

Current	Proposed	Notes
	<b>DWELLING, SINGLE-FAMILY.</b> A building, or portion thereof, designed exclusively for occupancy by one family or household living independently in an individual dwelling unit.	Recommend breaking into attached and detached dwelling, as defined below. Allowing attached units is a good way to promote compact development. Current regulations treat attached units as multi-family dwellings. Density will be governed by zoning district requirement.
	<del><b>DWELLING, SINGLE-FAMILY ATTACHED.</b> A single-family dwelling, with a private entrance, which is part of a structure whose dwelling units are attached horizontally in a linear arrangement, and having a totally exposed front and rear wall to be used for access, light and ventilation. Also known as a townhouse.</del>	PC felt that the definitions for single family attached and detached and the Dwelling using, two family/multifamily were similar. Thus, they wanted Dwelling, single-family; dwelling, two-family; dwelling, multi-family.
	<del><b>DWELLING, SINGLE-FAMILY DETACHED:</b> A building containing one dwelling unit that is not attached to any other dwelling by any means, other than a lawful accessory dwelling, and is surrounded by open space or yards.</del>	
<b>Two-family dwelling.</b> Building used as living quarters by two families living independently of each other.	<b>DWELLING, TWO-FAMILY.</b> A building, or portion thereof, designed exclusively for occupancy by two families or households living independently of each other in individual dwelling units. Also known as a duplex.	Question: where would town homes fall? Townhomes would meet definition of single-family dwelling.
<b>Multi-family dwelling.</b> Building used as living quarters by three or more families living independently of each other.	<b>DWELLING, MULTI-FAMILY.</b> A building, or portion thereof, designed exclusively for occupancy by three or more families or households living independently of each other in individual dwelling units; or a portion of a mixed-use building designed for use as one or more rental dwellings.	
<b>Mobile home park.</b> Any parcel of land under single or common ownership or control which contains, or designed, laid out, or adapted to accommodate, two or more mobile homes.		Recommend eliminating this as a listed use. Instead, treat mobile homes as any other type of single-family dwelling. A new mobile home park could be reviewed and approved as a PUD. Density would be dependent on the zoning district.
<b>Planned residential or unit development.</b>		Recommend eliminating these as listed uses. Instead have specific PUD standards and allow in all districts.

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	<p><b>DWELLING, ACCESSORY.</b> A secondary dwelling established in conjunction with and clearly subordinate to a primary dwelling, whether a part of the same structure as the primary dwelling or within an accessory structure on the same lot. (See Section * of these regulations.)</p>	<p>Recommend adding this as a permitted use wherever single-family homes are allowed (in accordance with state law).</p>
	<p><b>FARM-WORKER HOUSING.</b> Any living quarters, dwelling, boarding house, bunkhouse, or other housing accommodations, maintained exclusively for the occupancy of farm employees and their families in connection with a farm or place where farming is undertaken. See Section * of these regulations.</p>	<p>Recommend adding this as an allowed use in the rural districts.</p> <p><b>Question: Why is farm-worker housing separated out earlier in the document? How is it not covered in this definition?</b></p> <p>Providing for farm-worker housing can be helpful to farmers who provide either on-site housing for temporary workers (like an orchard or vegetable farm that would have seasonal workers or pickers) or the ability to put more than one dwelling unit on a parcel of land for a full-time hired hand. Zoning regulations in Vermont have typically not dealt with the “bunkhouse” type housing for temporary workers and as agriculture diversifies this may become something that more farmers will need to provide. Under most zoning codes, more than one dwelling unit is not allowed on a single parcel of land. So a farmer would have to subdivide off a lot to provide a house for a hired hand. This has tax implications, which can be lessened if the housing remains part of the farm parcel. It should be noted that dwellings cannot be considered farm structures eligible for the state agricultural exemption.</p>

Current	Proposed	Notes
<p><b>Accessory use or building.</b> A building or use incidental, subordinate and reasonably necessary to the conduct of the principal building or use. Accessory use or building does not include any building or portion thereof used for living purposes. See Section 1014.</p>	<p><del><b>ACCESSORY STRUCTURE OR USE.</b> A structure or use that is subordinate to the principal structure or use of the same lot, and that serves a purpose customarily incidental to the use of the principal building or use of land.</del></p>	<p>In current regulations, some districts list “accessory use” and others “accessory building” while many do not include either. Recommend using term “accessory structure or use” and making a permitted use in all districts.</p> <p>The PC would prefer the current definition; they have concerns about the proposed definition and what would be considered an accessory structure or use under this new definition.</p>
<p><b>Home occupation.</b> Use of an accessory building or minor portion of a dwelling for an occupation which is customary in residential areas, and which does not change the character thereof, including but not limited to: dressmaking, home cooking, teaching, tourist or rooming house (but no more than two roomers at any one time), photo studio, child care or babysitting service (for either, no more than six children at any one time) attorney, architect, accountant, real estate broker, insurance agent, furniture making, repair or refinishing, cabinet making, bicycle repair, barber shop, beauty parlor, fix-it-shop, print shop, shoe making or repair, and any and all other home occupation uses customary in residential areas and which do not change the character thereof. Home occupation does not include: the sale of property at retail, unless as a minor or subordinate part of a permitted home occupation; commercial stable or kennel; restaurant; tea room; musical or dance instruction to groups; garage or shop for the repair of motor vehicles; machine shop; mortuary; antique shop; gift shop; or uses similar to the foregoing. Also see Section 503 herein.</p>	<p><b>HOME OCCUPATION.</b> The accessory use of a minor portion of an owner-occupied, single-family dwelling for an occupation, profession, business or industry carried on for gain by one or more residents of the dwelling that complies with the requirements of Section * of these regulations.</p> <p><b>HOME BUSINESS.</b> The accessory use of residential property for an occupation, profession, business or industry carried on for gain by at least one resident of the property that complies with the requirements of Section * of these regulations.</p>	<p>Avoid regulating in the definitions. Requirements that are more detailed should be in the specific use provisions. Recommend breaking this into two categories: home occupation (as per state statute) and home business. Home occupation should be permitted in all single-family homes. (as per statute).</p> <p><b>Question: how is “minor” defined in statute. Less than 50%?</b></p> <p>Minor is not defined in statute. Some towns include a percentage in the standards. 50% is common but we have seen numbers as low as 30%.</p> <p><b>Would this be more than 50%? How would a home occupation vs. a home business be distinguished?</b></p> <p>The home business could be a larger area of the home, but more typically it allows for use of accessory buildings (garages, barns) that technically are not allowed under current state statute. Also can allow for employees.</p> <p>Note: boarding houses are currently covered under the definition of home occupation.</p>

Current	Proposed	Notes
	<p><b>GROUP HOME:</b> A single-family dwelling operated under state licensing or registration, serving as a residence for not more than 8 individuals who have a handicap or disability in accordance with Section * of these regulations.</p>	<p>Recommend adding this use as required by state statute to be permitted in all single-family homes.</p> <p>Do seniors fall under this definition; what is included in definition of disability?; is this a state requirement that a group home be allowed in all districts?</p> <p>Yes the group home is a statutorily required use of any single-family home. Seniors that need assistance with daily activities and therefore would meet the definition of disabled could fall into this category.</p>
<p><b>Boarding or rooming house.</b> Dwelling where more than two rooms (but not more than six) without independent facilities for meal preparation, are offered for hire to not more than 6 persons. Hotels, motor lodges and/or multiple family dwellings shall not be considered boarding or rooming houses.</p>	<p><b>BOARDING HOUSE.</b> An owner-occupied single-family dwelling with one common kitchen facility that provides lodging for not more than 6 people on a long-term, non-transient basis for compensation, and where meals may be provided to the boarders but not to outside guests.</p>	
<p><b>Residential healthcare facility.</b> Any residential facility for the diagnosis or treatment of human ailments, including but not limited to hospital, sanitarium, nursing home, and convalescent home.</p>	<p><b>RESIDENTIAL HEALTHCARE FACILITY.</b> An institution operated under state licensing that provides primary health services, medical, surgical, nursing or hospice care, primarily on an in-patient basis. This definition specifically excludes hospitals.</p>	<p>Could we add – not including a hospital?</p> <p>OK. Also remember that dimensional standards will limit the scale of buildings allowed and so the large building that a hospital would need would not be allowed in most of the districts anyway.</p>
<p><b>Nursing home.</b> A building for the care of convalescent or aged people.</p>		<p>Recommend eliminating this use as it is included in “residential healthcare facility.”</p>
<p><b>Hospice.</b> A residential facility where help is available for those who can no longer benefit from treatment to die as comfortably as possible, sharing among neighbors and friends, and where there is help to support and prepare their families for the period of bereavement.</p>		<p>Recommend eliminating this use as it is included in “residential healthcare facility.”</p>

Current	Proposed	Notes
<p><b>Retirement facility.</b> An establishment providing residential care for persons who by reason of advanced age which to have such care provided for themselves, but who do not need continuous medical or nursing treatment.</p>	<p><b>RETIREMENT COMMUNITY.</b> Residences for senior citizens or people with disabilities that provide rooms, meals, personal care and/or supervision of self-administered medication. Other services such as recreation, financial services and transportation may also be provided. May include private dwelling units, apartments and/or congregate housing.</p>	<p>Some districts list “retirement home” instead of “retirement facility” but the current regulations do not include a definition of retirement home.</p>
<p><b>Clinic.</b> A non-residential office building used by members of the medical professions for the diagnosis and out-patient treatment of human ailments.</p>	<p><b>HEALTHCARE CLINIC.</b> A building or a portion of a building, operated by one or more licensed healthcare providers for treating patients who are not lodged overnight.</p>	
	<p><b>FAMILY CHILDCARE HOME.</b> Provision of <del>daycare</del> <b>childcare</b> services for children within a <del>single-family home dwelling</del> in accordance with Section * of these regulations and all applicable state laws.</p>	<p>Recommend adding this use and allowing within all single-family homes as required by state statute.  <b>Question: Why single-family; what about duplex? PC does not want to be more restrictive than the state.</b>                  Duplexes would be considered single-family for this purpose.</p>
	<p><b>DAYCARE FACILITY.</b> A facility providing care for children, the elderly, or individuals with disabilities in a protective setting for a portion of a 24-hour day.</p>	<p>Recommend adding this use.</p>
<p><b>Community facility.</b> Any meeting hall, place of assembly, museum, art gallery, library, school, church, or other similar type of establishment that is not operated primarily for profit, excluding government facility. Also includes non-profit daycare facility, rescue squad building or fire department building.</p>	<p><b>CULTURAL FACILITY.</b> An institution providing for the documentation, display, performance or enjoyment of heritage, culture, history, science or the arts such as a library, museum, interpretative site or performance venue, which is owned or operated by a public or non-profit entity.</p>	<p>Recommend breaking this use up into several different uses.</p>
<p><b>Education facility.</b></p>	<p><b>EDUCATION FACILITY.</b> An institution providing instruction to students that is operated under state licensing and/or professional accreditation, and including accessory structures and uses traditionally associated with a program of study.</p>	<p>This is listed as a use, but is not defined. Also included in current definition of “community facility.”</p>

Current	Proposed	Notes
	<b>GOVERNMENT OFFICE.</b> A building, complex or site publicly owned, operated and/or occupied that is used for administering and conducting the affairs of government. <i>This definition specifically excludes emergency services facilities.</i>	Recommend adding this use and limiting it to the village districts to help keep these uses downtown.
<b>Fire station.</b>	<b>EMERGENCY SERVICES FACILITY.</b> A building, or part thereof, that is operated by a governmental or non-profit agency to provide law enforcement or emergency response services, which may include administrative offices, meeting and training facilities, emergency shelter, equipment and vehicle storage, temporary detention facilities, and/or associated accessory uses and facilities.	Fire station is listed as a use, but is not defined in current regulations. Recommend broadening the scope of the definition.
<b>Community center.</b>	<b>COMMUNITY CENTER.</b> A building, site or complex used as a place of meeting, recreation or social activity, which is generally open to the public and not operated for profit.	This is listed as a use, but is not defined in current regulations.
<b>Club.</b> Building or use catering exclusively to club members and their guests.	<b>CLUB.</b> A building, site or complex operated for a social, educational or recreational purpose to which membership or invitation is required for participation or use of the premises.	
	<b>POST OFFICE.</b> A building or part thereof, that operates primarily to provide U.S. Postal mail service to the general public including facilities for sending and receiving packages and letters.	Recommend adding this use and limiting it to the village districts to help prevent post office from moving out of downtown.
	<b>PUBLIC WORKS FACILITY.</b> A publicly operated facility for the storage and maintenance of vehicles, equipment and materials used for highway and similar infrastructure maintenance and construction; the collection, distribution, treatment and/or storage of potable water, wastewater or stormwater; or for the collection, processing and short-term storage of solid waste, recyclables and similar refuse.	Recommend adding this use and excluding from downtown districts. <i>PC members discussed what facilities are not downtown? Most of current services re: wastewater and water treatment are downtown?</i>  <i>Well maybe just from the downtown business district. These uses are also land and equipment intensive – perhaps best suited to the edge of the downtown.</i>

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	<b>PLACE OF WORSHIP.</b> A site, building or complex used for regular organized religious assembly, ceremonies or purposes. May include associated facilities such as a rectory, convent, daycare, school, meeting hall, administrative offices or cemetery.	Recommend adding this use. While zoning cannot restrict religious uses, the regulations can indicate those places such uses are encouraged/most appropriate.
	<b>CEMETERY.</b> A place used for interment of human or animal remains or cremated remains, including a burial park for earth interments a mausoleum for vault or crypt interments and/or a columbarium for cinerary interments.	Recommend adding this use.
<b>Sanitary landfill.</b> Land used for the disposal by abandonment, dumping, burial, burning or any other means and for whatever purpose, of garbage, sewage, trash, refuse, junk, discarded machinery or vehicles or parts thereof.	<b>LANDFILL.</b> A site operated under state permits for disposal of waste in an engineered land burial facility.	Consider adding this use within the district that includes the existing landfill. Currently, your regulations include a definition of "sanitary landfill" but do not list it as an allowed use in any district. If deemed necessary, a definition of "salvage yard" could be added and allowed in one or more districts as appropriate.
	<b>SALVAGE YARD.</b> A site used for storing, selling, dismantling, shredding, compressing or salvaging scrap or discarded materials, vehicles or equipment, including a junkyard as defined in state law.	<p>If deemed necessary, a definition of "salvage yard" could be added and allowed in one or more districts as appropriate.</p> <p style="color: green;">This is a use that requires further discussion as the PC were not sure how the state defined or enforced and were concerned what this may allow in the future.</p>

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	<p><b>COMMUNICATIONS ANTENNA.</b> An exterior apparatus designed for telephonic, radio, data, internet, television or other communications through the sending or receiving of electromagnetic waves, including equipment used to provide personal wireless services. This definition specifically excludes towers or other structures upon which antennas may be mounted.</p>	<p>Recommend adding this as a use. Consider use of a class system to allow mounting of antennas on existing structures with minimal height increases in virtually all districts. More substantial height increases would have more review or be limited to fewer districts.</p> <p>Questions: What about in a silo or on an existing building? Why would these be excluded? What would be the problem with this? Was there a court ruling? If the silo was not defined or controlled – would it be allowed?</p> <p>Encouraging placement of antennas on silos, steeples, etc. rather than construction of towers is the intent of this split between antennas and towers.</p>
	<p><b>COMMUNICATIONS TOWER.</b> Any ground-mounted pole, spire, structure, or combination thereof, including supporting lines, cables, wires, braces, masts, intended primarily for mounting a communications antenna above ground.</p>	<p>Recommend adding this as a use and not permitting it in downtown districts or primarily residential districts.</p> <p>Question: What about ham radio operators – where would they fall as their towers are very large?</p> <p>Your regulations will need to exempt or provide flexibility for ham radio towers. It is common to exempt them up to a height of 50 feet.</p> <p>Act 250 capture towers “vertically 20 feet, or more, above the highest point of an attached existing structure or 50 feet, or more, above ground level”</p>

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<p><b>Professional office.</b> Professional office including architect, accountant, dentist, doctor, lawyer, engineer, psychologist or other similar occupation.</p>	<p><b>OFFICE.</b> A room, group of rooms or building used for conducting the affairs of a business, profession, organization or service industry, and which does not include the on-site retail sale of goods except as incidental to principal activity occurring on the premises.</p>	<p>Current regulations include the following definition of office, "Any office other than a home occupation where major use is a business office, as opposed to retail, warehouse, residential or manufacturing use, including a professional office." Recommend replacing that definition and eliminating definition of professional office. Use term "office" consistently throughout.</p> <p><b>Question: Is this what distinguishes an office from a home business?</b></p> <p>An office is distinguished from a home business by the fact that it is not accessory to a dwelling. It is a stand-alone commercial activity. The incidental to the principal activity refers to the retail sales only.</p>
<p><b>Business office.</b></p>		<p>This is listed as a use, but is not defined in current regulations. Recommend eliminating and using the term "office" as defined above.</p>
<p><b>Personal service.</b> Barber, beauty parlor, shoe repair, photographic studio, and other businesses providing similar personal services, except for medical services. These are businesses which are limited in nature and do not greatly impact community facilities such as streets, water and sewage capacities.</p>	<p><b>PERSONAL SERVICE.</b> An establishment engaged primarily in providing services direct to consumers involving the care of a person or of personal goods (e.g., laundry, dry cleaning, beauty and barber shops, shoe repair and tailoring, funeral services, photographic studios, domestic services, etc.) other than healthcare or daycare uses, and which does not include the on-site retail sale of goods except as incidental to principal activity occurring on the premises.</p> <p>PC would like to add - These are businesses which are limited in nature and do not greatly impact community facilities such as streets, water and sewage capacities</p>	<p><b>Question: The PC wants to make sure that these do not impact street, water and sewer capacity. How can this be enforceable?</b></p> <p>We would recommend including a limitation on vehicle trips and/or wastewater flows then in the specific standards for that use.</p>

Current	Proposed	Notes
	<p><b>BUSINESS SERVICES.</b> Establishments primarily engaged in providing services to other businesses on a fee or contract basis (e.g., advertising, mailing, building maintenance, consulting services, equipment leasing, copying and printing, etc.) and which does not include the on-site retail sale of goods except as incidental to principal activity occurring on the premises.</p>	<p>Recommend adding this use and allowing similarly to personal services.</p> <p>Questions: Can this be combined with office? Does this mean no on site auto repair? What about equipment leasing that requires outdoor storage? How would this be dealt with? Off site in a district that allowed this? Could you allow seasonal inventory on site as long as there was a time limit? What about a display – OK if inside?</p> <p>We would not recommend merging with office, as these are generally more intensive. Could deal with the outdoor storage issues through specific use standards or just general standards related to outdoor storage for all uses.</p>
<p><b>Laundromat.</b></p>		<p>This is listed as a use, but is not defined in current regulations. Recommend eliminating as it is included in personal service as defined above.</p>
<p><b>Art and dance studio.</b></p>		<p>This is listed as a use, but is not defined in current regulations. Recommend eliminating as it is included in personal service as defined above.</p>
<p><b>Dry cleaning pick-up.</b></p>		<p>This is listed as a use, but is not defined in current regulations. Recommend eliminating as it is included in personal service as defined above.</p>

Current	Proposed	Notes
	<p><b>FINANCIAL SERVICES.</b> A use that provides financial and banking services to consumers or clients such as banks, savings and loans associations, credit unions, lending establishments and automatic teller machines.</p>	<p>Recommend adding this use and allowing within the village districts.  <b>Question: Would this only include those that are making some sort of monetary transaction? Understand why banks should be in village districts, but what about an accountant or financial advisor that may have an office in home or in another district?</b>                      An accountant's or financial advisor's office would fall into the "office" use. Again the home office is a separate issue and dealt with through the home-based business definitions.</p>
	<p><b>MEDIA STUDIO.</b> An establishment containing one or more broadcasting studios for over-the-air, cable, satellite or internet delivery of performances or programs; or studios for the recording or filming of audio and/or visual performances or programs. This definition specifically excludes communication antennas and towers.</p>	<p>Recommend adding this use.</p>
<p><b>Bed and breakfast.</b> A single-family dwelling unit in which the resident owner or occupant provides short-term lodging to paying guests. The dwelling shall contain no more than eight guest rooms. If meals are to be served, they can only be served to overnight guests.</p>	<p><b>BED AND BREAKFAST (B&amp;B).</b> A place of lodging located on owner-occupied single-family residential property, which provides not more than 8 6 rooms for occupancy by transient guests for compensation and which serves meals only breakfast to overnight guests and no meals to the general public.</p>	<p>Recommend treating this the same as a home occupation and permitting it within any single-family home. With the addition of inn as an allowed use, consider lowering the number of rooms.                       The PC did not want to limit meals to just breakfast as some B&amp;Bs offer dinner packages. PC members were also going to look into how many rooms current B&amp;B has to check 6 vs 8. PC members felt that 8 was too many.</p>
	<p><b>INN.</b> A building or site that contains a dwelling unit occupied by an owner or resident manager from which not more than 20 lodging rooms are offered to transient guests for compensation, and from which meals may be served to guests and the general public.</p>	<p>Recommend adding this use and allowing it conditionally in most residentially-oriented districts. Could also link this use to an "adaptive re-use" provision, which would allow for the re-use of a historic building as an inn.</p>

Current	Proposed	Notes
<p><b>Motor lodge.</b> A building or group of buildings in which the rooms are used for the purpose of providing overnight lodging facilities to the public for compensation, with or without meals. Includes motel and hotel.</p>	<p><b>HOTEL.</b> A building or complex in which lodging is provided and offered to transient guests for compensation, and which also may provide incidental services including meals and recreation to paying guests. A hotel shall not include a restaurant open to the public unless approved as a mixed use in accordance with Section * of these regulations.</p>	
	<p><b>RESORT.</b> An establishment or development that provides accommodations and related services transient guests, seasonal renters and/or dwelling unit owners for compensation, and where the primary attraction is recreational facilities or activities. May include facilities and services that are open to the public.</p>	<p>Consider adding this use and allowing it conditionally in rural and/or conservation districts.</p>
	<p><b>RETREAT CENTER.</b> A facility used for professional, educational, health, spiritual or religious conclaves, meetings, conferences, seminars, training or care that may provide meals, housing and recreation for participants during the period of the retreat or program. This definition specifically excludes offering meals or overnight accommodations to the general public.</p>	<p>Consider adding this use and allowing it conditionally.</p>
<p><b>Campground.</b> Any parcel of land under single or common ownership or control which contains, or is designed, laid out, or adapted to accommodate two or more campsites. A campsite is an area designed for the camping use by one family.</p>	<p><b>CAMPGROUND.</b> A site in common ownership offering short-term or seasonal lodging to the general public or members in tents, recreational vehicles, camps or cottages, whether these exist on the site and are rented out to lodgers, or are brought onto the site by the lodgers. May include personal service, recreational, and food preparation and dining facilities available for use by lodgers <del>and the public</del> as accessory uses.</p>	<p><b>Questions:</b> There was concern from PC members that the current campgrounds also offer affordable housing options – year round. What is the definition of a short vs long-term stay? What does it matter if septic and water codes are fine?</p> <p>Are there currently campgrounds open/used year-round in Bristol? At what point would you want to consider such a use a mobile home park rather than a campground? Some regulations place a limit on the number of days per year a seasonal use may be open/operated. This has its enforcement issues, but at least provides a standard.</p>

Current	Proposed	Notes
<p><b>Restaurant.</b> A public eating establishment in which the primary function is the preparation and serving of food.</p>	<p><b>RESTAURANT.</b> An establishment where food and drink are prepared, served and consumed, which offers indoor seating for patrons. A minimum of 60% of gross sales must be generated by the sale of food.</p>	<p>Questions: What about over the counter vs served at a table? What about outdoor patio in the summer? Is this the right percentage? Why 60?</p> <p>The percentage can be any number you want. The purpose is to distinguish between a restaurant and a tavern. The definition does not preclude outdoor seating, but does require some indoor seating, which distinguishes it from a snack bar. We may need to further refine these definitions to deal with solely take-out food establishments.</p>

Current	Proposed	Notes
	<p><b>SNACK BAR.</b> An establishment where food and drink are prepared, served and consumed, which does not offer indoor seating for patrons and does not serve alcoholic beverages.</p>	<p>Consider adding this use and allowing it in districts outside the downtown business district where restaurants will be allowed.</p> <p>Questions: What is the rationale for zoning snack bars outside the downtown business district? I see it's to give separation from restaurants but...? What if a small, compact coffee drive-up business (for example) wanted to set up in the business district, or where restaurants were zoned?</p> <p>Snack bars typically will generate significantly more traffic than a traditional sit-down restaurant. The rationale for keeping the snack bars and drive-thrus out of the core downtown area is to keep uses that generate a lot of vehicle traffic out and promote pedestrian-oriented rather than automobile-oriented uses .</p> <p>Questions: The PC wondered where Almost Home would fall (a deli/bakery/catering/ outside seating and an indoor "community table.") Also Mountain Greens has a couple of indoor tables. Should a snack bar have no table service in the definition?</p> <p>The snack bar definition could allow for an indoor seating/service area not to exceed X square feet. (400-600 sf?) That would accommodate both the "creemee stand" and "sub shop" type businesses.</p>
	<p><del><b>TAVERN BAR.</b></del> An establishment whose principal business is the serving alcoholic beverages at retail for consumption on the premises, which may also offer patrons food for consumption on the premises.</p> <p>PC felt like tavern is too colloquial.</p>	<p>If the definition of restaurant includes a percentage of gross sales from food, consider adding this use and allowing it in the downtown business district only.</p> <p>Question: What about the Legion – is it a club even though it mainly serves drinks?</p> <p>What are the rules at the Legion? Do you have to be a member/invitee of member/rent the facility or is the bar open to the public? If the first, then it is a club. If the second, then it is a bar.</p>

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	<p><b>CATERING SERVICE.</b> An establishment where food and drink are prepared before being transported and served at a remote location.</p>	<p>Consider adding this use  <b>Question: Why may we want to add catering service?</b>                      This is something that is usually either home-based or accessory to a restaurant, but there are examples of a restaurant going out of business and the owner wanting to just have a catering business operating from the site. That would not meet the definition of a restaurant. In one town someone had purchased a historic home and was using it to operate a catering business out of and as a rental location for catered events (private parties, small weddings, etc.) – no one was living there.</p>
<p><b>Recreation facility.</b> A place where athletics, leisure time activities and customary and usual recreational activities are permitted but not including activities involving motor sports or firearms.</p>		<p>Recommend eliminating this use and use indoor and outdoor recreation.</p>
	<p><del><b>RECREATION.</b> A use whose main purpose is to provide participants with an amusement, entertainment or fitness activity.</del>                      The PC members want to just have indoor and outdoor rec. and no recreation definition.</p>	<p>Recommend adding this general definition as basis for two definitions below.</p>
<p><b>Recreation, indoor.</b> Bowling alley, theater, table tennis, pool hall, arcade, skating rink, riding stable, gymnasium, swimming pool and other similar places of indoor recreation.</p>	<p><b>RECREATION, INDOOR.</b> A recreational use operated entirely within an enclosed building (e.g., arcade, arena, bowling alley, pool hall, health club, etc.).</p>	<p>Consider splitting into class 1 and 2. Class 1 would exclude motorized and shooting sports.</p>
<p><b>Recreation, outdoor.</b> Golf courses, hunting preserve, skating rink, park, beach, tennis court, swimming pool, and other similar places of outdoor recreation. Does not include campground.</p>	<p><b>RECREATION, OUTDOOR.</b> A recreational use conducted primarily in the open or in partially enclosed or screened facilities (e.g., athletic fields, sports courts, tracks, trails, etc.).</p>	<p>Consider splitting into class 1 and 2. Class 1 would exclude motorized and shooting sports.</p>
	<p><b>THEATER.</b> A site, building or complex used for the development, rehearsal, production and presentation of theatrical, dance, musical, comedy or other live performances, or showing of motion pictures.</p>	<p>Recommending adding this use and allowing in village districts.</p>

Current	Proposed	Notes
<p><b>Retail store.</b> Any enclosed business concerned primarily with the sale of produce, products, goods, equipment or commodities; and shall exclude any drive-in facility, free-standing retail stand, gasoline or motor vehicle service station, motor vehicles sales facility, restaurant or junkyard.</p>	<p><b>RETAIL STORE.</b> An enclosed building housing an establishment offering a specified line of goods or services for retail sale direct to walk-in customers. Retail uses shall be classified as follows:</p> <p>RETAIL STORE, CLASS 1. A non-franchise or -chain store without drive-through service, which occupies less than 5,000 square feet.</p> <p>RETAIL STORE, CLASS 2. A store, other than Class 1 Retail, which occupies less than 10,000 square feet.</p> <p>RETAIL STORE, CLASS 3. A store that occupies 10,000 square feet or more.</p>	<p>Consider using a class system such as this to control the scale and impact of retail establishments as appropriate in each district.</p> <p>The PC felt these size categories are way too large.</p> <p>Willow mentioned the need for drive thru; she used the example of a locally owned drug store that wanted to offer drive-thru prescription pick up? Other PC members did not feel this was necessary – especially in the downtown where the goal was to get people out of their cars.</p> <p>Questions: Should they have a definition of drive thru? Would flower shops be excluded as they do retail and also may do wholesale? Would a store that has a propane filling tanks be included here or elsewhere?</p> <p>The flower should meet the definition of retail store if it is open to walk-in customers. Is this a retail sales of filled tanks at another type of store (hardware, grocery, etc.) or is this at a propane storage &amp; distribution facility. If the second, you would not be able to permit the entire operation as a retail store, but the retail sales of filled tanks direct to customers could be seen as an accessory use typical of propane distributorships.</p>
	<p><b>GROCERY STORE.</b> A retail store primarily selling prepackaged and perishable food, but which may also stock other convenience, personal care and household goods.</p>	<p>If using the class system for general retail, consider adding a separate definition for grocery store, which would necessarily be larger than might be allowed for general retail, and allowing in downtown districts.</p> <p>The PC assumed that mini-marts at gas stations fall under gas stations.</p> <p>Question: Is the village corner store an example of a store that would come under this definition? Yes if they have perishable foods.</p>

Current	Proposed	Notes
	<p><b>OPEN AIR MARKET.</b> A retail establishment operated primarily outside an enclosed building, which may be open on a seasonal or periodic basis. This definition specifically excludes motor vehicle, RV or modular home sales, lumberyards, and farm product equipment sales.</p>	<p>Consider adding this use and allowing it the downtown business districts.  <b>Question: Would Livingston's fall here or nursery – or elsewhere? They are open 3 seasons.</b>                      That business more closely fits the definition of a nursery, as plants are the primary product being offered. An example of this type of business would be a flea market like the one on Route 7 in Charlotte.</p>
	<p><b>LUMBER YARD.</b> An establishment where lumber, other building materials and incidental building supplies, tools and equipment and wood products are sold at retail and wholesale.                      Need the addition of a LUMBER MILL – principle business is milling and also allow sales</p>	<p>If using the revised definition of retail store, consider adding this definition.</p>
<p><b>Motor vehicle service facility.</b> Any lot or area of land, including the building or buildings thereon, which has commercial facilities for lubricating, washing, painting, or servicing motor vehicles.</p>	<p><b>VEHICLE SERVICE.</b> A facility for the service or repair of motor vehicles or recreational vehicles that can legally be driven on a public road.</p>	<p>Recommend eliminating this use as the definition is the same as repair station.</p>
<p><b>Motor vehicle repair station.</b> Any lot or area of land, including the building or buildings thereon, which has commercial facilities for lubricating, washing, painting, or servicing motor vehicles.</p>		<p>Recommend eliminating this use as the definition is the same as service facility.</p>
<p><b>Auto repair shop.</b> See "Motor Vehicle Repair Station."</p>		<p>Recommend eliminating this use as the definition is the same as service facility.</p>
	<p><b>SERVICE STATION.</b> Any structure or area of land used for the retail sale of automobile fuels, along with oils and/or accessories. May include accessory uses such as: retail sales of convenience items; deli or take-out food; retail sales of propane, kerosene or similar fuels; automotive repair or service; and/or carwash.</p>	<p>Recommend adding this use.</p>

Current	Proposed	Notes
<del><b>Car wash.</b> A structure that offers automatic or manual washing bays that contain or recycle the washing liquid according to accepted industry standards. Must conform to all zoning specifications of the district.</del>	<b>CAR WASH.</b> A facility designed for the washing and cleaning of vehicles, which offers automatic and/or manual washing bays that contain or recycle the washing liquid according to accepted industry standards.	
<b>Repair shop.</b> A business wherein small appliances or small engines are repaired. Also repair of off-road vehicles. Does not include repair or service of any vehicle that can legally be driven on a public road.	<b>REPAIR SHOP.</b> An enclosed facility for the service or repair of household appliances, small engines, recreational vehicles and similar types of equipment. Does not include repair or service of any vehicle that can legally be driven on a public road.	
	<del><b>VEHICLE SALES OR RENTAL.</b> A facility for the sales or rental of motor vehicles or recreational vehicles.</del>	Recommend adding this use. Consider using a class system to control the scale/impact. Could be based on number of vehicles stored on the property.
<b>Industrial use.</b>		This is listed as a use, but is not defined in current regulations. Recommend eliminating and using only the term light industry. Current regulations include a definition of heavy manufacturing and industry, but it is not clear whether that definition is what this term is referring to. Recommend eliminating the definition of heavy industry as well.

Current	Proposed	Notes
<p><b>Light manufacturing or industry.</b> The processing, assembly, distribution or packaging, of natural or man-made products where such activity results in no substantial off-site impacts and all such activity and storage of raw or finished products is enclosed in a building or is screened from abutting properties and public right-of-way. Such uses include but are not limited to the following: foundry; cabinet or furniture manufacturing; electronics manufacturing or assembly; machine shop; monument or stone works; sewing; printing; warehousing; wholesale trade; (or) research and testing laboratory; and other similar uses not of a commercial or retail nature with minimal need of customer traffic to facility.</p>	<p><del><b>LIGHT INDUSTRY.</b> A facility or site used for the refining, processing, manufacturing, compounding, assembly, packaging, treatment and/or fabrication of materials, parts or goods. Light industrial uses shall be classified as follows:</del></p> <p>PC prefers some statement that it is primarily indoors. They suggest: <b>LIGHT INDUSTRY.</b> The processing, assembly, distribution or packaging, of natural or man-made products where such activity results in no substantial off-site impacts and all such activity and storage of raw or finished products is enclosed in a building or is screened from abutting properties and public right-of-way. Such uses include but are not limited to the following: foundry; cabinet or furniture manufacturing; electronics manufacturing or assembly; machine shop; monument or stone works; sewing; printing; warehousing; wholesale trade; (or) research and testing laboratory; and other similar uses not of a commercial or retail nature with minimal need of customer traffic to facility. Light industrial uses shall be classified as follows:</p> <p>CLASS 1. A light industrial use that occurs entirely within an enclosed structure, occupies less than 10,000 square feet and does not process or produce flammable, explosive or hazardous materials.</p> <p>CLASS 2. A light industrial use that is fully screened year-round from adjoining properties and public rights-of-way, occupies less than 25,000 square feet and does not process or produce flammable, explosive or hazardous materials.</p> <p>CLASS 3. All other light industrial uses.</p>	<p>Consider using a class system to better control scale and impact of industrial uses.</p> <p>Question1: The uses listed generally do involve use of hazardous materials and generation of hazardous wastes. Uses or definition should be made consistent with PC's intent.</p> <p>Question 2: Listed uses includes research laboratory which is separately defined.</p>

Current	Proposed	Notes
	<p><b>FOOD PROCESSING.</b> An establishment in which food is processed, packaged or otherwise prepared primarily for off-site sale and consumption, and where any retail sales of the resulting food products is incidental and subordinate to the principal use.</p>	<p>Recommend adding this use.  <b>Questions: Would syrup fall under forest product or this?</b>                      The production of maple syrup generally falls under the definition of agriculture. If that production was to expand beyond processing sap gathered from the owner's property to bringing in off-site sap, processing, packaging, etc. it would no longer meet the state exemption. Then it would have to fit into one of the allowed use categories. It might be able to fit into this one, into a home business or as a farm enterprise depending on location and exactly what the use would consist of.                      Question: How does this vary from catering section? Is it meant to address catering, or raising animals and butchering and selling them at an open air market, or starting a salsa or cookie company then selling your product to country stores around the state, or larger processing 'plants?'                      Catering is a commercial kitchen facility where you make food and transport it to the location where it will be served. Food processing is production of food items from raw ingredients and package it for retail sale.</p>
	<p><b>ARTIST/CRAFTSPERSON STUDIO.</b> An establishment for the creation, preparation, assembly, display and/or sale of individually crafted artwork, jewelry, furniture, sculpture, pottery, cabinetry, leather craft, hand-woven articles, woodcrafts and other related items.</p>	<p>Recommend adding this use.</p>
<p><b>Retail or wholesale distribution service.</b></p>	<p><b>WAREHOUSING AND DISTRIBUTION.</b> A facility for the regular and on-going enclosed storage, transport, shipping and/or distribution of goods, materials, products, parts, supplies, vehicles or equipment. <b>Does not include repair of vehicles or equipment on site</b></p>	<p>This is listed as a use, but is not defined in current regulations. The term "warehouse" is defined but not listed as an allowed use in any district.</p>

Current	Proposed	Notes
	<p><b>SELF-STORAGE.</b> A building, part of a building, or complex of buildings containing separate, individual and self-contained storage compartments available for lease or rent for the storage of personal property.</p>	<p>Consider adding this use and allowing in districts where industrial uses will be allowed. Could also be linked to adaptive re-use of historic buildings (barns).</p> <p><b>Question: What about new “pods” that are delivered to your home and then stored in a warehouse?</b></p> <p>The pods are intended to be delivered to a property, loaded and promptly taken to a warehouse. As such they are not a zoning issue any more than a moving van is. What is a zoning issue is the pod/storage container that does not leave and becomes yard art. These would be considered accessory structures and would have to meet the requirements of the regulations. We recommend including an exemption for accessory structures up to X square feet, but conditioning that exemption so that multiple “accessory structures” that are intended for the same purpose (i.e. storage) would add up cumulatively and not each be considered exempt.</p> <p><b>Question: if a self-storage unit was an adaptive re-use of a building, would it have to be in the industrial zone, or does that allow a larger expansion?</b></p> <p>There are two types of adaptive re-use provisions. One type allows only for the uses that are otherwise allowed in the district, but gives flexibility on the dimensional standards. The other allows for additional uses not otherwise allowed in the district in a qualifying structure. Self-storage within a barn on a residential property could also fall under home business. This use could also be split into two classes, with one being the re-use of an existing structure and the other being the typical “self-storage unit” buildings.</p>

Current	Proposed	Notes
	<p><b>RESEARCH AND DEVELOPMENT.</b> An enclosed facility for investigation into the natural, physical or social sciences, which may include engineering and product development.</p>	<p>Recommend adding this use.  <b>What about home-based engineering consultants/researchers, for example?</b>                      All the commercial or industrial uses are separate items from the home business. They would be the principal use of the property, while for a home business the residence would be the principal use and the business an accessory use.  <b>Question: what about silvaculture/agricultural R&amp;D – may not always be inside?</b>                      Also listed as use under Light Industrial.</p>
	<p><b>BUSINESS YARD.</b> A site used primarily to store and maintain construction, landscaping or similar heavy equipment and other materials and facilities customarily required by a contractor in the building, landscaping, or construction-related trades or similar businesses, and where the majority of business activity takes place off-site. May include associated office space and/or enclosed areas for vehicle or equipment repair or maintenance. (ADD) Does not include regular or ongoing sale of equipment.</p> <p>Occasionally residential properties may cross the line from home occupation or home business with the outside collection of equipment/materials – or a tractor trailer that may become a building</p>	<p>Recommend adding this use.  <b>Question: we should carefully balance supporting and regulating the contractors who are small or mid size and use their property as a business base. Many people have this definition of business yard as their 'home based business', and by virtue, their business equipment and supplies are primarily kept outdoors and more visible and hence prone to regulating.</b>                      The defined use “business yard” would not be a home business – it would be a stand-alone commercial use. The “home business” definition is intended to allow for uses like the excavator or building contractor who keeps vehicles/equipment/materials on their residential property. However, such a use (with outdoor storage) does not meet the state definition of a home occupation. That is the reason for the separation of that category into two uses.</p>

Current	Proposed	Notes
<p><b>Agricultural use.</b> Land or structure used for raising livestock, growing agricultural or forest products, storing agricultural equipment, or as an accessory use, selling agricultural products raised on the property.</p>	<p><b>AGRICULTURE.</b> The cultivation, clearing or other use of land for growing food, fiber other than wood, Christmas trees, maple sap, or horticultural and orchard crops; the raising, feeding, or management of livestock, poultry, fish, or bees; the operation of greenhouses; the production of maple syrup; the on-site storage, preparation and sale of agricultural products principally produced on the farm; the on-site production of fuel or power from agricultural products or wastes produced on the farm; the raising, feeding, or management of four or more equines owned or boarded by the farmer, including training, showing, and providing instruction and lessons in riding, training, and the management of equines.</p>	<p>Current regulations include definition of “agricultural use” but use the term “agriculture” in the list of allowed uses. Recommend using the state definition of farming agriculture.</p> <p>Question: Is the definition of “agriculture” here word-for-word from state statute? Where is the definition of “farming” mentioned above? What about “farm structure?” What are the pros/cons of using state definition?</p> <p>I mentioned that it could be for exemptions or for right to farm protection – but need more.</p> <p>Question: does the state definition include Christmas trees? IRS considers them forestry as it is a depleting resource?</p> <p>The definition as originally drafted is the state definition of agriculture. However, what is exempt from local zoning is not “agriculture” as defined here, but “accepted agricultural practices including the construction of farm structures” (as partially defined below). The discrepancy between the various definitions has been an ongoing issue for some of the real literal zoning administrators out there.</p>

Current	Proposed	Notes
	<p><b>FARM STRUCTURE.</b> As per Section 2.06 of the Accepted Agricultural Practices Regulations, a structure or structures used by a person for agricultural production that is: (1) used in connection with the sale of \$1,000 or more of agricultural products in a normal year; (2) used in connection with the raising, feeding, and management of at least the following number of adult animals: 4 equines; 5 cattle or American bison; 15 swine; 15 goats; 15 sheep; 15 fallow deer; 15 red deer; 50 turkeys; 50 geese; 100 laying hens; 250 broilers, pheasant, Chukar partridge, or Coturnix quail; 3 camelids; 4 ratites (ostriches, rheas, and emus); 30 rabbits; 100 ducks; or 1,000 pounds of cultured trout; (3) used by a farmer filing with the Internal Revenue Service a 1040 (F) income tax statement in at least 1 of the past 2 years; or (4) on a farm with a business and farm management plan approved by the Secretary of Agriculture, Food and Markets.</p>	<p>Recommend including this definition from state law in regulations as “farm structures” have a state exemption.  <a href="#">See questions above</a></p>
	<p><b>FARM.</b> A parcel of land that is primarily devoted to agriculture, upon which may be located farm structures, farm product sales facilities, farm enterprises, and/or dwellings occupied by people engaged in farming.</p>	<p>Recommend including this definition as background for other farm-related definitions,</p>
<p><b>Horticulture.</b> The science and art of growing fruits, vegetables, flowers, or ornamental plants.</p>		<p>Recommend eliminating as covered by revised definition of agriculture.</p>

Current	Proposed	Notes
	<p><b>FARM PRODUCT SALES.</b> A structure or site for the seasonal or periodic sales of locally produced farm products, including value-added products.</p> <p>CLASS 1. A farm product sales use that is operated not more than 270 days in any calendar year, and which sells only farm products grown or produced by the operator or property owner.</p> <p>CLASS 2. All other farm product sales.</p>	<p>Recommend adding this use. Consider allowing Class 1 farm product sales as a permitted use in all districts.</p> <p>Are there some "limits" of farming after which there may be more and/or larger concerns? i.e., size or type of production.</p> <p>Where issues start to arise is when products are being sold at a "farm stand" that are not "principally produced on the farm". One way to handle this is to have a measurable standard that defines "principally" like "a minimum of 50% of the revenue is generated from products produced on the farm" if problems arise. These stands can also be a traffic hazard, so a town can often put in language that allows their "exempt" status to be revoked and require them to get DRB approval if the ZA determines that a traffic hazard is indeed being created.</p>
	<p><b>FARM ENTERPRISE.</b> A business operated on a farm that produces and/or sells value-added farm products, that offers contractual agricultural services, that engages in agri-tourism, that generates energy from crops or by-products, that processes, stores and/or ships farm products, or that engages in similar agriculturally-oriented income-producing activities. If the business involves on-site retail sales, a minimum of 50% of the gross sales shall be generated from products or materials grown or harvested on land farmed by the business operator.</p>	

Current	Proposed	Notes
<p><b>Silviculture.</b> A branch of forestry dealing with the development and care of forests.</p>	<p><b>SILVICULTURE.</b> The growing and harvesting of trees or timber under <del>proper</del> forest management for purposes other than their fruit. For the purposes of these regulations, the term “forestry” shall also include the use of temporary processing equipment such as chippers and portable sawmills, which are used in association with harvesting operations, not exceeding a maximum of one year, and are removed from the site once harvesting operations are complete. This definition specifically excludes permanent sawmills, lumberyards and other similar facilities used for the processing, manufacturing and/or storage of wood and wood products.                      Temporary on-site portable sawmills are part of harvesting.</p>	<p>Recommend using the state definition of forestry.                      There was some concern about using the state definition of forestry. And how it may change over time.                      Further discussion: is one year not long enough? Should it be a number of hours instead?                      Question: what if a farmer wants to clear some trees? Is there a size trigger?                      Need to look into state permit requirements, but we think that state permits are not needed for forestry following the AMPs unless it will be a heavy cut of 40+ acres, be over 2,500 feet in elevation, affect a stream or wetland – there may be some such triggers as well. We will check into this.</p>
<p><b>Commercial forestry.</b></p>		<p>This is listed as a use, but is not defined in current regulations. Recommend eliminating as covered by silviculture.</p>
	<p><b>SAWMILL.</b> An operation, facility, equipment or machine that has as its primary purpose, the sawing, planing refining or processing of logs, trees or rough timber into rough slabs, firewood, lumber, chipping, flooring, paneling or similar value-added wood products. This excludes wood pellet manufacturing.</p>	<p>Recommend adding this use.                      Discussion around wood chipping and that it is often considered a heavy industry. The PC wanted more information on the industry and concerns as well as a definition.                      Should determine what the difference is in terms of impact with the wood pellet manufacturing and compare it with current mill to determine if it is in the same range. Things like trucking, noise, dust, etc. Those could be controlled through the conditional use approval process. We will investigate these difference.</p>

Current	Proposed	Notes
<p><b>Nursery.</b> A place of business where trees, shrubbery, and other plants are grown and/or sold.</p>	<p><b>NURSERY.</b> The direct-to-customer or mail-order retail or wholesale sales of any article, substance or commodity related to the planting, maintenance or harvesting of garden plants, shrubs, trees, packaged fertilizers, soils, chemicals, or other nursery goods and related products.</p>	
<p><b>Kennel.</b> Any lot or premise on which four or more dogs, at least four months of age, are kept. Except in the village district where the limit shall not exceed two dogs.</p>	<p><b>KENNEL.</b> An establishment, in which 3 or more mature domesticated animals are housed, boarded, cared for, groomed, bred, trained or sold for fee or compensation.</p>	
	<p><b>VETERINARY CLINIC.</b> A facility maintained by or for the use of a licensed veterinarian in the diagnosis, treatment or prevention of animal diseases and injuries, which may include boarding of patients and other non-patient domesticated animals.</p>	<p>Recommend adding this use.  <b>Is there a definition of facility? This was a discussion that is a mobile vet clinic a facility?</b>                      Facility: A structure or place that is built, installed or established to serve a particular purpose.                      The traveling vet does not need to be approved as a veterinary clinic if s/he doesn't have an actual physical clinic to which people bring animals for treatment. You may be able to argue that such a use might need a permit as a home occupation, similar to a building trades contractor who is based from home but works elsewhere.</p>
	<p><b>SLAUGHTERHOUSE.</b> A building or site for the slaughtering and processing of livestock and the refining of their byproducts, which may include packing, treating, <b>smoking, curing</b>, storage or sale of meat or other animal-derived products on the premises.</p>	<p>Recommend adding this use.  <b>What about curing of meat – where would this fall?</b>                      Food processing or agricultural uses. But you also need to think of the size. Brandy suggests adding to the definition of the slaughterhouse. Some of these are operated as you bring in live animals and leave with sausage. At others, you bring in an already slaughtered animal (farm animal or deer during hunting season) and leave with sausage. Further committee discussion is needed.</p>

Current	Proposed	Notes
<b>Wildlife refuge.</b>	<b>NATURE PRESERVE.</b> Areas intended to remain in a predominately natural or undeveloped state to provide resource protection, which may include limited facilities for passive recreation and environmental education.	This is listed as a use, but is not defined in current regulations.
<b>Reservoir.</b>	<b>RESERVOIR.</b> A pond, lake, tank or basin, whether natural or built, used for the storage, regulation and control of water for recreation, power generation, flood control, drinking or similar use.	This is listed as a use, but is not defined in current regulations.

The PC members discussed what would happen if a business wanted to:

- Move from a permitted use to another permitted use – decided that they would not need to get a permit.
- Move from a permitted use to a conditional use – decided that they would need a permit.

The PC wanted to come back to this to determine what level of “change” would be allowed. Bill wanted to make sure that if a business wanted to add a use that was an outgrowth of an existing business, it would not have to keep coming in for permits.

This is a matter of how the permit is written. If someone comes in to open a hat store and the ZA grants a permit for the retail sales of hats, then technically if the owner wants to start selling scarves that would not be allowed under the permit. That is the reason for the general categories of uses. The ZA should be issuing a permit for a “retail store” of X square feet, operated during X hours, with X parking spaces, etc. (whatever the requirements of the use and district are). That way there is no need for additional permitting to change the product line. However, if someone is operating an insurance office as a permitted use and they decide that they are bored with insurance and want to follow their bliss and open a wine bar (which for the purpose of this argument would also be a permitted use) then the PC may require review. The two permitted uses may not be at all similar. They may have different requirements for parking, for hours of operation, for amount of traffic, etc. It is also beneficial to the property/business owner to have a paper trail if the time comes to sell the property or business. If it was originally permitted for a barbershop and is now a music store and the owner no permit documenting the change, there could be problems down the line. Getting a zoning permit should be a relatively simple process and prevents future headaches.

Ken suggested: if we wanted “open space” to be a goal in and of itself, then it should be defined. However, discussion noted that we were not zoning open space as a use, but could use incentives via subdivisions and other planning tools.

Brandy just wrote an open space definition for St. George question. “Open space land retained as working farm or forest land, as active or passive recreation areas, or in an essentially undeveloped state for resource protection. Being designated as open space does not imply that land is publicly or commonly owned, or being made available for public or common use or access.”

The PC wanted to be clear that they wanted to be liberal in what residents were permitted to do under home business and occupation – so language needs to be added to these definitions.

We do not recommend adding it to the definitions. It needs to go in the standards section of the regulations. We will develop sample language.