

Recommended changes and additions to the current Bylaws

Town of Starksboro

Sept. 16, 2019

Interim zoning amendments from 11 October 2016:

Include all with one typographical change in Sec. 251.A: reference to density standards to be changed from Sec. 311 to **Sec. 211**. All changes will be incorporated into the complete bylaws and document will be repaginated as required.

113.A

Remove “not” in 2nd line; bullet (1) should read: Dog houses, play houses, tree houses, woodsheds, chicken coops or similar structures that are ~~not~~ used for personal storage and that are not larger than 100 SF in area and that are not more than 10 feet tall.

122.D.

(1) **Insert “to” in 2nd line**; bullet (1) should read: Will be able to repair and maintain the structure as long as the owner is not expanding the structure, which includes an increase **to** its footprint, floor area, or height.

(4) **Insert “to” in 3rd line**; bullet should read: Will be able to get a zoning permit to expand the structure, even if that would make the structure more non-conforming, if the modification is necessary to meet state or federal regulations and **to** allow continued use of the structure.

(5) **Insert “of” in first line**; bullet should read: May be able to get a variance or a waiver from the DRB to allow modification **of** the structure.

124.C. DELETE “non-residential” from first line: The owner can request an extension from the DRB to extend the period of time that a ~~non-residential~~ use can be resumed after its discontinuance. . .

Chapter 210 – Use, Density & Dimensional Standards table of allowed uses:

Figure 3 – residential uses – INSERT **Electric vehicle charging station** as a permitted (P) use in all districts except FC, that is a conditional use (C) and not allowed in WS.

Figure 3 – commercial uses – INSERT **Electric vehicle charging station** as requiring site plan/conditional use approval in all districts except not allowed in WS. Columns to read (S/C).

Figure 4 – density and dimensional standards table:

Residential Density: DELETE “max” after the dwelling units/ac in each district.

Sec. 311.B

INSERT NEW BULLET: **A driveway must extend to within 100 feet of the main structure of the building lot.**

Renumber 311.B to 311.C

Renumber 311.C to 311.D

Sec. 313.G – New language to INSERT

313.G Electric Vehicle Parking. The applicant(s):

- (1) Will not have to provide additional parking when spaces are converted and/or reserved for charging vehicles
- (2) Must provide a cord of sufficient length to accommodate port variations in passenger vehicles or otherwise allow vehicles to park front-to-back or back-to-front.
- (3) Must protect and place ground and wall-mounted equipment to prevent physical damage to the control device by vehicles and snow plows (e.g. bollards and/or curbing).
- (4) May count electric vehicle charging station parking spaces toward the minimum amount of parking requirements (if any) under this section.
- (5) May provide a minimum of one accessible electric vehicle charging station parking space in close proximity to the building entrance with a maintained and barrier-free route of travel.
- (6) May provide a minimum of 1 charging station for every 10 parking spaces required.

317.G Electric Vehicle Charging Station Identification Signs. The applicant must provide each electric vehicle charging station with on-site signs approved by the Manual Uniform Traffic Control Devices to identify electric vehicle parking (general service signs) and restrict access (regulatory signs) by stating, “no parking except while charging, vacate when complete” unless waived by the appropriate panel or zoning administrator (see example signage above). For purposes of this section, “charging” means that an electric vehicle is parked at an electric vehicle charging station and is connected to the electric vehicle supply equipment port. If time limits or vehicle removal provisions are to be enforced, regulatory signage including parking restrictions shall be installed immediately adjacent to, and visible from the electric vehicle charging station.

Renumber 317.G to 317.H

Sec. 342. Home-Based and On-Farm Businesses

342.A. change wording to read:

Home-Based Business. Residents who want to operate a business from their home or residential property shall obtain a permit for either a home occupation or a ~~home cottage~~ industry, depending on the scale and intensity of the proposed activity in accordance with the following...

(2) ~~Home Cottage~~ Industry. After the DRB approves a site plan, the ZA may issue a permit for a ~~cottage home~~ industry that may allow to the extent approved by the DRB:

(3) Building Design. A new accessory building built on residential property to house a home occupation or ~~home cottage~~ industry shall be compatible in scale and character to a typical residential or agricultural outbuilding.

342.B change percentages to read:

(2) **Value-Added Processing and Manufacturing.** An on-farm business may involve processing or manufacturing farm or forest commodities into value-added products. To be considered an on-farm business, rather than a light industrial use, at least 75% of the primary commodities used shall be locally produced and at least ~~25~~ 50% shall originate from land owned or rented by the applicant.

345. Mobile Home Parks

345.A. (2) The replacement of a permitted mobile home within an approved mobile home park shall require a zoning permit issued by the ZA in order to ensure ongoing compliance with all conditions of the park's approved site plan. **The replacement structure must be the same size or smaller than the structure being removed.** The application of the standards in this section shall not prohibit the replacement of a permitted mobile home on a mobile home site in existence as of the effective date of these regulations. Notwithstanding, in order to protect public health, safety and welfare, no replacement shall result in a distance between dwellings of either 10 feet or the current distance between dwellings, whichever is less.

Sec. 414.E

Correct reference in 5th line to read:

If the ZA approves the sketch plan, the applicant shall have a surveyor licensed in Vermont survey the portions of the involved lots as necessary to legally establish the new boundaries based on the approved sketch plan. The applicant shall provide the ZA with a stamped survey for signature and filing in accordance with the provisions of Subsection ~~427.F~~ **426.I** within 180 days from the ZA's approval of the sketch plan. If the applicant fails to submit the stamped survey within the 180-day period, the ZA's approval will be voided.

426.I INSERT statutory reference in last line:

The applicant may request that the ZA grant one 90-day extension to the plan filing deadline if other required local and/or state permits are still pending (~~24 V.S.A., 4463~~).

DEFINITIONS

510.C

INSERT

(11) **Contractor Yard.** The use of land or structures for storage of construction supplies, vehicles, equipment and materials used in construction work that is performed off the parcel.

~~DELETE Cottage Industry~~

510.E

INSERT

(4) **Electric Vehicle Charging Station (EVCS).** Electric Vehicle charging Station (EVCS) means the public or private parking space(s) served by electric vehicle supply equipment (EVSE), including all signs, information, pavement, surfaces, surface markings, fee collections systems, and protective equipment in which a vehicle is recharged.

510.F

INSERT

(14) **Forest Products Processing.** A facility for the processing and/or storage of forestry products that is located off site from harvesting operations. This may include, but is not limited to

permanent sawmills, lumberyards, procurement yards, commercial firewood producers, wood pellet producers, wood kilns, and similar facilities. It may also consist of temporary equipment including, but not limited to, portable sawmills, wood chippers, and wood splitters, which may be used in association with harvesting operations and which are removed from the site once harvesting operations are complete.

(16) Forestry. The growing and harvesting of trees or timber under proper forest management for purposes other than their fruit in accordance with accepted management practices for silviculture (forestry) as defined by the Commissioner of Forests, Parks, and Recreation [§4413(d)], including the construction of logging roads and bridges, provided the roads and bridges are used exclusively for agriculture or forestry. For purposes of these bylaws, the term “Forestry” shall also include the use of temporary processing equipment including, but not limited to, portable sawmills, wood chippers, and wood splitters which are used in association with harvesting operations and which are removed from the site once harvesting operations are complete.

(17) Fueling Station. Any structure or area of land used for the retail sale of automobile fuels, oils, and accessories. Such an establishment may include as an accessory use: retail sales of convenience items; a deli; retail sales of propane, kerosene or similar fuels; automotive repair or service; **electric vehicle charging**; and/or a car wash.

510.H

(4) Home Industry. An accessory use of a dwelling, accessory building and/or residential property for a commercial or light industrial purpose that due to its greater intensity does not meet the definition of a home occupation. See Subsection 342.A.

510.S

(5) Significant Ecological Resources. Rare, threatened or endangered animal and plant species and natural communities, or natural resources of outstanding or unique quality or character as **as** identified by the Vermont Agency of Natural Resources, described in the Starksboro Town Plan, and/or documented by a qualified professional as part of a natural resource assessment of the area.

(6) Significant Natural Areas. Natural areas that contain rare, threatened or endangered animal and plant species; outstanding remnants of an undisturbed plant community or ecosystem; unusual or outstanding scientific, educational, aesthetic, or recreational characteristics; or unique landforms as identified by the Vermont Agency of Natural Resources, described in the Starksboro Town Plan, and/or documented by a qualified professional as part of a natural resource assessment of the area.