

ZONING REGULATIONS
TOWN OF MARLBORO, VERMONT

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ARTICLE I - GENERAL PROVISIONS

Section 100 - Enactment

In accordance with the Vermont Planning and Development Act, hereinafter referred to as the "Act," Section 4401 (b), 24 V.S.A., Chapter 117, there are hereby established Zoning Regulations for the Town of Marlboro which are set forth in the text and maps that constitute these Regulations. These Regulations shall be known as the "Town of Marlboro Zoning Regulations."

Section 110 - Intent

It is the intent of these Regulations to provide for orderly community growth and to further the purposes established in Section 4302 of the Act.

Section 120 - Application of Regulations

The application of these Regulations is subject to Sections 4405, 4406, 4407, 4408 and 4409 of the Act. Except as hereinafter provided, no "Land Development" as such term is defined by these Regulations may be commenced in the Town of Marlboro unless in conformity with the Regulations herein specified for the district in which it is located. Any use not permitted by these Regulations shall be deemed prohibited.

Section 130 - Interpretation

Except for Section 4409 (b) of the Act, and where these Regulations specifically provide to the contrary, it is not intended to repeal, annul or in any way to impair any regulations or permits previously adopted or issued, provided however that where these Regulations impose a greater restriction upon use of a structure or land than are required by any other statute, ordinance, rule, regulation, permit, easement, or agreement, the provisions of these Regulations shall control.

Section 140 - Amendments

These Regulations may be amended according to the requirements and procedures established in Sections 4403 and 4404 of the Act.

Section 150 - Separability

The invalidity of any provision of these Regulations shall not invalidate any other part.

Section 160 - Effective Date

These Regulations shall take effect in accordance with the voting and other procedures contained in Sections 4403 and 4404 of the Act.

ARTICLE II - ADMINISTRATION AND ENFORCEMENT

Section 201 - Administrative Officer

The Administrative Officer is hereby appointed to administer the Zoning Regulation, as provided for in Section 4442 of the Act. Said Officer shall enforce literally the provisions of these Regulations, and in so doing shall inspect land developments, maintain records of his or her actions, report periodically to the public and the governing body, and perform all other necessary tasks to carry out the provisions of these Regulations and the duties of the office.

1. Application for all permits shall be made to the Administrative Officer.
2. The Administrative Officer shall follow procedures for notification as adopted by the Planning Commission in accordance with the Act.

Section 202 - Zoning Permits

After the effective date of these Regulations, no land or building developments as herein defined may commence, nor shall any land or structure be used, be extended in any way, or be occupied, unless a Zoning Permit has been duly issued by the Administrative Officer, as provided for in section 4443 of the Act.

1. The Administrative Officer shall issue a Zoning Permit only if all of the following requirements are met:
 - a. Zoning Permit and/or Division of Land application form, as established by the Planning Commission, has been properly completed and submitted;
 - b. The Zoning Permit fee, as annually established by the Board of Selectmen in accordance with Section 446 of the Act, has been paid;
 - c. All state and town health requirements have been complied with and proof thereof submitted;
 - d. All applicable local reviews and approvals have been secured including Site Plan Approval, Conditional Use Approval, variances, rights of way and PRD/PUD review, where required under the provisions of these regulations;
 - e. The stipulations of any state agencies have been satisfied in accordance with Article VI of these Regulations.
2. The Administrative Officer shall within 30 days of submission of all necessary application data and approvals, either issue or deny a Zoning Permit. If denied, the Administrative Officer shall notify the applicant in writing, stating the reasons therefor. A decision by the Zoning Officer may be appealed to the Zoning Board of Adjustment by any interested person as described in Section 204 (1) of these regulations.

Section 203 - Site Plan Review by the Planning Commission

The Planning Commission shall review and approve or disapprove Site Plans for all uses other than camps or one- and two-family dwellings and their accessory uses in accordance with Section 4407 of the Act. In reviewing Site Plans, the Planning Commission may impose appropriate conditions and safeguards with respect only to the adequacy of traffic access, circulation and parking, of landscaping

and screening, and to the protecting of renewable energy resources.

The Planning Commission shall act to approve or disapprove any such site plan within sixty (60) days after the date upon which it receives the complete proposed plan; failure to so act within such period shall be deemed approval.

1. *Application For Site Plan Approval.* The applicant shall submit two (2) sets of site plan maps drawn to scale, and supporting data to the Planning Commission, which shall include the following information presented in drawn form and written text:
 - a. name and address of property owner, or applicant, if different than owner; owners of record of adjoining lands; name and address of person or firm preparing map;
 - b. property lines, acreage figures, scale of map, north point and date;
 - c. existing contours and features, including structures, easements and rights-of-way;
 - d. proposed site grading and location of structures, sewage disposal facilities, water supply and land use areas;
 - e. proposed layout of roads, driveways, walkways, traffic circulation and parking spaces;
 - f. existing trees, shrubs and other vegetation to be preserved on the site;
 - g. proposed landscaping and screening.

Section 204 - Zoning Board of Adjustment

The Board of Adjustment is established as provided for in Section 4461 of the Act. The rules of procedure, nature of appeal, public notice and all other matters, shall be established as provided in Subchapter 8 of the Act.

1. *Appeals.* An interested person, as defined in Section 4464 of the Act may appeal any act or decision within fifteen (15) days of such act or decision, in accordance with the provisions of Subchapter 8 of the Act. An application for an appeal shall be submitted to the Board of Adjustment and a copy filed with the Administrative Officer. In accordance with Section 4470 of the Act, the Board shall render its decision, which shall include findings of fact, within 45 days after completing the hearing, and shall within that period send to the appellant, by certified mail, a copy of the decision. Appeals of decisions by the Planning Commission or the Board of Adjustment are to be made to the Windham County Superior Court, as provided for in Section 4471 of the Act.
2. *Variances.* On a request for a variance, the Board of Adjustment shall grant such variance only if all criteria under Section 4468 of the Act are met.
3. *Conditional Use approval.* No zoning permit may be issued by the Administrative Officer for any use or structure which requires Conditional Use Approval in these regulations until the Board of Adjustment grants such approval. In considering its action, the Board of Adjustment shall make findings on general and specific standards, hold hearings, and attach conditions if any, as provided for in Section 4407 (2) of the Act.
4. *Application.* Site Plans in accordance with Section 203 (1) shall accompany the Zoning Permit application for all proposed conditional uses.

5. *General Standards.* The proposed Conditional Use shall not adversely affect:
 - a. the capacity of existing or planned community facilities;
 - b. the character of the area affected;
 - c. traffic on the roads and highways to the vicinity
 - d. any by-laws then in effect;
 - e. utilization of renewable energy resources.
6. *Specific Standards.* The Board of Adjustment may also impose other conditions in order to safeguard the interests of surrounding properties, the neighborhood, or the town as a whole. The Board of Adjustment may place conditions with respect to:
 - a. Article 7, Flood Hazard Regulations, Article 6, Shore Land Area Regulations, and Article 4, General Regulations of this bylaw;
 - b. the area, dimensional and coverage standards for the applicable district;
 - c. maximum safety of traffic circulation between the site and the street;
 - d. adequacy of circulation, parking, and loading facilities;
 - e. adequacy of landscaping, screening and setbacks with regard to achieving maximum compatibility with and protection of adjacent properties;
 - f. size, location and design of signs;
 - g. design and location of structures and service areas;

Section 205 - Conditional Use Permit Procedure

In order to obtain a Conditional Use Permit, a Site Plan must be approved by the Planning Commission, and an Application for Conditional Use must be approved by the Board of Adjustment. It is advised that first a Site Plan be presented to the Planning Commission and then the Application for Conditional Use be presented to the Board of Adjustment. Both approvals may be processed during the same period of time. The Board of Adjustment shall act to approve or disapprove any such requested conditional use within sixty (60) days after the date of the final public hearing, and failure to so act within such period shall be deemed approval. Once a decision has been rendered, notification of the decision will be sent to the Administrative Officer.

Section 206 - Penalties

Violations of these Regulations shall be handled as prescribed in Sections 4444, 4445, and 4445a of the Development Act.

ARTICLE III - ESTABLISHMENT OF ZONING DISTRICTS AND ZONING MAP

Section 300 - Purpose of Zoning Districts

The purpose of establishing zoning districts in the Town of Marlboro is to further the public health, safety, and welfare of the Town. Specifically, the districts seek to provide an orderly, attractive, compatible and logical growth pattern by allocating various functional uses to land areas best suited for them.

Section 301 - Establishment of Zoning Districts

The Town of Marlboro is hereby divided into the following Zoning Districts as shown on the Official Zoning Map:

| | |
|--------------------------------|-----|
| Rural Residential | RR |
| Recreational-Commercial | REC |
| Rural-Commercial | RUC |
| Educational (Marlboro College) | ED |

Section 305 - Rural Residential (RR)

District Description and Purpose: The Rural Residential District includes all land in the Town except that which is zoned "Recreational-Commercial," "Rural-Commercial," or "Educational." Its purpose is to provide for agriculture, forestry, residential, and other compatible uses at densities appropriate to the physical capability of the land and the rural character of the Town. Within the Rural Residential District, Planned Residential Development may be allowed as an efficient alternative to the large-lot subdivision, provided that the required average densities set forth in Section 315 are not exceeded.

Permitted Uses:

1. Accessory Use
2. Agriculture and Forestry
3. Camp
4. Single- or Two-Family Dwelling
5. Planned Residential Development (P.R.D.). Permitted subject to the requirements of Article V

Conditional Uses: (Require Conditional Use Permits from the Zoning Board of Adjustment)

1. Boarding , Rooming House, Guest Farm, or Bed and Breakfast
2. Cemetery
3. Community Center
4. Dormitory/Hostel
5. Educational Facility
6. Home Enterprise
7. Health Care Facility
8. Membership Clubhouse
9. Multifamily Dwelling
10. Municipal or Fire Company Facility
11. Parking
12. Private Club
13. Professional Residence-Office
14. Public Utility Substation
15. Recreation, Outdoor
16. Religious Institution
17. Resource Industry
18. Sand, Gravel, or Soil Removal
19. State Facility
20. Storage - Enclosed
21. Telecommunications Facilities

22. Trailer Camps and Tent Sites
23. Wildlife Refuge

Area, Dimensional, and Coverage Requirements

| | |
|------------------------------|---|
| Lot Area Minimum: | 2 acres (for residential uses, Section 315 applies) |
| Lot Frontage Minimum: | 200 feet |
| Front Yard Minimum: | 50 feet (from highway right-of-way) |
| Side and Rear Yard Minimums: | 50 feet each |
| Building Height Maximum: | Three stories or 35 feet, whichever is less. Accessory building, 25 feet. No height limit for agricultural uses. |
| Building Coverage Maximum: | 10 percent |

Section 306 - Commercial Districts

Commercial Districts include certain lands with access to Route 9 which appear to be generally suitable for new and expanded commercial and related uses. The purpose of these districts is to provide for recreation, commercial, and other compatible uses which will have suitable access to the state highway and minimum impact on surrounding rural residential areas. These objectives are accommodated within two separate Districts. See Sections 307 and 308.

Section 307 - Recreational-Commercial (REC)

District Description and Purpose: The Recreational Commercial District includes lands on both sides of Route 9 in the western portion of the Town. The purpose of this district is to accommodate commercial growth, particularly enterprises ancillary to the old Hogback ski facility and similar recreation-oriented businesses, and to avoid sprawl and minimize impacts on natural and cultural resources. (See Section 342 for Description of Zoning Boundaries)

Permitted Uses:

- | | |
|--|-----------------------------------|
| 1. Accessory Use | 5. Museum/Gallery |
| 2. Agriculture and Forestry | 6. Professional Residence Office |
| 3. Boarding, Rooming House, Guest Farm, or Bed and Breakfast | 7. Recreation, Outdoor |
| 4. Home Enterprise | 8. Restaurant, Bar |
| | 9. Single- or Two-Family Dwelling |

Conditional Uses: (Require Conditional Use Permits from the Zoning Board of Adjustment)

- | | |
|---|---|
| 1. Business Office | PRD Permitted subject to the requirements of Article V. |
| 2. Community Center | |
| 3. Conference Center/Retreat | 11. Planned Unit Development (PUD) |
| 4. Dormitory/Hostel | 12. Private Club |
| 5. Educational Facility | 13. Recreation, Indoor |
| 6. Health Care Facility | 14. Religious Institution |
| 7. Hotel/Motel | 15. Resource Industry |
| 8. Membership Clubhouse | 16. Retail Store |
| 9. Multi-family Dwelling | 17. State Facility |
| 10. Planned Residential Development (PRD) | 18. Telecommunications Facilities |

19. Trailer Camps and Tent Sites
20. Wildlife Refuge
21. Other general commercial or non-commercial uses upon the finding by the Planning Commission that such use is of the same general character as those permitted and will not be detrimental to other uses within the District or to adjoining land uses.

Area, Dimensional, and Coverage Requirements:

| | |
|------------------------------|--|
| Lot Area Minimum: | 2 acres (for residential uses Section 315 applies) |
| Lot Width Minimum: | 100 feet |
| Front Yard Minimum: | 30 feet from highway right-of-way |
| Side and Rear Yard Minimums: | 30 feet, or 50 feet abutting Residential Districts |
| Building Height Maximum: | 35 feet |
| Building Coverage Maximum: | 20 percent |

Additional Standards

- Building Design - Commercial Building design to be compatible with the architecture of the neighborhood.
- Building Materials - Siding to be wood, brick, stone, or aluminum or vinyl clapboard- style siding.
- Exterior Lighting - Designed so as to illuminate structures and exterior areas only at levels necessary to ensure safety and security of persons and property; so that the light source (lamp) is not directly visible from public roads, adjacent residences, or distant vantage points; and so that the source light does not project above the lamp. All lighting fixtures serving parking areas shall be cut-off fixtures (shielded, with downlight only).
- Parking - To be located in the side and rear yards when possible. Front yard parking shall be single-row only. Shared access drives and parking areas are encouraged. Side and rear setbacks may be waived for shared access and parking.
- Site Design - PUDs with buildings grouped together in a village design with shared parking, open space, and integrated street, tree, and landscape design are encouraged. See Section 520.

Section 308 - Rural-Commercial (RUC)

District Description and Purpose: The Rural-Commercial District includes lands on both sides of Route 9 in the east-central portion of the Town. The purpose of this district is to accommodate most future commercial growth within an area having the best relationship to the existing State highway corridor, to minimize various impacts of such growth on Marlboro=s rural character.

Permitted Uses:

1. Accessory Use
2. Agriculture and Forestry
3. Boarding, Rooming House, Guest Farm, or Bed and Breakfast

- 4. Home Enterprise
- 5. Professional Residence Office
- 6. Single- or Two-Family Dwelling

Conditional Uses: (Require Conditional Use Permits from the Zoning Board of Adjustment)

- 1. Business Office
- 2. Community Center
- 3. Conference Center/Retreat
- 4. Dormitory/Hostel
- 5. Educational Facility
- 6. Health Care Facility
- 7. Multi-family Dwelling
- 8. Municipal or Fire Company Facility
- 9. Museum/Gallery
- 10. Planned Residential Development (PRD)
PRD Permitted subject to the requirements of Article V.
- 11. Planned Unit Development (PUD)
- 12. Private Club
- 13. Recreation, Outdoor
- 14. Religious Institution
- 15. Restaurant, Bar
- 16. Resource Industry
- 17. State Facility
- 18. Telecommunications Facilities
- 19. Other general commercial or non-commercial uses upon the finding by the Planning Commission that such use is of the same general character as those permitted and will not be detrimental to other uses within the District or to adjoining land uses.

Area, Dimensional, and Coverage Requirements:

| | |
|------------------------------------|---|
| Lot Area Minimum: | 2 acres (for residential uses, Section 315 applies) |
| Lot Width Minimum: | 100 feet |
| Lot Depth Minimum: | 200 feet |
| Front Setback Minimum: | 30 feet |
| Side and Rear setbacks Minimum: | 30 feet |
| Building Height Maximum: | 35 feet |
| Building Size - Maximum Footprint: | 10,000 square feet |
| Building Coverage Maximum: | 20 percent |

Additional Standards:

- Building Design - Commercial Building design to be compatible with the architecture of the neighborhood.
- Building Materials - Siding to be wood, brick, stone, or aluminum or vinyl clapboard style siding.
- Exterior Lighting - Designed so as to illuminate structures and exterior areas only at levels necessary to ensure safety and security of persons and property; so that the light source (lamp) is not directly visible from public roads, adjacent residences, or distant vantage points; and so that the source light does not project above the lamp. All lighting fixtures serving parking areas shall be cut-off fixtures (shielded, with downlight only).
- Parking - All parking to be located in the side and rear yards when possible. Front yard parking shall be single-row only. Shared access drives and parking areas are encouraged. Side and rear setbacks may be waived for shared access and parking.

Site Design - PUDs with buildings grouped together in a village design with shared parking, open space, and integrated street, tree, and landscape design are encouraged. See Section 520.

Section 315 - Density Requirements for Residential Development

The permitted number of Dwelling units including Planned Residential Development (P.R.D.) and Residential Development within any Planned Unit Development (P.U.D.) shall not exceed that which is permitted according to the following schedule:

| Number of Units | Required Average Acreage per Unit |
|-----------------|-----------------------------------|
| 1-2 | 2 acres |
| 3-5 | 3 acres |
| 6-10 | 4 acres |
| 11-15 | 5 acres |
| 16-20 | 6 acres |
| 21-25 | 7 acres |
| 26-30 | 8 acres |
| 31 or more | 9 acres |

General Regulations

1. The above schedule shall not apply to the sale of one (1) lot of (2) or more acres every (3) or more years
2. If a person submits site plans or subdivision plats for two or more planned residential developments involving land within a radius of one mile of any point of any involved land, the Planning Commission shall consider the two or more plans or plats as combined into one plan or plat for the purpose of determining the permitted number of dwelling units under the schedule in Section (315) above.
3. If 2 or more persons submit site plans or subdivision plats for planned residential developments, involving land within a radius of one mile of any point on adjacent parcels of land and if there is evidence of affiliation among adjacent landowners the Planning Commission shall consider the plans or plats combined into one plan or plat for the purpose of determining the permitted number of dwelling units under the schedule in Section (315) above.
For the purpose of determining whether such affiliation among adjacent landowners exists, the Planning Commission may direct its Attorney to examine the relationship of the parties and any knowledge or information about any contracts or agreements between the parties, and any facts revealed by the plans themselves that tend to show an interdependence of physical characteristics or design of the separate plans.
4. For the purpose of this Section, the word "person" shall mean an individual, partnership, corporation, association, unincorporated organization, trust or any other legal or commercial entity, including a joint venture of affiliated ownership.

Section 316 - Living Area Requirements for Dwelling Units

The minimum living area requirement for each dwelling unit shall be 400 square feet. This requirement may be reduced to 250 square feet each for additional dwelling units in the same structure upon approval by the Planning Commission.

Section 320 - Educational ED

District Description and Purpose: The Educational District includes the Marlboro College Campus. Its purpose is to provide adequate lands for the reasonable location and expansion of institutional facilities in relation to the present campus. District regulations provide for site plan review of zoning applications within the Educational District, and for conditional use review of all facilities exceeding specified size or bulk.

Only land which is in fact owned by Marlboro College shall be included within the Educational District, but not all such land will be necessarily so zoned. Should land in the Educational District be subsequently transferred to non-institutional ownership or management, said land shall thereafter be considered to be in the Rural Residential District.

Permitted Uses:

- 1. Educational Facilities [see also Section 335 - Special Public Use Exceptions]

Area, Bulk, Dimensional, and Coverage Requirements for Permitted Uses:

| | |
|----------------------------|--|
| Building Size: | Not more than 6,000 square feet above the foundation. For this purpose, buildings connected by an enclosed passageway shall be considered separate buildings. In the event that a basement area shall be used for the same purposes as the above-foundation areas, and if such basement area shall, with the above foundation areas, aggregate more than 6,000 square feet, a conditional use permit shall be required for such use. |
| Building Bulk: | Not more than 48,000 cubic feet above foundation level excluding attic space. |
| Building Height Maximum: | 35 feet |
| Building Coverage Maximum: | Up to 10 per cent of Educational District Lands |
| Building Setbacks: | Not less than 50 feet from property lines or public rights-of-way. |
| Yard & Courts: | Not less than 50 feet between structures. For this purpose, buildings connected by an enclosed passageway shall be considered separate buildings, and the distance shall be measured from the main structure in each case. |

Conditional Uses:

Educational Facilities which exceed the Area, Bulk, Dimensional, and Coverage Requirements for Permitted Uses may be allowed subject to Conditional Use review and approval by the Zoning Board of Adjustment.

Section 325 - Zoning Map

The location and boundaries of Zoning Districts are established as shown on the attached Official Zoning Map. The Official Zoning Map is hereby made a part of these regulations together with all future amendments. No amendment to these regulations which involves matter portrayed on the Official Zoning Map shall become effective until after such change and entry has been made on said map, signed by the legislative body and attested to by the clerk of the municipality. Regardless of the existence of copies of the Official Zoning Map which may from time to time be made or published, the Official Zoning Map which shall be located in the office of the clerk of the municipality shall be the final authority as to the current zoning status of land and water areas.

Section 330 - Interpretation of District Boundaries

The location of zoning district boundaries are established as shown on the Official Zoning Map. Where due to scale, lack of detail or illegibility by the zoning map there is any uncertainty, contradiction or conflict as to the intended location of any zoning district boundary shown thereon, the Board of Adjustment shall make an interpretation, upon request, by any aggrieved party. Any additional expense such as surveying shall be borne by the applicant.

Section 335 - Special Public Use Exceptions

The following uses may be regulated only with respect to size, height, bulk, yards, courts, setbacks, density of buildings, off-street parking and loading facilities, and landscaping or screening requirements:

1. Public utility power generating plants and transmission lines.
2. State owned and operated institutions and facilities.
3. Public and private schools and other educational institutions certified by the Vermont Department of Education.
4. Churches, convents, and parish houses.

The General Regulations contained under Article IV shall apply to the above uses, wherever applicable; and the Area, Yard, Coverage, and Height Regulations for the Zoning District in which any of the above uses will be located shall apply.

Section 340 - Nonconforming Uses

The following provisions shall apply to all buildings and uses existing on the effective date of these Regulations which do not conform to the use requirements of these Regulations. Any lawful building or use of a building or premises or part thereof existing at the time these Regulations are adopted may be continued, although such building or use does not conform to the provisions of the district in which it is located, and any such building or use may be altered or enlarged after approval by the Planning Commission. The Planning Commission may, on application, permit the change from a nonconforming

use to another nonconforming use not substantially different in its purpose or manner of application, and not harmful or objectionable to the neighborhood. Buildings, the use of which is nonconforming, which are destroyed by fire or other disaster, may be reconstructed for such use provided such construction begins within a period of three (3) years from the date of destruction. Once a nonconforming use is changed to a use permitted in the district where it is located, then it may not be changed back to a nonconforming use.

Section 341 - Non-complying Buildings

Nothing in this section shall be deemed to prevent normal maintenance and repair of a non-complying building provided that such action does not increase the degree of noncompliance.

Section 342 - Description of Zoning Boundaries

Rural-Commercial District: On the south side of Route 9: from the Four Corners, so called, being the junction of the eastern end of Town Highway 20, known as Church Hollow Road, with Route 9, westward along Route 9 at a depth of 900' from the center of Route 9, to the westerly boundary of the present property of A.S. Clark & Sons and of Patricia and Rafael Carbonell [Tax Map # 07-04-8.1 and # 07-04-8.2], thence continuing along the southerly boundary of the present property of Hugh and Helen Whitney [Tax Map # 07-04-31], of Sally and Suzanne White [Tax Map # 07-04-32], of Arnold M. and Ruth C. White [Tax Map # 07-04-33] and of Lewis and Phyllis Horvath [Tax Map # 07-04-35] to the westerly boundary of the said Horvath property. Beginning again and continuing from the westerly boundary of the present elementary school property [Tax Map # 07-04-49] (conveyed to the Marlboro Town School District by Raymond M. and Viola H. Eames, Vol. 20, page 409 of the Marlboro Land Records, March 2, 1953), thence continuing westward at a depth of 900' from the center of Route 9 to the junction of Route 9 and South Road.

On the north side of Route 9: from the aforesaid Four Corners westward along Route 9 at a depth of 900' from the center of Route 9, to the westerly boundary of the present Marlboro College property [Tax Map # 07-04-46.2].

Recreational Commercial District: From the eastern boundary of the present Richard and Joyce Hamilton property [Tax Map #06-02-47 and #06-02-24] westward along both sides of Route 9 at a depth of 900' from the center of Route 9 to the Wilmington Town boundary.

Educational District (Marlboro College): Being the following premises presently owned by Marlboro College:

1. the property conveyed to the Corporation of Marlboro College Walter and Flora B. Hendricks by warranty deed, Vol. 20, page 231-233 of the Marlboro Land Records, dated August 26, 1947;
2. all of Parcel No. 1 conveyed to the Corporation of Marlboro College by Flora B. Hendricks and Suvia T. Whittemore by quitclaim, Vol. 20, pages 367-368 of the Marlboro Land Records, dated February 17, 1947;

3. the property conveyed to the Corporation of Marlboro College by Anthony Cerretani, Vol. 21, page 327 of the Marlboro Land Records, dated January 6, 1962, presently known as the Married Student Housing lot;
 4. the property conveyed to the Corporation of Marlboro College by John K. and Lorraine A. Mumford, Vol. 22, page 352 of the Marlboro Land Records, September 30, 1969.
- Does not include the Christie lot, so called.

Rural Residential District: All the remaining lands in the Town.

ARTICLE IV - GENERAL REGULATIONS

Section 400 - Requirements of the Act

In accordance with Sections 4406 and 4409 of the Act, the following requirements shall apply:

Section 401 - Existing Small Lots

Any lot in individual and separate and nonaffiliated ownership from surrounding properties in existence on the effective date of these regulations may be developed for the purposes permitted in the district in which it is located, even though not conforming to minimum lot size requirements, if such lot is not less than one-eighth acre in area with a minimum width or depth dimension of forty feet.

Section 402 - Required Frontage On, or Access To, Public Roads or Waters

No land development may be permitted on lots which do not either have frontage on a public road or public waters or, with the approval of the Planning Commission, access to such a road or waters by a permanent easement or right-of-way at least twenty feet in width.

Section 404 - Equal Treatment of Housing

1. Except as provided in section 4407(6) of the Act, no zoning regulation shall have the effect of excluding mobile homes, modular housing, or other forms of prefabricated housing from the municipality except upon the same terms and conditions as conventional housing is excluded.
2. No zoning regulation shall have the effect of excluding from the municipality housing to meet the needs of the population as determined in section 4382(c) of the Act.
3. No provision of this chapter shall be construed to prevent the establishment of mobile home parks pursuant to Chapter 153 of Title 10.

Section 405 - Extraction of Soil, Sand, and Gravel

The removal of soil, sand or gravel for commercial purposes shall be allowed as follows:

Permitted Use: For up to 100 cu. yds. per year, not exceeding 500 yards total, per site, a zoning permit is required.

Conditional Use: The removal of more than 100 cubic yards per year or a total of 500 cubic yards total, per site, shall be permitted only after the Zoning Board of Adjustment finds, following conditional use review, that the proposed activity meets the standards below. A site plan in accordance with Section 203 shall accompany the conditional use permit application.

In addition, a plan for the rehabilitation of the site is required which will demonstrate that the site will be left safe, attractive, and in useful condition. This plan shall provide for the restoration of the area excavated, including but not limited to necessary grading, drainage, replacement of loam, or other suitable soil cover to support permanent vegetation and prevent soil erosion.

The Zoning Board of Adjustment may attach additional conditions which it deems necessary in

accordance with Section 4407(8) of the Act (such as guarantees of financial capability for the site rehabilitation, hours of operation, setbacks from Town roads, property lines or residences, or other factors) to protect the safety and general welfare of the public.

Standards: The extraction of soil, sand, and gravel may occur if:

1. The operation will not result in an embankment with a slope steeper than one (1) foot vertical to two (2) feet horizontal upon completion of an area of work.
2. No part of the operation shall be undertaken within 100 feet of a property line.
3. The operation does not cause undue noise, dust, or fumes. This can be accomplished through adequate vegetative buffers or screening to be maintained at all times between the operation (including excavation, blasting, crushing, and traffic access and circulation) and all roads and neighboring properties.
4. The operation does not cause unreasonable highway congestion, unsafe conditions, or excessive use with respect to gravel trucks on highways and bridges existing or proposed in the area.
5. The operation does not cause an unreasonable burden on the existing water supply if one is to be used, nor have an adverse impact on the quality or quantity of neighboring water supplies.
6. The operation does not interfere or threaten deer yards or other critical wildlife habitat, wetlands, streams, ponds, or lakes.
7. The operation does not have an undue adverse effect on the scenic or natural beauty of the area including such community resources as landmarks, historic sites, cemeteries or scenic areas.
8. The operation will not cause unreasonable soil erosion nor result in a reduction in the capacity of the land to hold water during and after the operation which could create a dangerous or unhealthy situation for adjoining property owners or downstream areas due to stream bank erosion, surface water runoff, or flooding.

Section 410 - Calculation of Required Lot Area

Existing or planned rights-of-way shall not be included in calculating the required lot area, lot depth or setbacks for front yards and side yards.

Section 411 - Lots in Two Zoning Districts

When a district boundary line divides a lot of record at the time such line is adopted, the regulations for the less restricted part of such lot shall extend not more than thirty feet into the more restricted part.

Section 412 - Buildings on Lots

1. There shall be only one principal residential building on a lot unless otherwise approved by the Planning Commission.
2. Any building standing on more than the minimum lot area required for the district within which it is located must retain the minimum required lot area if such building is sold.

Section 413 - Nonconforming Lots

As a condition for approval of a Division of Land whereby a nonconforming lot is created for the sole

purpose of conveyance to an adjoining landowner, The Grantee shall be required to merge and incorporate the nonconforming lot with an existing adjacent lot by recorded conveyance. The remaining lands of Grantor must conform to all requirements of the Zoning Bylaw after the conveyance.

Section 414 - Front Yard Setback on Highways with less than 50-Foot Rights-of-Way

Notwithstanding provisions for front yards elsewhere in these Regulations, on highways with less than 50-foot rights-of-way, the building setback shall be established on the assumption of a 50-foot right-of-way.

Section 415 - Location of Driveways

All driveways are to be located at least one hundred feet from a street or highway line intersection for all uses except one- and two-family residential uses.

Section 416 - Raising Site Grade

In any district dumping of refuse and waste material for raising site grade is subject to approval by the Planning Commission.

Section 420 - Erosion and Sediment Control

The smallest practical area of land should be exposed at any one time during development. Lands should not be left exposed during the winter months. Where necessary, temporary vegetation and/or mulching and structural measures may be required to protect areas exposed during the development. Sediment basins shall be installed and maintained during development to remove sediment from run-off water and from land undergoing development.

Development shall be accomplished so as to minimize adverse effects upon the natural or existing topography and soil conditions and to minimize the potential for erosion. Grading and storm drainage plans shall maximize the amount of natural drainage which can be percolated into the soil and minimize direct runoff into adjoining streets, properties, and watercourses or water bodies. Areas of grading, cut or fill and ditches shall be designed, constructed, and kept in good repair to minimize erosion and sedimentation.

Section 425 - Landscaping Requirements

Landscaping, where required under these regulations, will be installed and maintained in front, side and rear yards and shall take the form of shade trees, deciduous, shrubs, evergreens, well-kept grassed areas or ground cover, the species of which shall be approved by the Planning Commission.

Following are the minimum landscaping requirements:

1. Where any nonresidential land use abuts a residential land use, a strip of land, at least twenty-five feet in width shall be maintained as a landscape and utility area in the front yard, side yards and rear yard, unless waived by the Planning Commission.

2. Commercial and industrial uses shall provide for a strip of land at least-twenty feet in width which shall be maintained as a landscaped area in the front, side and rear yards, unless waived by the Planning Commission.
3. In any planned unit or planned residential development as required by the Planning Commission.

Section 430 - Gasoline Stations

In all districts where permitted, gasoline or motor vehicle service stations shall comply with the following:

1. A gasoline station lot shall not be located within three hundred feet of any lot occupied by a school, hospital, library or religious institution or dwelling.
2. Lot size shall be at least two acres.
3. Lot frontage shall be at least 200 feet.
4. Lot depth shall be at least 200 feet.
5. Pumps, lubricating and other service devices shall be located at least fifty feet from the front lot line and side and rear lot lines.
6. All fuel and oil shall be stored at least thirty-five feet from any property line.
7. All automobile parts and dismantled vehicles are to be stored within a building, and no major repair work is to be performed customarily outside a building.
8. No signs shall extend beyond the pumps, nor exceed twenty feet in height.
9. There shall be no more than two access driveways from the street. The maximum width of each access driveway shall be forty feet.
10. A suitably curbed landscaped area shall be maintained at least five feet in depth along all street frontage not used as driveway.

Section 435 - Off-street Parking and Loading Space Requirements

Off-street parking spaces shall be provided at least as set forth below. A required driveway shall be at least twenty feet clear in width, except for one- and two-family dwelling uses. A parking space shall be at least nine feet by twenty-two feet.

1. Residential:
 - a. One-family and two-family dwelling units: one parking space for every unit.
 - b. Multiple-family dwelling units: four parking spaces for every three units.
 - c. Professional residence-office: one parking space, plus one additional parking space for every three hundred square feet of office space.
2. Hotel, Motel, Tourist Home, Boarding House: one space for every guest room.
3. Dormitory, Fraternity, Nurses' Home, Hospital: one space for every two beds.
4. Places of Public Assembly: one parking space for every five seats; where there are no seats, one parking space shall be provided for every two hundred square feet of floor area.
5. Business, Professional, and Medical Offices: one space for every two hundred square feet of office space.
6. Commercial, Business, and Unspecified Uses: one parking space for every motor vehicle used in the business, plus one parking space for every two hundred square feet of floor area.

7. Restaurant, Eating and Drinking Establishments: one parking space for every seventy-five square feet of floor space.
8. Other Uses: as required by the Planning Commission.

The Planning Commission may require additional off-street parking and loading spaces for any use if it finds that minimum spaces are not sufficient.

Section 440 - Camping Trailers and Tent Sites

The following standards and requirements include but are not limited to those contained in the State Department of Health Trailer Camp and Tent Site Regulations:

In addition to the requirements for Conditional Use approval contained in Section 204 (3), the following general and specific standards must be satisfied before any Camping Trailer or Tent Site is approved.

Section 441 - Camping Trailers, Tents, and Camps

It shall be unlawful for any person to park a camping trailer, travel trailer, pickup coach, motor home, erect a tent, or build or occupy a camp except in accordance with these Regulations as follows:

1. The use of camping trailers or tents shall be permitted:
 - a. Upon specific approval of the landowner for *bona fide* camping only.
 - b. In an approved Trailer Camp or Tent Site.
 - c. In an approved camping trailer sales lot.
2. The owner of a trailer may park it on his own property in the rear or side yards and no closer than six feet to any lot line. A trailer so parked shall not be used as living quarters and it shall not be permanently hooked up to any utilities.
3. The owner of a tent may not erect it on his property closer than six feet to any lot line and it shall not be hooked up to any utilities.
4. Camps are allowed as long as they conform to all applicable regulations for structures, except minimum living area requirements, within the district in which they are located. However, upon conversion of a Camp to any use which no longer meets the definition for a Camp, the structure and use must conform to the requirements of use and occupancy of the district in which it is located. An intent of this section is to limit the use of camping trailers, tents, and camps to temporary, vacation or recreational use. Any other use shall require the Administrative Officer to demand conformance with the rest of these Regulations.

Section 442 - Park Standards for Camping Trailers and Tent Sites

The following regulations shall apply in respect to all camping trailers and tent sites:

1. An individual access driveway and parking area, suitably surfaced and graded, shall be provided for each site.
2. Each site shall be at least 2,500 square feet in area. Each camping trailer site shall have a compacted gravel surface at least twenty feet in width.

3. There shall be an undeveloped area of not less than 100 feet in depth between all camping trailer and tent sites and the traveled portion of any adjacent highway and other boundaries of the camp which areas shall be landscaped with existing or planted trees or other plant materials.
4. Each site shall be located in a dry and well-drained area.
5. All roads within the site shall be of sufficient grade and alignment so as to permit safe traffic flow at all times. The design of roads shall be adequate to provide for the utilization of police, fire, ambulance, and other emergency vehicles. Proper traffic control signs shall be established.

Section 445 - Telecommunications Facilities

Definition: Tower, pole, antenna, guy wire, or related fixtures or equipment intended for use in connection with transmission or receipt of electromagnetic signals, and for which a license is sought or has been granted by the FCC; the structures incidental to a communications facility; and the construction or improvement of a road, trail, or parking areas.

New or expanded telecommunications facilities may be permitted subject to all dimensional standards except height, to Site plan Review, to Conditional Use Review, and to the following provisions.

1. Before any new telecommunications towers, antennas, or structures are considered, all existing towers and antennas must be considered as alternative co-location sites and evidence presented that these sites are not feasible before new sites are developed. New facilities shall be designed so that they can accommodate additional related equipment when possible.
2. Any new telecommunications facilities should employ the least visually obtrusive technology with the lowest environmental impact available.
3. The siting of telecommunications facilities should demonstrate that the site is not located in an environmentally sensitive area and that the site design, layout, and access have the lowest environmental impact possible. To do this, the developers of telecommunications facilities may be required to conduct an environmental impact assessment of the proposed site at their own expense.
4. Construction and wiring of the proposed telecommunications facility shall meet all state and federal requirements, including but not limited to FCC requirements for transmissions, emissions, and interference. All facilities shall be located and operated in a manner that poses no potential threat to public health and safety.
5. The facility shall be dismantled within 90 days when use is discontinued for over one year and the site restored to its original appearance. The Town may require the applicant to provide a performance bond or similar form of surety payable to the Town in an amount sufficient to cover the full costs of tower removal and site reclamation.
6. New facilities shall be located to minimize their visibility. No tower shall be located on an exposed ridgeline or hilltop. To protect public safety and to preserve the scenic character of the area, the height limit for towers, antennas, and tower-related fixtures shall be not more than 20 feet above the average height of the tree line measured within 100 feet of the highest vertical element of the telecommunications facility.

7. The Town may hire independent consultants, qualified professionals with expertise in relevant fields, to assist with and advise on the analysis and review of technical aspects of applications. The applicant may be charged for costs of independent review of application.

Section 450 - Home Enterprises

Home Enterprises in a rural residential zone may be allowed if such use complies with the requirements of this subsection:

1. In accordance with section 4406(3) of the Act the use of a minor portion of a dwelling for an enterprise which is customarily conducted in residential areas and does not change the character thereof shall not require a permit.
2. A conditional use permit shall be required for:
 - a. Use requiring two or more full-time employees or the equivalent who are not members of the family living on the premises.
 - b. Activity which generates traffic and parking in consistently larger amounts than would normally be expected in a residential neighborhood.
 - c. An enterprise which uses a substantial portion of the residence or accessory building(s).
3. Prohibited use:
 - a. Large commercial or industrial operations.
 - b. Operations which violate Section 460 as to noise, traffic, dust, odors, etc.

Home Enterprises in a commercial zone may be allowed under Section 210 so long as they do not violate Section 460.

Section 455 - Signs

Signs are allowed with regulations, restrictions, and prohibitions as detailed in Sections 456 and 457. Only On-Premise signs are allowed, with certain exceptions as given in Section 458.

Section 456 - Permitted Signs

The following On-Premise signs are allowed without a zoning permit:

1. In all districts
 - a. One (1) professional or home enterprise sign, not exceeding four (4) square feet in total area.
 - b. Two temporary real estate signs offering sale or rental of the premises, entire or in part, and not exceeding six (6) square feet in total area (both signs). "Temporary," in this usage, shall mean until sale or rental is effected, or for six (6) months, whichever comes first.
2. In commercial districts
 - a. Interior window signs, with the following provisions: Such sign shall present a face that can be contained in a rectangular area no greater than four (4) square feet, whether or not the elements of the sign completely fill such a rectangle. Signs employing gas-discharge tube ("neon") displays are allowed, provided that they conform with the size limits given above, and that no more than six (6) such signs are displayed by any establishment.
 - b. Fluorescent signs not exceeding two (2) square feet in area.

The following On-Premise signs require a zoning permit from the Administrative Officer:

1. In residential districts, signs identifying any allowed nonresidential use (see Section 205, Conditional Uses), not to exceed twenty (20) square feet in total area.
2. In commercial districts:
 - a. No more than three (3) business signs, not larger than thirty-two (32) square feet each; no more than two (2) of these signs are to be located within twenty-five (25) feet of the edge of the traveled portion of the highway.
 - b. Signs included in (a) may be internally illuminated, provided that the translucent material of the sign diffuses the internal light to eliminate any glare or "bright spots;" or they may be externally illuminated, provided that the source of illumination is carefully shielded to prevent traffic hazards.

Section 457 - Prohibited Signs

The following signs shall not be allowed in any district:

1. Advertising billboards.
2. Flashing, oscillating, or revolving signs.
3. Neon signs in any exterior application.
4. Fluorescent signs larger than two (2) square feet in area.
5. Reflective signs.
6. Signs attached to buildings when such signs are more than twenty-five (25) feet in height, or extend above the eaves of that part and side of the building to which the sign is attached.
7. Freestanding signs in excess of twenty (20) feet in height.
8. Signs that impair public safety.
9. Portable signs.

Section 458 - Exceptions

The following On- and Off-Premise signs are allowed without a zoning permit:

1. Signs erected, maintained, or administered by the municipality or by the State of Vermont under Title 10, Chapter 21. Reflective signs are allowed within this category.
2. Signs without advertising displayed for the direction, instruction, or convenience of the public, including signs that identify rest rooms, freight entrances, posted areas or the like, not exceeding two (2) square feet in area. Included in this category are off-premise signs giving directions to a home industry or other rural-residential use as defined in Section 305. Three (3) such signs are allowed, with areas not to exceed one-half (1/2) square foot each.
3. Signs displayed for not more than two (2) weeks, announcing events such as fairs or expositions, auctions, campaign drives, or events sponsored by a civic, political, religious, or philanthropic service organization, etc. Such signs may not exceed four (4) square feet in area, and must be removed by the owners, sponsors, or proprietors promptly after the announced event.
4. Signs in or on the rolling stock of a common carrier while in use as such, and signs painted on or attached to registered and inspected vehicles so as not to change the exterior dimensions of

such vehicle, provided that any such vehicle is in use as a vehicle. This exemption does not extend to rolling stock or vehicles when one of the principal uses has become that of advertising by its having advertising matter painted or posted thereon.

5. Portable signs of no more than eight (8) square feet that are placed and removed daily.

Section 460 - Uses Not Permitted

Any uses which are, or may be, injurious, noxious or offensive by reason of pollution, noise, vibration, smoke, dust or odor, glare, lights or reflection, fire safety or explosion, or anything harmful to the public health are not permitted in the Town.

ARTICLE V - PLANNED RESIDENTIAL DEVELOPMENT, PLANNED UNIT DEVELOPMENT AND DESIGN CONTROL DISTRICTS

Section 500 - Planned Residential Development (PRD)

In accordance with the provision set forth in Section 4407(3) of the Act, and where permitted by the zoning district, the modification of Zoning district regulations by the Planning Commission is permitted simultaneously with Subdivision Regulation plat approval, or, in the absence of Subdivision Regulations, Site Plan Approval under the following procedures.

Section 501 - Purpose

The purpose of the PRD provision is to encourage flexibility of design and development of land in such a manner as to promote the most appropriate use of land, to facilitate the adequate and economic provision of streets and utilities, to encourage the preservation of natural and scenic qualities of open land, to provide for a mixture and variety of housing types at different intensity and to provide for the development of lands which because of physical, topographical or geological conditions could not otherwise be developed.

Section 502 - Definition

A PRD shall mean a subdivision to be developed by a landowner as an entity which does not correspond in lot size, bulk, or type of dwelling, intensity of dwelling, or required open space to the regulations of the district within which it is located.

Section 505 - Application and Review Procedures

1. A site plan shall be submitted to the Planning Commission showing the location, height and spacing of buildings, open spaces and landscaping, streets, driveways and off-street parking spaces, water and sewage facilities, proposed grading and drainage, fire protection, unique natural or manmade features, physical conditions of the site, and other information that may be required under the Town's Subdivision Regulations. The application shall be accompanied by a statement setting forth the nature of all proposed modifications to the zoning regulations.
2. The required review procedures under Section 203 of these Regulations for Site Plan Review shall be waived for any PRD but the standards for Site Plan Review shall be met as a condition to application approval.
3. The General and Specific Standards under Section 204 and 205 of these Regulations, *Conditional Uses*, shall be met as a condition to application approval.

Section 506 - General Development Standards

The following general standards shall be met in order for the Planning Commission to approve the application:

1. The PRD shall be consistent with the Town Plan.
2. The overall density of the project shall not exceed the number of dwelling units which could be constructed in the Planning Commission's judgment if the land were subdivided into lots in

- accordance with district lot area requirements.
3. The dwelling units permitted may, at the discretion of the Planning Commission, be of varied types including one-family, two-family, or multifamily construction, and which may include garden apartments, row houses, otherwise attached units, or detached cluster dwellings.
 4. The PRD is an effective and unified treatment of the development possibilities on the project site, and the development plan makes appropriate provision for preservation of streams and stream banks, steep slopes, wet areas, soils unsuitable for development, forested areas, and unique natural and manmade features.
 5. The development plan is proposed over a satisfactory period of time in order that adequate municipal facilities and services may be assured in a timely manner.
 6. All other zoning requirements of the district, except for those that specifically may be waived or varied under the provisions of this Article shall be met.

Section 507 - Specific Development Standards: Uses

Permitted Uses:

1. One- or two-family dwelling with a minimum first floor area of 600 square feet for each dwelling unit, exclusive of basements, utility rooms, garages, breezeways, or similar places.
2. Multiple-family dwelling.
3. Any combination of the aforesaid uses and including building structures which may be apartments, garden apartments, row houses, semi-attached dwelling units or clustered detached dwelling units.

Area, Dimensional, & Coverage Requirements

Average Acreage Minimum: As set forth in Section 315.

Lot Area Minimum (for each)

One-family dwelling: 10,000 square feet/unit when land is not commonly owned.

Two-family dwelling: 15,000 square feet.

Multiple-family dwelling: average at least 6,000 square feet per dwelling unit.

Yards Required: Front yards, rear yards and side yards shall be designed so that no residential building is closer than 50 feet to any other residential building, and no building is closer than 50 feet to any boundary line of the district or any street.

Coverage Maximum: 20% of the lot 10% of the District

Section 508 - District Regulations' Waivers

Upon the approval of a Subdivision Plan or Site Plan, as the case may be, the lot area, dimensional and coverage requirements in the Zoning Regulations may be waived or varied.

Any such waiver or variation shall be specifically set forth in terms of conditions. Such conditions may include but are not limited to the design, location and spacing of buildings, the size of lots and open spaces. Any conditions shall be noted or appended to the plat.

Section 509 - Open Space

If the application results in lands available for parks, recreation, open space or other municipal-type facilities, the Planning Commission, as a condition of its approval, may establish such conditions on the ownership, use, and maintenance of such land as it deems necessary to assure the preservation of such lands for their intended purposes.

Section 520 - Planned Unit Development (PUD)

In accordance with the provisions set forth in Section 4407(12) of the Act, and where permitted by the zoning district, the modification of the zoning district regulations by the Planning Commission is permitted simultaneously with Subdivision Regulation Plat Approval, or, in the absence of subdivision regulations, site plan approval, under the following procedures.

Section 521 - Purpose

The purpose of the PUD provision is to encourage planned communities or community centers for residential, commercial or industrial uses or any combination thereof; innovation in design and layout; and more efficient use of land; to facilitate the adequate and economic provision of streets and utilities; to preserve the natural and scenic qualities of open land; to provide for a mixture of compatible uses at different intensity; and to provide for the development of lands which because of physical, topographical or geological conditions could not otherwise be developed.

Section 522 - Definition

A PUD means an area of land, controlled by a landowner, to be developed as a single entity for a number of dwelling units, and commercial and industrial uses, if any; the plan for which does not correspond in lot size, bulk or type of dwelling, commercial or industrial use, density, lot coverage and required open space to the regulations of the district within which it is located.

Section 523 - Application and Review Procedures

1. A site plan shall be submitted to the Planning Commission showing the location, height and spacing of buildings, open space and landscaping, streets, driveways and off-street parking spaces, water and sewage facilities, proposed grading and drainage, fire protection, natural or man-made features, and physical conditions of the site. The application shall be accompanied by a statement setting forth the nature of all proposed modifications to the zoning regulations.
2. Prior to official submission to the Planning Commission, any application for PUD, involving uses that are Conditional for the district within which the project is located, shall be submitted to the Board of Adjustment. The Board shall consider the uses which are Conditional Uses subject to the procedures and standards contained in Sections 204 and 205 of these Regulations. Any Conditional Use approvals shall be conditioned upon Planning Commission PUD review and approval.
3. The required review procedures under Section 203 of these Regulations for Site Plan Review shall be waived for any PUD but the standards for Site Plan Review shall be met as a condition to application approval.

Section 524 - Permitted Uses

Uses shall be limited to those permitted and conditional uses within the district in which the PUD is proposed.

Section 525 - General and Specific Standards

The following general and specific standards shall be met in order for the Planning Commission to approve the application.

1. The PUD shall be consistent with the Town Plan.
2. Mixed uses shall be arranged so as to be compatible and assure visual and aural privacy for residents of the project.
3. The development plan is proposed over a satisfactory period of time in order that adequate municipal facilities and services may be assured in a timely manner.
4. The overall density of the project shall not exceed the number of dwelling units and commercial and industrial uses which could be constructed, in the Planning Commission's judgment, if the land were subdivided into lots in accordance with district lot area requirements.
5. The PUD is an effective and unified treatment of the development possibilities on the project site, and the development plan makes appropriate provision for preservation of streams and stream banks, steep slopes, wet areas, soils unsuitable for development, forested areas, and unique natural and manmade features.
6. All other zoning requirements of the district, except for those that specifically may be waived or varied under the provisions of this Article shall be met. Said requirements shall include the General and Specific Standards for Conditional Uses contained in Section 204 and 205 of these Regulations.
7. Conditional uses allowed within the district for which the PUD is planned shall complement the permitted uses in numbers of principal buildings or in total land area required.

Section 526 - District Regulations' Waivers

Upon the approval of a Subdivision Plat or Site Plan, as the case may be, the lot area, dimensional and coverage requirements in the Zoning Regulations may be waived or varied. Any such waiver or variation shall be specifically set forth in terms of conditions which may include but are not limited to the design, location and spacing of building and the size of lots and open spaces. Such conditions shall be noted or appended to the plat.

Section 527 - Open Space

If the PUD results in lands available for parks, recreation, open space or other municipal-type facilities, the Planning Commission, as a condition of its approval, may establish such conditions on the ownership, use and maintenance of such lands as it deems necessary to assure the preservation of such lands for their intended purposes.

Section 530 - Design Control District

As provided for in Section 4407(6) of the Act, provision is hereby made for establishment of design

control districts, subject to an affirmative vote by Town Meeting.

Within any design control district no structure may be erected, reconstructed, substantially altered, restored, moved, demolished, or changed in use or type of occupancy without design approval of plans by the Planning Commission.

ARTICLE VI - SHORE LAND AREA REGULATIONS

Section 600 - Statutory Authorization

To effect the purpose of Chapter 49 of Title 10 and to promote the public health, safety and general welfare in accord with criteria set forth in Sections 1423 and 1425 thereof, there are hereby established shore land zoning regulations for the Town of Marlboro.

Section 605 - Classification of Shore Lands: General Description

Marlboro's shore lands are classified as Natural Shore lands and include lands around Sunset Lake and South Pond. Natural Shore lands are those that border waters with high scenic, resource, and recreational value. The purpose of Natural Shore land control is to preserve and enhance high quality waters, and, therefore, to require adequate development standards to achieve the purpose.

Section 610 - Shore Land Regulations

For the purpose of these Regulations, shore land areas shall be defined as those lands lying between the normal mean watermark of the water bodies identified under Section 605 and a line as shown on the Zoning Map.

Use, Area, Setbacks and Vegetation Buffer Requirements:

Use and Lot Size: as specified in underlying zoning district

Setback from Normal Mean Water Mark:

On-site Sewage: 100 feet

Principal Structures*: 75 feet

Vegetative Buffer: 50 feet

*Docks and landings shall be exempt from the setback requirement for structures. Accessory uses shall be set back at least 50 feet.

Prohibited Uses:

Within shore land districts, garbage and solid waste disposal, including expansion of existing garbage and solid waste facilities is prohibited.

Vegetation Buffer:

Within the required area a buffer of healthy trees, shrubs and ground cover shall be preserved, maintained, and enhanced by appropriate methods as prescribed by the Planning Commission under site plan review. The extent of any planting and/or seeding shall be sufficient to minimize soil erosion and to screen selectively the land use from the shoreline.

ARTICLE VII - FLOOD HAZARD AREA REGULATIONS

Section 700 - Statutory Authorization

To effect the purpose of 10 V.S.A. Chapter 32, and in accord with the Act, there are hereby established Flood Hazard Area Regulations for those areas subject to flooding in the Town of Marlboro.

Section 705 - Statement of Purpose

It is the purpose of these Regulations to promote the public health, safety, and general welfare, to prevent increases in flooding caused by the uncontrolled development of lands in flood hazard areas and to minimize losses due to flooding.

Section 710 - Flood Hazard Zoning Map

These regulations shall apply to all lands within 100 feet of the boundaries shown on the Marlboro Flood Hazard Zoning Map which includes all areas within Zone A on the FIA's Flood Hazard Boundary Map, as it may be amended, together with additional lands identified on the Town Flood Hazard Zoning Map by other available Federal, State, and local flood data. The Flood Hazard Zoning Map is hereby declared to be part of these Regulations.

Section 711 - Interpretation of Flood Hazard Area Boundaries

The Administrative Officer shall determine the location of boundaries of the flood hazard areas by scaling distances on the Flood Hazard Zoning Map. Upon appeal from the decision of the Administrative Officer as to boundary location, the Board of Adjustment shall make the necessary interpretation.

Section 715 - Application Submission Requirements

Application submission requirements shall include:

1. Two (2) copies of plans drawn to scale showing the nature, location, dimensions and elevations of the lot.
2. Existing and proposed structures including the elevation of the lowest habitable floor including basement and confirmation as to whether such structures contain a basement.
3. Proposed fill and/or storage of materials.
4. Proposed flood proofing measures and the level to which any structure will be floodproofed.
5. The relationship of the proposal to the location of the channel.
6. The extent of the flood hazard area and the base flood elevation utilizing the best information available.
7. For all subdivision and development which requires a permit under Article V of these Regulations and which involves more than 50 lots or 5 acres, the base flood elevation for that portion that lies within Zone A.

Section 720 - Procedures

1. Land Development including the construction, reconstruction, conversion, relocation or substantial improvement in any building or other structure, or of any mining, excavation or land fill, or extension of use of land in the flood hazard area may be permitted only by approval of the Zoning Board of Adjustment as a conditional use in accordance with the standards and requirements of these Regulations.
2. Upon receipt of an application and plans, the Zoning Board of Adjustment shall transmit one copy to the Vermont Department of Water Resources in accordance with Section 4409 (2) of the Act. The Board of Adjustment shall consider all comments received from the Department of Water Resources which comments shall be made part of the record of the hearing.
3. In riverine situations, the board of adjustment shall notify adjacent communities and the Vermont Department of Water Resources prior to approval of any alteration or relocation of a water course and submit copies of such notification to the FIA Administrator.

Section 725 - Standards

1. In reviewing an application, the Board of Adjustment shall require:
 - a. That all building sites will be reasonably safe from flooding;
 - b. That the use is located, designed and anchored to prevent flotation, collapse or lateral movement;
 - c. That the use is constructed of materials and utility equipment that are resistant to flood damage;
 - d. That the use is constructed using methods and practices that will minimize flood damage;
 - e. That the structure shall be constructed with electrical, heating, ventilation, plumbing, and air conditioning equipment and other service facilities that are designed and/or located so as to prevent water from entering or accumulating within the components during conditions of flooding;
 - f. That the use is designed so that adequate drainage is provided so as to reduce exposure to flood hazards;
 - g. That new or replacement water supply systems and/or sanitary sewage systems are designed to minimize or eliminate infiltration of flood waters into the systems and discharges from the systems into flood waters and that on-site disposal systems are located so as to avoid impairment of them or contamination from them during flooding.
 - h. That the flood carrying capacity within any portion of an altered or relocated watercourse is maintained;
 - i. New and replacement manufactured homes shall be elevated on properly compacted fill such that the top of the fill (the pad) under the entire manufactured home is above the base flood elevation.
2. If any base flood elevation and floodway data is available from a federal, state, or other source, the Board of Adjustment shall obtain review and reasonably utilize this data until such other data has been provided by the Flood Insurance Administrator as criteria for requiring that:

- a. The lowest floor, including basement, of all new buildings shall be at or above the base flood elevation.
- b. Existing buildings to be substantially improved for residential purposes shall be modified or elevated to meet the requirements of 725 (2)(a).
- c. Existing buildings to be substantially improved for nonresidential purposes shall either (1) meet the requirements of 725 (2)(a), or (2) be designed to be watertight below the base flood elevation with walls substantially impermeable and with 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 registered professional engineer or architect has reviewed the structural design, specifications and plans, and has certified that the design and proposed methods of construction are in accordance with accepted standards of practice for meeting the provisions of this subsection.
- d. All new construction and substantial improvements with fully enclosed areas below the lowest floor that are subject to flooding shall be designed to automatically equalize hydrostatic flood forces on exterior walls by allowing for the entry and exit of floodwaters. Designs for meeting this requirement must either be certified by a registered professional engineer or architect or meet or exceed the following minimum criteria: A minimum of two openings having a total net area of not less than one square inch for every square foot of enclosed area subject to flooding shall be provided. The bottom of all openings shall be no higher than one foot above grade. Openings may be equipped with screens, louvers, valves, or other coverings or devices provided that they permit the automatic entry and exit of floodwaters.

Development within the floodway be prohibited unless a registered professional engineer certifies that the proposed development will not result in any increase in flood levels during the occurrence of the base flood.

Section 730 - Special Requirements for Setback from Minor Streams

1. The following standard shall apply to all streams which are identified on the Flood Hazard District Map, as "Minor Streams with drainage area of more than one square mile."
2. No permanent structure or fill shall be erected within 75 feet from the center of the stream, except as provided in Section 703 (c).
3. A permit for land development may be granted by the Board of Adjustment where, because of existing topography, compliance with Section 730 (2) would be impractical or unreasonable. The Board shall find that the structure or fill will not be subject to flood damage and will not cause increased flood damage to others in the event of an 100-year flood. The application requirements and procedures in Section 715 shall apply.

Section 735 - Administration

1. Except as provided for below, these regulations shall be administered and enforced according to the provisions of Article II.

2. Application for a permit for land development in a flood hazard area shall be made to the Administrative Officer, who shall transmit such application to the Zoning Board of Adjustment for review and consideration as provided by these Regulations.
3. The Administrative Officer shall maintain a record of:
 - a. All permits issued for development in areas of specific flood hazard.
 - b. The elevation, in relation to mean sea level, of the lowest floor, including basement, of all new or substantially improved buildings.
 - c. The elevation, in relation to mean sea level, to which buildings have been floodproofed.
 - d. All flood proofing certifications required under this regulation.
 - e. All variance actions, including justification for their issuance.
4. Variances shall be granted by the Board of Adjustment only:
 - a. In accordance with the provisions of 24 V.S.A. Section 4468;
 - b. Upon a determination that the variance will not result in increased flood heights, threats to public safety, extraordinary public expense, create nuisances, cause fraud on or victimization of the public, or conflict with existing local laws or ordinances.

Section 740 - Warning of Disclaimer of Liability

These regulations do not imply that areas outside the flood hazard area or land uses permitted within such districts will be free from flooding or flood damages. These regulations shall not create liability on the part of any town official or employee thereof for any flood damages that result from reliance on these regulations or any administrative decision lawfully made thereunder.

ARTICLE VIII - DEFINITIONS

Doubt as to the precise meaning of any word used in these Regulations shall be clarified by the Zoning Board of Adjustment.

Accessory Use or Structure: A use or building which is incidental, separate and subordinate to the primary use or building on a lot or parcel of land, located on the same lot as the primary use or building and clearly related to the primary use or building.

Administrative Officer: That person appointed by the Planning Commission and approved by the Board of Selectmen in accordance with section 4442 of the Act.

Administrator: The Federal Insurance Administrator when used in ARTICLE 3 Flood Hazard Regulations.

Affordable Housing: Housing is affordable when households with an income below the county median pay no more than thirty percent (30%) of their income on housing costs. Housing costs for renters include rent and utilities. Housing costs for homeowners include principal and interest, property insurance and property taxes. To qualify as affordable housing, the units must be affordable for at least forty (40) years.

Agriculture & Forestry: The growing, management, and harvesting of crops including but not limited to: the raising of livestock and/or poultry; dairying; the operation of orchards, including maple sugaring; forestry; trees, timber, and forest products; the sale of farm produce on the premises where produced; the use of farm structures and the storage of equipment incidental to the above.

Alteration: Structural change or rearrangement, change of location or addition to a building, other than repair and maintenance to the building and modification of equipment in the building.

Area of Special Flood Hazard: The land in the flood plain within a community subject to a one percent or greater chance of flooding in any given year. The area may be designated as Zone A on the Flood Hazard Base Map (FHBM). After detailed rate making has been completed in preparation for publication of the FIRM, Zone A is usually refined into Zones A, -AO, AH, A1-30, AE, or A99.

Base Flood: The flood having a one percent chance of being equaled or exceeded in any given year.

Basement: Any area of the building having its floor sub grade (below ground level) on all sides.

Boarding, Rooming House, Guest Farm, or Bed and Breakfast: A building designed to room and board not more than ten (10) people, on a nightly, weekly or seasonal basis, operating under license by the Department of Labor and Industry or the Department of Health as such. Central dining and food preparation may be provided sufficient to serve registered guests. Cooking facilities shall not be provided in individual guest rooms.

Building: A walled and roofed building including a gas or liquid storage tank that is principally above ground.

Building Area & Bulk: The floor area and the volume of the principal building including attic and basement, and attached accessory buildings, if used for the same general purposes as the principal building. Excluded are buildings connected by any enclosed passageways, porches, terraces, and steps.

Building Coverage: That area of a lot covered by buildings or structures.

Building Density: The total area of a group of buildings in relation to the open space around the buildings.

Building Height: The vertical distance from the average finished grade surrounding the building to the highest point of the roof.

Building Permit: See Zoning Permit, Section 202

Business Office: A room or group of rooms wherein services are performed involving predominantly administrative, clerical, or professional operations.

Camp: A permanent structure for temporary, vacation or recreational use which will not have plumbing and which shall have no running water at any time. A camp must be situated on a lot that conforms to the zoning regulations. Camps must meet any applicable Federal, State, or Local sewage and/or health ordinances.

Conference Center/Retreat: A structure or group of structures used as a public or private center for the purposes of holding meetings, conferences, and conventions, educational or professional seminars, which may include facilities for overnight accommodations.

Common Land: Land owned and used in common and restricted in purpose by covenant for residents or users of cluster buildings including Planned Residential Developments ("PRD's") and Planned Unit Developments ("PUD's").

Community Building: A building used by nonprofit or public agencies for programs open to all members of the community for which there is no charge or nominal charge.

Conditional Use: A use allowed in a particular zoning district only upon a finding by the Zoning Board of Adjustment that such use in a specified location will comply with the conditions and standards for the location or operation of such use as specified in the Bylaw

Development: The division of a parcel of land into two or more parcels; the construction, reconstruction, conversion, structural alteration, relocation or enlargement of any building or other structure; any mining excavation or land fill; and any change in the use of any building or other structure, or land, or extension of use of land. (24 VSA 4303 (3)). For the purposes of determining whether a zoning permit is required, land development shall not include the following:

- a. buildings or structures involving less than 100 square feet in area and less than 7 feet in height, provided that such buildings or structures otherwise comply with these regulations;
- b. interior repair or renovation which does not change the lawful use of the structure;
- c. exterior repair or renovation which does not involve Substantial Improvement as defined herein, and which does not alter the foundation plan, or violate setback provisions, or change the lawful use of a structure;
- d. landfill or excavation incidental and accessory to a use of land that is lawful under these regulations, provided that the landfill or excavation does not violate any provisions of these regulations or constitute a change in the use of land.

Notwithstanding these exceptions, permits shall be required for signs as provided in sections 455-458

Dormitory/Hostel: A dwelling in which lodging is provided by the owner or operator, distinguished from other lodging establishments by the sharing of bedrooms, bathrooms, living rooms, and/or kitchens.

Dump: Land used for the disposal by abandonment, dumping, burial, burning or by any other means and for whatever purposes, of garbage, sewage, sludge, trash, refuse, junk, discarded machinery, vehicles or parts thereof, or waste material of any kind other than tree stumps.

Dwelling Unit: One or more rooms designed, occupied or intended for occupancy as separate living quarters, with cooking, sleeping and sanitary facilities provided within the living quarters. This shall not include motel, hotel, boarding house or similar structures.

Educational Facility: A public or private school or other certified institution or facility intended specifically

for educational purposes.

Erect: Shall mean to build, construct, attach, hang, place, suspend or affix, and shall also include the painting of wall signs and/or window signs.

FIA: Federal Insurance Administration.

Flood Insurance Rate Map (FIRM): An official map of a community, on which the Administrator has delineated both the special hazard areas and the risk premium zones applicable to the community.

Flood Insurance Study: An examination, evaluation, and determination of flood hazards and, if applicable, corresponding surface elevations.

Flood Proofing: Any combination of structural and nonstructural additions, changes, or adjustments to structures which reduce or eliminate flood damage to real estate or improved real property, water and sanitary facilities, structures, and their contents. Those methods that are adequate to withstand the flood depths, pressures, velocities, impact and uplift forces and other factors associated with the 100- year flood.

Floodway: The channel of a river or other watercourse and the adjacent land areas that must be reserved in order to discharge the base flood without cumulatively increasing the water surface elevation more than a designated height.

Health Care Facility: A facility or institution, whether private or public, principally engaged in providing services for health maintenance, diagnosis, and treatment, which may have equipment, facilities, and staff to provide 24-hour care.

Home Enterprise: Any small craft or service type operation carried out on the premises, such as hand crafts, antique, pottery or woodworking shops, custom service or repair shops, or office which use is clearly secondary to the dwelling and does not change the character thereof.

Hotel/Motel: Building containing rooms which are rented as sleeping units for transients, each unit consisting of at least a bedroom, an available bathroom, and without individual cooking facilities.

Junkyard: Land or building used for the collection, storage or sale of waste paper, rags, scrap metal or discarded material, or for the collection, wrecking, dismantling, storage, salvaging and sale of machinery parts or vehicles.

Light Industry: The manufacture, processing, fabrication or storage of products not employing more than twenty (20) employees and occupying not more than six (6) thousand square feet.

Lot: A parcel of land, with or without structures, that conforms to all the requirements for minimum area and depth for the particular zoned area in which such land is situated and having the required frontage on a street, or other permanent means of access.

Lot Frontage: Distance measured across that portion of a lot which is adjacent to and parallel to a public street; or if access to the lot is by right of way or private road the lot frontage shall be the distance measured across the width of the lot at the building front line or the proposed building front line.

Lot Depth: The mean distance measured perpendicularly from the property line nearest the road to its opposite rear line.

Lowest Floor: The lowest floor of the lowest enclosed area (including basement). An unfinished or flood resistant enclosure, useable solely for parking of vehicles, building access or storage in an area other than a basement area is not considered a building's lowest floor; provided that such enclosure is not built so as to render the structure in violation of the applicable non-elevation design requirements of Section 725 (1).

Manufactured Home: A structure, transportable in one or more sections, which is built on a permanent

chassis and is designed for use with or without a permanent foundation when connected to the required utilities. For flood plain management purposes the term "manufactured home" also includes park trailers, travel trailers, and other similar vehicles placed on a site for greater than 180 days. For insurance purposes the term "manufactured home" does not include park trailers, travel trailers, and other similar vehicles.

Mean Sea Level: For the purposes of the National Flood Insurance Program, the National Geodetic Vertical Datum (NGVD) of 1929 or other datum, to which base flood elevations shown on a community's Flood Insurance Rate Map are referenced.

Mobile Home: A prefabricated dwelling unit which

- a. is designed for long term and continuous residential occupancy; and
- b. is designed to be moved on wheels, as a whole or in sections.

The provisions hereof shall also be applicable to any motor vehicle or trailer which is designed or added to so as to permit its use and occupancy for human habitation.

Mobile Home Park: A Parcel of land under a single or common ownership or control which contains, or is designed, laid out or adapted to accommodate two (2) or more mobile homes.

Museum/Gallery: A room or group of rooms wherein objects of historical, cultural, scientific, or aesthetic interest are offered for exhibition and/or retail sale to the general public.

Non-complying Building: A building, the location, size, height, or construction of which does not conform to all the applicable provisions of these Regulations, but which legally exist at the effective date hereof, or of any pertinent amendment.

Non-conforming Use: A use of land, premises, or building which is not a use permitted by the provisions of these Regulations for the district in which such land, premises, or building is situated, but which was legally existing at the effective date hereof, or of any pertinent amendment.

Parking Space: Off-street space used for the temporary location of one licensed motor vehicle at least nine feet wide and twenty-two feet long, not including access driveway, and having direct access to a street.

Restaurant: A place primarily designed for serving food or beverages for consumption on the premises.

Retail Store: Includes enclosed restaurant, cafe, shop or store for the sale of retail goods or personal service, excluding any drive-up service, produce or other open stand, gasoline service and motor vehicle repair service, new and used car sales and service, trailer and mobile home sales and services.

Riverine: Relating to, formed by, or resembling a river (including tributaries), stream, brook, etc.

Sawmills On-premise: A temporary or portable sawmill which uses material harvested only from the premises.

Setback: The distance from a road or property line to the nearest part of the building or structure on the lot. In the case of a public highway, the distance shall be measured from the closest point of the structure to any part of the right-of-way. In the case of a private road, the distance shall be measured assuming a 50-foot right-of-way, from the edge of that assumed right-of way.

Shorelines: The lands between the normal mean water mark of lakes or ponds exceeding 20 acres and a line not less than 500 feet nor more than 1,000 feet from such mean watermark (10 V.S.A. 1422(6)). In addition, lands within 300 feet of the shoreline of the Marlboro Mill Pond have been designated as a shoreline area.

Signs:

Externally Illuminated Sign: a sign with an external light source arranged to shine on the surface

of the sign to render it visible in darkness.

Fluorescent Sign: any sign in which fluorescent (e.g., "Day-Glo") dyes or pigments are used, in ink, paint, or other medium.

Internally Illuminated Sign: Any sign presenting its message on a translucent surface, illuminated from behind that surface. Transparent surfaces are expressly excluded from this definition.

Neon Sign: shall include signs containing all forms of gas-discharge tubing, and all sources of fluorescent and phosphorescent light emission, when these light sources are directly visible to the public.

Reflective Sign: any sign in which the normal reflectiveness of a painted or printed surface is enhanced by reflective beads or chips, faceted reflectors, or other artificial reflective devices.

Sign, On-premise: a sign directing attention to a business, profession, commodity, service, or entertainment carried on, sold, or offered on the same premises as those on which the sign is erected.

Site Plan: See Section 203

Street: Public way for vehicular traffic which affords the principal means of access to abutting properties.

Structure: Any construction, erection, assemblage or other combination of materials upon the land, including but not limited to, any building, mobile home or trailer, billboard, wall or fence (except on an operating farm), swimming pool, tennis court, tower, satellite dish antenna, sign, accessory building exceeding one hundred (100) square feet in floor area.

Substantial Improvement: Any repair, reconstruction, or improvement of a structure, the cost of which equals or exceeds 50 percent of the market value of the structure either before the improvement or repair is started or if the structure has been damaged and is being restored, before the damage occurred. The term does not, however, include either (1) any project for improvement of a structure to comply with existing state or local health, sanitary or safety code specifications which are solely necessary to assure safe living conditions, or (2) any alteration of a structure listed on the National Register of Historic Places or a State Inventory of Historic Sites.

Trailer: Includes any vehicle, used as sleeping or camping or living quarters, mounted on wheels, or a camper body designed to be mounted on a truck; and any vehicle which is customarily towed by a motor vehicle and used for carrying goods, equipment, machinery, boats, or as an office.

Trailer Camp or Tent Sites: Any tract or parcel of land occupied by two or more trailers for transient shelter. Tents, temporary cabins or other temporary shelters shall be classified the same as trailers.

Wildlife Refuge: An area set aside for the conservation of plants, animals, and their general habitat.

Yard: Space on a lot not occupied by a building or structure. Porches, whether enclosed or unenclosed, shall be considered as part of the main building.

| Table 1 - Marlboro Zoning District Dimensional Standards and Uses | | | | |
|---|--------------------------------|--------------------------------|-------------------------------------|--------------------------|
| <i>Dimensional Standards for Development</i> | RR Rural Residential | RUC Rural Commercial | REC Recreation Commercial | ED Educational |
| Lot Area Minimum | 2 acres | 2 acres | 2 acres | |
| Lot Frontage Minimum | 200 feet | 100 feet | 100 feet | |
| Side and Rear Yards Minimum | 50 feet | 30 feet | 30 feet or 50 feet abutting RR | |
| Building Height Maximum | 35 feet or 3 stories | 35 feet | 35 feet | |
| Building Size/Footprint Maximum | | 10,000 sq. ft. | 10,000 sq. ft. | |
| Building Coverage Maximum | 10% | 20% | 20% | |
| <i>USES: "P" indicates a Permitted use; "CU" indicates a Conditional Uses; Blank cells indicate that the use is neither a Permitted nor a Conditional Use in the respective District.</i> | | | | |
| Accessory Use | P | P | P | |
| Agriculture & Forestry | P | P | P | |
| Boarding, Rooming House, Guest Farm, or Bed & Breakfast | CU | P | P | |
| Business Office | | CU | CU | |
| Camp | P | | | |
| Cemetery | CU | | | |
| Community Center | CU | CU | CU | |
| Conference/Retreat Facility | CU | CU | CU | |
| Dormitory/Hostel | CU | CU | CU | |
| Educational Facility | CU | CU | CU | P |
| Home Enterprise | CU | P | P | |
| Health Care Facility | CU | CU | CU | |
| Hotel/Motel | | | CU | |
| Membership Clubhouse | CU | | CU | |
| Multi-family Dwelling | CU | CU | CU | |

| | | | | |
|---------------------------------------|-----------|------------|------------|-----------|
| Municipal or Fire Company Facility | CU | CU | | |
| Museum/Gallery | CU | CU | P | |
| | RR | RUC | REC | ED |
| Parking ¹ | CU | | | |
| Planned Residential Development (PRD) | P | CU | CU | |
| Planned Unit Development (PUD) | | CU | CU | |
| Private Club | CU | CU | CU | |
| Professional Residence Office | CU | P | P | |
| Public Utility Substation | CU | | | |
| Recreation, Indoor | | | CU | |
| Recreation, Outdoor | | CU | P | |
| Religious Institution | CU | CU | CU | |
| Resource Industry | CU | CU | CU | |
| Restaurant, Bar | | CU | P | |
| Retail Store | | CU | CU | |
| Sand, Gravel, or Soil Removal | CU | | | |
| Single- or Two-Family Dwelling | P | P | P | |
| State Facility | CU | CU | CU | |
| Storage - Enclosed | CU | | | |
| Trailer Camps & Tent Sites | CU | CU | CU | |
| Wildlife Refuge | CU | | CU | |

¹ Parking is considered a "structure" and is therefore subject to setback requirements. See Definitions.