

Partial List of Changes to 2021 Zoning Regulations (Drafts 1-21)
8 December 2021

Summary Overview, refer to specific pages if indicated.

1. Document Formatting Changes:
 - a. Definitions:
 - i. list was moved out of Article II to Appendix A,
 - ii. lengthened from approximately 3.5 pages to 13 pages.
 - b. Articles:
 - i. Each Article was placed in separate sections (beginning and ending) to make it easier to print just one particular Article without run-ons i.e., Article V: Specific District Regulations page 16 - 24.
 - ii. Each Article was divided into Sub-Sections and numbered (i.e., Article I: Enactment and Purpose has 5 subsections 101-105, etc.)
Example: Section 101 – Purpose
Section 102 – Interpretation
 - c. Table of Contents
 - i. Each Article listed with specific subsections and page numbers
 - d. General:
 - i. General typographical errors were edited and corrected through each Draft.
 - ii. Format of document was changed with font to Time New Roman, underlining, embolden, etc.
 - iii. Line numbers were added to left side to ensure ease when referring to a sentence or paragraph during review and editing. Numbers will be removed when final draft is approved.
 - iv. Where possible, titles and other abbreviations were used in full, e.g., Development Review Board instead of DRB.
2. Specific Articles (See Appendix A for specific Article Changes)
 - a. Article I – No change
 - b. Article II – Definitions moved to Appendix B: Definition Changes
 - c. Article III –
 - d. Article IV – General Regulations
 - i. Subsection 423 – 429 added to General Regulations

1. 423 – Farm Animals
 2. 424 – Fences (non-agricultural)
 3. 425 – Subdivision/ Parceling
 4. 426 – Swimming Pools
 5. 427 – Tiny Houses
 6. 428 – Alternative Energy
 7. 429 – Screen Service Areas
- e. Article V – Specific District Regulations
- i. A table of permitted uses was added
 - ii. R15 – Residential 15,000 was changed to R15
 - iii. Minimum Dimensional Requirements and setbacks were placed in table format
 - iv. Height and Zone-Specific sign limitations was recorded for each district.
 - v. Agricultural, Rural, and Residential (ARR) District setbacks and acreage requirements were changed to address concerns from property owners. (See Appendix ??? - Specific District Setback Regulations Comparison Tables)
- f. Article VI – Administration and Enforcement
- g. Article VII – Mobile Home and Mobile Home Parks
- h. Article VIII- Trailor, Recreational Campground and Receptions Equipment Storage
- i. Article IX – Signs and Advertising displays
- i. Section 909 – Stores Displaying Merchandise Outside added
- j. Definitions
- i. Definitions of various commonly used terms were added such as Accessory Building, Assisted Living Home, Tiny Houses, etc.

APPENDIX A: Section Changes

Article Changes From 2015 to Proposed Draft 2022

Current Language (2015)	Proposed language (2021)
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Article I: Enactment and Purpose

Section 102 – Interpretation

The provisions within these Regulations shall be interpreted and applied whenever the Zoning Administrator, Development Review Board, or Judiciary are required to do so in conformance with the Purpose section. The interpretation and application of these Regulations shall be held to be the minimum requirements adopted for the promotion of the public health, safety, comfort, convenience, and general welfare. These Regulations should not be interpreted to impair any regulations or permits previously adopted or issued, provided that where these Regulations impose a greater restriction upon the 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 102 – Interpretation

The provisions within these Regulations shall be interpreted and applied whenever the Zoning Administrator, Development Review Board, or Judiciary are required to do so in conformance with the Purpose section. The interpretation and application of these Regulations shall be held to be the minimum requirements adopted for the promotion of the public health, safety, comfort, convenience, and general welfare. **These Regulations should not be interpreted to impair, replace, mitigate or supersede any valid permits previously issued (Grandfathered use). Where these Regulations impose a greater restriction upon the 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 104 - Effective Date

These Regulations shall take effect upon the date of their approval by the Legislative body of the Town of Wallingford

Section 104 - Effective Date

These Regulations shall take effect upon the date of their approval by the registered voters of the Town of Wallingford.

Article II: Definitions

Purpose: Except where provided, all words used in these Regulations shall carry their local customary meanings. Words using the present tense include the future, and singular includes the plural; the word "lot" includes "plot"; the word "building" includes "structure"; the word "shall" is mandatory; "occupied" or "used" shall be considered as though followed by "or intended, arranged or designed to be used or occupied"; "person" includes

Section 201 Purpose

Except where specifically defined herein, all words used in these regulations shall carry their customary meanings. Words used in the present tense include the future, and the singular includes the plural. The word "lot" includes "plot"; the word "building" includes "structure"; the word "shall" is mandatory; the words "occupied" or "used" shall be considered as though followed by "or intended,

<p>individual, partnership, association, corporation, company or organization.</p> <p>Doubt as to the precise meaning of any word used may be clarified by referral to the Planning Commission.</p>	<p>arranged, or designed to be used or occupied"; the word "person" includes "individual, partnership, association(s), corporation(s), company or organization(s)" or any other incorporated or unincorporated organization or group".</p> <p>The Planning Commission shall clarify doubt as to the precise meaning of any word used in these Regulations. References to other Sections of the Zoning Regulations are attached to the detailed list of Definitions found in Appendix A of this document.</p>
<p>Article III – Establishment of Zoning District and Zoning Maps</p>	
<p>Zoning Districts: Wallingford is hereby divided into the following zoning districts.</p> <p>FR Forest and Recreation</p> <p>ARR Agricultural and Rural Residential</p> <p>R15 Residential 15,000</p> <p>MR Multiple Residential</p> <p>NC Neighborhood Commercial</p> <p>IN Industrial</p>	<p>Section 301 Zoning Districts</p> <p>Wallingford is hereby divided into the following zoning districts.</p> <p>Forest and Recreation - FR</p> <p>Agricultural and Rural Residential - ARR</p> <p>Residential - R (formerly R15)</p> <p>Multiple Residential - MR</p> <p>Neighborhood Commercial - NC</p> <p>Industrial IN-</p>
<p>Article IV: General Regulations</p>	
<p>Application of Regulations: Except as provided, no building or structure shall be erected, moved, altered or extended, and no land, building, structure, or part thereof, shall be occupied or utilized, unless it is in conformity with the regulations specified for the district in which it is located.</p>	<p><u>Section 401 - Application of Regulations</u></p> <p>Except as provided, no building or structure shall be erected, moved, altered; demolished, or extended; and no land, building, structure, or part thereof, or any substantial change or expansion of Structure or Use, unless it is in conformity with the regulations specified for the district in which it is located. Town Regulations do not supersede</p>

	applicable Vermont or Federal Regulations. Separate Town Ordinances may also apply to a regulated use of activity.
<p>Limitations on municipal bylaws: The following uses may be regulated only with respect to location, size, height, building bulk, yards, courts, setbacks, density of buildings, off-street parking, loading facilities, traffic, noise, lighting, landscaping, and screening requirement's, and only to the extent that regulations do not have the effect of interfering with the intended functional use:</p> <p>5. Regional solid waste management facilities certified under 10 V.S.A. Chapter 159.</p> <p>6. Hazardous waste management facilities for which a notice of intent to construct has been received under 10 V.S.A. § 6606a. In addition, there are the additional following restrictions on regulations:</p> <ol style="list-style-type: none"> 1. No regulation on public utility power generating or transmission facilities regulated under 30 V.S.A. § 248. 2. If land is also subject to state regulation, the more stringent or restrictive regulation applies. 3. No regulation of accepted agricultural practices and uses that are regulated under and defined by 10 V.S.A. §§ 1021(f) and 1259(f) and 6 V.S.A. § 4810. 4. Zoning laws must respect the limits on municipal power to regulate hunting, fishing, trapping, and other such activities. 5. Zoning laws shall not prohibit the installation, operation or maintenance of solar electric generation systems that are exempt from VT Statute (30 VSA Section 248; and subsequent revisions) Town zoning regulations do apply to other solar, wind, hydro and geo-thermal energy generation 	<p><u>Section 402 - Limitations on Municipal Bylaws</u></p> <p>The following uses may be regulated only with respect to location, size, height, building bulk, yards, courts, setbacks, density of buildings, off-street parking, loading facilities, traffic, noise, lighting, landscaping, and screening requirements, and only to the extent that regulations do not have the effect of interfering with the intended functional use of:</p> <p>5. Regional solid waste management facilities certified under 10 V.S.A. Chapter 159, and applicable revisions</p> <p>6. Hazardous waste management facilities for which a notice of intent to construct has been received under 10 V.S.A. § 6606a, and applicable revisions. In addition, there are the additional following restrictions on Town regulations: No regulation on public utility power generating or transmission facilities regulated under 30 V.S.A. § 248. If land is also subject to state regulation, the more stringent or restrictive regulation applies. No regulation of accepted agricultural practices and uses that are regulated under and defined by 10 V.S.A. §§ 1021(f) and 1259(f) and 6 V.S.A. § 4810.</p> <ol style="list-style-type: none"> 1. Zoning laws must respect the limits on municipal power to regulate hunting, fishing, trapping, and other such activities. 2. Zoning laws shall not prohibit the installation, operation or maintenance of alternative energy-generation systems that are exempt from VT Statute (30 VSA Section 248; and subsequent revisions). Town zoning regulations do apply to other solar, wind, hydro and geo-thermal energy generation

<p>facilities that are not exempt of local jurisdiction by state or federal laws.</p> <p>6. Residential energy generation facilities not regulated by the State of Vermont Public Service Board or exempt from local regulation by State statute are subject to all Town standards.</p>	<p>facilities that are not exempt of local jurisdiction by state or federal laws.</p> <p>3. Residential energy generation facilities not regulated by the State of Vermont Public Service Board or exempt from local regulation by State statute are subject to all Town standards.</p>
<p>Existing small lots: Any lot in individual and separate and nonaffiliated ownership from surrounding properties in existence on the effective date of these Regulations</p>	<p><u>Section 403- Existing small lots</u></p> <p>Any lot in individual and separate and non-affiliated ownership from surrounding properties in existence on the effective date of these Regulations</p>
<p>Protection of Home Occupations: None of these Regulations are intended to infringe upon the right of any resident to use a minor portion of a dwelling or appurtenant accessory structure for an occupation which is customary in residential areas and which does not change the character of the neighborhood; a zoning permit is still required.</p> <p>3. The use is conducted within a portion of the dwelling or a building accessory thereto by a resident of the principal dwelling, and having not more than 2 employees.</p> <p>6. Vehicle (auto; truck) bodywork or repairs are not considered home occupations.</p>	<p><u>Section 406 - Protection of Home Occupations</u></p> <p>None of these Regulations are intended to infringe upon the right of any resident to use a minor portion of a dwelling or appurtenant accessory structure for an occupation which is customary in residential areas and which does not change the character of the neighborhood; a zoning permit is still required.</p> <p>3. The use is conducted within a portion of the dwelling or a building accessory thereto by a resident of the principal dwelling and having not more than two (2) employees.</p> <p>6. Vehicle (auto and /or truck) bodywork or repairs are not considered Home Occupations.</p>
<p>Conditional Use Approval: No Zoning Permit shall be issued by the Zoning administrator for any use or structure that requires Conditional Use Approval until the DRB grants such approval. In considering its action, the Board shall make findings on general and specific standards,</p>	<p><u>Section 412 - Conditional Use Approval</u></p> <p>No Zoning Permit shall be issued by the Zoning Administrator for any use or structure that requires Conditional Use Approval until the Development Review Board grants such approval. In considering its</p>

<p>hold hearings, and attach conditions, if any, as provided for in the Act. The general standards which must be met are that any proposed conditional use shall not adversely affect:</p> <ol style="list-style-type: none"> 1 . The capacity of existing or planned community facilities; 2 . The character of the area affected; 3 . Traffic on roads and highways in the vicinity, and 4 . By-laws then in effect. <p>The proposed conditional use shall conform to the specific standards for the district in which it is located, with the exception of mobile home parks and trailer and recreational campgrounds, which shall conform to the specific standards for those particular uses as provided in</p>	<p>action, the Board shall make findings on general and specific standards, hold hearings, and attach conditions, if any, as provided for in the Act. The general standards which must be met are that any proposed conditional use shall not adversely affect:</p> <ol style="list-style-type: none"> 1. The capacity of existing or planned community facilities. 2. The character of the area affected. 3. Traffic on roads and highways in the vicinity, and 4. Zoning Regulations then in effect. <p>The proposed conditional use shall conform to the specific standards for the district in which it is located. Lacking locally defined standards, the Development Review Board may also apply commonly accepted standards which may apply in legal precedent. An accepted exception is for existing mobile home parks and trailer and recreational campgrounds, which shall conform to the specific standards for those particular uses as provided in these Regulations provided in Articles VII and VIII.</p>
<p>Site Development Plan Approval and Procedure: No Zoning Permit shall be issued by the Zoning administrator for any use or structure requiring Conditional Use approval, until the DRB grants Site Development Plan Approval.</p> <p>Application for site plan approval shall be submitted to the DRB by the Zoning administrator and contain the following information: plot plan showing location and dimensions of the lot in question and a description of the proposed development, including a description of any building to be constructed or altered and its intended use. The DRB shall act to approve, or deny, any such site plan within 45 days after the date it</p>	<p><u>Section 413 - Site Development Plan Approval and Procedures</u></p> <p>No Zoning Permit shall be issued by the Zoning Administrator for any use or structure requiring Conditional Use approval, until the Development Review Board grants Site Development Plan Approval.</p> <p>Application for site plan approval shall be submitted to the Development Review Board by the Zoning Administrator and contain the following information: a clear and accurate site plan showing location and dimensions of the lot in question and a description of the proposed development, including a description of any building to be constructed or altered and its intended use. The Development Review</p>

<p>receives the proposed plan, and failure to act within such period shall be deemed approval.</p>	<p>Board shall act to approve, or deny, any such site plan within 45 days after the date it receives the proposed plan, and failure to act within such period shall be deemed approval.</p>
<p>Shoreland Protection Act Standards:</p> <p>Activities that do not require a permit: Maintenance, but not expansion, of lawns, gardens, landscaped areas, and beaches in existence on July 1, 2014; Creation of one 6 foot wide footpath to mean water level; Construction within the impervious surface footprint in existence July 1, 2014; Wastewater systems and potable water supplies; Repair and replacement of transportation infrastructure, including private roads; silvicultural (forestry) activities; agricultural activities; utility projects and lines; projects with an Act 250 permit; projects within designated downtowns and village centers; and certain urban and industrial redevelopment.</p>	<p><u>Section 414 - Shoreland Protection Act Standards</u></p> <p>Activities that do not require a permit:</p> <ul style="list-style-type: none"> • Maintenance, but not expansion, of lawns, gardens, landscaped areas, and beaches in existence on July 1, 2014; • Creation of one 6-foot-wide footpath to mean water level; • Construction within the impervious surface footprint in existence July 1, 2014; • Wastewater systems and potable water supplies; • Repair and replacement of transportation infrastructure, including private roads; silvicultural (forestry) activities; agricultural activities; • utility projects and lines; • projects with an Act 250 permit; projects within designated downtowns and village centers; and certain urban and industrial redevelopment.
<p>Uses Not Permitted: The following uses are not permitted within the Town of Wallingford or any of its Zoning Districts: hide tanning or curing plants, crematoriums, asphalt manufacturing or processing plants, rendering plants, manufacturing or processing of fertilizer, bone, rubber, paper, ammonia, chlorine, explosives, marijuana dispensary, methadone clinic, and manufacturing or refining of petroleum or gas.</p>	<p><u>Section 415 - Uses Not Permitted</u></p> <p>The following uses are not permitted within the Town of Wallingford or any of its Zoning Districts:</p> <ul style="list-style-type: none"> • Hide tanning or curing plants, • Crematoriums, • Asphalt manufacturing or processing plants, • Rendering plants, manufacturing or processing of fertilizer, bone, rubber, paper, ammonia, chlorine, explosives, • Marijuana dispensary, methadone clinic.

	<ul style="list-style-type: none"> • Manufacturing or refining of petroleum or gas.
<p>Flood Hazard Protection Area Standards: In accordance with the Act, specialized zoning ordinances are required for areas of special flood hazard in the Town of Wallingford, Vermont. The specifics of the “Flood Hazard Area Regulations” can be found online at http://www.wallingfordvt.com/flood_hazard_area_regs.htm or may be referenced at the Wallingford Town Clerk.</p>	<p><u>Section 417 - Flood Hazard Protection Area Standards</u></p> <p>The specifics of the “Flood Hazard Area Regulations” may be referenced in the Wallingford Town Clerk’s Office.</p>
<p>Off-Street Parking Space: The DRB may require that off-street parking space be provided.</p>	<p><u>Section 418 - Off-Street Parking Space</u></p> <p>The Development Review Board may require specific off-street parking spaces to be provided when reviewing Conditional Use applications.</p>
<p>Exemptions to permit requirements include:</p> <ol style="list-style-type: none"> 1. Sheds of less than 120 square feet and 15 feet in height. 2. Accepted Agricultural Practices (AAPs), including the construction of farm structures, as those practices are defined by the Secretary of 	<p><u>Section 421 - Exemptions to Town Permit Requirements</u></p> <ol style="list-style-type: none"> 1. Residential (detached) Storage and Accessory Structures of 120 square feet or less and 15 feet in height. These exempted non-commercial structures, when used exclusively by the property Owner, are also exempt from prescribed side and rear setbacks, providing they are installed in all zoning districts a minimum setback of ten (10) feet. Front setbacks for the specific zoning district still apply. Commercial use of new detached accessory structures are not exempt. 2. Accepted/Required Agricultural Practices (AAPs & RAP’s), including the construction of farm structures, as those practices are defined by the Secretary of Agriculture, Food and Markets,

<p>Agriculture, Food and Markets, in accordance with the Act. Written notification, including a sketch plan showing structure setback distances from road rights-of-way, property lines, and surface waters shall be submitted to the Zoning Administrator prior to any construction, as required for AAPs. Such structures shall meet all setback requirements under these regulations; unless specifically waived by the Secretary.</p> <p>3. Accepted Management Practices (AMPs) for silviculture (forestry) as those practices are defined by the Commissioner of Forests, Parks, and Recreation.</p> <p>4. Power generation and transmission facilities, which are regulated under 30 V.S.A. 248 by the Vermont Public Service Board. Such facilities, however, should conform to policies and objectives specified for such development in the Town Plan.</p> <p>5. Hunting, fishing, and trapping as specified under 24 V.S.A. 2295 on private or public land. This does not include facilities supporting such activities, such as firing ranges or rod and gun clubs, which for the purposes of these regulations are defined as outdoor recreation facilities.</p>	<p>in accordance with applicable VT Statutes. Written notification, including a Site Plan showing structure setback distances from road rights-of-way, property lines, and surface waters shall be submitted to the Zoning Administrator prior to any construction, as required by AAP/RAPs. Such structures shall meet all setback requirements under these regulations, unless specifically waived by the Secretary. The Zoning Administrator may require a Determination Letter from the Vermont Agency of Agriculture, Food & Markets as a required component of any application for a qualified Agricultural Structure or Use.</p> <p>3. Accepted Management Practices (AMPs) for silviculture (forestry) as the Commissioner of Forests defines those practices, Parks, and Recreation.</p> <p>4. Power generation and transmission facilities, which are regulated under 30 V.S.A. 248 by the Vermont Public Service Board. Such facilities, however, should conform to policies and objectives specified for such development in the Town Plan.</p> <p>5. Hunting, fishing, and trapping as specified under 24 V.S.A. 2295 on private or public land. This does not include facilities supporting such activities, such as firing ranges or rod and gun clubs, which for the purposes of these regulations are defined as outdoor recreation facilities.</p> <p>6. Normal maintenance and repair of an existing structure which does not result in exterior alterations or expansion of exterior area (footprint or height), or a change of use.</p>
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<p>6. Normal maintenance and repair of an existing structure which do not result in exterior alterations or expansion of a change of use.</p> <p>7. Interior alterations or repairs to a structure which do not result in exterior alterations or expansion or a change in use.</p> <p>8. Exterior alterations to structures which do not result in any change to the footprint or height of the structure or a change in use.</p> <p>9. Residential entry stairs (excluding decks and porches), handicap access ramps, walkways, and fences or walls less than or equal to 6 feet in height which do not extend into or obstruct public rights-of-way, or interfere with corner visibilities or sight distances for vehicular traffic.</p> <p>10. Minor grading and excavation associated with road and driveway maintenance or which is otherwise incidental to an improved use. This specifically does not include extraction and quarrying activities.</p> <p>11. Outdoor recreational trails (e.g., walking, hiking, crosscountry skiing and snow mobile trails) which do not require the installation of structures or parking areas.</p>	<p>7. Interior alterations or repairs to a structure which do not result in exterior alterations, or expansion, or a change in use.</p> <p>8. Exterior alterations to structures which do not result in any change to the footprint or height of the structure or a change in use.</p> <p>9. Residential entry stairs (excluding decks and porches), handicap access ramps and required landings (40 square feet maximum), walkways, and fences or walls less than or equal to 6 feet in height which do not extend into or obstruct public rights-of-way, or interfere with corner visibilities or sight distances for vehicular traffic. (See also section 424 Fences Non-Agricultural)</p> <p>10. Minor grading and excavation associated with road and driveway maintenance, or which is otherwise incidental to an improved use. This specifically does not include extraction and quarrying activities. This exemption applies to common residential landscaping projects involving only earthen materials to include open patios and retaining walls.</p> <p>11. Outdoor recreational trails (e.g., walking, hiking, cross-country skiing, and snow mobile trails) which do not require the installation of structures or parking areas.</p> <p>12. Street Sales Garage, tag, yard, moving, estate, and similar temporary sales of goods, for up to 15 days per calendar year,</p>
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<p>12. Garage sales, yard sales, auctions, or similar activities that do not exceed 3 consecutive days, nor more than 15 total days, in any calendar year.</p> <p>13. Other uses as designated in the Table of Contents.</p>	<p>will not require a local permit, providing the sale does not interfere with public right of way or safety issues, as determined by the appropriate Public Authorities. Marketing of goods, materials, food, etc., for longer than this permitted period requires the applicable zoning permit.</p> <p>13. Other uses as designated in the Table of Contents.</p>
<p>Potable Water Supply and Wastewater Permits: The Zoning Administrator may withhold the issuance of a zoning permit until the applicant has successfully demonstrated receipt of a State of Vermont Potable Water Supply and Wastewater Permit or for pre-existing and functioning water & septic systems, an exemption from Vermont’s Wastewater & Potable Water Supply Division.</p>	<p><u>Section 422 - Potable Water Supply and Wastewater Permits</u></p> <p>The Zoning Administrator may withhold the issuance of a zoning permit until the applicant has successfully demonstrated receipt of a State of Vermont Potable Water Supply and Wastewater Permit or for pre-existing and functioning water and septic systems, an exemption from Vermont’s Wastewater & Potable Water Supply Division.</p> <p>Existing water supply or sewage disposal systems that have been considered abandoned or discontinued, failed in daily performance; or expect expanded/increased use from existing use (as of 1/1/2007) will require further proof of compliance with VT regulations in any application for a Town permit.</p>
<p><u>Section 423 – Farm Animals</u></p> <p>Unless kept or raised as an Accepted Agricultural Practice as defined by the Secretary of Agriculture, Food and Markets, no farm animals (including but not limited to, horses, cows, hogs, fowl) may be kept or large-scale animal raising undertaken in the village proper. The following criteria must be met for limited scale within the village proper:</p> <ol style="list-style-type: none"> 1. No farm animal shall be kept within such place or manner as to be offensive or cause a nuisance to persons residing in the vicinity. The buildings and yards shall be kept deodorized by the application of dry earth or some other effective absorbent or disinfectant. All farm animals so kept within the village limits shall be confined in an enclosure and shall not be permitted to run at large. Violation of the provisions of this section shall constitute violation of this ordinance. 	

2. No manure piles will be stored within the village limits and shall be removed and discarded in an ecologically responsible manner every two (2) months
3. Manure piles are located so as to minimize the possibility of pollution to wells and surface waters. In the absence of an otherwise acceptable plan, manure piles shall be located no closer than 200 feet from surface water. If a manure pile is located upslope from a well, the isolation distance shall be at least 200 feet; if it is located downslope from a well, the isolation distance shall be at least 100 feet.

Section 424 – Fences (non-agricultural)

Fences may be built in front, side and rear yards provided they do not exceed six and one-half (6.5 feet in height from ground to peak and are maintained in a proper state of repair with the finished side of such fence facing adjacent properties. Fences shall be constructed so that they can be maintained from the premises of the owner (minimum distance from boundary line of 4 feet).

Boundary line fences shall be allowed if the parties involved **agree in writing**, the agreement shall include the design and facing of the fence as well as a statement of which party or parties is/are responsible for its maintenance. A copy of the written agreement shall be attached to Permit Application and kept on file in the Zoning Administrator’s Office (See Article V: Specific District Regulations for set-backs.)

Section 425 – Subdivision/ Parceling

The legal (deeded) boundary description of a property (or adjacent properties acquired over time) shall define the outside perimeter(s) of an ownership. The existence of a Public (municipal owned) road or navigable waterway that may transect the legal boundaries of a property **does not create** two or more individual “*naturally subdivided*” parcels unless approved in accordance with Town Zoning and Subdivision regulations.

Section 426 - Swimming Pools

A private inground or aboveground swimming pool shall be installed and maintained in a manner to meet all State Health Code Standards, shall be fenced or otherwise protected to prohibit unauthorized or accidental entry, shall not constitute a hazardous or nuisance situation, and shall meet all applicable setback requirements.

Section 427 – Tiny Houses

Tiny houses (see Definition Tiny House in Appendix A) will be consider as a permanent structure falling under current set-backs and other applicable district zoning (Article V - Specific District Regulations, page 15) when house is mounted on a permanent site e.g., Foundation

Bound Unit. If the Tiny House is on a temporary hook-up or still able to be moved, it will be considered a Recreational Vehicle and will be governed under RV regulations (Article VIII - Trailer, Recreational Campground and Recreational Equipment Storage, page 30). A Recreational Vehicle (RV) designed for temporary camping travel or seasonal use is not considered a Tiny House.

Section 428 - Alternate Energy

Pursuant to 24 VSA 4412 the height of wind turbines with blades less than 20 feet in diameter, or rooftop solar collectors less than 10 feet high on sloped roofs, any of which are mounted on complying structures, shall not be regulated unless the bylaws provide specific standards for regulation. For the purpose of this subdivision, a sloped roof means a roof having a slope of more than five degrees.

The use of solar energy systems, whether as a part of a building or incidental to a building, are permitted accessory uses in all districts. Certain architectural features needed for the operation of active and passive solar energy systems, including but not limited to overhangs, detached solar collectors, reflectors and piping may be permitted by the Zoning Administrator to project into the required yard setback if conformance with yard setback requirements will cause undue expense or unusual difficulties and such projections do not adversely affect the character of the neighborhood.

Pursuant to 24 VSA section 4414 (15), ground mounted solar arrays shall be screened according to the screening requirements outlined below.

Pursuant to 30 VSA section 248 (s) ground mounted solar arrays exceeding 150 kW in size shall be set back from municipal road and highway boundaries at least 100 feet, and from all other property boundaries at least 50 feet.

Landscaping will required in all districts under these regulations to be installed in the front, rear and side yards shall take the form of shade trees, deciduous shrubs, evergreens, well-kept grassed areas and ground cover. Tree species that may cause future shading of the most southerly facing wall and/or roof of adjacent buildings or plantings which will detrimentally shade an installed solar energy system should not be permitted.

All landscaping shall be maintained in a healthy growing condition with ground cover or grassed areas. Landscaping is subject to future review if at any time it is proven to be inadequate.

Following are the minimum landscaping requirements:

A minimum of two (2) trees shall be planted in the front yard for each one hundred (100) feet of lot frontage, provided that no tree shall be planted nearer than five (5) feet to any lines.

- Where any land use in a non-residential district abuts land in any residential district, a strip of land at least thirty (30) feet in width shall be maintained as a landscape area in the front, side and rear yards adjoining the residential district.
- Where any non-residential land use in a residential district abuts any residential use, a strip of land at least twenty (20) feet in width shall be maintained as a landscaped area in front, side, and rear yards which adjoin these residential uses.

- In an industrial district, each industrial lot or use shall have a strip of land at least twenty (20) feet in width in the front yard and at least ten (10) feet in width in the rear and side yards which shall be maintained as a landscaped area.

Section 429 - Screened Service Areas

In any district, all areas designated or used as service areas for any building or land use, other than one-family and two-family dwellings shall be screened from view with either a wall, a solid fence or a fence and evergreens to a height that conceals the view of the service area (a height of at least five (5) feet) on all sides where the adjacent land is in a residential district or residential use.

Article V Specific District Regulations

<p><u>FR – Forest and Recreation</u> <u>ARR – Agricultural and Rural Residential</u> <u>R15 – Residential 15,000</u></p> <p>Height maximum: 3 stories or 38 feet, whichever is less. No height limit for agricultural use. The height maximum for telecommunications facilities and energy generation facilities 75 feet high; without the review and express permission of the DRB.</p> <p>Free-Standing Signs: 16 sq. ft. sign area maximum</p> <p>Flush-Mounted Signs: 16 sq. ft. sign area maximum</p>	<p><u>Section 501 Forest and Recreation (FR)</u> <i>Section 502 – Agricultural and Rural Residential (ARR)</i> <u>Section 503 – Residential (R)</u></p> <p>Height maximum: 3 stories or 38 feet, whichever is less. No height limitations for agricultural use. The height maximum for telecommunications and renewable energy generation facilities to be 75 feet; 100 feet maximum height” as reviewed and approved by Development Review Board for “visual environmental blending” of antenna /tower impact to area aesthetics.</p> <p>Zone specific sign limitations: in addition to Article IX Free-standing, non-internally illuminated, flush-mounted signs requirements, not more than 16 square feet (maximum area).</p>
<p><u>MR – Multiple Residential</u> <u>NC – Neighborhood Commercial</u></p> <p>Free-Standing Signs: 16 sq. ft. sign area maximum</p> <p>Flush-Mounted Signs: 16 sq. ft. sign area maximum</p>	<p><u>Section 504 Multiple Residential (MR)</u> <u>Section 505 Neighborhood Commercial (NC)</u></p> <p>Height maximum: 3 stories or 38 feet, whichever is less. No height limitations for agricultural use. The height maximum for telecommunications and renewable energy generation facilities to be 75 feet; 100 feet maximum height” as reviewed and approved by Development Review Board for “visual environmental blending” of antenna /tower impact to area aesthetics.</p> <p>Zone specific sign limitations: in addition to Article IX Free-standing, non-internally illuminated, flush-mounted signs requirements, not more than 16 square feet (maximum area).</p>

<p>IN – Industrial Free-Standing Signs: 16 sq. ft. sign area maximum Flush-Mounted Signs: 16 sq. ft. sign area maximum</p>	<p><u>Section 506 - Industrial (IN)</u></p> <p>Height maximum: 3 stories or 38 feet, whichever is less. No height limitations for agricultural use. The height maximum for telecommunications and renewable energy generation facilities to be 75 feet; 100 feet maximum height as reviewed and approved by Development Review Board for “visual environmental blending” of antenna /tower impact to area aesthetics.</p>
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APPENDIX B – Definition Changes

Term	2015	(Proposed) 2022
Accessory Building		A detached building or structure subordinate to and customarily incidental to a permitted principal building or structure located on the same lot or on an adjoining lot under the same ownership or Planned Unit Development designation.
Accessory Dwelling / Apartment		A dwelling unit with adequate water, septic, parking, sleeping, bathing and cooking facilities, constructed within or attached to a single-family residence or apartment accessory structure The area of the apartment not to exceed 49% of the Living Area of the principal residence.
Accessory Use	The use of a building incidental and subordinate to the principal use of said building	A use of land, buildings, or structures subordinate to and customarily incidental to a permitted principal use located on the same lot, or on an adjoining lot under the same ownership or Planned Unit Development designation.
Studio Proposed title change to: Artisan/Craft Studio		A place that may be used as both a dwelling place and/or a place of work by an artisan or craftsman, including persons engaged in the practice, application, teaching, or performance of fine arts, such as but not limited to drawing, vocal or instrumental music, painting, sculpture and writing.
Agricultural Use	A farm, as defined by Section 2.05 of the AAP's and that engages in accepted agricultural practices as defined in section 3.2 of the AAP's.	Land whose use conforms to Vermont's Agricultural Act, and whose structure (s) are used for the raising livestock, agricultural or forest products, including qualified farm and storage of agricultural equipment and crops. This definition includes sale of agricultural products raised on the same property.
Agricultural Structure		A structure used for accepted or required agricultural practices as defined by the State of Vermont.

Term	2015	(Proposed) 2022
Alteration	Any structural changes, rearrangements, change of location or addition to a building, other than repairs and modification in building equipment	Any exterior structural change which results in the changing the front, side or rear setbacks; any interior structural change for the purpose of changing use; any change of location of, or addition to, a building other than repairs or modification to a building or equipment.
Animal Housing Facility, Pet Store, Kennel		An establishment housing dogs, cats, birds, or other domestic pets, large and small, and where grooming, breeding, boarding, training, or selling of animals is conducted as a business.
Assisted Living Home		<i>Refer to Nursing Home</i>
Associations/Lodges and Club		An organization of persons having common interests, purposes etc.
Attic		The part of a building directly under the roof with a headroom of less than 5.5 ft. over three quarters of the floor area, the headroom shall be measured vertically from the top of the floor or floor beams to the bottom or underside of the roof or roof rafters. The floor area shall be measured horizontally from the inside of the exterior walls or underside of the roof or roof rafters at the floor level. The attic generally would not have to be finished or insulated and would not be occupied or used as living area (storage only).
Auto Service Station		Any premises where gasoline and other petroleum products are sold and/or light maintenance activities such as engine tune-ups, inspections, lubrication, minor repairs, and carburetor cleaning are conducted. Service stations shall not include premises maintenance activities such as truck repairs (with GVW rating over 18000 lbs.); automobile painting, and body or fender work are conducted.

Term	2015	(Proposed) 2022
Basement		Any area of the building having its floor sub grade (below ground level) on all sides. Use of a Basement for dwelling purposes may be prohibited in certain situations.
Bar, Tavern		A place of business where the primary function is the serving of alcoholic beverages. The Use may be permitted with other Uses. (see Night Club, Restaurant, Lodge)
Bed and Breakfast (a.k.a. "Air BnB, or similar use)		A structure, residential in nature, that has overnight lodging facilities for temporary and transitory guests, and where the only optional meal served to guests is breakfast.
Brewery; also Cidery, Distillery, Winery		A commercial or business facility to process ingredients into an alcoholic beverage or product; including the storing, canning or bottling, and retail or wholesale sale of the products produced by the facility.
Building		Structure having a roof (including an awning or other similar covering, whether or not permanent in nature) supported by columns or walls and intended for the shelter or enclosure of persons, animals or chattel.
Building Area		Total of areas taken on a horizontal plane at the finished grade
Boundary/Lot Line Adjustment (BLA)		Minor amendments or realignment of property boundaries, with the agreement of the adjacent Owners involved, and where no new lots are created. BLA shall not adversely impact access, improvements, or natural resources to any parcel, or create a non-conforming situation to any lot.

Term	2015	(Proposed) 2022
Building front line	A line that is parallel to the front lot line transecting the point in the building face closest to the front lot line. Includes porches, whether enclosed or unenclosed, but does not include steps.	Moved to Setback under Front Set-back
Building Height	Finished grade to ridgeline, excluding chimney and cupola like structures.	Vertical distance measured from the highest elevation of the structure's ridgeline to the average proposed finished grade at-the building, excluding customary chimneys and antennas, church steeples, and cupolas on pre-zoning structures. Building height provisions shall not apply to agriculture structures.
Business Office		A legally permitted occupant of land or premises engaged in a commercial, industrial, or professional activity. A business may be a for-profit, not-for-profit (ex: Credit Union), non-profit (ex. Charity), or for social purposes in which profits are invested into the Community.
Camp		A building suitable for seasonal or temporary living purposes and never occupied for more than (90) days in any twelve (12) month period and not more than 21 continuous days, if without legally permitted sewage disposal and water supply systems.
Camper	See trailer on page 7.	see Trailer
Camping Trailer Park (Campground)	A lot containing more than 3 campsites occupied for vacation of recreational purposes by camping units. No distinction made between non-commercial and commercial operations.	A private or public facility with more than two spaces, with or without electrical, water and sewer hookups for the temporary use of tents, travel trailers and recreational vehicles, "tiny houses", and similar mobile types of shelters.

Term	2015	(Proposed) 2022
Camping Units	Tents, yurts, tepees, lean-tos, camping cabins, and recreational vehicles.	Removed
Cemetery, Mausoleum		<p>Land or structure used for the burial or internment of remains of deceased people or animals.</p> <ul style="list-style-type: none"> • A Commercial cemetery is open for use by a community of people or open to the public and pets, in which space is purchased or leased for a fee. • A Family cemetery is a private burial ground or structure where no space is sold or leased, and use is restricted to a group of persons (or their beloved pets) related to each other by genetic history or marriage
Change of Use		The change from one use to another use. Alter the intensity of use, or vary the function, service purpose of any portion of a building, structure, or land from one use to another. A change in use may require a Town permit, especially involving a business.
Clinic, Health and/or Therapy		An office building used by members of the medical, therapeutic, and dental professions for the diagnosis and outpatient treatment of human ailments.
Commercial		A Use of Structure that is intended to generate revenue. Commercial uses and structures may be subject to different regulations from residential uses and structures. Any rental of land, improvements or structures creates a non-residential commercial use.
Community Center		A public or private meeting hall, place of assembly, museum, art gallery, library, educational facility, or church.

Term	2015	(Proposed) 2022
Conditional Use	A use or activity that may be allowed in a zoning district only upon showing that it can or will comply with all criteria and standards outlines in these Regulations, the Town Plan, and Regional Plan.	A use that has been determined to meet the general standards for conditional for the District in which it is proposed to be located and for which specific standards have been developed and detailed in Article IV.
Condominium		Real property consisting of units of individual ownership combined with ownership of common elements by the individual unit owners.
Country Inn		A primary building without or with detached building(s) used to provide overnight accommodations, and one or more meals, to guests for short periods of stay (e.g. tourists). Inns may incorporate the primary structure on the Lot as well as accessory structures but shall not exceed 12 guest rooms.
Coverage, Building		The percentage of a lot or development site occupied or intended to be occupied by all buildings and structures. Building coverage shall include the building area, but not more than 20% of the land covered by water bodies, watercourses, wetlands, and land having slopes of 25% or greater shall be included in the lot area used for computing the maximum allowable building coverage.
Craft / Artesian Shop		A building or portion thereof where hand-crafted articles are produced and/or sold.
Crawl Space		That portion of a building located below the first floor of the building and which is less than five (5) feet in height from floor to under beam,

Term	2015	(Proposed) 2022
Day Care Facility		Any place operated under a VT day care license as a business or service on a regular or continuous basis, whether for compensation or not. Its primary function is the protection, care, and supervision of persons outside their homes, for periods of less than 24 hours a day.
Development	Division of a parcel of land into two or more parcels; alteration of buildings or structures; mining, excavating, or landfills, changes or extensions of use buildings, structures, or land.	The division of a parcel into two (2) or more parcels, boundary line adjustment, the construction, reconstruction, demolition, conversion, structural alteration, relocation or enlargement of any building(s) or other structure(s), or any mining, excavation or landfill, and any change in the use of any building or other structure, or land, or extension of use of land.
Development Review Board		A body appointed by the Select Board to decide cases involving variances, conditional uses, appeals, and other matters as set forth in these regulations.
District		A specific portion of the town as established by the provisions of this ordinance and the zoning map.
Drive-In/Service or Other Drive-Up Facility		A business establishment such as a restaurant, pharmacy, or bank so developed that it includes part of its principal retail or service by providing a driveway approach with stacking or parking spaces for motor vehicles so as to either provide service to patrons while in a motor vehicle or intended to permit consumption outside of the building. A drive-in food service restaurant shall include self-service restaurants where food is generally served in disposable containers or plates and primarily over the counter.

Term	2015	(Proposed) 2022
Dump		Land or any approved permitted area where trash, garbage, sewage, waste materials, refuse of any nature, junk, discarded machinery, vehicles or parts thereof are collected, stored, or deposited. Also refer to Recycling Collection Point/Station.
Dwelling Unit	A Building or part of a building built and used as a living quarters for one family.	Building or part thereof used as a living quarters for one family use and occupancy; having exclusive use of its own kitchen, bathroom and sleeping area. The terms "dwelling", "one-family dwelling", "two-family dwelling", "multi-family dwelling", or "dwelling group" shall not include a motel, hotel, boarding house, bed and breakfast lodging, or similar structure, but shall include a mobile home.
Dwelling, One-Family		Detached building (including a mobile home) used as living quarters by one family. A state licensed or registered residential care home or group home serving not more than eight persons who are developmentally disabled or physically handicapped, shall be considered by right to constitute a permitted single family residential use except that no such home shall be so considered if it locates within 1,000 feet of another such home.
Dwelling, Multi-Family	Dwelling, multiple family: A Dwelling unit for three or more families living independently of each other.	Building used as living quarters by three or more families, living independently of each other.
Dwelling, Two-family	Two dwelling units either attached or appurtenant (detached) to the primary structure.	Building used as living quarters by two families, living independently of each other.

Term	2015	(Proposed) 2022
Dwelling, Accessory	A dwelling subordinate to a single-family dwelling on the same lot that allows for independent living; sleeping, cooking and sanitation. The footprint shall not exceed 30 percent of the total habitable floor area of the dominant dwelling	Removed
Easement		An easement is a limited right of use over the property of another and may be created by grant or reservation. Easements are either express or implied, affirmative, or negative, and appurtenant or in gross.
Enclosed Storage		A storage area that is surrounded by fencing, screening and/or other means which conceals the material to be stored from all abutting properties.
Family		One or more persons living, sleeping, cooking and eating on the same premises as a single housekeeping unit, provided that unless all members are related by blood, marriage or adoption, no such single housekeeping unit shall contain more than five members.
Fence		Any material or combination of materials erected to enclose, screen, separate, or demarcate areas of land. A solid fence (without spacing between its materials, such as a stone or masonry assembly) must be called a wall. Boundary line fences should have neighbor’s written approval see section 424.
Fill		Stone or mix of earthen aggregate material(s) placed on the ground.

Term	2015	(Proposed) 2022
Floor Area (Gross)		Sum of the gross horizontal area of the floors of a building, dimensions shall be measured between interior wall faces. Gross Floor Area shall include the area of basements, cellars, and half stories but not attics or crawl spaces as defined herein. Gross floor area shall exclude stairwells, elevator shafts, atriums, and other similar holes in a floor above the lowest floor level.
Floor Area (Patron)		All floor space accessible to customers, including foyers and hallways but excluding bathrooms and coatrooms.
Front Line, Building		The line, parallel to the street line, that passes through the point of the principal building nearest the front lot line.
Frontage	The portion of a lot that faces a street, highway, or right-of-way.	Moved to setback definition and in illustration
Gasoline Station		See Auto Service station.
Golf Course		A golf course shall consist of at least nine holes where regulation play is permitted as well as par three and pitch and putt courses.
Grade, Finished		Completed surfaces of ground, lawns, walks, paved areas, and roads brought to grades as shown on plans relating thereto.
Group Home		Any residential facility operating under a license or registration granted or recognized by a state agency, that serves not more than eight unrelated persons, who have a handicap or disability as defined in 9 V.S.A. section 4501, and who live together as a single housekeeping unit. In addition to room, board and supervision, residents of a group home may receive other services at the group home meeting their health, developmental or educational needs.

Term	2015	(Proposed) 2022
Guest Room		Any room or space in a hotel, motel, lodge or bed-and-breakfast residence offered to the public for compensation for transient occupancy and which has furnishings designed to accommodate not more than four (4) people per room.
Historic Site		An area deemed worthy of preservation for historical reasons. The area may be so classified by federal, state, or local authority.
Historic Structure		<p>Any structure that is</p> <ol style="list-style-type: none"> 1. Listed individually in the National Register of Historic Places (a listing maintained by the Department of Interior) or preliminarily determined by the Secretary of the Interior as meeting the requirements for individual listing on the National Register. 2. Certified or preliminarily determined by the Secretary of the Interior as contributing to the historical significance of a registered historic district or a district preliminarily determined by the Secretary to qualify as a registered historic district. 3. Individually listed on a state inventory of historic places in states with historic preservation programs which have been approved by the Secretary of the Interior; or 4. Individually listed on a local inventory of historic places in communities with historic preservation programs that have been certified either. <ul style="list-style-type: none"> • By an approved state program as determined by the Secretary of the Interior, or directly by the Secretary of the Interior in states without approved programs.

Term	2015	(Proposed) 2022
Home Occupation	The ‘Accessory use’ of a service character that is conducted within a dwelling by its resident(s), secondary to, and does not change the character of, the dwelling’s use for living purposes. This is a business use that is conducted in or on the same lot as occupied by an existing one- or two-family dwelling, <i>which use is clearly incidental and secondary to the use of the dwelling for residential purposes, and does not change the residential character</i> and appearance of the neighborhood.	Any use conducted chiefly within a minor portion of a one or two-family dwelling, or the use of an accessory building on the same lot as such dwelling, carried on by the occupants thereof, <i>which use is clearly incidental and secondary to the use of the dwelling for living purposes and does not change the residential character</i> thereof.
Hotel Lodge		A building or portion there of kept, used, maintained, advertised, or held out to the transient public to provide overnight accommodations to said public for compensation, by the renting of rooms or a bed with a room. Allowable accessory uses may include restaurants and other dining or conference areas, bars/lounges, pools, and fitness facilities.
Indoor Sports Recreational Facility		A fully enclosed building or area containing facilities for the practice of one or more recreational sports.
Industry		Primarily the use of basic industrial activities, many of which characteristically store bulk quantities of raw or scrap material for processing or manufacture to semi-finished projects. Major manufacturing and related industrial activities are also included. Production performance of the Manufacturing Industries consists primarily of receiving or storing semi-finished products or, in some cases, raw agricultural food products (other than livestock) for further processing, refining, or assembling into finished or more finished products. The district Use is generally related to rail transportation for delivery of the heaviest bulk products.

Term	2015	(Proposed) 2022
Industrial, Light or Light Manufacturing		Those industries which are primarily for lighter manufacturing and related activities which characteristically produces a finished product from semi-finished materials, or in some cases from raw food products, but requires little or no outside material storage. This use does not regularly cause offensive odors, dust, smoke, or noise. The district may have less specific relation to fixed transportation routes and may rely primarily upon truck or air cargo deliveries for lighter bulk items.
Industrial Park or Industrial Zoning District		see Planned Unit Development.

Term	2015	(Proposed) 2022
Interested Person	<p>An interested person means any one of the following:</p> <ol style="list-style-type: none"> 1. A person owning title to property affected by a bylaw who alleges that the bylaw imposes unreasonable or inappropriate restrictions on use of the property, or a municipality or solid waste management district empowered to condemn it, or an interest in it, who alleges the same. 2. A municipality that has a plan or bylaw at issue in an appeal brought under this chapter or any municipality that adjoins that municipality. 3. A person owning or occupying property in the immediate neighborhood of a property that is the subject of any decision or act taken under this chapter who can demonstrate a physical or environmental impact on their interest under the criteria reviewed and who alleges that the decision or act, if confirmed, will not be in accord with the policies, purposes, or terms of the plan or bylaw of that municipality. 4. Any 10 persons in any combination of voters or real property owners within a municipality listed in subdivision (2) of this subsection who by signed petition to the appropriate municipal panel of a municipality, the plan or a bylaw of which is at issue in any appeal brought under this title, allege that any relief requested by a person under this title, if granted, will not be in accord with the policies, purposes, or terms of the plan or bylaw of that municipality. This petition to the appropriate municipal panel must designate one person to serve as the representative of the petitioners regarding all matters related to the appeal. 5. Any department and administrative subdivision of this state owning property or any interest in property within a municipality listed in this subsection and the agency of commerce and community development of this state. 	Removed

Term	2015	(Proposed) 2022
Junk Yard		Any land, buildings or structure, excepting a licensed recycling facility, used for collecting or storage of discarded material; or for the collecting, wrecking, dismantling, storage, salvaging or sale of machinery parts or vehicles; or the storage of any unlicensed or non-operative vehicles not enclosed in a building. (Refer to Dump, Recycling Collection Point).
Kennels		see Animal Housing Facility.
Land Development		See Development.
Legislative Body	The Selectboard of the Town of Wallingford	No change
Licensing authority	The Town of Wallingford	No change
Loading Space		Space logically and conveniently located for pickups and deliveries, on the same lot as the principal use. It should be scaled to the delivery vehicles expected to be used but not less than 15 feet by 25 feet with a minimum 15-foot height clearance. Required off-street loading space is not to be included as off-street parking space in computation of required off-street parking.
Lot		Land occupied or to be occupied by a building and its accessory buildings, together with the required open spaces, having not less than the minimum area, width, and depth required for a lot in the district in which such land is situated, and having frontage on the street, or other means of access.
Lot Area	The total area within the property lines excluding any part-thereof lying within the boundaries of a public street, or proposed public street	Total contiguous area within the property line as shown on the property boundary maps.
Lot, Corner		A lot abutting on and at the intersection of two or more streets.

Term	2015	(Proposed) 2022
Lot Coverage	The percentage of the area of a lot which is covered by structures and other roofed improvements, excluding parking, loading and service areas, and access roads. Lawns, planting areas, driveways, walkways, and pedestrian amenities shall not be considered improvements for the purpose of calculating lot coverage	Removed
Lot Depth	Lot Depth and front yard: Minimum distances shall be measured from the edge of the street, highway, or right-of-way	The mean horizontal distance from the street line of the lot to its opposite rear line measured at right angles to the street line.
Lot Frontage	Measured across the width of the lot at the actual or proposed building front line.	Each division line between any land and a public highway right of way or a private vehicular right of way existing or proposed. AKA. the length of such line.
Lot Line		Property lines bounding a lot..
Lot Width		Width measured at right angles to its lot depth, at the required lot frontage. <i>For irregular shaped lots, an average (mean) depth shall be determined by the Administrative Officer; if necessary.</i>
Manufactured / Mobile Home	Mobile Home: A dwelling unit designed for long term/continuous occupancy to be moved on wheels, whole or in sections, and on arrival at the site is complete and ready for occupancy, except for incidentals. Mobile homes have an internal steel platform which attach to wheel axles and a hitch.	A Housing and Urban Development certified factory built, single family structure transportable in one or two sections on a permanent chassis and axles, designed to be used on a concrete slab or temporary foundation and remain transportable, or be set on a permanent foundation.
Modular or Panel Building		A factory built, single, two-family, multifamily, or commercial structure transportable in one or more sections, which is not built on a permanent chassis, and is designed to permit delivery to a permanent site for use with a permanent foundation system when connected to the required utilities as a place of human use or habitation.

Term	2015	(Proposed) 2022
Manufacturing, Light		A use engaged in the manufacture, predominantly from previously prepared materials, of finished products or parts, including processing, fabrication, assembly, treatment, packaging, incidental storage, sales, and distribution of such products, but excluding basic industrial processing.
Medical Center		A facility for diagnosis and treatment of patients.
Mobile Home Park	A parcel of land under single or common ownership or control that contains, or is designed, laid out or adapted to accommodate two or more mobile homes.	Same – no change
“Mobile home park owner” or “park owner”	The owners, operators, officers, or managing agents of a mobile home park as well as any person who acts through any corporate or other device and who has the practical authority to establish rules, policies, or other requirements for the operation of the mobile home park; and not a stockholder for a corporation owning stock in a mobile home park.	Removed
Motel		Building containing rooms, which are rented as a series of individual sleeping units each with an outside entrance. Commonly for use by transient guests, each sleeping unit consisting of at least a bedroom and bathroom.
Motor coach		A mobile vehicle designed for short-term occupancy, overnight lodging, or camping purposes, capable of being towed or self-propelled.

Term	2015	(Proposed) 2022
Motor Vehicle		Includes any equipment designed to carry or transport persons or materials, whether powered by an internal motor, or pulled or carried by other motor-powered equipment. Includes but not limited to aircraft, boats, cars, trucks trailers, Recreational Vehicles, snowmobiles, motorcycles, all-terrain vehicles, farming equipment (excludes lawn & garden equipment).
Motor Sales Dealership		Land and/or buildings used for the display, sale, rent or lease, and service of new or used motor vehicles.
Neighborhood Commercial Facility		A commercial enterprise which primarily provides convenience goods and services, or basic necessities. This definition excludes bars, lounges and those commercial activities that have been specifically designated to nonresidential districts by the Zoning Ordinance Regulations.
Nightclub, Lounge, Bistro		A place of business whose primary function is the serving of alcoholic beverages and providing entertainment. This Use may be permitted with a Restaurant Use.
Non-Commercial		An activity or facility run by non-profit organizations and/or available to the public without a fee.
Non-Conforming Lots or Parcels		Lots or parcels that do not conform to the present bylaws covering dimensional requirements but were in conformance with all applicable laws, ordinances and regulations prior to the enactment of the present bylaws, including a lot or parcel improperly authorized as a result of error by the administrative officer.

Term	2015	(Proposed) 2022
Non-conforming Use	The use of land or structure which does not comply with all Zoning Regulations for the district in which it is located, but where such use was in compliance with previous regulations.	Use of land that does not conform to the present bylaws but did conform to all applicable laws, ordinances and regulations prior to the enactment of the present bylaws, including a structure improperly authorized as a result of error by the administrative officer.
Non-conforming Structure		A structure or part of a structure that does not conform to the present bylaws but was in conformance with all applicable laws, ordinances, and regulations prior to the enactment of the present bylaws, including a structure improperly authorized as a result of error by the administrative officer.
Nursing Home		A place, other than a hospital which maintains and operates facilities, for profit or otherwise, accommodating two or more persons unrelated to the home operator, who are suffering from illness, disease, injury or deformity and require nursing care. Nursing Home shall include Intensive Care, Skilled Care, Intermediate Care, Assisted Living (with or without private living quarters), Minimum Nursing Care, and Pediatric Convalescent facilities.
Official Zoning Map		The one true signed copy of the Town Zoning Map located in the office of the Town Clerk.
Open Storage		The keeping in an unroofed area, of any goods, garbage, junk, materials, merchandise, or un-registered and/or un-inspected vehicles in the same place for more than seven (7) days and easily visible from streets or property boundaries.

Term	2015	(Proposed) 2022
Outdoor Recreation		Outdoor sports and activities such as skiing, hiking, tennis, golf, horseback riding, fishing, hunting, swimming, and similar activities, and structures necessary to and incidental to the actual carrying on of such activities.
Park, Municipal		Any recreation area or park facility owned by the Town Wallingford
Parking Space	Off-street space that is used for temporary location of licensed motor vehicle, at least 9 feet wide, 22 feet long, having direct access to a street or alley	A defined space, which is at least nine (9) feet wide and twenty (20) feet long, located outside of the right of way, parking aisle, or driveway, used for the parking of one motor vehicle, with practical access to the road or right of way, and sufficiently surfaced with durable material to permit year-round use.
Permitted Use	A use requiring approval only by the Zoning Administrator.	Use specifically allowed in a district excluding illegal uses, conditional uses, and nonconforming uses; permits are required for each permitted use. The Zoning Administrator may issue permits for conforming Permitted Uses without further Development Review Board review.
Personal Services		Businesses providing services of a personal nature.
Planned Unit (Development PUD)		An area of land, controlled by a landowner or landowners, to be developed as a unified project and single entity for a number of dwelling units and/or commercial and industrial uses, the proposal for which does not correspond to the requirements of uses listed in Section under "Not in PUD" in any one or more districts created in these Zoning regulations, with respect to setbacks, coverage, lot size, density, required open space, and/or uses.
Poster or Banner	A temporary (14 consecutive days or less) sign, not exceeding 40 square feet, advertising an event.	Removed and addressed in Article IX (Section 902-904)

Term	2015	(Proposed) 2022
Principal Building		A building in which is conducted the main or principal use of the lot on which said building is located. Attached garages or carports, open at the sides but roofed, are part of the principal building.
Private Club		A building or portion of a building, or use open to club members and their guests, and not to the general public, and not operated for profit. (See Association)
Professional Residence-Office		Residence in which the occupant has a government issued license professional office (Examples but not limited to architect, accountant, chiropractor, dentist, doctor of medicine, landscape architect, land surveyor, lawyer, optometrist, osteopath, physiotherapist, consultant, podiatrist, engineer, or psychologist) and maintains a Home Office which does not change the residential character thereof.
Public Water, Public Sewer		Water supply and sewage disposal systems approved by the legislative body for municipal operation.
Recreation, Private		Recreation uses privately owned and commercially operated.
Recreational Vehicle	A portable, temporary dwelling used for travel and recreation, constructed as an integral part of a self-propelled vehicle (see Trailer).	Removed (See Trailer)
Recycling Collection Point		A public or privately operated location, where this use incidental to the principal use that serves as a local drop-off point for temporary storage of recoverable resources. No processing of such items is allowed. This facility would generally be located in a shopping center parking lot or in other public/quasi-public areas such as churches and schools,

Term	2015	(Proposed) 2022
Rear Lot Line		A lot line opposite and most distant from any lot front.
Religious Institution		Includes but not limited to church, temple, parsonage, rectory, parish house, convent, seminary, retreat house, and associated buildings.
Renewable Energy Resources		Energy available by generation or for collection or conversion from direct sunlight, wind, geothermal, running water, organically derived fuels including wood, agricultural sources, waste materials, waste heat, and geothermal sources. Includes any structures or equipment necessary for the collection or conversion of such energy.
Repair Shop		Facility for the repairing or maintenance of items, appliances, yard, and garden equipment. Excludes Motor Vehicles (refer to definition).
Residential Care Home		A place, however named, excluding a licensed foster home, which provides, for profit or otherwise, room, board, and personal care to three or more residents unrelated to the home operator.
Residential use		One, two, or multi-family dwellings units.
Restaurant Delicatessen		A public eating-place where seats and/or counters, or window pickup of food are provided for Patrons. This Use is separate from, but may be permitted along with Night Clubs, Bars and Tavern.
Retail Store		Includes shop and store for the sale of retail goods, personal service shops, department stores, commercial schools, and shall exclude any free-standing retail stands, auto service stations, motor vehicle repair service shops and motor vehicle sales dealerships.

Term	2015	(Proposed) 2022
Right of Way		A right of way is an easement that allows another person to travel or pass through deeded land. There are public and private rights of way but neither affects ownership. The most common form of public right of way is a road or path through the land in order to access a public area. A private right of way is to allow a neighbor to cut through someone's property to access their property.
Road Frontage		See Street Frontage.
Rooming or Boarding House		A residence used and operated (in part) as a business, specifically designed for the maximum accommodation of two (2) persons per bedroom and having common areas such as bathrooms, dining rooms kitchens and other living areas. .
Salvage Yard		An open area where wastes or used or second-hand pre-owned materials are bought, sold, or exchanged, stored, processed or handled. Materials shall include but are not limited to scrap iron and other metals, paper, rags, rubber tires, and bottles. (See Junkyard)
School		A licensed learning facility including parochial, private, or public nursery schools, elementary school, high school, college, university, and associated accessory uses.
Setback		<p>The distance from a property boundary line to a building or structure, measured to its nearest wall, cantilevered portion of a structure, porch, or deck, but not to steps or normal roof overhang. Certain exceptions apply to fences, signs, and stone walls. (See below diagram.)</p> <ul style="list-style-type: none"> • Front Setback: Distance between a building or structure and any front lot street line. (See sample below.) Note: front setback is also defined as front

Term	2015	(Proposed) 2022
		<p>yard. <i>When there is more than one front street (i.e., corner lot), only the street line identified by the structure's address shall be considered the front street and setback (See sample below)</i></p> <ul style="list-style-type: none"> • Rear Setback: Distance between a building or structure and a rear lot line. (See sample below.) Note: rear yard is also defined as rear setback. • Side Setback: Distance between a building or structure and a property line other than front lot line or rear lot line. (See below.) • In a situation of uneven / irregular boundaries, the average setback will be determined by the Zoning Administrator.
Shopping Center (Commercial)		A retail shopping or business area containing three (3) or more retail tenants in one or more buildings all situated on one lot and serving the general public.
Sign	Any display which is designed or used to advertise an activity or product of any kind and is visible from a public right-of-way.	Sign means any structure, display, device or representation which is designed or used to advertise or call attention to or direct a person to any business, association, profession, commodity, product, institution, service, entertainment, person, place, thing, or activity of any kind whatsoever, and is intended to be visible from a public thoroughfare. Whenever dimensions or areas of signs are specified, they shall include all panels, frames, and supporting structures excluding the building to which a sign may be attached.

Term	2015	(Proposed) 2022
Sign, Flush-Mounted	A sign mounted parallel and within 12 inches to the face of a structure.	Removed and addressed in Article IX (Section 902-904)
Sign, Free-Standing	A sign supported by one or more supports and not attached to any structure.	Removed and addressed in Article IX (Section 902-904)
Sign illuminated		A sign that is either illuminated from an electrical source behind the sign face, referred to as backlit or internal lighting; or illuminated externally by lamp fixtures directing light on the sign's message.
Sign, Projecting	A sign attached to and projecting away from the face of a structure.	Removed and addressed in Article IX (Section 902-904)
Sign, Residential	An identification sign, not more than two square feet in area.	Removed and addressed in Article IX (Section 902-904)
Sign, Soffit	A sign hung from an overhang which is attached to a structure.	Removed and addressed in Article IX (Section 902-904)
Sign, Window	Any sign affixed to a window or door, or legible through same. Small signs incorporated into a window display measuring no more than 100 square inches shall not be considered window signs.	Removed and addressed in Article IX (Section 902-904)
Site Plan		A plan, to scale, showing uses and structures proposed for a parcel of land as required by these regulations. It includes lot lines, streets, building sites, open space buildings, major landscape features, and proposed utility lines, if any.
Storage Facility	A permanent structure(s) for commercial and/or rental storage.	Removed
Storage Structures (Temporary)	Trailers, boxes, shipping containers, or other mobile structures that may be transported on or off property.	Removed and defined in Temporary Structures

Term	2015	(Proposed) 2022
Street or Road		<p>1) A municipally owned Public way for vehicular traffic, which affords the principal means of access to abutting properties.</p> <p>2) A privately owned and maintained access way, created by a legal and permanent easement or right-of-way agreement, for access by one or more parties granted permission for its use. A private roadway may not be synonymous with a property boundary.</p>
Street Frontage		<p>The length of a lot which abuts a Public street, measured at the Street Line, from one lot line to the opposite lot line. Street frontage and lot frontage are not synonymous.</p>
Street Line		<p>Right-of-way of a Public street as dedicated by a deed of record. Where width of the Public street is not established, the Public street line shall be considered to be twenty-five (25) feet from the centerline of the street travel lane. <i>If the total width of a Private Right of Way is not defined by the legal document creating it, it shall be considered to have a minimum width of twenty (20) feet.</i></p>
Structure	<p>Anything constructed or erected which requires location, or attachment to something located on the ground. Excludes walls, standard wooden fences, or woven wire fences not over five feet high, or any wall or fence on an operating farm</p>	<p>An assembly of materials for occupancy or use including, but not limited to, a building, mobile home or trailer, swimming pool, tennis court, sign, water impoundments, wall or fence (except on an operating farm). Detached sheds, playground facilities, dog houses, etc., not exceeding 120 feet in floor area, not more than 10 feet in height are exempt from this definition. Exempt sheds will be verified by Zoning Administrator to match exemption.</p>

Term	2015	(Proposed) 2022
Substantial Completion		Level of construction, renovation, or change of use that exceeds fifty (50%) percent of the permitted project's estimated cost; AND required water, wastewater, and electrical systems are connected and operational, AND providing the exterior appearance of the project appears complete with regards to the structure and finish grading.
Temporary structure, improvement, or use		Unless otherwise defined, "temporary" shall mean up to 90 days in existence or use. Over 90 days, the structure, improvement or use is deemed "Permanent".
Terrace or Patio		An open, improved or graded combination of earthen materials located on the ground with no structural supports other than subsurface base materials and/or retaining walls. A terrace or patio; or masonry walls less than six and one-half feet (6.5) from finished grade to top of fence, shall not be deemed a structure; and are exempt from a local permit requirement, but not prescribed setbacks.
Tiny House		A general term for a small dwelling unit (400 square feet footprint) with kitchen, bath and sleeping facilities. For Town Zoning purposes, Foundation Bound Units that do not have an internal metal frame and axle system and designed to be attached to a permanent foundation are to be considered a /Modular Building; and constructed to International and VT Residential Codes. Code built Units with an internal metal frame attached to axles and designed to be towed on public roads with (or without) any special transport permits (for over width, length, or height); shall be considered Manufactured (HUD) Housing. A Recreational Vehicle (RV) designed for temporary camping travel or seasonal use is not a Tiny House.

Term	2015	(Proposed) 2022
Trailer	Also Travel trailer, Pick-up coach, Camping trailer, Motor Home, or Recreational Campground.	<p>1. (Recreational Vehicle a.k.a. R.V.) Includes any camping trailer, travel trailer, pickup coach or motor home and/or any other vehicle used as temporary or seasonal sleeping or camping or living quarters mounted on wheels; or a camper body usually mounted on a truck and any vehicle which is customarily towed by a motor vehicle and used for carrying goods, equipment machinery, or boats; or is used as a temporary office. A Mobile Home (H.U.D. certified) is not a Trailer.</p> <p>2. Any wheeled platform designed to be towed and used to transport materials.</p>
Truck/Bus Terminal		A transportation facility from which trucks and/or buses are dispatched and where vehicles are stored and/or maintained.
Truck Repair Facility		A maintenance facility for activities such as truck repairs (with GVW rating over 18,000 lbs.,).
Utility, Public		Any person, firm, corporation, municipal department, or board duly authorized to furnish to the public under state or municipal regulations, electricity, gas, communications, or transportation.
Warehouse		A building or structure where wares or goods are stored before distribution to jobbers, retailers, or the general public. This definition includes bulk storage and bulk sale outlets.
Water Supply (Approved)		A potable water supply approved by a state certified testing lab.

Term	2015	(Proposed) 2022
Well Head (Water Source) Protection Area		Area or District designated by the Town for additional restrictions it deems necessary to protect the sources, production capability, and environmental quality of head waters, wells, wetlands and other potable water supplies.
Wetland		An area that is inundated or saturated by surface water or groundwater at a frequency or duration sufficient to support a prevalence of vegetation typically adapted for life in saturated soil conditions, commonly known as hydrophytic vegetation.
Wholesale Establishment		Any firm doing business on a restricted customer basis and not available to the general retail public
Wood Manufacturing		The delivery of raw or semi-processed wooden materials from another location, stored, further machined into a semi-finished or ready-to use product (furniture, lumber, firewood, etc.), reloaded and transported off site for resale. Operations may be conducted either outside, enclosed, or both. This process is not an agricultural or silvicultural exemption from Town permits.
Wood Working Shop		An interior operation for the manufacturing, repair, or restoration of wooden products.
Yard	Space on a lot not occupied with a building or structure. Porches, whether enclosed or unenclosed, shall be considered as part of the main building and shall not project into a required yard.	Removed
Zoning Administrator (ZA)		Refers to the person appointed by the Select Board to interpret, apply, and enforce the Town's Zoning Regulations, and Ordinances (if authorized to do so by the Select Board).

Term	2015	(Proposed) 2022
Zoning District		A section of the Town designated in the zoning ordinance text and delineated on the Official Signed and dated Zoning Map, in which requirements for the use of land, and building and development standards are prescribed.
Zoning Permit		The official document applied for and issued by the Zoning Administrator, for any development or change of use within the Town.

APPENDIX C – Setback Comparison Tables (Article V

Specific District Setback Regulations Comparison Tables

Forest and Recreation

	2015 Zoning (current) Page 15	2021 Proposed Set back Page 19	
Minimum Dimensional requirements			
		Residential	*Non-Residential
Lot area	1 acre	1 acre	10 acres
Lot front (along road frontage)	150 feet	150 feet	300 feet
Rear yard	100 feet	50 feet	100 feet
Lot depth	150 feet	150 feet	500 feet
Minimum setbacks			
Front	100 feet	50 feet	100 feet
Rear	100 feet	50 feet	100 feet
Sides	50 feet	30 feet (each side)	50 feet

* All Non-residential Uses (except for qualified Home Occupational) are Conditional uses.

Agricultural and Rural Residential

	Residential			Non-Residential		
	2015 Zoning (current) Page 15	2021 Proposed Page 20		2015 Zoning (current)	2021 Proposed Page 20	
Minimum Dimensional requirements						
Lot area	1 acre	1 acre ¹	2 acres ²	2 acres	1 acre ¹	2 acres ²
Lot front (along road frontage)	150 feet	150 feet	150 feet	250 feet	150 feet	250 feet
Rear yard	30 feet	50 feet	50 Feet	65 feet	50 feet	65 feet
Lot depth	30 feet	150 feet	150 Feet	65 feet	150 feet	150 feet
Minimum setbacks						
Front	150 feet	50 feet	150 Feet	200 feet	50	200 feet
Rear	30 feet	50 feet	50 Feet	65 feet	50	65 feet
Sides	30 feet (each side)	30 feet (each side)	30 feet each side	65 feet	30 feet (each side)	65 feet

1. Lot is located in Agricultural and Rural Residential district. Lot has access to and ties into municipal sewer and water.
2. Lot is located in Agricultural and Rural Residential district and does not have access to municipal sewer and water.

Residential (Lot area minimum: 1/8 of an acre 5,445 feet)

	Residential		Non-Residential Conditional Uses only¹	
	2015 Zoning (current) Page 17	2021 Proposed Page 21	2015 Zoning (current)	2021 Proposed Page 21
Minimum Dimensional requirements				
Lot front width	50 feet	50 feet	50 feet	50 feet
Lot rear width	10 feet	50 feet	10 feet	50 feet
Lot depth		100 feet		100 feet
Minimum setbacks				
Front		10 feet		10 feet
Rear	10 feet	10 feet	10 feet	10 feet
Sides	10 feet (each side)	10 feet (each side)	10 feet (each side)	10 feet (each side)

1. All non-residential uses (except for qualified Home Occupations) are subject to Conditional Review and approval.

Multiple Residential 1. Dimensional Requirements

Lot area minimum: 1/8 of an acre/dwelling unit

Use	Residential 1 & 2 Family	Multi-Family 3+ Dwelling units)	Non-Resident
Front width	50	75	50
Rear width	50	50	50
Depth	100	100	100

Minimum Setbacks			
Front	10 feet	20 feet	20 feet
Rear	10 feet	20 feet	20 feet
Sides	10 feet	20 feet	20 feet

Neighborhood Commercial – No Changes

Industrial - No Changes