

UNIFIED DEVELOPMENT BYLAWS  
TOWN OF CHESTER, VERMONT



ADOPTED MARCH 15, 2017      EFFECTIVE APRIL 5, 2017

AMENDED JUNE 1, 2022      EFFECTIVE JUNE 22, 2022

**Resubmission – Final Revised Draft Administrative Bylaw Amendments 06.05.2023**

**Plus Draft “Five Chester Center Districts” Zoning District Amendments 07.12.2023 including:**

- 2.3 Village Center**
- 2.4 Mixed Use (was Residential-Commercial)**
- 2.5 General Business (was Commercial-Industrial)**
- 2.6 Stone Village**
- 2.7 Neighborhood (was R-20 and portions of R-40)**

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Chester Unified Development 2017 Bylaw Amendment History

Date Adopted	Purpose of Amendment	Sections Amended	Notes
10/17/2018	Allow fueling station as accessory use	3.28 and elsewhere	Interim amendment expired 10/17/20
01/19/2022	Increase period of allowable use restart to 5 years	3.19	Interim amendment expires 01/19/2024
06/01/2022	Add Village Green Zoning District	2.3.1 and elsewhere	

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**ARTICLE 2 – Establishment of Zoning Districts & District Standards**

**2.1 Classes of Districts**

For the purposes of these Bylaws, the boundaries of districts are and shall be established as shown on the Zoning Map of the Town of Chester, which map is hereby declared to be part of these Bylaws, and the area of the Town of Chester is hereby divided into the following classes of districts:

VC - Village Center

VG - Village Green

RC - Residential/Commercial

CI - Commercial/Industrial

SV - Stone Village

**N – Neighborhood** *(note: R20 and R40 are merged into a proposed Neighborhood District)*

R40 - Residential 40,000 square foot lots *(note: some R40 remains outside of the N Dist.)*

A3 - Adaptive 3

R120 - Residential 120,000 square foot lots

**OS – Open Space District**

CR - Conservation-Residential

F - Forest

APO - Aquifer Protection Overlay District

FDP - Flood Damage Prevention Overlay District

A full and detailed written description of the precise boundaries of all districts, which is a part of these Bylaws, is on file with the Town Clerk of the Town of Chester.

**2.2 District Uses and Requirements**

The following are district uses, lot size minimums, setbacks, frontage requirements and maximum coverage.

**A. Permitted Uses**

Permitted uses are those uses that can be approved by the Zoning Administrator (ZA), without action of the Development Review Board. All permitted uses shall comply with the Parking and Sign Requirements for the District.

**B. Conditional Uses**

Specific Conditional Uses are permitted in each district only by approval of the Development Review Board provided that the general and specific standards and special criteria outlined in Section 4.7 of these Bylaws are met.

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**C. Dimensional Requirements**

The minimum lot size indicated for each district is the same for each allowed land use, unless otherwise indicated, for zoning districts. For example, the minimum lot size in the Village Green District is 3,600 square feet. The same minimum lot size (3,600 sq. ft.) is required for a single-household dwelling as for a multi-household dwelling, regardless of the number of units.

**Commented [JR1]:** Note the requirements from the HOME Act, such as duplexes require the same dimensional standards as single-unit dwelling.



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### 2.3 Village Center (VC) District

**A. Purpose:** To provide a mix of commercial, residential and civic uses that are consistent with the traditional compact Village Center as described in *the Chester Town Plan*. Development in this District shall be of the highest density in the Town, preserve historic character, and provide a pedestrian-friendly streetscape that accommodates public transportation.

**B. Permitted Uses:** The following land uses require a zoning permit issued by the Zoning Administrator (see Section 7.2):

1. Accessory Dwelling Unit
2. Accessory Structure
3. Accessory Use (e.g., Home Child Care Facility, ~~Home Occupation~~)
4. Family Childcare Home
5. Group Home
6. Home Occupation
7. Private Broadcast Facility
8. Residential Dwelling – Single- and Two-Household
9. Dwelling – Multi-Household (3- or 4-Units)

**C. Conditional Uses:** The following land uses require conditional use review by the Development Review Board (see Section 4.8) and a zoning permit issued by the Zoning Administrator (see Section 7.2):

1. Arts & Entertainment
2. ~~Building and Construction Trades~~
3. Civic/Institutional
4. Commercial Broadcast Facility
5. Family Child Care Facility
6. Health Care Facility
7. Home Business
8. Light Industry
9. Multi-Purpose ~~Mixed-Use~~
10. Open Market
11. Personal Service Shop
12. Professional Office
13. Pub/Bar/Club
14. Recreation
15. Residential Dwelling – Multi-Household (5 or More Units)
16. Restaurant
17. Retail Store
18. Tourist Lodging

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**D. Dimensional Standards:**

Minimum Lot Size	1/8 acre (5,445 sq. ft.)	<del>20,000 sq. ft.</del>
Minimum Lot Frontage	50 ft.	<del>100 ft.</del>
Minimum Front Yard Setback	10 ft.	<del>20 ft.</del>
Minimum Side Yard Setback	5 ft.	<del>15 ft.</del>
Minimum Rear Yard Setback	10 ft.	<del>15 ft.</del>
Maximum Lot Coverage	80%	<del>35%</del>
Maximum Building Height	35 ft.	<del>35 ft.</del>

**E. Supplemental Standards:**

**1. Building Orientation.** Buildings shall front toward and relate to frontage streets, both functionally and visually, and not be oriented toward parking lots.

**2. Character of Development.** New buildings and modifications of existing buildings shall be of a similar building mass and orientation as buildings in this District, and shall not unduly detract from the existing character of the Village. Where there are conflicts with existing adjoining buildings, building modifications or expansions of uses shall not increase the degree of conflict.

**3. Landscaping and Screening.** The Development Review Board shall require landscaping or other screening between incompatible uses or structures.

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2.3.1 Village Green (VG) District



**A. Purpose.** The Village Green is the area on the southwest side of Main Street between School and Cobleigh Streets. The purpose of the area is:

- To promote the long-term vitality of Chester’s village center
- To ensure new construction and renovations are compatible with and enhance the historic character, scale, and settlement pattern of this part of Chester
- Provide for economic development and housing opportunities
- Encourage investment that maintains or rehabilitates historic buildings
- Provide an attractive streetscape and pedestrian-friendly environment as envisioned in the Village Master Plan.

**B. Permitted Uses:** The following land uses require a zoning permit issued by the Zoning Administrator (see Section 7.2):

1. Accessory Dwelling Unit
2. Accessory Structure
3. Accessory Use
4. Art Studio and/or Gallery
5. Dwelling – Single- and Two-Household
6. Dwelling – Multi-Household (3-4 units)
7. Family Childcare Home
8. Home Occupation
9. Multi-Purpose Mixed-Use
10. Professional Office
11. Restaurant
12. Retail Store



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**C. Conditional Uses:** The following land uses require conditional use review by the Development Review Board (see Section 4.8) and a zoning permit issued by the Zoning Administrator (see Section 7.2):

1. Arts & Entertainment Facility
2. Civic/Institutional
3. Construction of any new principal structure or any substantial replacement or enlargement of an existing or damaged principal building
4. Dwelling – Multi-Household (5+ units) including, but not limited to, senior housing (housing and convenience services for people aged 55 or older)
5. Family Child Care Facility
6. Health Care Facility
7. Home Business
8. Light Industry
9. Open Market
10. Personal Service Shop
11. Pub/Bar/Club
12. Recreation
13. Residential Care Home/Group Home (serving more than 8 persons)
14. Tourist Lodging

**D. Dimensional Standards:**

Minimum Lot Size	3,600 sq. ft.
Minimum Lot Frontage	30 ft.
Minimum Front Yard Setback	0 ft.
Minimum Side Yard Setback	0 ft.
Minimum Rear Yard Setback	8 ft.
Maximum Lot Coverage	90%
Maximum Building Height	35 ft.

**E. Supplemental Standards:**

1. **Building Orientation.** Buildings shall front toward and relate to frontage streets, both functionally and visually, and not be oriented toward parking lots.
2. **Character of Development.** New buildings and modifications of existing buildings shall be of a similar building mass and orientation as buildings in this District and shall not unduly detract from the existing character of the Village. Where there are conflicts with existing adjoining buildings, building modifications or expansions of uses shall not increase the degree of conflict. Formula businesses are not permitted in this District.



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Any changes to the exterior of the building must follow the architectural standards in Section 4.8.C.3 Special Criteria.

3. **Landscaping and Screening.** The Development Review Board shall require landscaping or other screening between incompatible uses or structures where practical.
4. **Parking. The goal of parking regulation in the Village Green zoning district is to make as many spaces in front of the businesses on Common and Main Streets available for customers as possible.** Uses located within the VG District shall comply with the following minimum parking requirements (and are not subject to the requirements in Section 3.20):
  - a. One off-street parking space, either private or public, for each employee (based upon maximum number of employees onsite at any given time) is required for all applicable uses.
  - b. One off-street parking space, either private or public, for each dwelling unit is required.
  - c. All uses in the VG district must demonstrate that adequate off-street nighttime parking, either private or public, is provided consistent with Chester's snow parking ban.
  - d. The Development Review Board may modify these off-street parking requirements based on a determination that special conditions require more off-street parking or mitigating circumstances warrant a reduction in the number of spaces required.
5. **Noise.** The hours for quiet in this district shall vary from the Performance Standards in Section 4.9 as follows:
  - a. Noise shall not exceed 60 dB between 10:00 p.m. and 7 a.m.
  - b. Noise shall not exceed 70 dB during the day between 7 a.m. and 10:00 p.m.

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**2.4 Residential-Commercial (RC) Mixed Use (MU) District**

**A. Purpose:** To provide a mix of higher-density residential and commercial uses in an area that is centrally located within municipal water and sewer service areas.

**B. Permitted Uses:** The following land uses require a zoning permit issued by the Zoning Administrator (see Section 7.2):

1. Accessory Dwelling Unit
2. Accessory Structure
3. Accessory Use (e.g., Home Child Care Facility, ~~Home Occupation~~)
4. Agricultural/Forestry (See Sec. 4.3 Limitations & Exemptions)
5. Family Childcare Home
6. Group Home
7. **Home Occupation**
8. Private Broadcast Facility
9. ~~Residential Dwelling~~ – Single- and Two-~~Household Family~~
10. **Dwelling– Multi-Household (3-4 units)**

**C. Conditional Uses:** The following land uses require conditional use review by the Development Review Board (see Section 4.8) and a zoning permit issued by the Zoning Administrator (see Section 7.2):

1. Animal Hospital
2. Arts & Entertainment
3. Automotive Fuel/Service/Sales
4. Building and Construction Trades
5. Civic / Institutional
6. Commercial Broadcast Facility
7. Commercial Storage Unit
8. Family Child Care Facility
9. Health Care Facility
10. ~~Heavy Construction Trades~~
11. Home Business
12. Light Industry
13. **Multi-Purpose** ~~Mixed Use~~
14. Open Market
15. Personal Service Shop
16. Professional Office

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- 17. Recreation
- 18. Residential Dwelling – Multi-Household Family (5+ units)
- 19. Restaurants
- 20. Retail Store
- 21. Tourist Lodging

D. Dimensional Standards:

Minimum Lot Size	20,000 sq. ft.	
Minimum Lot Frontage	100 ft.	120 ft.
Minimum Front Yard Setback	25 ft.	
Minimum Side Yard Setback	15 ft.; or 30 ft. for non-residential uses abutting residential uses	
Minimum Rear Yard Setback	15 ft.; or 30 ft. for non-residential uses abutting residential uses	
Maximum Lot Coverage	70%	35%
Maximum Building Height	35 ft.	

Commented [JR2]: Allow 1/5 acre (8,712 sq ft) for dwellings per HOME Act

E. Supplemental Standards:

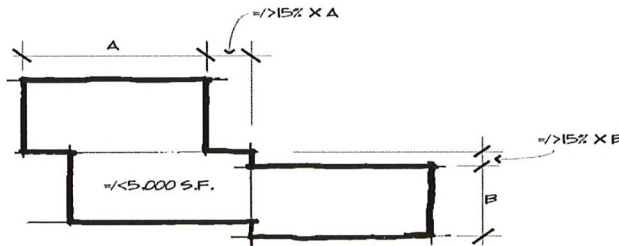
1. **Character of Development.** For the purposes of articulating the character of development, this zoning district is broken into three sub-districts:
  - a. **Chester Depot/South Main Street:** New buildings and modifications of existing buildings shall be of a similar building mass and orientation as buildings in this sub-district, and shall not unduly detract from the existing character of the Village. Where there are conflicts with existing adjoining buildings, building modifications or expansions of uses shall not increase the degree of conflict.
  - b. **Gassetts:** New development and redevelopment in this area shall continue in the current moderate density, with a mix of commercial, light industrial and residential uses. All new driveways and substantially reconstructed existing driveways shall meet the Agency of Transportation's *Access Management Program Guidelines*, as most recently adopted.
  - c. **VT Route 103 South:** new buildings and modifications to existing buildings shall extend the historic pattern of higher density, mixed use village development that includes single and multi-family dwellings, civic and mixed-use buildings (e.g., residential apartments over commercial storefronts), and new public greens all interconnected via pedestrian paths or sidewalks. The desired character of this



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area requires a shift from vehicle- oriented development allowed under the former Zoning Bylaws, to a more pedestrian-friendly form of mixed-use development. All new driveways and substantially reconstructed existing driveways shall meet the Agency of Transportation's *Access Management Program Guidelines*, as most recently adopted.

- 2. Landscaping & Screening.** The Development Review Board shall require landscaping or other screening between incompatible uses or structures.
- 3. Rail Oriented Uses.** No setbacks shall be required for railroad-related uses from any lot line that abuts the Railroad.
- 4. Building Element.** A Building Element is a single building or distinct portion of a larger building conglomerate. No building element may be greater than 5,000 square feet in gross area. Any portion of the building element that will displace precipitation shall be included in the square footage sum. Trellises, decks, fixtures, banners, flags and their support structures shall not be included in the square footage sum and shall comply with all other applicable Town Bylaws. An attached building element must be displaced laterally from another by a minimum of 15% of the length of the larger building element common wall. Building elements shall be configured and designed to comply with all other district lot coverage, setbacks and applicable Unified Development Bylaw restrictions.



This diagram is an example of how separate Building Elements could maintain compliance with the square foot maximum called for, while being part of a larger structure. The block below and to the right of the uppermost block is attached to a wall the length of A and is offset by 15% of the length of A. The block to the right and slightly below the second block is attached to a wall the length of B and is offset by 15% of the length of wall B.



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**2.5 ~~Commercial-Industrial (C-I)~~ General Business (GB) District**

**A. Purpose:** To provide a mix of commercial and light industrial uses in an area that is served by municipal water and sewer service, and adjacent to two major highways and the Green Mountain Railroad.

**B. Permitted Uses:** The following land uses require a zoning permit issued by the Zoning Administrator (see Section 7.2):

1. Accessory Dwelling Unit
2. Accessory Structure
3. Accessory Use (e.g., Home Child Care Facility, ~~Home Occupation~~)
4. Agricultural/Forestry (See Sec. 4.3 Limitations & Exemptions)
5. Family Child Care Home
6. Group Home
7. **Home Occupation**
8. Private Broadcast Facility

**C. Conditional Uses:** The following land uses require conditional use review by the Development Review Board (see Section 4.8) and a zoning permit issued by the Zoning Administrator (see Section 7.2):

1. Animal Hospital
2. Animal Kennel
3. Automotive Fuel/Service/Sales
4. Building and Construction Trades
5. Civic/Institutional
6. Commercial Broadcast Facility
7. Commercial Storage Unit
8. ~~Heavy Construction Trades~~
9. Home Business
10. Industrial Facility
11. Light Industry
12. Professional Office
13. Recreation
14. **Residential Dwelling** – Single, Two- & Multi-**Household Family**
15. Restaurant
16. Retail Store

Commented [JR3]: Merged heavy const. trades with B&C trades

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D. Dimensional Standards:

Minimum Lot Size	30,000 sq. ft.	
Minimum Lot Frontage	120 ft.	
Minimum Front Yard Setback	20 ft.	30 ft.
Minimum Side Yard Setback	15 ft.; or 30 ft. for non-residential uses abutting residential uses	25 ft.; or 50 ft. for non-residential uses abutting residential uses
Minimum Rear Yard Setback	15 ft.; or 30 ft. for non-residential uses abutting residential uses	25 ft.; or 50 ft. for non-residential uses abutting residential uses
Maximum Lot Coverage	70%	50%
Maximum Building Height	35 ft.	

Commented [JR4]: Allow 1/5 acre (8,712 sq ft) for dwellings per HOME Act

E. Supplemental Standards:

1. ~~Character of Development.~~ New development and modifications to existing buildings and uses shall be consistent with the existing character of the area and compatible with adjacent land uses with respect to traffic, noise, vibrations, or other impacts in conflict with residential and commercial uses.
2. **Landscaping and Screening.** The Development Review Board shall require landscaping or other screening between incompatible uses or structures.
3. **Rail Oriented Uses.** No setbacks shall be required for railroad-related uses from any lot line that abuts the Railroad.

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### 2.6 Stone Village (SV) District

**A. Purpose:** To preserve the unique historic character of the Stone Village while providing higher-density residential neighborhoods with compatible commercial and civic uses that are consistent with the Chester Town Plan.

**B. Permitted Uses:** The following land uses require a zoning permit issued by the Zoning Administrator (see Section 7.2):

1. Accessory Dwelling
2. Accessory Structure
3. Accessory Use (e.g., Home Child Care Facility, ~~Home Occupation~~)
4. Agricultural/Forestry (See Sec.4.3 Exemptions)
5. Family Child Care Home
6. Group Home
7. Home Occupation
8. Private Broadcast Facility
9. Residential Dwelling – Single- and Two-Household Family
10. Dwelling – Multi-Household (3-4 units)

**C. Conditional Uses:** The following land uses require conditional use review by the Development Review Board (see Section 4.8) and a zoning permit issued by the Zoning Administrator (see Section 7.2):

1. Arts & Entertainment
2. ~~Building and Construction Trades~~
3. Civic / Institutional
4. ~~Commercial Broadcast Facility~~
5. Family Child Care Facility
6. Home Business
7. Multi-Purpose Mixed-Use
8. Professional Office
9. Pub/Bar/Club
10. Recreation
11. Residential Dwelling – Multi-Household Family
12. Restaurant
13. Retail Store
14. Tourist Lodging

### D. Dimensional Standards:

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Minimum Lot Size	20,000 sq. ft.	30,000 sq. ft.
Minimum Lot Frontage	80 ft.	120 ft.
Minimum Front Yard Setback	20 ft.	40 ft.
Minimum Side Yard Setback	20 ft.	30 ft.
Minimum Rear Yard Setback	16 ft.	30 ft.
Maximum Lot Coverage	50%	20%
Maximum Building Height	35 ft.	

Commented [JR5]: Allow 1/5 ac (8,712 sq ft) for dwellings per HOME Act

Commented [JR6]: Check with Cathy

**E. Supplemental Standards:**

**1. Character of Development.** New buildings and modifications of existing buildings shall be of a similar building mass and orientation as buildings in this District and shall not unduly diminish the character of the Stone Village. External building materials are not required to be stone; however, all materials shall be compatible with the existing architecture in this District. Where there are conflicts with existing adjoining buildings, building modifications or expansions of uses shall not increase the degree of conflict.



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**2.7 Neighborhood (N) District**

**A. Purpose:** To provide higher-density residential neighborhoods with a mix of housing types and compatible commercial and civic uses that are consistent with the Chester Town Plan.

**B. Permitted Uses:** The following land uses require a zoning permit issued by the Zoning Administrator (see Section 7.2):

1. Accessory Dwelling
2. Accessory Structure
3. Accessory Use (e.g., Home Child Care Facility)
4. Agricultural/Forestry (See Sec. 4.3 Exemptions)
5. Family Child Care Home
6. Group Home
7. Home Occupation
8. Private Broadcast Facility
9. Residential Dwelling – Single- and Two-Household
10. Dwelling – Multi-Household (3- or 4-Units)

**C. Conditional Uses:** The following land uses require conditional use review by the Development Review Board (see Section 4.8) and a zoning permit issued by the Zoning Administrator (see Section 7.2):

1. Civic / Institutional
2. Commercial Broadcast Facility
3. Family Child Care Facility
4. Home Business
5. Multi-Purpose Mixed Use
6. Professional Office
7. Recreation
8. Residential Dwelling – Multi-Household (5 or more units)
9. Retail Store
10. Tourist Lodging

Deleted Building and Construction Trades.

**D. Dimensional Standards:**

	<b>Municipal Water &amp; Sewer Services</b>	<b>Class 1</b>	<b>On-Site Water and/or Wastewater Class 2</b>
Minimum Lot Size	1/5 Acre (8,712 sq. ft.)	20,000 sq. ft.	30,000 sq. ft.
Minimum Lot Frontage	60 ft.	120 ft.	150 ft.

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Minimum Front Yard Setback	15 ft.	<del>25 ft.</del>	25 ft.
Minimum Side Yard Setback	10 ft.	<del>20 ft.</del>	20 ft.
Minimum Rear Yard Setback	10 ft.	<del>20 ft.</del>	20 ft.
Maximum Lot Coverage	50%	<del>20%</del>	20%
Maximum Building Height	35 ft.	<del>35 ft.</del>	35 ft.

**E. Supplemental Standards:**

**1. Building Orientation.** Buildings served by municipal water and sewer (i.e. on Class 1 parcels) shall front toward and relate to frontage streets, both functionally and visually, but that orientation may be altered for solar advantage (e.g. roof orientation for PV solar panels, passive solar orientation).

**2. Character of Development.** New buildings and modifications of existing buildings shall be of a similar building mass and orientation as buildings in this District, and shall not unduly detract from the existing character of the Neighborhood District. Where there are conflicts with existing adjoining buildings, building modifications or expansions of uses shall not increase the degree of conflict.

**3. Size of Retail Stores.** In this District, retail stores shall not exceed 7,000 square feet total retail floor space.

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### 2.8 Residential 40,000 (R40) District

**A. Purpose:** To provide moderate-density residential neighborhoods with compatible commercial and civic uses that are consistent with the Chester Town Plan.

**B. Permitted Uses:** The following land uses require a zoning permit issued by the Zoning Administrator (see Section 7.2):

1. Accessory Dwelling
2. Accessory Structure
3. Accessory Use (e.g., Home Child Care Facility, Home Occupation)
4. Agricultural/Forestry (See Sec. 4.3 Exemptions)
5. Family Child Care Home
6. Group Home
7. Residential – Single- and Two-Family

**C. Conditional Uses:** The following land uses require conditional use review by the Development Review Board (see Section 4.8) and a zoning permit issued by the Zoning Administrator (see Section 7.2):

1. Animal Hospital
2. Animal Kennel
3. Building and Construction Trades
4. Campground
5. Civic / Institutional
6. Wireless Communication Facility
7. Commercial Storage Unit
8. Extraction Operations
9. Family Child Care Facility
10. Heavy Construction Trades
11. Home Business
12. Nursery
13. Processing Construction and Landscaping Aggregate
14. Professional Office
15. Recreation
16. Residential – Multi-Family
17. Mobile Home Park
18. Tourist Lodging
19. Wood Processing

### D. Dimensional Standards:

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Minimum Lot Size	40,000 sq. ft.
Minimum Lot Frontage	120 ft.
Minimum Front Yard Setback	40 ft.
Minimum Side Yard Setback	30 ft.
Minimum Rear Yard Setback	30 ft.
Maximum Lot Coverage	20%
Maximum Building Height	35 ft.

**E. Supplemental Standards:**

**1. Driveways.** All new driveways and substantially reconstructed existing driveways along VT Routes 11 and 103 shall meet the Agency of Transportation’s *Access Management Program Guidelines*, as most recently adopted.

**2. Character of Development.** New development and modifications to existing buildings and uses shall be consistent with the existing character of the area and compatible with adjacent land uses with respect to traffic, noise, vibrations, or other impacts in conflict with residential uses.

**3. Landscaping and Screening.** The Development Review Board shall require landscaping or other screening between incompatible uses or structures



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### 2.9 Adaptive 3 (A3) District

**A. Purpose:** To provide property owners in this lower-density district, who are served by municipal water but not municipal sewer, the opportunity to take advantage of existing facilities as well as have potential for the creation of commercial and light industrial uses.

**B. Permitted Uses:** The following land uses require a zoning permit issued by the

Zoning Administrator (see Section 7.2):

1. Accessory Dwelling
2. Accessory Structure
3. Accessory Use (e.g., Home Child Care Facility, Home Occupation)
4. Agricultural/Forestry (See Sec. 4.3 Limitations & Exemptions)
5. Family Child Care Home
6. Group Home
7. Private Broadcast Facility
8. Residential – Single- and Two-Family

**C. Conditional Uses:** The following land uses require conditional use review by the Development Review Board (see Section 4.8) and a zoning permit issued by the Zoning Administrator (see Section 7.2):

1. Animal Hospital
2. Animal Kennel
3. Building and Construction Trades
4. Campground
5. Commercial Broadcast Facility
6. Commercial Storage Unit
7. Family Child Care Facility
8. Heavy Construction Trades
9. Home Business
10. Light Industrial
11. Nursery
12. Professional Office
13. Residential – Multi-Family
14. Tourist Lodging
15. Health Care Facility
16. Restaurant
17. Civic/Institutional
18. Arts and Entertainment
19. Retail Store

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20. Wood Processing

**D. Dimensional Standards:**

Minimum Lot Size	3 acres
Minimum Lot Frontage	200 ft.
Minimum Front Yard Setback	50 ft.
Minimum Side Yard Setback	50 ft.
Minimum Rear Yard Setback	50 ft.
Maximum Lot Coverage	35%
Maximum Building Height	35 ft.

**E. Supplemental Standards:**

**1. Character of Development.** New development and redevelopment in this area shall continue in the current moderate density, with a mix of commercial, light industrial and residential uses.

**2. Driveways.** All new driveways and substantially reconstructed existing driveways shall meet the Agency of Transportation's *Access Management Program Guidelines*, as most recently adopted.

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**2.10 Open Space (OS) District**

**A. Purpose:** This district, which is entirely within FEMA’s mapped Special Flood Hazard Area, protects critical flood plain resources including wetlands, wildlife habitat, and natural flood storage which provides erosion control in the event of a flood, and limits the uses beyond what is allowed under the Flood Damage Prevention Overlay District. Appropriate uses in this district include agriculture, forestry, recreation, and civic, cultural, educational and social events. This district is not appropriate for residential uses.

*Please note the following:*

- *Development in the OS District also requires Flood Damage Prevention Review under Section 4.11.*
- *FEMA’s mapped Special Flood Hazard Areas (the Section 2.14 Flood Damage Prevention Overlay District) include the OS District as well as areas throughout town outside of the OS District.*
- *A permit is not required for exempt uses under Section 4.3 that are not defined as Development under Section 8.2 and therefore do not require Flood Damage Prevention Review under Section 4.11.*

**B. Permitted Uses:** There are no permitted uses in this district. All applications for permits for development require Flood Hazard Review and must be reviewed by the Development Review Board as Conditional Uses.

**C. Conditional Uses:** The following uses require Flood Hazard and Conditional Use Review by the Development Review Board (see Sections 4.8 and 4.11) and a zoning permit issued by the Zoning Administrator (see Section 7.2). All allowed use terms are as defined in Section 8.2:

1. Accessory Structures (structures that are accessory to an approved or exempted use, such as a backstop, dugout and bleachers are accessory to a baseball field)
2. Arts & Entertainment
3. Civic/Institutional
4. Nursery
5. Open Market
6. Recreation
7. Sawmill
8. Wood Processing

**D. Dimensional Standards:**

Minimum Lot Size	5 acres
Minimum Lot Frontage	200 ft.
Minimum Front Yard Setback	50 ft.
Minimum Side Yard Setback	50 ft.
Minimum Rear Yard Setback	50 ft.

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Maximum Lot Coverage	10%
Maximum Building Height	35 ft.

**E. Supplemental Standards:**

**1. Prevent Fragmentation.** Development shall avoid fragmenting prime agricultural soils, active farm fields, forestlands and habitat corridors.



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### 5.2 Road Design

#### A. New Roads.

All new roads, bridges, culverts and drainage ditches serving more than one and any section of a road, bridge, culvert and drainage ditching located within the Town of Chester right of way shall conform to the requirements of the *Town of Chester Road and Bridge Specifications* as most recently amended by the Legislative Body, as well as all Vermont Agency of Transportation Design Specifications.

#### B. Layout and Frontage.

1. The arrangements of roads in the subdivision shall provide for the continuation of existing roads in or between adjacent properties in order to create a logical system for convenient movement of traffic.
2. No land development shall be permitted on existing lots which do not either have frontage on a public road or public waters or, with the approval of the Development Review Board under subdivision review procedures, access to such a road or waters by a right-of-way of record at least 50 feet wide. The Development Review Board may approve a reduction in width to a minimum of 20feet provided that the drive serves only one lot and adequate, safe access will exist with such reduced width. (See Rights-of-Way in Subsection H.)
3. Lot frontage requirements apply to lots served by private development roads as well as lots served by public roads.

#### C. Street Names.

All roads or streets shall be named subject to the approval of the Development Review Board. Street name signs shall be furnished and installed by the Subdivider. The type, size, and location shall be subject to the approval of the Development Review Board.

#### D. Access Road.

1. All access roads that intersect with a town highway are subject to an Access Permit in accordance with the *Town of Chester Road and Bridge Specifications*.
2. Acceptance of private roads by the Town is subject to the approval of the Chester Select Board pursuant to state law for the laying out of public rights-of-way. Construction of roads to these standards in no way ensures such acceptance. In the event the Select Board agrees to accept a road associated with an approved subdivision, the terms of acceptance, including road construction standards, inspection, and maintenance, shall be prescribed in an agreement approved by the Select Board. Such agreement may be included as a condition of subdivision approval, and such approval may specify the timing of development on subdivided lots to ensure coordination with the terms of the agreement between the Select Board and subdivider.

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3. If the access road to the subdivision is a Class 4 road, the Subdivider shall be required to improve the access to Chester Highway Construction Specification standards under the approval of the Select Board.

### E. Sidewalks.

In subdivisions where the density is greater than one unit per acre, sidewalks, or a right-of-way for future sidewalks, may be required on at least one side of all roads by the Development Review Board. Sidewalks may be required in other zoning districts where deemed necessary by the Development Review Board.

### F. Pedestrian Access.

Where necessary, in the judgment of the Development Review Board, rights-of-way may be required to facilitate pedestrian circulation through the subdivision or to provide access to public lands or waters.

### G. Driveways.

1. All driveways that intersect with a town highway are subject to an access permit in accordance with the Town of Chester Road and Bridge Specifications.
2. No parcel of land being subdivided will be permitted more than one access point. Additional accesses may be approved in the event that:
  1. a) The additional access is necessary to ensure vehicular and pedestrian safety;or,
  2. b) The strict compliance with this standard would, due to the presence of one or more physical features (e.g. rivers and streams, steep slopes, wetlands), result in a less desirable development or subdivision design than would be possible with the allowance of an additional access; or,
  3. c) A traffic management plan is developed in association with a planned unit development approved in accordance with Section 4.10.
3. Driveways shall not exceed a 15% grade, unless waived by the Development Review Board.

### H. Rights-of-Way.

In accordance with 24 V.S.A. §4412(3), rights-of-way for any existing lots that do not have frontage on a State or Town Highway require Subdivision approval by the Development Review Board ~~and must conform to the Town of Chester's Road and Bridge Specifications.~~ A right-of-way serving ~~only one~~ **one or two** lots shall conform to the driveway standards **in Section 5.2.G above. Two Three** or more lots not having frontage on a public highway shall meet the ~~road standards~~ **Town of Chester's Road and Bridge Specifications. The Development Review Board shall require that a professional engineer, at the sole expense of the applicant, certify that a newly constructed road was designed and constructed in accordance with the Town of Chester's Road and Bridge Specifications and a certificate of compliance issued by the Zoning Administrator prior to**



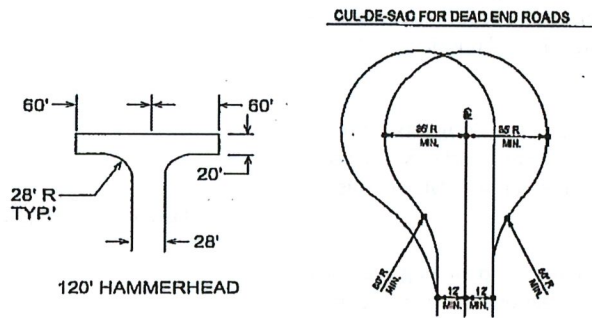
**CHESTER UNIFIED DEVELOPMENT BYLAWS**

opening the newly constructed road to general use. The Development Review Board shall also require that the applicant designate a contact person responsible for future maintenance of the road.

**I. Dead Ends.**

Dead end roads are discouraged, but a suitable turnaround shall be provided if a dead end cannot be avoided due to site conditions. In such circumstances, turnarounds shall be provided at the termini of all dead ends, and the following standards shall apply:

1. "T" or "hammerhead" configurations:
  1. a) Minimum turning radius of 28 feet, measured along the edge of the street (i.e., curb line);
  2. b) Minimum length of each leg shall be 60 feet deep from the centerline and the same width as the roadway.
2. Cul-de-sac configurations are required for all roads 750 feet or longer in major subdivisions, and shall provide a minimum turn-around radius of 35 feet (travel portion of the roadway).



**J. Legal Requirements:**

Every subdivision plan shall show all proposed road and pedestrian rights-of-way, as required under these Bylaws, regardless of whether the proposed right-of-way is intended to be accepted by the town. In the event that the right-of-way is not intended for acceptance by the town, the mechanism by which the right-of-way is to be maintained, owned and/or conveyed shall be clearly documented under Section 5.5B.

## ARTICLE 8 – Definitions

### 8.1 Terms and Uses

Except where specifically defined herein or in the Act, or unless otherwise clearly required by the context, all words, phrases and terms in this bylaw shall have their usual, customary meanings.

Unless the content clearly indicated to the contrary, words in the singular include the plural and those in the plural include the singular. The word "may" is permissive; the words "shall" and "will" are mandatory.

### 8.2 Definitions

**ARTS & ENTERTAINMENT:** A use that includes visual or performing arts centers, art studios or galleries, museums, movie theaters, concert ~~venues or dance halls, nightclubs, taverns~~ or other similar activities that meet the performance standards and all other requirements of these Bylaws. This definition does not include sexually explicit adult-oriented businesses. **It also does not include pubs, bars or clubs.**

**ARTS & ENTERTAINMENT FACILITY:** A use that includes visual or performing arts centers, museums, movie theaters, concert or dance halls, nightclubs, taverns or other similar activities that meet the performance standards and all other requirements of these Bylaws. This definition does not include adult oriented businesses.

Commented [JR7]: Redundant?

**BUILDING AND CONSTRUCTION TRADES:** Includes, but not limited to, plumbing, electrical, carpentry, painting, masonry, roofing, **excavation**, building foundations, **and contractor storage yards.**

**LOT:** A lot or parcel of land the boundaries of which are separately described in a recorded deed or plat. State or municipal highway and railroad rights-of-way or surface waters with a drainage area greater than 10 square miles constitute a lot boundary. **Land under public rights of way shall not be used to meet Minimum Lot Size requirements.**

**MULTI-PURPOSE BUILDINGS:** Buildings with a variety of complimentary and integrated uses, such as, but not limited to, residential, retail, restaurant, professional office and personal services, in a compact urban form. **Multi-purpose** buildings generally include retail, personal service, restaurant and similar uses located on the first-floor, with residential or professional office uses on the second or third floors above.



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**ROADS:** Any street, highway, avenue, land, or right-of-way commonly used by the public for vehicular traffic, regardless of its length that provides access to ~~two~~ **three** or more lots, shall be deemed a road. An access driveway to **one or two** ~~a single~~ lots shall not be considered a road.

## Short Term Rental Regulation Options Landscape

### Purpose:

Strike a balance between the following competing goals & objectives

1. Promoting and protecting the public health, safety, and welfare as well as the safety of STR occupants
2. Allowing STR's to provide supplemental income to residents who live and work in the community.
3. Allowing STR's to encourage tourism and support the local business community.
4. Preventing STR's from eroding neighborhood character, straining long term housing stock, and reducing affordability

### Short Term Rental Options:

Basic Registration included in adopted STR Ordinance

Regulation	Description	Impact Assessment
<b>Basic Registration</b>	Require annual STR registration and attestation to State of Vermont health and safety regulations	<ul style="list-style-type: none"> <li>• Improved STR transparency &amp; tracking</li> <li>• Improved STR health &amp; safety</li> <li>• Minimal impact to most STR Operators</li> <li>• Straight forward STR Administration</li> </ul>
<b>Owner Limit</b>	Limit the # of STR registrations for property owners & corporations	<ul style="list-style-type: none"> <li>• Reduce income for STR owners with multiple listings</li> <li>• Discourage Investors &amp; Corporations</li> <li>• More complex STR Administration</li> <li>•</li> </ul>
<b>Day Limit</b>	Limit the # of days per year a STR can be rented	<ul style="list-style-type: none"> <li>• Reduce income for 2<sup>nd</sup> homeowners</li> <li>• Discourage Investors &amp; Corporations</li> <li>• More complex STR Administration</li> </ul>
<b>Residency Requirement</b>	Require minimum residency requirement (days) or require STR be owners' primary residence	<ul style="list-style-type: none"> <li>• Eliminate or reduce STR income for some 2<sup>nd</sup> homeowners</li> <li>• Eliminate Investors &amp; Corporations</li> <li>• More difficult to enforce</li> </ul>
<b>STR Unit Limit</b>	Limit the total number of STR's allowed. Implement lottery system or waiting list for granting registrations	<ul style="list-style-type: none"> <li>• Cap the growth of un-hosted STR's</li> <li>• Discourage Investors &amp; Corporations</li> <li>• Feasibility of Lottery System</li> </ul>
<b>Zoning Limit</b>	Limit which zoning districts STR are allowed or permit as conditional use	<ul style="list-style-type: none"> <li>• Selective geographic impact to existing STR Operators</li> <li>• Reduce total number of STR's</li> </ul>
<b>STR Waiting Period</b>	Prohibit STR registration within 2 – 3 years of property sale	<ul style="list-style-type: none"> <li>• Discourage property flipping for STR</li> <li>• Discourage Investors &amp; Corporations</li> </ul>
<b>Fees &amp; Taxes</b>	Increase STR fees and taxes to fund construction of workforce housing	<ul style="list-style-type: none"> <li>• Increase cost to STR Operators</li> </ul>
<b>Financial Incentives</b>	Financial incentives with rental agreements to build Long Term (LTR) Rentals or convert existing STR to LTR's	<ul style="list-style-type: none"> <li>• Increase Long Term Rental housing stock</li> <li>• Incentives could be funded through a 1% options tax</li> </ul>



## Vermont Short Term Rental Regulation Status

Town	Status	Description
<b>Burlington</b>	Enacted	Limited primarily to “Hosted” unless dwelling unit is listed as seasonal
<b>Dorset</b>	Planning	Currently researching options and recommendations
<b>Greensboro</b>	Planning	Currently researching options and recommendations
<b>Killington</b>	Enacted	Registration and Health & Safety regulations
<b>Londonderry</b>	Planning	Hosted allowed, Un-Hosted limited to 150 days/year
<b>Ludlow</b>	Evaluating	No clear recommendation has been proposed yet
<b>Manchester</b>	Evaluating	No clear recommendation has been proposed yet
<b>Montgomery</b>	On Hold	Community largely against proposed ordinance of STR as conditional in selected zoning districts
<b>Montpelier</b>	Planning	Currently researching options and recommendations
<b>Morristown</b>	Enacted	Hosted only
<b>Plymouth</b>	Enacted	Registration and Health & Safety regulations
<b>Pownal</b>	Planning	Currently researching options and recommendations
<b>Rutland</b>	Enacted	Registration and Health & Safety regulations
<b>South Burlington</b>	Planning	Currently researching options and recommendations
<b>Stowe</b>	Planning	Currently researching options and recommendations
<b>Wallingford</b>	Planning	Draft would all STR as a Conditional Use
<b>Willmington</b>	Planning	Currently researching options and recommendations
<b>Winhall</b>	Planning	Proposing registration and Health & Safety regulations
<b>Woodstock</b>	Enacted	Permits/Inspections required. Limited to 10 – 15 times per year

Information above was summarized from the “Vermont Short Term Rental Alliance” website [VSTRA](http://VSTRA.org)

## DRAFT FOR DISCUSSION AT 19 JUNE 2023 PLANNING COMMISSION MEETING

### 3.31 Food Trucks, Food Carts, and Food Stands

- A. The Development Review Board may approve a food truck, food cart, or food stand in any zoning district following conditional use review and findings that the proposed activity meets the standards below.
- B. The food truck, food cart, or food stand, and any associated furniture must be located entirely outside of any public or private road right-of-way and not interfere with sight lines at any intersection. As mobile or movable uses their location does not have to meet the setback requirements of the district in which they are located.
- C. The food truck, food cart, or food stand, and any associated furniture may be located within off-street parking areas provided that:
  - 1. It does not reduce the number of parking spaces below the amount needed to accommodate the principal use(s) intended to be served by the parking area.
  - 2. It does not interfere with pedestrian or vehicular access or circulation.
- D. The food truck, food cart, or food stand must not have any signs permanently mounted on the site and the provisions of Section 3.26 will not apply. The use may be advertised with one or more signs mounted on the truck, cart or stand, not to exceed a total sign area of 24 square feet. Up to two sandwich board signs not to exceed 2 feet by 4 feet in size may be located within 100 feet of the truck, cart or stand.
- E. The operator must provide appropriate receptacles for trash, recyclables, and food waste within 10 feet of the food truck, food cart, or food stand, and receptacles must be secured or emptied daily.
- F. The operator must conform to applicable state health and safety codes.
- G. Meeting the Performance Standards of Section 4.9 regarding noise, smoke and odor shall be a condition of any permit issued.
- H. The Development Review Board may set a permit expiration date after which the applicant must reapply to the DRB for a new permit and may as a condition require annual review and renewal of the permit by the Zoning Administrator.