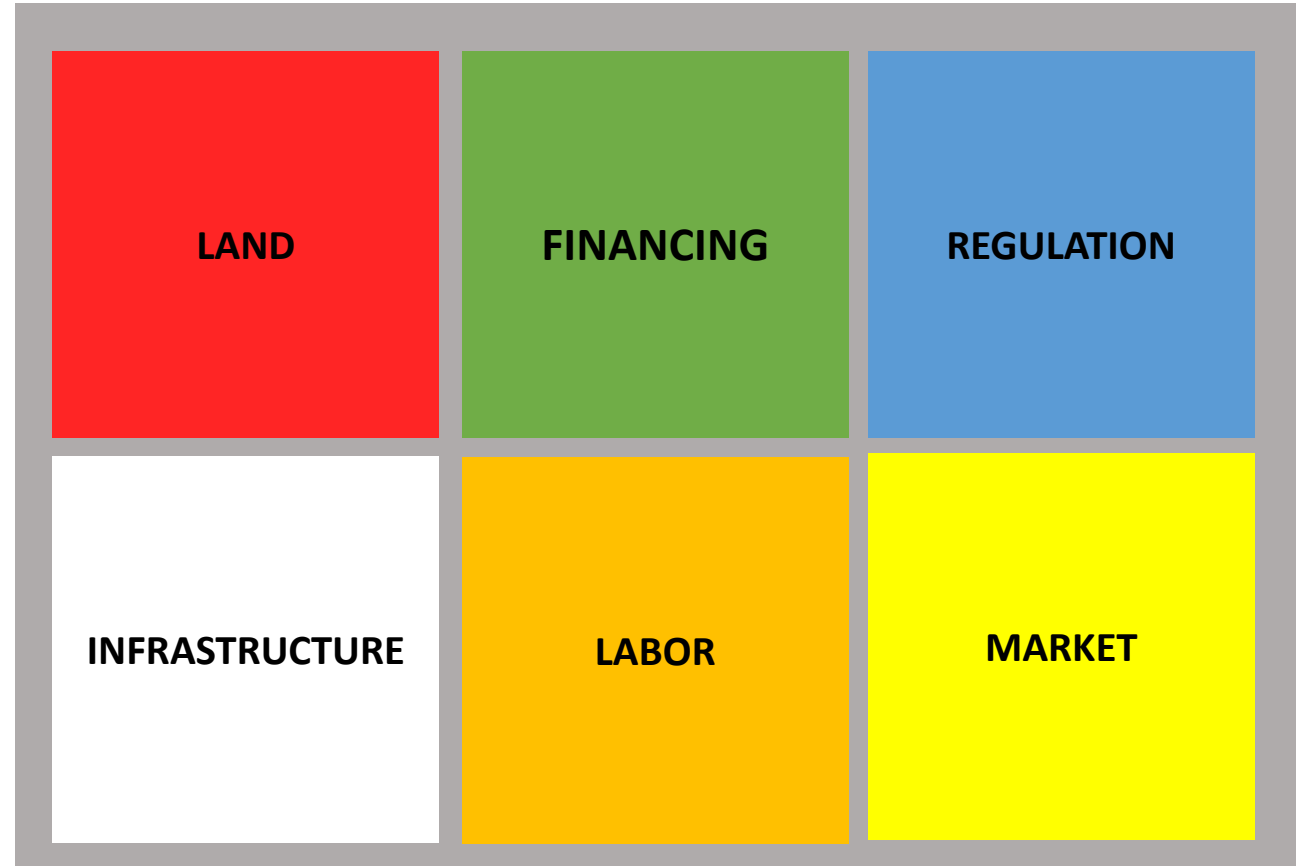
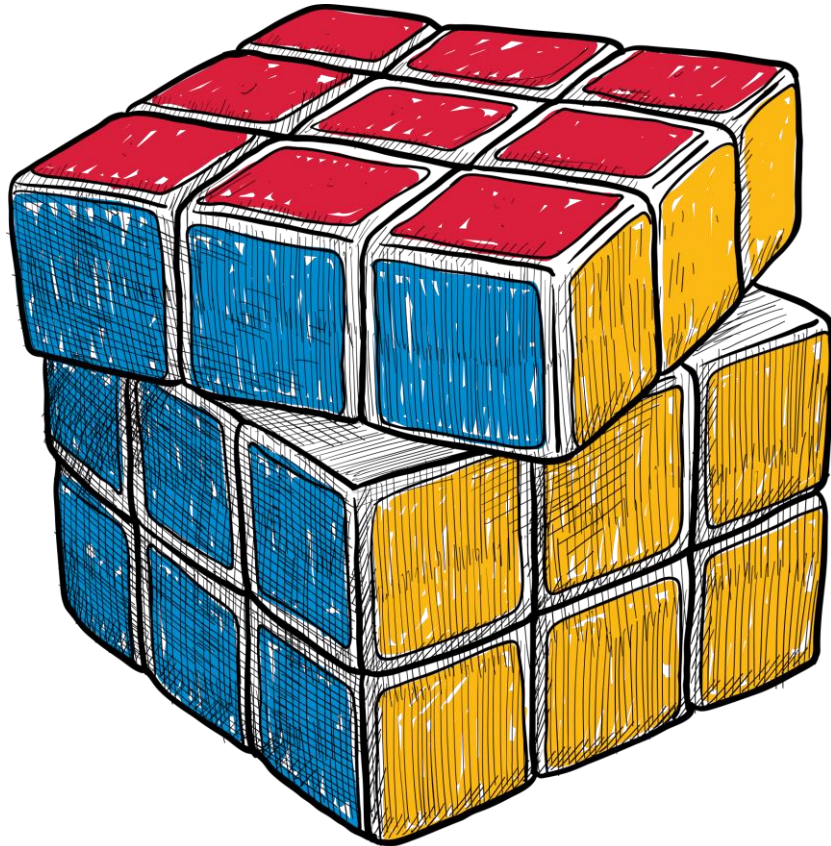


# Zoning: 101

Norwich, September 18, 2019

*Everything you were afraid to ask...*

**multiple factors must line up  
for development to occur**



**the town can only change two factors:**

- **Regulation**
- **Infrastructure**

# Regulation: Zoning, Subdivision and Access

- Norwich regulates land development through Zoning, Subdivision regulations and Access permits
- What does Zoning Do?
  - Encodes standards to *protect the health and welfare of the community*, minimize development impacts and use land efficiently
  - Uses are in keeping with the **described character of the district**, allowing for certain uses to be identified as appropriate, while minimizing or containing off-site impacts

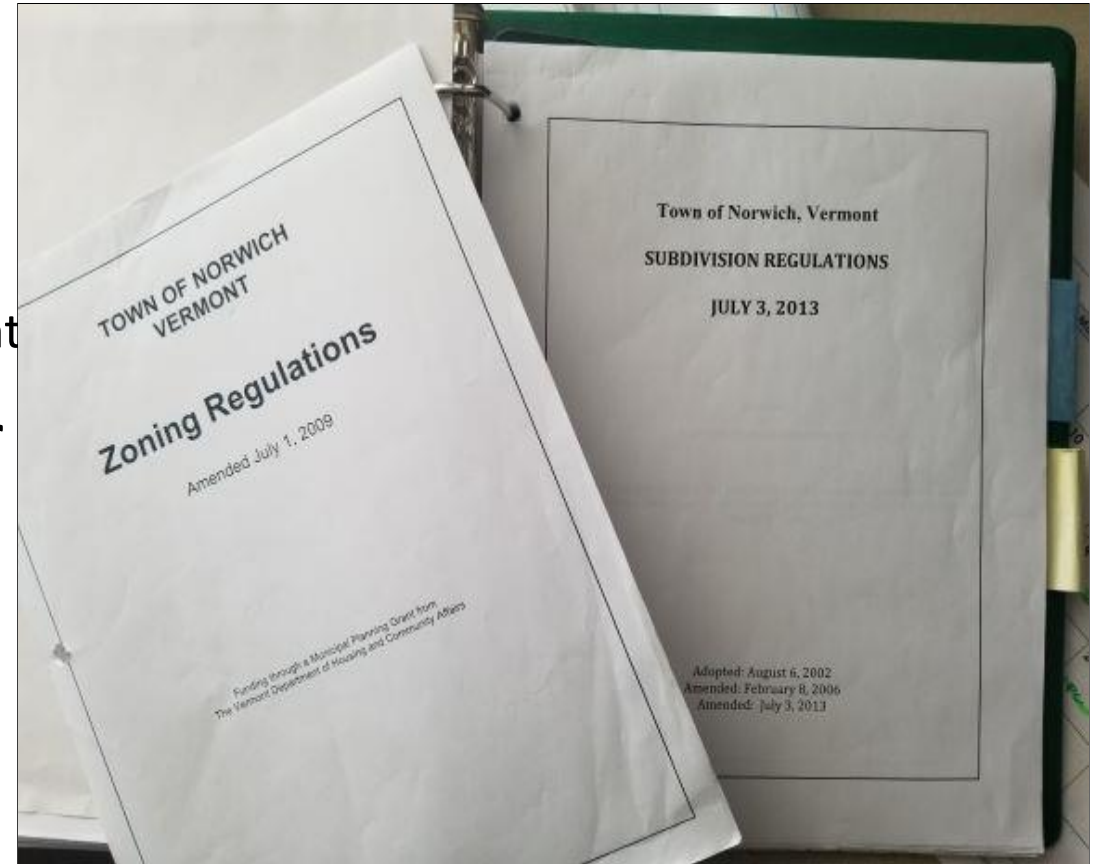
- Permitted



- Conditional



- Prohibited



# Regulation: Zoning, Subdivision and Access /2

**Table 2.5**  
**Commercial Industrial (CI) District**

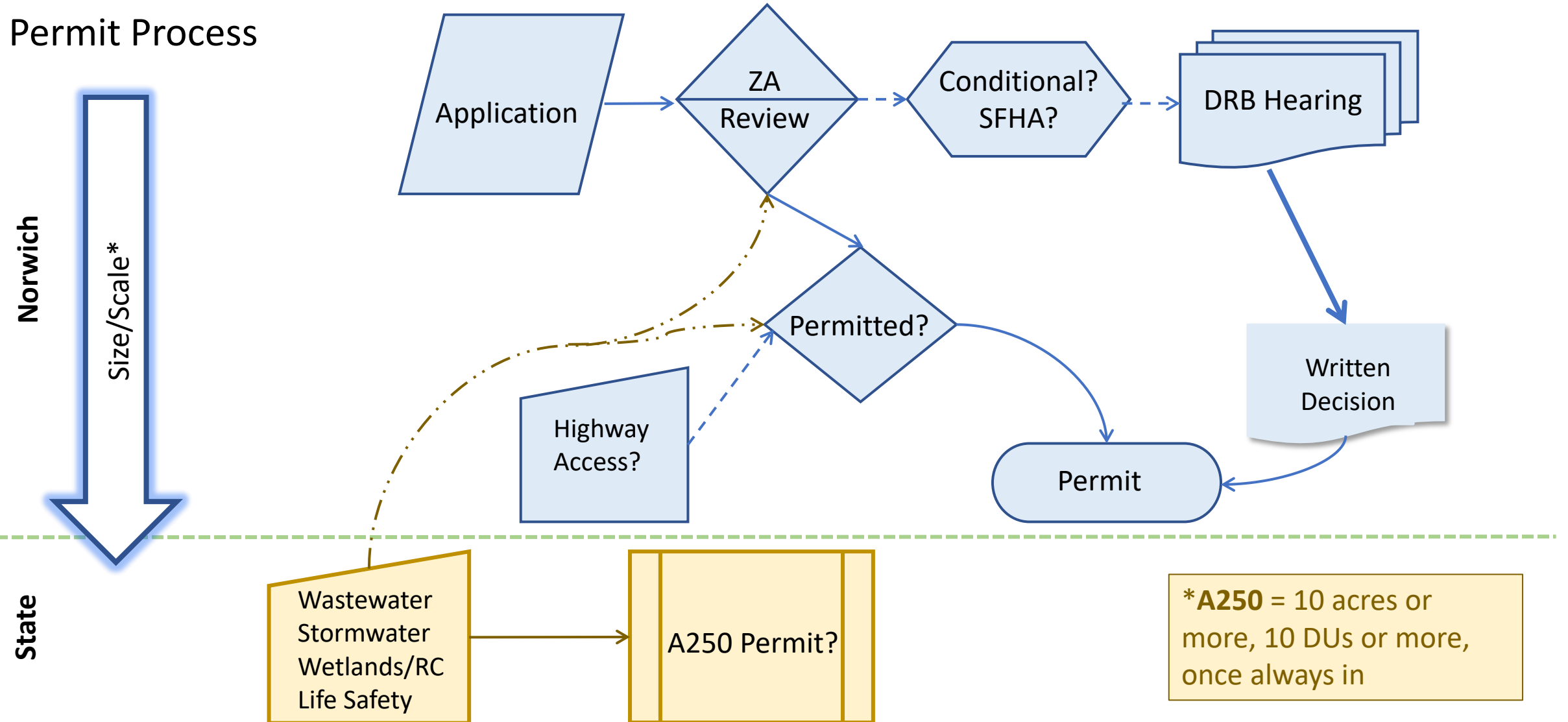
<p>(A) <b>PURPOSE:</b> THE PURPOSE OF THE COMMERCIAL INDUSTRIAL DISTRICT IS TO PROMOTE A MIX OF RESIDENTIAL, COMMERCIAL AND APPROPRIATE INDUSTRIAL USES IN AN AREA OF TOWN WITH GOOD HIGHWAY ACCESS AND LIMITED POTENTIAL TO ADVERSELY IMPACT HISTORIC NEIGHBORHOODS OR IMPORTANT NATURAL OR CULTURAL RESOURCES.</p>	
<p><b>Permitted Uses:</b></p> <p>(B) The following uses are allowed with approval of the Zoning Administrator in accordance with Section 6.01:</p> <ol style="list-style-type: none"><li>1. Accessory Structure/Use (to a permitted use)</li><li>2. Agriculture</li><li>3. Bed &amp; Breakfast (see Section 7.02)*</li></ol>	<p><b>Conditional Uses:</b> The following uses are permitted with the approval of the Development Review Board in accordance with Section 5.04:</p>

# Regulation: Zoning, Subdivision and Access /3

- Conditional Use Review is broader in scope; considering off-site impacts
- Dimensional Standards are a tool for minimizing any off-site impacts
  - Lot-size
  - Setbacks
  - Buffers
  - Height restrictions
- Development Standards influence physical form and function
  - Parking
  - Signs
  - Landscaping

# Regulation: Zoning, Subdivision and Access /4

## Permit Process



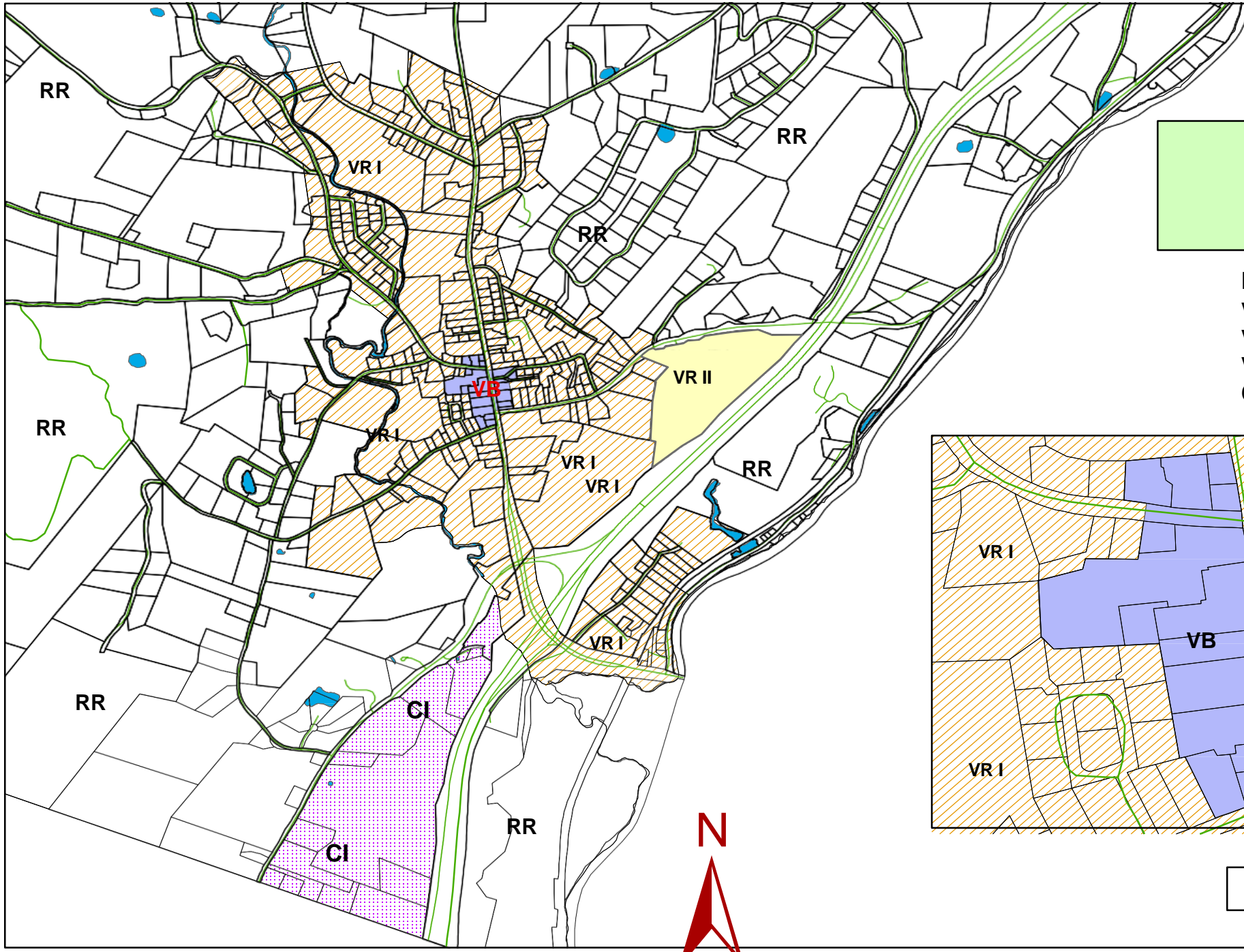
# Regulation: Where does the power come from?

- Municipalities in Vermont are enabled to enact Land Use Regulations through Statute (**24 VSA §§ 4411, 4418**)
- Regional Planning Commissions (RPCs) per 24 VSA §4345a may:  
*Provide technical and legal assistance to municipalities in the preparation and maintenance of plans, capacity studies, and bylaws and in related implementation activities.*
- RPCs (e.g. TRORC) cannot overrule municipal LURs (see above) or dictate local development outcomes
- RPCs through an internally developed process may create land use policies and criteria
  - Once established in the Regional Plan such policies and criteria guide the participation of the RPC in any Act 250 proceedings (RPCs have standing)
  - To succeed, a larger-scale project must obtain ALL necessary permits (local, state)

# Regulation: Zoning Districts

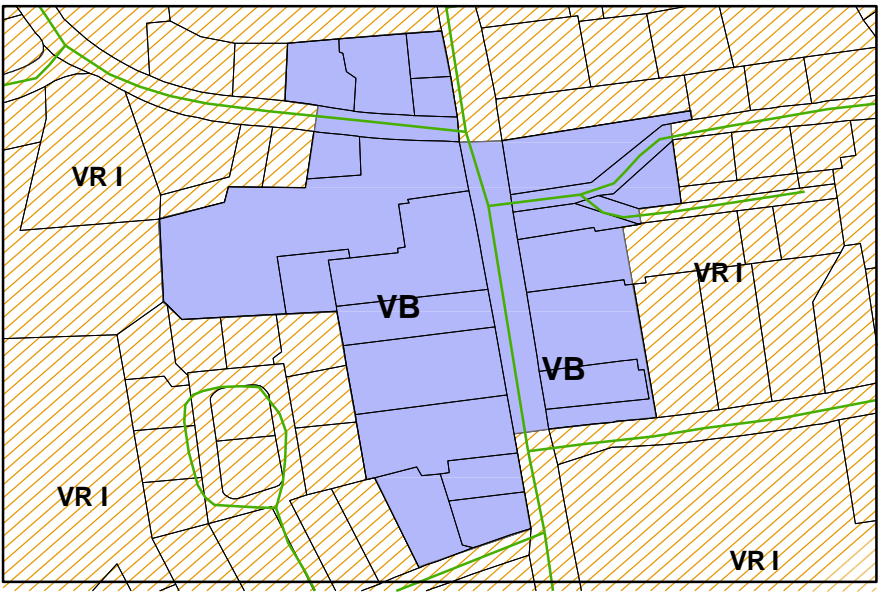
- Last amended in 2009
- 5 zoning districts
  - Village residential I
  - Village Residential II
  - Village Business
  - Rural Residential and Commercial Industrial
- Novel subdivision regulations that encourage higher levels of development closer to the village and along paved roads
- Commercial Industrial district is east of Route 5 south
  - All bona fide commercial or industrial uses are 'conditional'
  - 'mixed use' is conditional
  - 'retail' is conditional





**ZONING MAP 1  
ZONING DISTRICTS  
NORWICH ZONING  
REGULATIONS  
5-21-08**

- RR - Rural Residential**
- VR I - Village Residential I**
- VR II - Village Residential II**
- VB - Village Business**
- CI - Commercial/Industrial**



# What happens if?...

- There is conflict between Norwich and TRORC policies
  - If the project requires A250 permits then TRORC policies will be considered by District Commission.
  - Case law supports TRORC policies taking precedence over local LURs

# Infrastructure

- Roads
  - Norwich maintains Roads Class II and III. Bridges and culverts on Class IV
- Potable Water
  - Quasi-municipal entity the Fire District Norwich supplies to the Village
- Wastewater
  - handled on-site throughout Norwich\*
  - Since 2007 state issues wastewater permits

# Infrastructure

- The vagaries of geology and limits imposed by the state permitting process have a strong impact on development feasibility
- Community-scale (self-contained) wastewater systems are possible but are expensive to permit and possibly involve ongoing legal obligations among several parties
- Some areas of town may be able to connect to other town wastewater treatment systems
  - This is a decision for a well-informed town vote