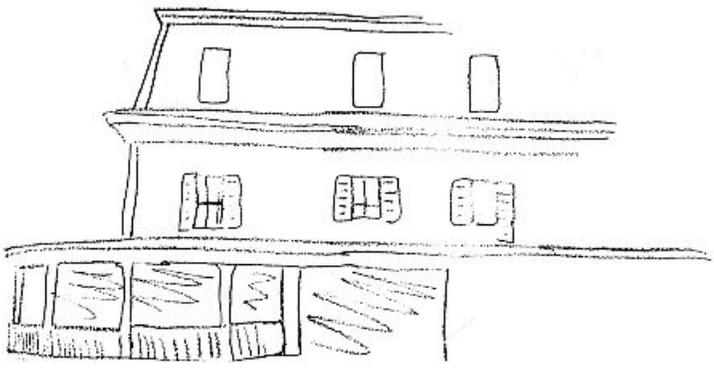
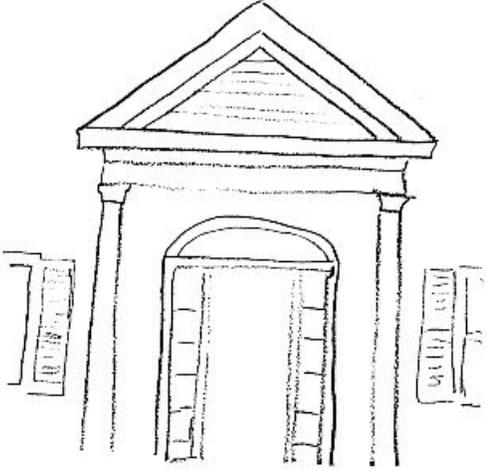
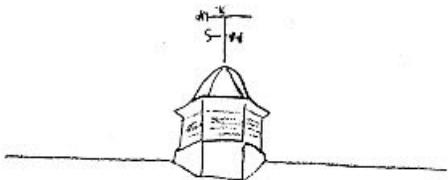
minimum



desirable

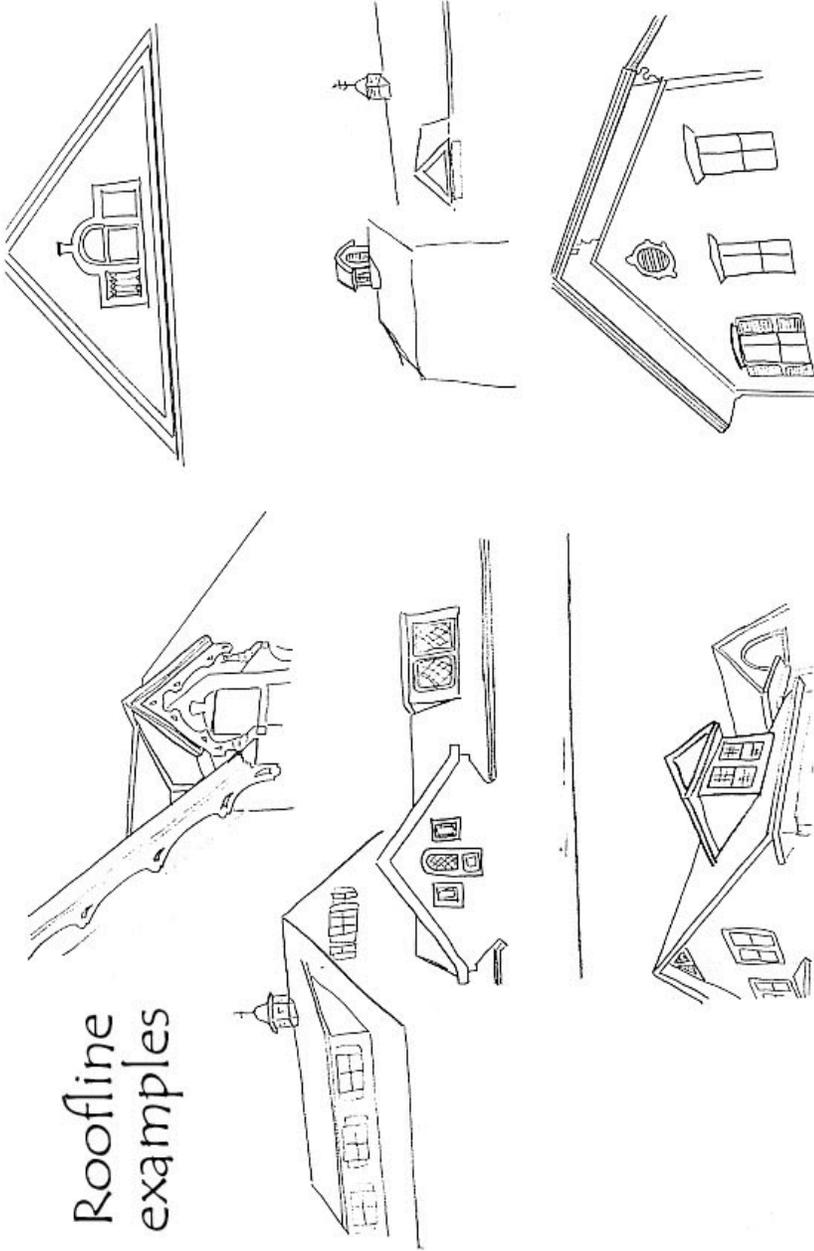


Porches & entryways - examples





# Roofline examples

























- A. Any manufacturing, compounding, processing, packaging, treatment or warehousing of materials or products;
- B. Offices and wholesale salesrooms directly related to the manufacturing or marketing of products manufactured or warehoused on the premises. Retail sales of "seconds," warehouse samples, and discontinued items can be held on an occasional basis (no more than 24 days a year);
- C. Housing for a caretaker or night watchman;
- D. Airports (I#4);
- E. Retail sales of bulk building materials which are typically warehoused, such as lumber, dimension stock, sheetrock and associated supplies, roofing materials and associated supplies, insulation, and other large items; this does not include hardware, hand tools, and other smaller items typically found on display or for sale in retail stores. (I#1 only; added 8/93).

Further clarification as to the specific items allowed for sale is available in the May 4, 1993 "Pricebook", officially referenced herein, which may be found in this amendment's adoption file in the Planning and Zoning Office.

NOTE: Any industry discharging waste containing solids, minerals, liquids or gases which are dangerous, noxious, injurious or offensive is prohibited.

- F. Commercial service business such as auto and truck repair, small engine repair, construction equipment repair or storage, or any other service business deemed appropriate by the Development Review Board, provided the following criteria are met:
  - i. No offensive smoke, noise, vibrations, dust, odors, heat, light, or glare shall be produced which may affect adjacent residential properties;
  - ii. The business creates no other undue adverse impacts upon residential properties;
  - iii. Parking shall conform to the requirements of §8.4;
  - iv. Retail sales are limited to those parts installed in connection with the service rendered.

G. Technical Service Businesses and Affiliated Land Uses (*Effective 6/97; amended 6/01*)

The purpose of this section is to create the opportunity to locate new primary businesses which require larger buildings than are appropriate or allowable in the zoning districts where professional buildings are permitted, while retaining the integrity of the zoning districts where smaller-scale professional uses have historically been located successfully. These new businesses, which require large









DEPOT STREET CORRIDOR (12/08)

Boundary: The boundary of this district is defined as the portion of the C-1 district running east along Depot Street (RT 11/30) from the Junction to the rk Miles hardware store property on the south side and Skunk Hollow Road on the north side (*please see map*).

DEPOT STREET CORRIDOR

Permitted Land Uses in the Depot Street Corridor:

The land uses permitted or conditionally permitted are as described in the underlying C-1 zoning district.

Relationship to Other Applicable Bylaws:

This section of the Zoning Ordinance shall be used and interpreted primarily on its own. The general regulatory mechanisms in the Zoning Ordinance remain intact, and all other relevant sections of the bylaw still apply in this district; however, where there are conflicts between this and other sections of this Ordinance, then this section shall control.

Dimensional Requirements:

The starting point, or base level dimensional requirements, related to building size, development density, etc . for any land use are as described in the underlying C-1 zoning district and any major development limitations that may apply. However, as an incentive to help implement the goals stated in the Town Plan, Transportation Plan, Design Guidelines, and purpose statement of this section, many of these dimensional standards may be modified where it is demonstrated that significant progress is made in achieving these goals. *NOTE: also needs a companion reference in §8.9.3 as we've done with other sections...* The “base” building size for purposes of calculating the incentives is a 3000 sq ft footprint, the maximum presently permitted for new retail buildings.

Goals to be achieved	Incentives Offered**
Consolidate curbcuts	2000 sq ft of add'l bldg footprint

Improved streetscape design:

Move buildings closer to the street, (Within the 15'-25' desired setback)	8 sq ft of add'l bldg footprint for every 10 sq ft of bldg footprint moved; or 5 sq ft of add'l bldg footprint for every 10 sq ft of bldg footprint removed and replaced
Convert front yard asphalt to front yard greenspace	1 sq ft of add'l bldg footprint for every 1 sq ft of asphalt-greenspace conversion
Inboard sidewalks	4 sq ft add'l bldg footprint for every linear foot of inboard sidewalk created
Mixed use project (non-retail uses on second floors, esp. residential; or at least 40% of a total project dedicated to non retail uses)	2 sq ft of add'l bldg footprint for every 3 sq ft of bldg dedicated to non-retail uses. No additional parking is required for upper floor residences. Where functional parking adequacy is demonstrated, upper floor professional uses may share parking with other uses.
High performance energy efficiency (defined here as LEED certified, and/or including alternative energy production, cogeneration, geothermal, microgrid installation, or other similar approaches)	1000 sq ft add'l building footprint
Strong emphasis on architectural design, demonstrating careful thought, and creative use of design, materials, and textures, in conformance with the Town's Design Guidelines, and considering "fit" within and enhancement of our historic downtown.	1000 sq ft add'l bldg. coverage or active floor area.
Outdoor dining as part of a mixed use project	No additional parking required.
Maximum building coverage/footprint	35% coverage*; 15,000 sf footprint limit*
Front yard setback	Shall fall within a range of 15'-25'
Building height	May exceed 30' to allow for proper roof pitch and design on larger buildings, subject to design review*.

\*Building design, coverage and footprint sizes shall be examined closely for conformance with the stated goals of this section as well as the Town's Design Guidelines. Where they are demonstrated to have practical, architectural, and functional importance for aesthetic design and pedestrian amenity, covered entries, porches and walkways may be excluded from building coverage calculations.

\*\*Incentives may be approved at the discretion of the Development Review Board. Landowners are encouraged to collaborate with adjoining owners to accomplish multiple goals. Any building approved under these incentives shall have at least two floors or stories above grade, for proper harmony and 'fit' into the streetscape, and to maximize the usefulness and adaptability of the building for current and future uses.

## Parking Areas:

Wherever possible, all parking areas shall be in the rear yard of any lot. Where it is demonstrated that appropriate design and screening is achieved, then parking may be considered in the side yard area(s). No new parking shall be allowed in a front yard, unless as part of reconfiguration of existing parking that demonstrates improvement or progress toward the goals of this section.

As noted above, effective parking<sup>1</sup> is the goal. Safe, comfortable, and well marked pedestrian and vehicular linkages with adjoining properties and public sidewalks will help satisfy the goals of this section, as will the demonstrated ability to share parking between uses and properties so that multiple uses can coexist without more parking or pavement. Parking shall be designed for the minimum needed to accommodate the regular demand that can reasonably be anticipated, not peak demand.

As part of redevelopment plans proposed in accordance with the goals described above, parking may be permitted in the transitional parking area in accordance with the general conditional use criteria and these specific conditions:

- A. Parking areas shall be set back at least ten feet from side lot lines, except for allowances for shared parking and access. For screening purposes, a landscaped buffer at least twenty feet deep shall be provided along all lot lines of adjoining residential properties or uses (or, if more appropriate, along the boundary of the parking area). Berms may be required for additional screening;
- B. Stormwater discharge, cut and fill, any other site work, and the parking area itself will not cause undue adverse impacts upon neighboring residential properties or uses.
- C. Each parking space provided in the rear yard or transitional parking area that satisfies the goals of this section shall count as 1.5 spaces toward the calculated parking requirements for land uses served by that parking. For projects or land uses utilizing the incentives described in this section, the 'base level' parking requirement shall be calculated for the project as a whole using current standards. Any bonuses or waivers shall then be deducted or recalculated based on that new total requirement. The parking area shall otherwise conform with design criteria of §8.4.
- D. Parking for any land use may be provided by the owner of the subject land, provided in the transitional parking area described herein, shared as described in §8.4.06, or leased or purchased under the same terms as provided for shared parking in §8.4.06.
- E. Lighting shall be directed downward and well-shielded, and glare shall not be cast into the sky nor onto neighboring properties.
- F. Unless specifically approved as part of a site plan, pedestrian or vehicular access to adjoining residential properties or uses shall be prohibited. This may be accomplished by fencing placed within the required screened buffers, or by other appropriate means as approved by the Development Review Board.
- G. Parking areas must be developed to function effectively with existing parking areas and access drives in both the C-1 district and the adjacent transitional parking area. Parking area design shall demonstrate consideration of and provision for future opportunities for improvement or expansion of pedestrian and vehicular access, circulation, and parking.
- H. Clearly defined, attractive, and safe pedestrian connections to C-1 district properties and the public sidewalk system shall be provided.
- I. Existing residential units shall either be retained or replaced in kind; the intent being no net loss in the number of dwelling units.

Architectural Design:

Architectural design shall be of a form, style, and scale that maintains and enhances those qualities and historical traditions described in the Town Plan. More specific, detailed guidance may be found in the Town’s Design Guidelines (*dated March, 2001, and incorporated herein by reference*). In any permit proceeding, consideration shall be given to how a project maintains or enhances a village type development pattern and the Town’s historic character, in a manner consistent with the Town Plan and adopted Design Guidelines.

Applications shall demonstrate that proposed renovations, additions, or structures will be compatible with, and will enhance, the streetscape and character of this corridor. Since this area is also a design district, a permit issued through the design review process will demonstrate that municipal goals and intent have been satisfied with regard to architectural design.

Streetscape Design & Pedestrian Amenities

In any permit proceeding, consideration shall be given to possibilities for enhancement of and improvements to streetscape design and pedestrian amenities, consistent with the Town Plan and the adopted Design Guidelines. At a minimum, the applicant/landowner shall propose alternative proposals that may include, but are not limited to: planting of street trees; greenspace and landscaped areas; park benches, inboard sidewalks; other pedestrian paths; doorways, porches, and entries that provide transition for and bridge the gap between public and private space; and carriage-type street or building lighting that is appropriate in style and design for this corridor.

Existing front yard greenspaces shall be maintained, enhanced, and expanded wherever possible. Applicants shall propose alternatives that protect or enhance greenspace areas and tree plantings.<sup>3</sup>

Consideration shall be given to the location, installation, and design of utility poles, power lines, and all associated infrastructure. Wherever feasible, power poles, lines, and related infrastructure shall be consolidated, buried, screened, or moved behind buildings.

As sites are proposed for redevelopment, plans shall also include elements that may provide for or promote a more lively street life; especially seating areas for outdoor dining. Consideration shall also be given to pre-defined sites for vendors.

<sup>1</sup>As recommended by TIC, “effective parking” should be located within reasonable proximity of the needs to be served, promote street safety, reduce pedestrian/vehicular conflicts, offer safe and comfortable resting places, as well as pathways and linkages with nearby commercial uses and the public sidewalk system. Effective parking facilities are attractively landscaped, easy to find, easy to use, balance short and long term needs, and encourage people to park and walk.

Effective parking also means effective and efficient use of land: ensuring sufficient parking for needs that can reasonably be anticipated on a regular basis; and sharing parking areas between uses owned or shared in common over time (day/night peaks, weekday/weekend peaks) and/or between land uses that share a single parcel or are on adjoining parcels.

**6.6 PLANNED INDUSTRIAL DEVELOPMENT OVERLAY - DELETED 12/11 AS PART OF A BROADER OVERHAUL OF THE INDUSTRIAL/TC#2/PID/GR2/MIXED USE BYLAWS**









RT 7A SOUTH CORRIDOR  
TRANSITIONAL PARKING AREA

Permitted Land Uses in the RT 7A South Corridor:

The land uses permitted or conditionally permitted are as described in the underlying C-1 zoning district.

Relationship to Other Applicable Bylaws:

This section of the Zoning Ordinance shall be used and interpreted primarily on its own. The general regulatory mechanisms in the Zoning Ordinance remain intact, and all other relevant sections of the bylaw still apply in this district; however, where there are conflicts between this and other sections of this Ordinance, then this section shall control.

Dimensional Requirements:

The starting point, or base level dimensional requirements, related to building size, development density, etc . for any land use are as described in the underlying C-1 zoning district and any major development limitations that may apply. However, as an incentive to help implement the goals stated in the Town Plan, Transportation Plan, Design Guidelines, and purpose statement of this section, many of these dimensional standards may be modified where it is demonstrated that significant progress is made in achieving these goals. *NOTE: also needs a companion reference in §8.9.3 as we've done with other sections...* The “base” building size for purposes of calculating the incentives is a 3000 sq ft footprint, the maximum presently permitted for new retail buildings.

Goals to be achieved	Incentives Offered**
Consolidate curbcuts	1000 sq ft of add'l bldg footprint
Improved streetscape design:	
Move buildings closer to the street (Within the 15'-25' desired setback)	4 sq ft of add'l bldg footprint for every 10 sq ft of bldg footprint moved; or 2.5 sq ft of add'l bldg footprint for every 10 sq ft of bldg footprint removed and replaced
Convert front yard asphalt to front yard greenspace	0.5 sq ft of add' bldg footprint for every 1.0 sq ft of asphalt-greenspace conversion

Inboard sidewalks	2 sq ft of add'l bldg footprint for every linear foot of inboard sidewalk created
Mixed use project (non-retail uses on second floors, esp. residential; or at least 40% of a total project dedicated to non retail uses)	1 sq ft of add'l bldg footprint for every 2 sq ft of bldg dedicated to non-retail uses. No additional parking is required for upper floor residences. Where functional parking adequacy is demonstrated, upper floor professional uses may share parking with other uses.
High performance energy efficiency (defined here as LEED certified, and/or including alternative energy production, cogeneration, geothermal, microgrid installation, or other similar approaches)	1000 sq ft add'l building footprint
Strong emphasis on architectural design, demonstrating careful thought, and creative use of design, materials, and textures, in conformance with the Town's Design Guidelines, and considering "fit" within and enhancement of our historic downtown.	500 sq ft add'l bldg. coverage or active floor area.
Outdoor dining as part of a mixed use project	No additional parking required.
Maximum building coverage/footprint	35% coverage*; 7000 sf footprint limit*
Front yard setback	Shall fall within a range of 15'-25'
Building height	May exceed 30' to allow for proper roof pitch and design on larger buildings, subject to design review*.

\*Building design, coverage and footprint sizes shall be examined closely for conformance with the stated goals of this section as well as the Town's Design Guidelines. Where they are demonstrated to have practical, architectural, and functional importance for aesthetic design and pedestrian amenity, covered entries, porches and walkways may be excluded from building coverage calculations.

\*\*Incentives may be approved at the discretion of the Development Review Board. Landowners are encouraged to collaborate with adjoiners to accomplish multiple goals. Any building approved under these incentives shall have at least two floors or stories above grade, for proper harmony and 'fit' into the streetscape, and to maximize the usefulness and adaptability of the building for current and future uses.

**Parking Areas:**

Wherever possible, all parking areas shall be in the rear yard of any lot. Where it is demonstrated that appropriate design and screening is achieved, then parking may be considered in the side yard area(s). No new parking shall be allowed in a front yard, unless as part of reconfiguration of existing parking that demonstrates improvement or progress toward the goals of this section.









- (k) A landscaping plan adequate to screen the use from neighboring properties shall be submitted to and approved by the Development Review Board;
  - (l) All accessory structures and utility fixtures shall be adequately screened to minimize adverse visual impacts and to maximize safety;
  - (m) In addition to the parking requirements of Section 8.4, parking areas shall not be placed in the front yard;
  - (n) An exterior lighting plan shall be submitted to and approved by the Development Review Board; lighting shall not cause undue glare on neighboring properties.
- (3) Conversion of an existing principal building in place at the time of adoption of this amendment to the ordinance (8/92) into a multi-family dwelling, provided that the building contains at least 3,000 square feet of livable floor area, not including basement, open porches, or unfinished attics, and further provided that the following criteria are met:
- (a) There shall be no exterior expansion or addition to the existing structure;
  - (b) The average size of the dwelling units shall be no less than 600 square feet of livable floor area;
  - (c) Parking must conform to the requirement set forth under §8.4;
  - (d) All land not occupied for vehicular use or buildings shall be adequately landscaped;
  - (e) Adequate provisions for ingress and egress of vehicular movement shall be provided;
  - (f) For the purpose of this use, the lot area shall contain a minimum of 5,000 square feet for each dwelling unit;
  - (g) The building shall be connected to public water and sewer;
  - (h) A landscaping plan adequate to screen the use from neighboring properties shall be submitted to and approved by the Development Review Board;
  - (i) All accessory structures and utility fixtures shall be adequately screened to minimize adverse visual impacts and to maximize safety;
  - (j) In addition to the parking requirements of Section 8.4, parking areas shall not be placed in the front yard;

- (k) An exterior lighting plan shall be submitted to and approved by the Development Review Board; lighting shall not cause excessive glare on neighboring properties.

### **6.9.5 Accessory Uses Permitted in Commercial #3 Districts**

- (1) Accessory uses customarily incidental to a permitted use on the same lot; accessory buildings shall not be used for dwelling purposes;
- (2) Uses accessory to a conditional use are permitted only when applied for, and are granted as part of the conditional use.



### 7.1.7 Open Space

The land area not included in building lots or in streets or parking areas shall be permanently reserved as open space for recreation, conservation, and the enhancement of the natural environment, as residential neighborhoods. Such open space shall be of character, size, extent and shape, suitable for the above purposes, in a location convenient to the residents. Such open space shall contain not less than 50% of the gross area of the planned residential development in conformance with applicable state or local health regulations. The design of the street and lot layout, and locations of open space, shall implement the stated objectives of the Plan of Development and shall be subject to the approval of the Development Review Board. Eventual ownership of open space shall conform to the provisions as described in this section.

### 7.1.8 Dedication of Open Space

Land to be reserved as open space in planned residential developments may be offered for dedication to the Town for park and conservation purposes. If such land is not so offered, or if the Town declines to accept the offer, it shall be dedicated to a community association or other entity, as herein provided.

### 7.1.9 Community Association, Cooperatives

As a condition of the approval of the site plan for a cluster subdivision, the applicant shall organize a non-profit community association, corporation or cooperative, organized under the laws of the State of Vermont, composed of all present and future owners of lots in such subdivisions or project and shall submit a set of deed restrictions or covenants that run with the land and shall record the same in the Manchester Land Records. Such non-profit community association, corporation, or cooperative shall be responsible for maintenance of all common open space or other common elements of the development.

### 7.1.10 Cases Which Do Not Require a Community Association

In the case of planned residential developments in which all land designated as open space on the site plan is dedicated to, and adopted by, the Town, and there are not common water or sewer or other commonly owned elements, the organization of a community association shall not be required.



### 8.1.3 Reconstruction After Damage

Nothing in this bylaw shall prevent the restoration or reconstruction of an existing, noncomplying building or structure within 18 months of being damaged or destroyed by fire, explosion, accident, or by a public enemy, to its condition prior to such damage, destruction, nor prevent the restoration of an unsafe wall or structural member. *(Paragraph amended 7/2000)*

This 18-month time period is calculated from the date of damage. To gain the rights described in this paragraph, it is the landowner's responsibility to take timely action to ensure that all needed local permits are granted within 18 months of the date of damage. One extension of up to 12 months may be granted by the Development Review Board where hardship or extraordinary circumstances are demonstrated. In addition, where litigation has created unanticipated delay, then the Development Review Board may grant an extension which is no longer than that time lost to litigation. *(Paragraph added 7/2000)*





2. In areas where base flood elevations and floodway limits have not been provided by the National Flood Insurance Program; i.e., zone A; base flood elevation and floodway information available from State or Federal agencies or other sources, shall be ~~obtained~~ supplied by the applicant as needed, and used as appropriate and necessary ~~reasonably utilized~~ to administer the provisions of these regulations.

### 8.2.7 Development Standards

In addition to the existing zoning district requirements, the Development Review Board shall require that the land development is:

1. Designed and anchored to prevent flotation, collapse, or lateral movement of the structure during the occurrence of the base flood.
2. Constructed of materials and utility equipment that are resistant to flood damage.
3. Constructed using methods and practices that will minimize flood damage.
4. Designed so that all public utilities and facilities such as sewer, gas, electrical and water systems are located and constructed to minimize or eliminate flood damage.
5. Construction shall insure that electrical, heating, ventilation, plumbing, and air conditioning equipment and other service facilities are designed and/or located so as to prevent water from entering or accumulating within components during conditions of flooding.
6. Designed so that adequate drainage is provided so as to reduce exposure to flood hazards.
7. Designed so that new or replacement water supply systems and/or sanitary sewerage systems minimize or eliminate infiltration of flood waters into the system, and discharges from the system into flood waters and that on-site disposal systems are located so as to avoid impairment of them or contamination from them during flooding.
8. The lowest floor (including basement) of new residential buildings and existing residential buildings to be substantially improved shall be elevated to at least one foot above the base flood (100 year flood) level.
9. The lowest floor (including basement) of new non-residential buildings and existing non-residential buildings and other structures to be substantially improved shall be elevated or floodproofed to at least one foot above the base flood level, be designed so that below the base flood level the structure is watertight, with the walls substantially impermeable and with the structural components having the capability of resisting hydrostatic and hydrodynamic loads and effects of buoyancy. A permit for a building proposed to be floodproofed shall not be issued until a Vermont-registered professional engineer or architect has reviewed the structural design, specifications and plans, and



















## Payment in Lieu of Parking

Where the Development Review Board determines that it is undesirable to build new or additional parking spaces, then a payment in lieu of parking shall be paid to the Town. The fee shall be proportional to the number of parking spaces that would otherwise be required, and shall be based upon reasonable cost estimates for the provision of that parking, but not less than \$15,000 per parking space. Full payment shall be required prior to issuing any certificate of occupancy for the subject use. Any permit issued under this approach shall clarify the amount of parking credited as part of the rights attached to the subject property for current and future uses.

The DRB may require that additional, proportional fees be paid for any subsequent use that requires yet more parking. No refund shall be made for any subsequent use that requires less parking; however, a landowner shall not be charged again for spaces required in the future for which payment may have already been made. Once a Certificate of Occupancy has been issued for a use approved under this section, then no refund shall be made.

The Town may use these accumulated fees for any reasonable purpose related to the design principles of “effective parking” as described in this section, including but not limited to acquisition of land or easements, construction of parking, engineering and design activities, or provision for sidewalks, pathways, or other pedestrian amenities.

The purpose of this section is to offer flexibility in limited, appropriate circumstances, consistent with the Town Plan and Zoning Ordinance, and to avoid undesirable consequences (such as removal of important or historic buildings) in the quest to provide required parking. It is not intended as simply an ‘easy way out’ for developers to avoid construction of facilities that may be needed on site.

Decisionmaking criteria include:

Impact on historic resources;

Conformance with or impact upon relevant goals and policies of the Town Plan (specifically, Part II Section 2, Commercial Development);

Potential impacts on adjoining properties, uses, or parking facilities.







For lots split by the C/R zoning boundary as of the date of adoption of this amendment (7/7/92) and as shown on the December 1991 Manchester Tax Maps, the Development Review Board may, as a conditional use, permit parking for commercial uses to occur on the portion of the lot outside of the commercial zone, provided that the Conditional Use criteria of §3.3, and all of the following conditions, are satisfied:

- (a) No parking area, except land used for screening and landscaping, may extend more than 66 feet beyond the C/R boundary;
- (b) Parking areas shall be set back at least ten feet from side lot lines, except for allowances for shared parking and access. A landscaped buffer at least twenty feet deep shall be provided along all lot lines adjoining residential properties or uses. Berms may be required for additional screening;
- (c) The parking area will not adversely impact neighboring residential properties or uses;
- (d) Landscaping shall be designed and installed to define, soften, and screen the appearance of the parking area from adjacent residential properties and uses. Specifically:
  - i. Clustered plantings of substantial trees shall be provided. It is not the intent of this section that one tree or planter appear at intervals between parking spaces.
  - ii. Substantial trees with wide canopies, providing significant shade and visual relief, shall be provided. The use of vertical plantings shall be for accent only, and not as primary landscaping elements.
  - iii. Where pedestrian pathways are provided, landscaping such as raised planters, trees, or other features shall be provided to reinforce the identification and use of these pathways.
  - iv. Berms may be required for additional screening. A solid wall of plantings, consisting primarily of coniferous vegetation, may be required in order to provide appropriate screening.
  - v. Existing mature trees (hardwoods of six-inch diameter breast height or larger, or softwoods twelve feet tall or larger) shall be preserved as existing, relocated to another location on the site, or replaced with trees or equivalent size and species.  
*(amended 6/96)*
- (e) Any cut and fill will not adversely impact neighboring residential properties or uses, and will not create adverse impacts upon aesthetics or existing natural conditions.











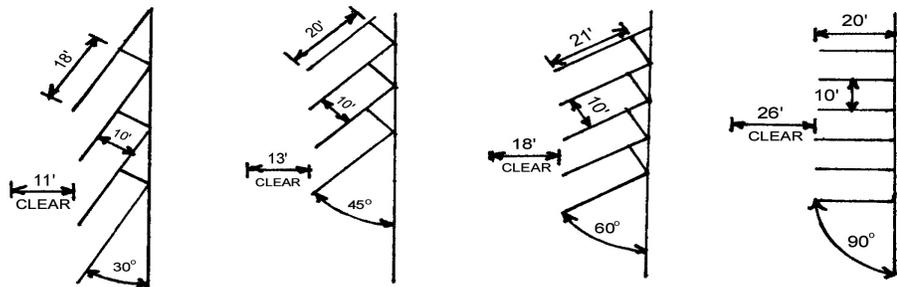
Gross square footage does not include basement or attic space, unless such space is used as active floor area as defined in this Ordinance.

8.4.10 Minimum Dimensions

The following dimensions for off-street parking spaces and aisle widths shall apply:

Minimum Dimensions for Parking Angles of

	30 degrees	45 degrees	60 degrees	90 degrees
Aisle Width	11 feet	13 feet	18 feet	26 feet
Stall Length	18 feet	20 feet	21 feet	20 feet
Stall Width	10 feet*	10 feet*	10 feet*	10 feet*



\* Except for handicapped-accessible parking spaces, which shall be 13 feet wide. Such accessible spaces shall be provided according to the following formula:

Total Parking Spaces in Lot	Accessible Spaces Required
1 to 25	1
26 to 50	2
51 to 75	3
76 to 100	4
101 to 150	5
151 to 200	6
201 to 300	7
301 to 400	8

8.4.11 Flexibility of Rules

Should parking spaces be at different angles than those above, or where one-way aisles are used, the DRB shall prescribe appropriate dimensions. Unless otherwise approved, required parking facilities shall conform to the provisions of this parking bylaw. The general intent is that projects should provide required parking. However, flexibility may be considered where it can be clearly demonstrated that this will result in improved greenspace, landscaping, effective parking, or aesthetics.

























# PERFORMANCE STANDARDS

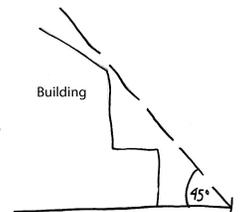
## CHARACTER OF THE AREA AFFECTED

1. The maximum building coverage to land area is 15%. No one building shall have a footprint greater than 3,000 square feet in area, measured as the ground area enclosed by the walls of a building together with the area of all covered porches and other roofed portions, excluding eaves. Commercial buildings on the same lot shall be separated by at least 20 feet. Exceptions to these dimensional requirements may be made only in the case of essential services such as full service grocery stores, post offices, government buildings, hospitals, and residential buildings. (*Amended 7/91 & 7/2000*)

However, in these cases, setbacks from adjoining residential lands or uses shall be considered carefully. The purpose is to provide appropriate, performance-based separation or screening of undue, adverse impacts where they may exist for these larger buildings or uses, but not to require so much distance as to effectively preclude a use that is otherwise permissible. For example, a broad setback with no screening may provide little or no actual benefit; but constructing a building into a slope, at or nearly at zero setback, could in some cases be the best approach. A variety or combination of approaches may satisfy the intent for separation or screening, including but not limited to use of setback distance, natural or built topography, dense coniferous trees and shrubs, and/or fences. Mere requirement of greater setback for its own sake may not satisfy actual, site specific needs, and may force other aspects of site design into less than optimal approaches.

Toward this end, and where undue adverse impacts may reasonably be anticipated, additional setback and/or screening and buffering may be required for these larger buildings for essential services, as described below. Either #1 or #2 shall be the 'base level' requirement, whichever is greater:

1. An additional 5' of setback shall be provided between buildings and adjoining residential property lines (above the minimum setback otherwise required in the district) for each 5000 sq ft of building footprint above that otherwise permitted in the district or corridor;
2. No part of a building may break the plane drawn at a 45 degree angle sloping inward and upward from any shared property line on the ground that adjoins residential lands or uses (*see illustration*).



Once that setback point or line is established, then further consideration shall be given to site-specific mitigation, needs, or circumstances that in the DRB's judgment may solve actual problems with less setback than calculated above. The final determination of required setback made by the DRB shall thus include both the quantitative element of distance, as well as qualitative issues or circumstances such as slope, natural and/or

built topography, existing or proposed density and intensity of plantings, fences, and other mitigating factors. *(Added 10/09)*

2. An open space plan shall be provided which includes green space of not less than thirty (30) percent of the lot area. Open space areas shall not be unduly isolated from one another by unrelated physical obstructions such as buildings and paved vehicular areas. Open space corridor linkages to adjacent property shall also be considered.
3. Paved areas shall be only as large as necessary to serve parking, circulation, and improved open space needs, and their appearance will be enhanced by landscaping. No parking area shall run continuously for more than 80 feet along a front street line, nor for more than 150 feet along any street line. A pedestrian walkway shall be provided within each parking area to connect such area with buildings, public sidewalks, and adjoining land development. A green belt of at least twenty feet wide shall be provided along any street line. Parking areas shall be set back at least 10 feet from side and rear lot lines except for allowances for shared parking and access.
4. All areas not otherwise occupied by structures or paved areas shall be suitably landscaped. Any required front yard shall, at a minimum, include: One tree, a minimum of 2 inches in diameter at the time of planting, to be provided for each 50 feet or fraction thereof, of frontage.

TRAFFIC ON ROADS AND HIGHWAYS IN THE VICINITY

5. High traffic generators, such as window service drive-up fast-food restaurants and drive-up banks, shall not access directly to Routes 7 North, 7A, 11/30, or 30 North. Access to a side street shall be not less than 100 feet from the intersection of such side street to Routes 7 North, 7A, 11/30, or 30 North.

























## 8.17 AFFORDABLE HOUSING REGULATIONS *(adopted 3/91, amended 3/08)*

### Planned Affordable Residential District overlays

#### A. Purpose

The application of the Planned Affordable Residential District (PARD) regulation is intended to achieve:

1. Creation of affordable housing as defined by Manchester's Housing Plan;
2. Conservation of land and the creation of usable open space and recreation areas;
3. Efficient use of town infrastructure and roads; and
4. Development that is consistent with the density and character of Manchester while meeting the Town's housing goals.

As an overlay zoning district, this special regulation does not diminish the underlying rights of property owners. Rather, this ordinance is designed to provide an option for property owners to work in partnership with the Town to produce less costly housing.

It is the clear intent of this section of the zoning ordinance to provide for a degree of flexibility in the design and density of affordable housing projects that meet Manchester's needs. The Town of Manchester understands the difficult financial obstacles that stand in the way of producing less costly housing. This ordinance is one manner in which the Town can provide a financial incentive (through design and density increases) to projects that will meet Manchester's affordable housing needs. Approval of PARD projects will only be granted when a clear need is demonstrated and when the project meets some or all of those needs.

In order to qualify as an affordable housing project under this bylaw and gain the density bonus authorized herein, at least 60% of the dwelling units shall be legally defined and protected as "affordable" consistent with this bylaw and Vermont Housing Finance Agency (VHFA) guidelines.

#### B. Definitions

1. **Affordable:** A purchase or rental price allowing the owner or renter to spend no more of their income for housing costs than is recognized as appropriate under VHFA guidelines. This can include various levels of affordability, including households at or a certain % above median county income, as well as those households earning various increments below median county income.















3. Notwithstanding the land uses permitted above, the following land uses are expressly prohibited, unless specifically deemed appropriate by the Development Review Board in accordance with the conditional use criteria of §3.3 and any other standards contained herein:

- a. motorized sports;
- b. amusement parks and/or theme parks; and
- c. outdoor use of firearms.

4. Dimensional requirements:

- a. Minimum lot area . . . . . 5 acres
- b. Minimum front, side, and rear yards . . . . . 100 feet
- c. Minimum front yard greenbelt\* . . . . . 100 feet
- d. Maximum building coverage . . . . . 7.5%
- e. Maximum building height . . . . . 40 feet
- f. Minimum greenspace (*added 2/94*). . . . . 50%

\* Between the edge of the highway and any parking area.















**Section 8.22 Subdivision Regulations** *(adopted 2/02; amended 8/05)*

**Purpose**

The purpose of this section of the bylaw is to further implement the goals and policies of the Town Plan; to help ensure that where subdivision of land is proposed, it is done in an ecologically effective and efficient manner; and to improve the consistency of regulatory review between minor and major subdivisions.

**Application Requirements**

Applicants shall submit a completed application for a zoning permit, a narrative describing all aspects of the proposal, and three copies of a stamped survey prepared by a licensed surveyor or engineer in accordance with §3.4 of the Zoning Ordinance. Major development applications (as defined in §8.9) shall also include a more detailed narrative and plans in accordance with §8.9. All applications shall include supporting documentation demonstrating conformance with the goals and policies for subdivision design as described in Part II, Section 7 of the Town Plan and any other applicable sections of the Plan. Road profiles and slope maps may be required to satisfy the design standards described below. Proposed lot lines shall be shown on plans; however, internal metes and bounds need not be shown or described until staff level review is concluded.

**Processing of Applications** *(amended 7/03)*

Applicants are encouraged to meet with staff early in the design process, to better understand how to design their projects in ways that will conform with Town policies and bylaws. There is no requirement for preliminary plat approval by the Development Review Board, although preliminary review with the Board may be available upon request.

Minor lot line adjustments, where no additional lots are created, and upon a written finding that there are no adverse impacts upon the performance standards of this Section, shall require only review and approval by the Administrative Officer.

Subdivisions involving four or fewer lots shall receive preliminary review by staff for conformance with the Town Plan, Zoning Ordinance, and standards described below within 30 days of receipt of a complete application. When that review is complete, a hearing shall be warned for Development Review Board consideration.

Subdivisions involving five or more lots, including existing lots in previously approved or platted developments within the past 20 years from the date of application, shall be reviewed by the Development Review Board for conformance with the Town Plan, Zoning Ordinance, and standards described below. These subdivisions shall also be reviewed by the Development Review Board for conformance with all of the standards described in §8.9, Major Development Project Review.





Section 8.23 Commercial Land Affected by Public Works Projects  
Added March 2004

Purpose: to allow for the replacement of commercial land uses consumed by a public works project.

As a conditional use, the Development Review Board may consider the replacement of an equivalent amount of land area, or an equivalent amount of land use itself, that is used by or taken for a public works project on land owned or leased by the affected parties, whether within the commercial district or on adjoining land within an adjoining zoning district, within reasonable proximity to the buildings and uses served, in conformance with the general conditional use criteria of §3.3 and the specific criteria described below:

- A. Parking areas shall be set back at least ten feet from side lot lines, except for allowances for shared parking and access. For screening purposes, a landscaped buffer at least twenty feet deep shall be provided along all lot lines of adjoining residential properties or uses (or, if more appropriate, along the boundary of the parking area). Berms may be required for additional screening.
- B. Stormwater discharge, cut and fill, any other site work, and the parking area itself will not cause undue adverse impacts upon neighboring residential properties or uses.
- C. The parking area otherwise conforms with design criteria of §8.4.
- D. Lighting shall be directed downward and well-shielded, and glare shall not be cast into the sky nor onto neighboring properties.
- E. Unless specifically approved as part of a site plan, pedestrian or vehicular access from commercial to adjoining residential properties or uses shall be prohibited. This may be accomplished by fencing placed within the required screened buffers, or by other appropriate means as approved by the Development Review Board.
- F. Any new buildings or structures proposed under this section shall also be considered through the Design Review process.















**SECTION 10:**

**Maps**

Manchester Zoning Map  
Manchester Zoning Districts, Town Center  
Amended C1/SR1 boundary along Depot Street  
Commercial #3 District Map  
General Residential #3 District Map  
Transient Commercial #2 and #4 Map  
Transient Commercial #3 Map  
Aquifer Protection Area Map  
Sewer Service Area  
Recreational Overlay District

Additional Maps for General Planning and Informational Purposes Only

Flood Hazard Areas  
Wetlands  
Biological Areas  
Topographic Map

Approved by the Selectboard

Adopted October 24, 1983, and including all amendments adopted subsequent thereto.