

Memorandum

TO: Planning Commission

FROM: Eric Vorwald, AICP
Planning & Zoning Manager

RE: **Report on Proposed Amendments to the City's Unified Land Use and Development Regulations including Articles III and X; and Sections 4.9 and 6.6**

DATE: March 12, 2021

This memo provides information related to proposed amendments to the City of Winooski Unified Land Use and Development Regulations. These amendments specifically impact the following articles and sections:

- Article III - Reserved
- Article X - Maps
- Section 4.9 - Nonconforming Lots, Structures Right of Way (ROW) or Drive, and Uses
- Section 6.6 - Site Plan Review

These amendments also replace references to "Appendix C" with "Article III", move the "Building Height and Location Map" from Appendix C to Article X, and delete Appendix C in its entirety.

Background

In 2016, the City undertook a comprehensive update to the Unified Land Use and Development Regulations (ULUDR). This was the first update in over 20 years. A major component of this update included a new Appendix B, which provides regulations for the Gateway Zoning Districts through the form-based code. While these changes modernized the regulations, staff has identified additional amendments to provide clarity and improve the interpretation of the regulations. Additionally, several conflicts exist that need to be rectified. With this in mind, staff has been reviewing each section of the ULUDR and proposing amendments to the Planning Commission for their consideration.

Purpose of Amendments

These amendments are being proposed to provide clarity for interpretation of the regulations, and to update and incorporate specific regulations related to the Downtown Core Zoning District, including regulatory references contained within the standards. The City developed and adopted regulations related to the Downtown Core Zoning District over several years including multiple interim zoning



changes. With the complete update and codification of the regulations, the standards for development in the Downtown Core Zoning District were included as Appendix C, but did not include referential updates.

The proposed amendments will incorporate the specific use standards for the Downtown Core Zoning District into Article III (which is currently reserved) and adds language related to the process of review for projects in the Downtown Core Zoning District including the City Council review for design consideration in the Act 250 permitting process including references to the master sign plans that have been adopted for the Downtown Core Zoning District. These amendments also add clarification related to site plan review, including properties in the Downtown Core, as well as clarification for non-conformities including properties in the Downtown Core.

Finally, the amendments would replace references to "Appendix C" with "Article III" to recognize the relocation of these regulations. These amendments also add the "Building Height and Location Map" currently included in Appendix C to Article X, which includes other zoning maps. Minor map changes update road names and incorporate the entirety of Cascades Way, but do not change any of the specific regulatory requirements associated with the building heights, locations, or development areas. If approved, these changes will result in the elimination of Appendix C as all information will be relocated to other sections of the Unified Land Use and Development Regulations.

Proposed Amendments

The following pages include the text of Articles III and X; and Sections 4.9 and 6.6 including proposed changes. Proposed additional text is shown in red and underlined. Text that appears with a ~~strikeout~~ is proposed to be deleted. If specific sections are not included, no changes are being proposed in these sections. For the purposes of this amendment, language contained in Article III has been transposed from Appendix C. While all of this text is new to Article III, the construction of the amendments are intended to reflect existing regulatory language that will remain in the context of changes that are being proposed.



ARTICLE III – SPECIFIC USE STANDARDS – DOWNTOWN CORE ZONING DISTRICT *

SECTION 3.1 - DESCRIPTION OF THE DISTRICT

A. **Applicability.** The Downtown Core Zoning District is depicted on the zoning map (Article X, Map 1) and is generally described as:

1. The properties south of the center line of East Allen Street; west of the 2019 wetland delineation as approved by the State of Vermont (located in the Casavant Natural Area); north of the Winooski River; and east of the centerline of Main Street (on the west side of Rotary Park).
2. Any questions regarding the specific boundary of this zoning district will be determined based on Section 2.1.
- ~~3. “Except as set forth in Section 5.402 (Maximum Height), 5.500 Green Space Limitation, 5.600 (High Density Requirements) and Section 5.700 (Building Locations), there shall be no dimensional requirements in the Downtown Core District, including but not limited to lot size, lot frontage, lot depth, setbacks, or floor area ratios.”~~

B. **Amendments.** Any amendments to the Downtown Core Zoning District boundaries shall follow the process outlined in Section 1.4.

~~11.600 Downtown Core District.~~

~~11.601 The boundaries of Downtown Core District are as follows:~~

~~(a) Northerly Line: the centerline of East Allen Street~~

~~(b) Easterly Line: a line created by the following:
—from the center line of the Winooski River follow the line marked “Green Space Boundary” as shown on the Building Height and Location Map generally northerly to the point where the line turns almost ninety degrees easterly; then
—turn westerly and connect the point to the most easterly point of Parcel “G” as shown on the Building Height and Location Map;
—then turn northerly and follow the easterly edge of Parcel “G” and then an extension of such line to the center line of East Allen Street;~~

~~(c) Westerly Line: the centerline of Main Street between the centerline of East Allen Street and the Centerline of the Winooski River.~~

* *It is understood that all text herein is new to Article III, however the construction of this amendment is done to identify changes to the standards of the Downtown Core Zoning District that exist in Appendix C and are being transposed to Article III. New text for regulating the Downtown Core Zoning District not currently included in as part of the existing regulations is shown in red and underlined, while existing text to be deleted is shown with strikeouts.*



~~(d) — Southerly Line: The centerline of the Winooski River between the District's easterly and westerly lines above described.~~

~~The Downtown Core District is generally shown on the Building Height and Location Map which is attached as Downton Core District Appendix 1.~~

~~11.602 The Downtown Core District boundaries shall supersede any inconsistent boundaries of districts shown in the Section 11.000 Official Zoning Map, Section 11.100 Official PUD Overlay Zoning Map and Section 11.200 Official DRD Overlay Zoning Map.~~

~~11.603 Section 11.400 Table of Dimensional Requirements is amended to add at the end:~~

~~11.604 Section 11.500 Design Review District Signs, Dimensional Requirements shall be inapplicable to the Downton Core District.~~

~~11.605 Minimum Off Street Parking Requirements~~

~~———— The required quantity of parking for a proposed use shall be provided in accordance with the Minimum Off Street Parking Schedule, Downtown Core District Appendix II.~~

~~The locations of the areas designated on the Building Height and Location Map shall be determined by the distances designated on the Map; these shall be construed as distances measured from the edges of highway rights of way. If the designated distances are not applicable due to curving right of way lines or otherwise, or if the location of the Green Space Boundary shown on the Map is in question, the locations of the areas or location of the Green Space Boundary shall be determined from the scale of the official Building Height and Location Map in the Zoning Admonitor's office.~~

2.054 Master Plan

~~The Master Plan for the Winooski Falls Riverfront Downtown Project which the City created with an intent to recreate a transitional urban environment in the downtown core and riverfront of the City, with a high density mix of uses, including offices, basic retail and services, and a range of housing options. The Master Plan was approved by the State of Vermont District Environmental Commission in Land Use Permit 4C1065 (revised) July 6, 2001 and Land Use Permit 4C1065-1 (Corrected) dated November 1, 2002, and which may be further revised by the City.~~

SECTION 3.2 - USES

~~———— 5.300 Downtown Core District (DCD).~~

~~———— 5.301 Intent~~

~~The Downtown Core District is composed of the core of the City's downtown and has been the subject of a Master Plan which has been developed by the City over many years after extensive public input and hearings. The Master Plan was approved by the Development Review Board and the City Council I and by the State of Vermont District Environmental Commission under "Act 250". The Maser Plan permits a range of uses within~~



pre-approved vertical and horizontal building envelopes as shown on the Building Height and Location P=Map. Approval of the exterior design details must be submitted by the applicant, with the City as a co-applicant, and must be approved by the District Environmental Commission under Act 250 as complying with the approved Master Plan. The regulations associated with the district are intended to protect the public health, safety and welfare and to provide for orderly physical and economic growth by allowing and encouraging high density, mixed use land development within the downtown core, while recognizing the previously approved Master Plan and the requirement that further submissions to the District Environmental Commission under Act 250 must include the City as a co-applicant.

5.302 **A. Permitted Uses.** In addition to the uses listed in Section 2.4, the following uses are permitted in the Downtown Core Zoning District

The following uses are permitted in the Downtown Core District, upon issuance of a Zoning Permit by the Zoning Administrator:

- 1). Accessory Uses
- 2). Banks without drive-in thru windows.
- 3). Child care facilities.
- 4). Community Centers.
- 5). Dwellings, multi-unit.
- 6). Fitness centers.
- 7). Governmental offices.
- 8). Grocery stores, supermarkets, and pharmacies.
- 9). Hotels, motels, inns, and bed and breakfasts.
- 10). Job training centers.
- 11). Libraries, museums, art galleries, art centers.
- 12). Offices.
- 13). Outdoor parks.
- 14). Outdoor recreation.
- 15). Parking garages and outdoor parking.
- 16). Police stations.



- 17). Post offices.
- 18). Restaurants without drive-in thru windows, whose aggregate annual gross receipts from Alcoholic Beverages do not exceed forty percent (40%) of total annual restaurant, gross receipts.
- 19). Retail sales of goods and services, but excluding motor vehicle sales, repair, service, and washing, sales of gasoline, diesel fuel, and other petroleum products, auto body painting and repair, and building materials.
- 20). Schools and educational facilities.
- 21). Theaters and cinemas.
- ~~5.303~~ **B. Outdoor Use.** All permitted sales and servicing activities in the Downtown Core District shall be conducted inside building, except for customary accessory uses involving sidewalk sales of retail goods for periods of time not exceeding five (5) days per event; seasonal sales of retail good within wholly open sided rooftop structures identified as Area "D" on the "Building Height and Location Map"; and seasonal outdoor restaurant uses.

SECTION 3.3 - DIMENSIONAL STANDARDS

~~A.~~ **Intent.** The Master Plan approved for Downtown Winooski through State Act 250 Permit C4-1065 (as amended) provides prescribed dimensional standards for all developments in the Downtown Core. This section provides additional detail as to how building heights and locations are calculated and determined.

~~B.~~ **Applicability.** Except as set forth herein, there shall be no dimensional requirements in the Downtown Core District, including but not limited to lot size, lot frontage, lot depth, setbacks, or floor area ratios.

~~5.400~~ Dimensional, High Density and Building Location Requirements.

~~5.401~~ Dimensional Requirements Only as Stated in 5.402 – 5.700.

Except as set forth in Section 5.402 (Maximum Height), 5.500 Green Space Limitation, 5.600 (High Density Requirements) and Section 5.700 (Building Location), there shall be no dimensional requirements in the Downtown Core District, including but not limited to lot size, lot frontage, lot depth, setbacks, or floor area ratios.

~~C.~~ **5.402 Maximum Height.** Within the Downton Core District, a person shall not commence any land development which would result in a building or structure exceeding the elevation or height above street grade level, as the case may be, designated on the "Building Height and Location Map"; for the area where such building or structure is or will be located.

~~5.403~~**1.** Determination of Elevation. Where elevation controls maximum height, the point shown on the "Building Height and Location Map" at the intersections of the centerlines of Main Street and East Allen Street, having an elevation 190 feet, shall be used as the control point and the following standards shall apply:



- a. If maximum elevation shown on the Map for an area exceeds the elevation at the control point, the difference shall be added to the 190-foot elevation at the control point, and a horizontal plane extended from the point so calculated shall establish maximum building or structure height for the area.
 - b. If a maximum elevation shown on the Map for an area is less than the 190-foot elevation at the control point, the difference shall be subtracted from the 190-foot elevation at the control point, and a horizontal plane extended from the point so calculated shall establish maximum building or structure height for the area.
- 5.404 2. Determination of Street Grade Level. Where street grade level controls maximum building or structure height, and the street grade Level or levels fronting a building slopes, the highest grade level along the entirety of the building or structure frontage shall be used to determine the maximum building or structure height of the building.
- 5.405 3. Measurement of Maximum Height. Maximum building or structure height shall be determined by vertical measurement to the highest point of the building or structure, exclusive of the building components which are not to be included in measuring height, as listed on the Building Height and Location Map.
- D. ~~5.600~~ **High Density Requirements.** In order to maximize development density in the Downtown Core Zoning District, the following high density requirements will apply.
- 1. ~~5.601~~—Minimum Floor Requirements. Within the Downtown Core District, except as provided in ~~5.602~~ **Section 3.3. D. 2.** (Parking Garages and Public Spaces), and ~~5.800~~ **Section 3.6. F.** (Non-complying Structures) no building shall be constructed, enlarged, or used unless the construction or enlargement results in a building which contain at least three floors used for one or more uses permitted in **Section 5.3023.2. A.** excluding of cellars, basements, attics, and floors used for below street grade parking garages.
 - 2. ~~5.602~~—Parking Garages and Public Spaces. The requirements of ~~5.601~~ **Section 3.3. D.1.** shall not apply to buildings in the areas designated on the Building Height and Location map as “Public Spaces”, or to parking garages, but such requirements shall apply to any building area constructed over and/or connected to a parking garage.

SECTION 3.4 – BUILDING LOCATIONS

- A. ~~5.701~~—**Building Locations.** All buildings within the Downton Core District shall be located only in Areas “A” through “H” inclusive and in the Champlain Mill Building Area as shown on the Maximum Building Height and Location Map. Building and improvements may be located in, on or over the streets or other public areas and parks as shown on the Maximum Building Height and Location Map, provided they do not interfere with the passage of traffic.
- B. ~~5.500~~—**Green Space Limitation.** The “Green Space Boundary” as depicted on the Building Height and Location Map is intended to provide a 50 foot buffer against a Class II wetland complex in the Casavant Natural Area.



1. This 50 foot buffer shall be measured from the 2019 wetland delineation, as approved by the State of Vermont and may be updated through an amendment to these regulations as outlined in Section 1.4 to recognize any future delineations to this wetland boundary.
2. No building shall be constructed easterly of the line designated as the "Green Space Boundary" on the Building Height and Location Map, except to the extent the Master Plan is amended and such structures are consistent with such plans or as the boundary and wetland area is updated to depict a revised delineation as approved by the State of Vermont and adopted as an amendment to this bylaw.

~~5.700 Building Locations.~~

SECTION 3.5 - SIGNS

- A. **Intent.** The Downtown Core is intended to have a consistent look, feel, and design for signs to create consistency, uniformity, and a sense of place in Downtown Winooski.
- B. **Applicability.** This section shall apply to all properties within the Downtown Core Zoning District.
- C. All signs within the Downtown Core Zoning District shall be subject to the following documents incorporated into Act 250 Permit Amendment 4C1065-08:
 1. Master Sign Plan
 2. Sign Design Guidelines
 3. Sign Code

~~"The requirements imposed by the Planned Unit Development Districts, Overlay and the Design Review District, DRD, shall not apply to the Downtown Core District"~~

~~"The requirements for Site Plan review shall not apply to the Downtown Core Area District."~~

~~8.408 Non-Complying Structures, Non-Conforming Uses in the Downton Core District~~

~~Within the Downton Core District, a non-complying structure or a non-conforming use shall not be enlarged or extended nor all or any part of a non-complying structure replaced if voluntarily demolished, unless the resulting building complies with the minimum floor requirements of 5.601.~~

~~"c. When a sign is to be located in the Downton Core District, it shall be subject to the master sign policy established under the Master Plan and the requirements of Section 8.100 shall not apply."~~

~~9.304 Downton Core District.~~

~~In the Downtown Core District, Sections 9.301, 9.303 b, f and g shall not be applicable provided the following conditions are met:~~



"The requirements of this Section 9.400 shall not apply to the Downtown Core re-a District."

SECTION 3.6 – PARKING

- A. **Intent.** Development in and around Downtown Winooski is intended to create a vibrant mixed-use pattern that promotes walkability and pedestrian oriented activities. The diversity of uses will promote centralized parking locations that accommodate multiple uses based on the time of day and the day of week.
- B. **Applicability.** These regulations will apply to any new development or redevelopment in the Downtown Core Zoning District.
- C. **Minimum Off-Street Parking Requirements.** The required quantity of parking for a proposed use shall be provided in accordance with the ~~Minimum Off-Street Parking Schedule, Downtown Core District Appendix II to these regulations~~ following:

DOWNTOWN CORE DISTRICT APPENDIX II MINIMUM OFF-STREET PARKING SCHEDULE	
Use	Minimum Parking Requirements
Residential – General Elderly Student ¹	1.0 spaces per bedroom 1.0 spaces per unit 0.3 spaces per bedroom
Commercial, Retail, or Restaurant	3.2 spaces per 1,000 gross square feet
Office	3.2 spaces per 1,000 gross square feet
Hotel/Bed & Breakfast	1.0 spaces per room
Theatre	100 spaces per screen/ <u>stage</u>
Municipal Uses	3.2 spaces per 1,000 gross square feet

¹ Student residents in buildings attached to municipal parking garages only. Otherwise, student housing is calculated the same as general residential.



ADJUSTMENTS FOR SHARED PARKING IN MUNICIPALLY CONTROLLED OR RELATED PARKING GARAGES ²				
Use	Minimum Parking Requirements	X Daytime/Weekday	X Week Night	X Weekend/Holiday
Residential – General Elderly Student ¹	1.0 spaces per bedroom 1.0 spaces per unit 0.3 spaces per bedroom	X 0.60 =	X 1.00 =	X 1.00 =
Commercial, Retail, or Restaurant	3.2 spaces per 1,000 gross square feet	X 0.75 =	X 0.50 =	X 1.00 =
Office	3.2 spaces per 1,000 gross square feet	X 0.90 =	X 0.30 =	X 0.20 =
Hotel/Bed & Breakfast	1.0 spaces per room	X 0.25 =	X 1.00 =	X 0.50 =
Theatre	100 spaces per screen/ stage	X 0.25 =	X 1.00 =	X 1.00 =
Municipal Uses	3.2 spaces per 1,000 gross square feet	X 0.90 =	X 0.30 =	X 0.20 =

- D. **Location of Parking.** All parking spaces for uses in the Downtown Core District shall be located within the Downtown Core District, and shall either be located on the land where the use is occurring or the parking spaces shall be in a municipally owned or controlled parking facility, in which event, the applicant shall provide a written contract with the municipality which guarantees the continuous use of the required parking spaces for the identified uses(s) for the reasonable expected duration of the use(s).
- E. **Changes or Expansions of Use.** In the Downtown Core District, whenever there is an alteration or conversion of a building or a change or expansion of a use of a building, which increases the parking requirements, the total additional parking requirements for the alteration, conversion, change, or expansion shall be provided in accordance with the Minimum Off-Street Parking Schedule. ~~Downtown Core District Appendix II to these regulations.~~
- F. **Non-Complying Structures.** Any building in the Downtown Core District which is a non-complying structure as to off-street parking requirements shall not be subject to the requirements of ~~this section~~

² The minimum parking requirements for uses which are utilizing parking spaces in a municipally controlled or related parking garage may be adjusted for shared parking using the following adjustments. Prior to issuance of a zoning permit the applicant shall provide a calculation of the parking spaces allocated in the garage for each use and time period to demonstrate sufficient parking is available in the garage for the proposed use during the requisite time periods and that the applicant has a contract with the municipality for such parking.



~~9.304~~ **Section 3.6** so long as the kind or extent of use is not changed, and provided further that the number of parking spaces legally required to serve at the time such uses were approved shall not in the future be reduced.

"The requirements of this Section **9.1600** shall not apply to the Downtown Core Area District."

SECTION 3.7 – ZONING PERMITS IN THE DOWNTOWN CORE

- ~~A.~~ **Intent.** Projects in the Downtown Core Zoning District are subject to both a local zoning permit and a State Act 250 Land Use Permit. ~~11.201 Zoning Permits in the Downtown Core District.~~
- ~~B.~~ **Applicability.** The standards set forth under this section apply only to projects in the Downtown Core Zoning District.
- ~~C.~~ An application for a zoning permit for land development in the Downtown Core District shall ~~contain~~ **include** the following:
1. Plans and specifications for any proposed improvements to be made;
 2. A narrative description of the proposed uses;
 3. A certification of a registered architect or surveyor that the proposed improvements comply with the requirement of the Building Height and Location Map;
 4. A narrative description of how the proposed uses and improved comply with the Master Plan and with the applicable provisions of these regulations;
 5. A copy of the approval by the State of Vermont District Environmental Commission of the improvements or a Jurisdictional Opinion from the District Environmental Commission indicating that an amendment to the Act 250 permit is or is not required for the project;
 6. A certification, along with any required contracts, showing compliance with the parking requirements of **Section 9.3043.6**;
- ~~D.~~ Upon a determination that the proposed land development within the Downton Core District ~~Meet~~ **meet** the requirements of these regulations, the Zoning Administrator shall issue a zoning permit.
- ~~E.~~ No other permit, except a building permit, shall be required for land development in the Downton Core District.
- ~~1.~~ Specifically, a proposed improvement, building or use in the Downton Core District shall not require site plan, design review, or planned unit development approval under these regulations
 - ~~2.~~ and no approval shall be required under the City of Winooski Subdivision Ordinance **Section 6.2** of these regulations.



F. An application for an amendment to the State Act 250 Land Use permit shall include the following:

- 1. Review and approval of all design details by the City Council.
 - a. At their discretion, the City Council may refer the development proposal to the Development Review Board for comments and input.
 - i. Comments from the Development Review Board would be advisory only and not require a public hearing.
 - ii. The City Council may establish a timeline for comments to be returned from the Development Review Board.
 - b. Based on comments from the Development Review Board or any other entity, the City Council may request additional information or alterations to the designs of a proposal.
- 2. Authorization of the City Council as co-applicant to any Act 250 Land Use Permit amendment prior to submission to the District Environmental Commission.

~~12. Add to Article X, Administration and Enforcement, a new section:~~

~~Section 11.201 Zoning Permits in the Downton Core District Involving Alcoholic Beverages:~~

~~Any zoning permit issued and any certificate of occupancy issued under this Article X, for a use which includes the sale of "alcoholic beverages" in the Downtown Core District, shall contain a condition requiring the certifications set forth below. In the event such condition is not so included or otherwise not a part of the permit or certificate of occupancy, such certification requirement shall apply in any event.~~

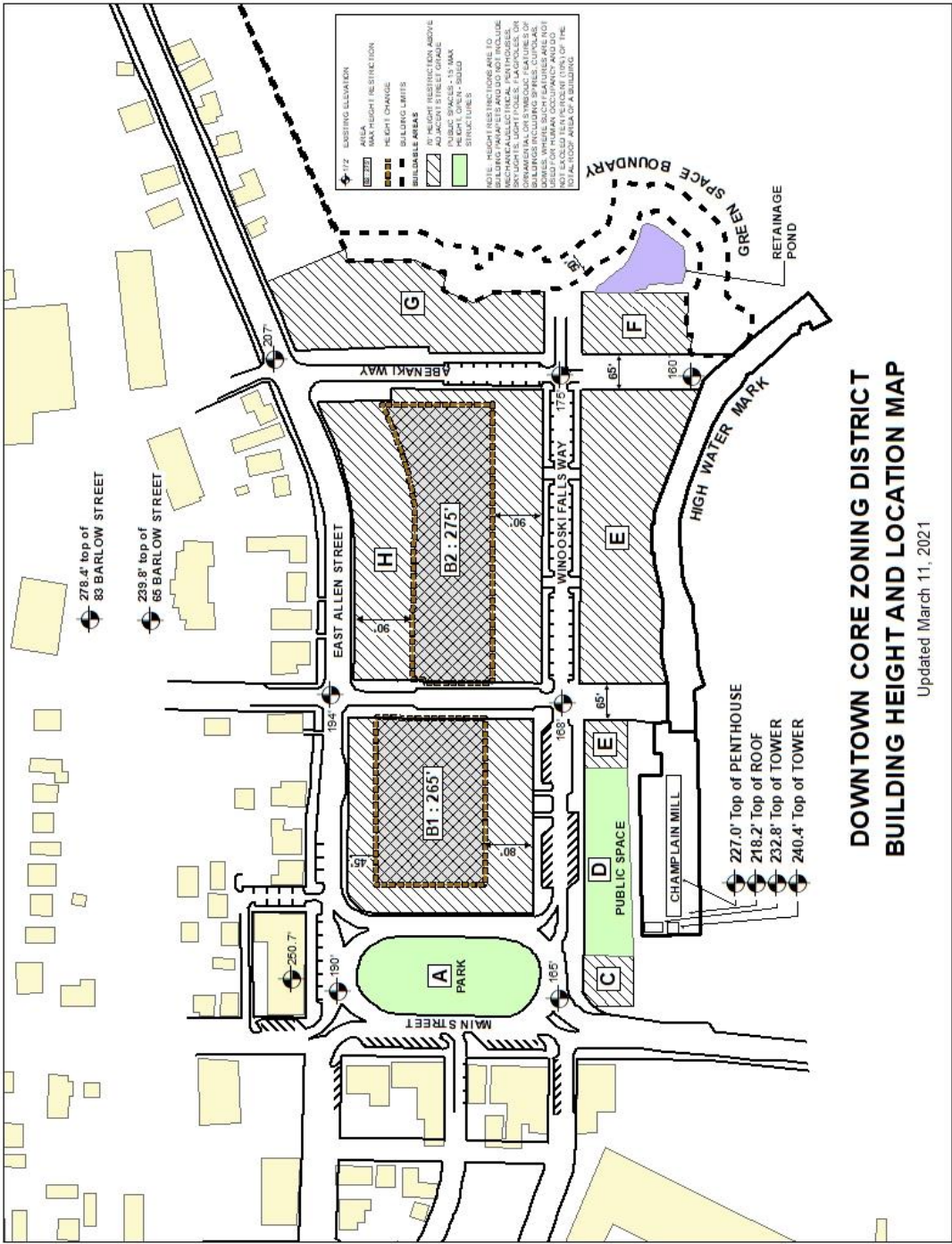
~~Annually, not later than April, the owner of a restaurant business authorized under 5.302(18) shall file with the Zoning Administrator a certification by an independent certified public accounting firm that the aggregate gross receipts at the restaurant from Alcoholic Beverages did not exceed forty percent (40%) of total annual gross receipts at such restaurant during such person's period of ownership in the calendar year just ended. For purposes of this section:~~

~~"Alcoholic Beverages" means malt and vinous beverages and spirituous liquors sold pursuant to first and third class licenses issued under 7 V.S.A. Ch. 9.~~

~~12. Add to Article XI, Appendix, a new section:~~



Map to be Added to Article X.



**DOWNTOWN CORE ZONING DISTRICT
BUILDING HEIGHT AND LOCATION MAP**

Updated March 11, 2021



SECTION 4.9 - NONCONFORMING LOTS, STRUCTURES, RIGHT OF WAY (ROW) OR DRIVE, AND USES

- A. **Purpose.** Any lot, structure, part of a structure or use that is not in compliance with the provisions of these regulations, but was lawfully established prior to the effective date of these regulations, shall be deemed a nonconformity. It is the goal of the City of Winooski that nonconformities shall over time cease to exist, become conforming or at a minimum continue to be used in a manner that does not increase their degree of nonconformity. Nonconformities shall be regulated and only allowed to continue indefinitely as outlined in this section.
- B. **Development of Preexisting Nonconforming Lots.** An undeveloped preexisting nonconforming lot may be developed in accordance with the standards of the district in which it is located if the lot:
1. Was in existence on or before the effective date of these regulations; and
 2. Is at least 1/8 acre in area; and
 3. Is at least 40 feet wide and deep.
- C. **Use of Nonconforming Lots.** A lawfully developed nonconforming lot:
1. May continue in its current use and configuration.
 2. May, after receiving all applicable approvals and permits, be further developed and used in accordance with the standards of the district in which it is located.
- D. **Nonconforming Right of Way or Drive.** Pre-existing, lawfully established, nonconforming Right of Way or drive that was in existence on or before the effective date of these regulations:
1. Shall Conform with Public Works material and construction standards for public or private ROW right-of-way — See Section 5 of the City of Winooski Public Works Standards and Specifications
 2. May be used, expanded or improved in accordance with fire department ~~dept.~~, police department ~~dept.~~, and public works approval.
 3. May, after receiving all applicable approvals and permits, be further development and used in accordance with the standards of the district in which it is located.

- H. **Nonconforming Uses and Noncomplying Structures in the Downtown Core Zoning District.** Within the Downtown Core Zoning District, a noncomplying structure or a nonconforming use shall not be enlarged or extended nor all or any part of a noncomplying structure replaced if voluntarily demolished, unless the resulting building complies with the minimum floor requirements of **Section 3.3. D.**



SECTION 6.6 - SITE PLAN REVIEW

- A. **Intent.** Site plan review is intended to ensure that site layout and development design are functional, safe, attractive, and consistent with the purpose and character of the district(s) in which the development is located. Standards specifically relate to the internal layout of the site, its physical design, and the functional and visual integration of the site with adjoining properties, uses and infrastructure.
- B. **Applicability.** Unless otherwise noted in these regulations, Site plan review is required for all "permitted uses" listed by zoning district under Article II, except for property located in the Downtown Core Zoning District and the Gateway Zoning District; single ~~(one)~~ and two family-unit dwellings, ~~;~~ associated accessory structures and accessory dwellings as specified under Section 5.1; home occupations and home child care facilities as specified under Sections 5.2 and 5.7; signs if not associated with a development proposal, ~~;~~ and other uses specifically exempted from these regulations under Section 6.13. Unless otherwise specified, site plan review is required for changes of use as regulated under Section 4.3 when site modifications are proposed that result in changes to curb cuts or access drives; additions to existing structures; new structures; or similar changes that will alter the overall layout or function of the existing site. Uses listed as "conditional uses" under Article II do not require separate site plan review and approval, but must meet applicable site plan review standards under Section 6.6.

Consistency with the Winooski Master Plan

The following information is provided to address the requirements of 24 V.S.A. §4441 regarding consistency of the proposed amendments to the City of Winooski Master Plan, adopted March 2019. Specifically, statute requires municipalities to consider three parts when reviewing proposals for new or amended bylaws. These considerations include:

1. Conforms with or furthers the goals and policies contained in the municipal plan, including the effect of the proposal on the availability of safe and affordable housing.

The City updated their Master Plan in 2019. The master plan includes multiple components that discuss housing options and affordability, and protection of existing stable neighborhoods. The proposed changes are primarily administrative in nature and would not adversely impact the availability of safe and affordable housing. Additionally, these changes would all be consistent with the goals and polices in the Master Plan.



2. *Is compatible with the proposed future land uses and densities of the municipal plan.*

The future land use map included in the Master Plan identifies development density along the corridors and in the downtown core. The proposed amendments would further clarify the development options and processes for projects located in the Downtown Core Zoning District, consistent with the future land uses included in the City's 2019 Master Plan.

3. *Carries out, as applicable, any specific proposals for any planned community facilities.*

No adverse impacts to planned community facilities have been identified as a result of the proposed amendments.

