

RESOLUTION

WHEREAS, the Board of Selectmen of the Town of Charlotte deem it necessary to consider emergency regulations to regulate land development in the municipality until a thorough study of problems associated with further residential development, with emphasis on school facilities, is completed and the present Municipal Development Plan and By-Laws are updated and appropriately amended; and

WHEREAS, the Board of Selectmen of the Town of Charlotte deem that such emergency regulations are necessary to protect the public health, safety and general welfare and provide for the orderly physical and economic growth of the Town; and

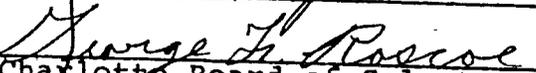
WHEREAS, the Board of Selectmen of the Town of Charlotte have further found that the purposes set forth in the present Municipal Development Plan and the policies set forth in the Vermont Planning and Development Act, and the public interest therein, may be defeated if such emergency and temporary regulations of future land development are not immediately adopted as provided by law.

NOW THEREFORE, it is hereby resolved by the Board of Selectmen of the Town of Charlotte that public notice be given of a hearing to be held at the CHARLOTTE TOWN HALL on TUESDAY, August 24, 1976, at 7:30 P.M. to consider proposed interim regulations.

Further resolved, that copies of said proposed regulations be immediately placed on file at the Charlotte Town Clerk's office where they may be examined.

Dated this 29th day of July, 1976.




Charlotte Board of Selectmen

AC2258

INTERIM ZONING REGULATIONS

TOWN OF CHARLOTTE

Section 1. These Regulations, regulating land development in the Town of Charlotte, are intended to protect the public health, safety and general welfare and provide for the orderly physical and economic growth of the community. These Regulations are enacted as an emergency measure, and shall be limited to two years from the date they become effective or such lesser period of time as the Board of Selectmen of the Town of Charlotte may determine as sufficient to conduct a thorough study of all problems associated with further residential development in the Town with emphasis on the capacity of school facilities and to appropriately prepare and adopt amendments to the Town's Municipal Development Plan and By-Laws.

Section 2. Classes of Districts.

For the purpose of these Regulations, the area of the Town of Charlotte is hereby divided into the following classes or districts:

- A. The RURAL-RESIDENTIAL district shall include all land within the Town of Charlotte, which is not included in following use district classifications.
- B. The COMMERCIAL districts shall include all land on both sides of Route F5, beginning 500 feet east of Greenbush Road, to a depth of 500 feet from the street line, continuing east to U.S. Route 7, then continuing east along the south side only of Church Hill Road a distance of 750 feet, to a depth of 600 feet from the street line; also all land along U.S. Route 7 on the west side only, beginning at the intersection of the north line of Route F5 and the west line of U.S. Route 7, and continuing northerly along Route 7 a distance of 1000 feet, to a depth of 500 feet from the street line; also land lying westerly of Industrial District No. 2, beginning 500 feet south of the street line of Route F5 and continuing south along the entire westerly boundary of Industrial District #2, to a depth in a westerly direction of 500 feet from the said westerly boundary of Industrial District No. 2.

Also, at Baptist Corners all land lying south of the former Hinesburg Road to a depth of 250 feet from the center line of said road, beginning at its intersection with Spear Street and continuing east approximately 1283 feet to its intersection with the present Hinesburg Road, thence continuing east along the southerly side of the latter road to a depth of 250 feet from its center line, a distance of approximately 1217 feet to a culvert beneath said road.

- C. The INDUSTRIAL districts shall include:
 - 1. All land on the west side of the Vermont Railway Corporation tracks for a distance of 1000 feet from the center line of the tracks and extending from Route F5 southwardly for a distance of one-half mile.
 - 2. All land on the west side of U.S. Route 7 beginning 500 feet south of the street line of Route F5 and continuing south to a point in a hedgerow marked by Green Mountain Power Corp. utility pole No. 14, which point is approximately 2523 feet from the center line of Route F5, to a depth of 500 feet from the street line of U.S. Route 7.

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Section 3. Rural-Residential District.

A. Permitted Uses

Permitted uses in the Rural-Residential District are as follows:

1. Single family dwellings.
2. Agricultural or forestry uses, including farms, dairying, orchards, woodlots, truck gardens; raising of poultry or livestock and other similar enterprises in the field of agriculture or forestry not including commercial slaughtering of animals or poultry except such as are raised on the premises for home use.
3. Accessory uses customarily incidental to the permitted uses.

B. Conditional Uses

Any type of land development which is not a permitted use in the Rural-Residential District may be approved by the Board of Selectmen as a conditional use according to Section 6 of these Regulations.

C. Dimensional Requirements

- Lot area minimum - ~~one~~^{TEN} acres
- Lot frontage minimum - 400 feet
- Front yard minimum - 75 feet
- Side and rear yard minimum - 50 feet
- Height maximum - 35 feet (the height requirement will not apply for customary farm uses)

Section 4. Commercial District

A. Permitted Uses

Permitted uses in the Commercial District are as follows:

Stores and offices devoted to retail and wholesale sale of goods and rendition of services including banking, utility, indoor amusement and food services.

B. Conditional Uses

Any type of land development which is not a permitted use in the Commercial District may be approved by the Board of Selectmen as a conditional use according to Section 6 of these Regulations.

C. Dimensional Requirements

- Lot area minimum - one acre
- Lot frontage minimum - 200 feet
- Front yard minimum - 50 feet
- Side and rear yard minimum - 20 feet
- Height maximum - 35 feet
- Lot coverage maximum - 20%

Section 5 Industrial District

A. Permitted Uses

Permitted uses in the Industrial District are as follows:

1. Any use permitted in the Commercial District.
2. Wholesaling, warehousing, storage, testing, processing and manufacturing.

B. Conditional Uses

Any type of land development which is not a permitted use in the Industrial District may be approved by the Board of Selectmen as a conditional use according to Section 6 of these Regulations.

C. Dimensional Requirements

Lot area minimum - five acres
Lot frontage minimum - 500 feet
Front yard minimum - 100 feet
Side and rear yard minimum - 150 feet
Height maximum - 35 feet
Lot coverage maximum - 20%

Section 6. Conditional Uses

A. The Board of Selectmen may, upon application, authorize the issuance of permits for any type of land development as a conditional use not otherwise permitted by these Regulations after public hearing preceded by notice in accordance with 24 V.S.A. §4447. Such land development requiring conditional use approval shall include but not be limited to multi-family dwellings, 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, or mining, excavation or landfill and any change in the use of any building or structure or land or extension of use of land. The authorization by the Board of Selectmen shall be granted only upon a finding by the Board that the proposed use is consistent with the health, safety and welfare of the Town of Charlotte and the following standards:

1. The capacity of existing or planned community facilities, services or lands, including school facilities.
2. The existing patterns and uses of development in the area.
3. Environmental limitations of the site or area and significant natural resource areas and sites.
4. The Municipal Development Plan (Comprehensive Plan) and all Town by-laws, ordinances and/or regulations in effect.

The applicant and all abutting property owners shall be notified in writing of the date of the hearing before the Board of Selectmen and the Board of Selectmen's final determination.

B. The dimensional requirements applicable in each zoning district shall be applicable to any conditional use in such district.

C. Any conditional use applicant requesting approval of three or more residential units shall submit sufficient information to the Board of Selectmen substantiating that the present school facilities in the Town can accommodate the anticipated number of school age children residing in the proposed development. If such school facilities are over-crowded or would be over-crowded from the anticipated number of school age children generated by the proposed development, then the applicant shall submit to the Board of Selectmen his proposal to assist the Town in meeting the need for additional school facilities which his development will create or his proposal for an alternative means of providing schooling for the anticipated number of school age children the proposed development will generate. An applicant for conditional use approval shall also submit any drainage study, traffic study, soil study, test results pertaining to the quantity and quality of proposed water supply or any other information deemed necessary by the Board of Selectmen to make the findings required by paragraph A of this Section.

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Section 7. Required Regulations

A. Existing Small Lots

Any lot in individual and separate and non-affiliated ownership from surrounding properties in existence on the effective date of these Interim Zoning Regulations may be developed for the purpose 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 (40) feet.

B. 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 20 feet in width.

C. These Regulations shall not be interpreted as infringing upon the right of any resident to use a minor portion of a dwelling for an occupation which is customary in residential areas and which does not change the character thereof.

Section 8. General Regulations

1. Signs.

No outdoor advertising signs shall be permitted in any district except for purposes of identifying an on-premise commercial or industrial use and in such case, the sign shall not exceed 15 square feet in area and may only be illuminated by a continuous non-flashing light. Such illumination, however, may not be provided by neon or similar sources furnishing inherent color.

2. Sewage Disposal

No structure shall be erected or altered unless an adequate sewage disposal system is provided in compliance with all applicable regulations and standards of the State Department of Health, Town of Charlotte, or other governmental authority. Prior to the issuance of any permit or conditional use approval by the Board of Selectmen, for any such structure requiring an on-site sewage disposal system, the administrative officer or the Board of Selectmen shall be supplied with the information to enable the administrative officer or the Board of Selectmen to determine such compliance, which information shall include, but not necessarily be limited to the following:

1. Percolation test by a licensed civil engineer *or by the Deputy Health Officer of CHARLOTTE.*
2. Description of soil including level of water table in relation to ground surface.
3. Design and plan of proposed disposal system by a licensed civil engineer *or in accordance with approved State Design.*

3. Definitions.

Definitions contained in the Vermont Planning and Development Act shall be applicable throughout these Regulations.

4. Site Plan Review.

The approval of site plans by the Charlotte Planning Commission shall be required for the approval of any subdivision

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and any commercial or industrial use. 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, and landscaping and screening. The Planning Commission shall act to approve or disapprove any such site plan within sixty days after the date upon which it receives the proposed plan, and failure to so act within such period shall be deemed approval. The following data and other information shall be presented with an application for site plan approval:

1. Map or survey, showing all improvements to be placed thereon, and showing in detail the proposed traffic access, circulation, parking, landscaping and screening;
2. Specifications of the materials and plantings to be used;
3. Period of time in which all site improvements will be completed;
4. Any other information or data that the Planning Commission shall reasonably require.

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Section 9. Administration, Enforcement and Appeals

Administration and enforcement of these Regulations, the effect of the adoption of these Regulations, the requirement for zoning permits, penalties and remedies, administration and finance, public notice, appeals, the granting of conditional use approval, the granting of variances and other related provisions shall be as provided in the Vermont Planning and Development Act.

Section 10. Severability

If any provision of these Interim Zoning Regulations or the application thereof to any person or circumstance is held invalid, the invalidity shall not affect other provisions or applications of these Regulations which can be given effect without the invalid provision or application, and for this purpose the provisions of these Regulations are severable.

Section 11. Implementation.

These Interim Zoning Regulations shall take effect on the date of adoption by the Board of Selectmen, and shall expire and be of no effect after the expiration of two

years, unless revoked or extended in accordance with the Vermont Planning and Development Act. All previous zoning ordinances of the Town of Charlotte are hereby repealed.

(C) No more than one (1) structure adopted for use as a dwelling shall be constructed on a lot unless the area and street frontage of the lot shall be sufficient to provide an additional lot meeting the area and frontage requirements of this regulation for each additional structure and each such structure is located so that in the event of subsequent subdivision each subdivided lot will conform to the requirements of this regulation with respect to any structure located thereon.

Sale of the dwelling or subsequent