

TABLE OF CONTENTS

TITLE I	GENERAL PROVISIONS.....	I-1
Article 1	General Provisions.....	1-1
1.01	Short Title	1-1
1.02	Authority.....	1-1
1.03	Purpose	1-1
1.04	Goals	1-2
1.05	Jurisdiction.....	1-3
1.06	Effective Date	1-3
1.07	Relationship to Existing Zoning, Subdivision, Soil Erosion and Sedimentation Control Ordinances	1-3
1.08	Relation to Comprehensive Plan and Other Officially Adopted Plans.....	1-3
1.09	No Use or Sale of Land or Buildings Except in Conformity with Ordinance Provisions	1-4
1.10	Relationship to Fire Code, Water and Sewer Use Code and Other Pertinent Town Code Provisions.....	1-4
1.11	Fees	1-4
1.12	Severability.....	1-4
1.13	Notices	1-5
1.14	Computation of Time.....	1-7
1.15	Rules of Language and Construction	1-8
1.16	Minimum Requirements.....	1-8
1.17	Literal Interpretations	1-8
1.18	References.....	1-8
1.19	Provisions Included in "This Ordinance"	1-9
1.20	Headings and Illustrations	1-9
1.21	Current Versions and Citations.....	1-9
1.22	Lists and Examples.....	1-9
1.23	Calculations and Rounding	1-9
1.24	Determination of Value	1-9
1.25	Conflict with Private Agreements and Controls	1-10
1.26	Annexation	1-10
Article 2	Administrative Mechanisms	2-1
2.01	Board of Adjustment	2-1
2.02	Planning Commission	2-5
2.03	Community Appearance Commission	2-11
2.04	Historic Preservation Commission.....	2-17
2.05	Reserved.....	2-22
2.06	Land Use Administrator.....	2-23
2.07	Public Works Director.....	2-25
2.08	Town Council	2-25
Article 3	Reserved	3-1
TITLE II	REVIEW AND APPROVAL PROCEDURES	II-1
Article 4	Permits	4-1
4.01	Permits	4-1
4.02	No Occupancy, Use, or Sale of Lots Until Requirements Fulfilled	4-2
4.03	Who May Submit Permit Applications	4-3
4.04	Staff Consultation Before Formal Application.....	4-4
4.05	Applications.....	4-4

4.06	Staff Consultation After Application Submitted	4-7
4.07	Applications to be Processed Expeditiously	4-8
4.08	Zoning Permits.....	4-8
4.09	Special Use Permits and Major Subdivision Preliminary Plat Approval.....	4-10
4.10	Uses Previously Approved by Conditional Use Permit	4-10
4.11	Variance	4-10
4.12	Authorizing Use, Occupancy, or Sale Before Completion or Dedication of Development	4-10
4.13	Completing Developments in Phases	4-11
4.14	Vested Rights	4-11
4.15	Effect of Permit on Successors	4-13
4.16	Modification of Permits.....	4-13
4.17	Maintenance of Common Areas, Improvements, and Facilities	4-15
4.18	Design and Other Professionals.....	4-15
4.19	Project Manager	4-16
Article 5	Subdivisions.....	5-1
5.01	No Subdivision Without Plat Approval	5-1
5.02	Flood Damage Prevention	5-2
5.03	Water Supply Watershed Area	5-2
5.04	Design Standards	5-2
5.05	Exempt Divisions of Land.....	5-3
5.06	Subdivision types.....	5-3
5.07	Minor Subdivision.....	5-4
5.08	Major Subdivision.....	5-5
5.09	Plat Approval Not Acceptance of Dedication Offers	5-2
Article 6	Board of Adjustment Hearings.....	6-1
6.01	Provisions Applicable to All Hearings	6-1
6.02	Special Use Permit, Transitional Zones and Major Subdivision Preliminary Plat Applications	6-8
6.03	Variances	6-13
6.04	Appeal of Administrative Decision	6-16
6.05	Appeal of Decisions of the Historic Preservation Commissions	6-20
Article 7	Nonconformities.....	7-1
7.01	General Regulations	7-1
7.02	Nonconformities Created by Public Acquisition	7-2
7.03	Nonconforming Use.....	7-3
7.04	Nonconforming Lot of Record	7-4
7.05	Nonconforming Situation	7-4
Article 8	Historic Preservation	8-1
8.01	Historic Districts	8-1
8.02	Landmarks	8-1
8.03	Certificate of Appropriateness Required.....	8-2
8.04	Remedies	8-4
8.05	Certain Changes Not Prohibited	8-4
8.06	Delay in Demolition of Landmarks and Buildings Within Historic District.....	8-4
Article 9	Amendments.....	9-1
9.01	Amendments in General.....	9-1
9.02	Initiation of Amendments	9-1
9.03	Hearing Required: Conduct of Hearing; Notice of Hearing	9-4
9.04	Citizen Comment	9-6
9.05	Planning Commission Consideration of Proposed Amendments.....	9-6

9.06	Council Action on Amendments	9-7
9.07	Ultimate Issue Before Council on Amendments.....	9-8
9.08	Action Subsequent to Council Decision	9-8
9.09	Conditional Districts (CD)	9-9
9.10	Reserved	9-10
9.11	Previously Approved Conditional Use Zoning Districts	9-10
Article 10	Reserved	10-1
Article 11	Reserved	11-1
TITLE III	ENFORCEMENT.....	III-1
Article 12	Enforcement.....	12-1
12.01	Violations.....	12-1
12.02	Complaints Regarding Violations.....	12-1
12.03	Persons Liable.....	12-1
12.04	Investigations	12-2
12.05	Enforcement.....	12-2
12.06	Remedies	12-4
12.07	Civil Penalties.....	12-6
12.08	Stop Work Orders	12-7
12.09	Permit and Certificate Revocation	12-8
12.10	Enforcement by Others	12-9
Article 13	Reserved	13-1
TITLE IV	DISTRICTS AND USES	IV-1
Article 14	Zoning Districts and Zoning Map	14-1
14.01	Residential Districts Established.....	14-1
14.02	Commercial Districts Established	14-3
14.03	Educational Districts Established.....	14-4
14.04	Manufacturing District Established	14-5
14.05	Conditional Districts Established	14-5
14.06	Special Flood Hazard Area	14-5
14.07	Watershed Districts	14-5
14.08	Corridor Overlay Districts	14-5
14.09	Neighborhood Conservation Districts	14-7
14.10	Viewshed Protection District	14-8
14.11	Historic Districts	14-11
14.12	Split Zone	14-11
Article 15	District Use Requirements	15-1
15.01	Types of Uses.....	15-2
15.02	Unlisted Uses	15-4
15.03	Accessory Uses	15-5
15.04	Permissible Uses Not Requiring Permits	15-6
15.05	Combination Uses.....	15-6
15.06	More Specific Use Controls	15-6
15.07	Table of Principal Uses	15-5
15.08	Manufactured Home (Class A and Class B).....	15-15
15.09	Manufactured Home Park	15-15
15.10	1.07 Duplex; 1.08-1.10 Townhouse; 1.11-1.13 Multi-Family Dwelling; 1.14-1.16 Multi-Family Dwelling In Mixed Use (unless specifically excluded)	15-19

15.11	Multi-Family in Mixed Uses	15-22
15.12	Reserved	15-27
15.13	Family Care Home	15-27
15.14	Family Care Institution, Nursing Care Home, Nursing Care Institution, Skilled Nursing Facility, Halfway House Category 1, Halfway House Category 2	15-27
15.15	Retirement Community Category 1, Retirement Community Category 2	15-27
15.16	Fraternity and Sorority Dwelling	15-28
15.17	Boarding House	15-28
15.18	Home for Survivors of Domestic Violence	15-28
15.19	Shelter for Homeless Category 1 and Shelter for Homeless Category 2	15-29
15.20	Bed and Breakfast Category 1 and Bed and Breakfast Category 2	15-29
15.21	Vacation Rental	15-31
15.22	Airport/Landing Strip, Heliport, Helistop	15-31
15.23	Utility Facility	15-31
15.24	Telecommunication	15-31
15.25	Child Daycare (Large and Center) and Adult Daycare (Large and Center)	15-34
15.26	Kennel and Veterinary Office/Hospital	15-35
15.27	Retail Store 25,000 Square Feet or Greater (Use 11.18)	15-35
15.28	Reserved	15-35
15.29	Open Air Markets	15-36
15.30	Vehicle Sales and Service	15-37
15.31	Equipment Sales and Service	15-37
15.32	Boat or Marine Craft Sale and Service	15-37
15.33	Impound Lot/Towing Service	15-38
15.34	Indoor Shooting Range	15-38
15.35	Campground and Recreational Vehicle Park	15-40
15.36	Community Garden	15-41
15.37	Garden	15-41
15.38	Forestry	15-41
15.39	Microbrewery and Brewpub	15-41
15.40	Brewery/Distillery	15-41
15.41	Brewery/Distillery, Other	15-42
15.42	Wineries	15-42
15.43	Extraction of Earth Materials	15-42
15.44	Machine/Welding Shop	15-42
15.45	Manufacturing	15-42
15.46	Parking Lot/Park and Ride	15-44
15.47	Parking Structure	15-44
15.48	Self-Storage Facilities	15-44
15.49	Outdoor Storage (Principal Use); Recycling Drop-off Station; Recycling and Salvage	15-45
15.50	Electronic and Internet Gaming	15-46
15.51	Adult Establishment	15-46
15.52	Secondary Suite (Accessory)	15-47
15.53	Home Occupation (Accessory)	15-47
15.54	Accessory Dwelling Unit (Accessory)	15-48
15.55	Drive-Through (Accessory)	15-50
15.56	Outdoor Display (Accessory)	15-50
15.57	Outdoor Storage (Accessory)	15-51
15.58	Outdoor Dining (Accessory)	15-51

15.59	Automated Teller Machines (ATM), Freestanding (Accessory)	15-51
15.60	Produce Stand (Accessory)	15-51
15.61	Poultry (Accessory)	15-51
15.62	Small Livestock (Accessory)	15-51
15.63	Large Livestock (Accessory)	15-52
15.64	Bees (Accessory)	15-52
15.65	Gardens (Accessory)	15-52
15.66	Swimming Pools, Spas, and Hot Tub (Accessory)	15-52
15.67	Caretaker's Residence (Accessory)	15-53
15.68	Vehicular Gate (Accessory)	15-53
15.69	Temporary Uses.....	15-53
15.70	College- or University-Operated Community Enterprise	15-62
Article 16	District Standards	16-1
16.01	Schedule of Land Use Intensity Regulations.....	16-1
16.02	Gross Land Area.....	16-3
16.03	Minimum Lot Widths.....	16-3
16.04	Minimum Street Frontage Widths.....	16-3
16.05	Reserved	16-3
16.06	Building Setback Requirements.....	16-3
16.07	Accessory Structure Setback Requirements.....	16-5
16.08	Building Height	16-5
16.09	Minimum Building Spacing	16-10
16.10	Intensity Regulations for the U1 District	16-11
16.11	Architecturally Integrated Subdivisions.....	16-11
16.12	Density on Lots Where Portion Dedicated to Town	16-12
Article 17	Wellness District Standards	17-1
17.01	Applicability	17-1
17.02	District Use Requirements.....	17-2
17.03	District Standards	17-3
17.04	Building Form	17-3
17.05	Architectural Standards	17-5
17.06	Landscape Standards.....	17-9
17.07	Parking Standards.....	17-14
17.08	Streets, Driveways, Sidewalks and Greenways	17-16
17.09	Signs	17-17
Article 18	B1 Central Business District Standards	18-1
18.01	Applicability	18-1
18.02	Design Standards	18-1
TITLE V	GENERAL DEVELOPMENT STANDARDS	V-1
Article 19	Grading.....	19-1
19.01	Activities Affected	19-1
19.02	Grading Performance Standards	19-1
19.03	Special Requirements for Land Disturbing Activities Involving Steep Slopes.....	19-3
Article 20	Soil Erosion and Sediment Control	20-1
20.01	Activities Affected	20-1
20.02	Exemptions to Soil Erosion and Sediment Control Requirements	20-2
20.03	Basic Erosion Control Objectives	20-3
20.04	Soil Erosion Control Design Standards	20-3

20.05	Soil Erosion Control Performance Standards	20-4
20.06	Acceptable Erosion Control Management Measures.....	20-5
20.07	Monitoring and Maintenance of Erosion Control Measures.....	20-6
20.08	Existing Uncovered Areas	20-6
Article 21	Stormwater Management	21-1
21.01	Plan Approval Required	21-1
21.02	Diligence in Construction of Drainage Structures	21-1
21.03	Drainage & Stormwater Management Performance Standards	21-1
Article 22	Utilities.....	22-1
22.01	Utility Ownership and Easement Rights	22-1
22.02	Lots Served by Town Owned Water or Sewer.....	22-1
22.03	Sewage Disposal Facilities Required.....	22-1
22.04	Determining Compliance with Sewage Disposal Facilities Requirements	22-1
22.05	Water Supply System Required.....	22-2
22.06	Determining Compliance with Water Supply System Requirements	22-2
22.07	Electric Power.....	22-2
22.08	Telephone Service	22-2
22.09	Underground Utilities.....	22-3
22.10	Utilities to Be Consistent With Internal and External Development	22-3
22.11	As - Built Drawings Required	22-3
22.12	Fire Hydrants	22-3
22.13	Solid Waste and Recycling Containers.....	22-4
Article 23	Driveways, Streets and Sidewalks.....	23-1
23.01	Street Classification	23-1
23.02	Access to Lots	23-2
23.03	Driveways	23-2
23.04	Relationship of Streets to Topography.....	23-3
23.05	Street Width and Drainage Requirements	23-3
23.06	General Layout of Streets.....	23-4
23.07	Construction Standards and Specifications	23-5
23.08	Pedestrian Circulation and Sidewalk Requirements.....	23-5
23.09	Street Names and House Numbers	23-7
23.10	Bridges	23-7
Article 24	Parking	24-1
24.01	Parking Spaces Required	24-1
24.02	Parking Space Dimensions and Required Widths of Parking Area Aisles and Driveways.....	24-7
24.03	General Design Requirements.....	24-8
24.04	Vehicle Accommodation Area Surfaces.....	24-9
24.05	Shared Parking.....	24-11
24.06	Satellite Parking.....	24-12
24.07	Loading and Unloading Areas.....	24-13
24.08	Bicycle Parking.....	24-14
24.09	Motorcycle Parking.....	24-20
Article 25	Community Appearance Standards	25-1
25.01	Applicability	25-1
25.02	Building Design	25-1
25.03	Parking Structures	25-7
25.04	Site Walls	25-8
25.05	Lighting	25-9

25.06	Flexibility in Administration.....	25-10
25.07	Alternatives	25-10
Article 26	Signs.....	26-1
26.01	General Regulation of Signs.....	26-1
26.02	Signs Which Do Not Require a Permit	26-3
26.03	Signs Excluded From Regulation.....	26-4
26.04	Prohibited Signs.....	26-4
26.05	Signs Permitted in the R1, RA, RR, R1A, R2, R4 and MH Districts.....	26-5
26.06	Signs Permitted in the R3 District.....	26-6
26.07	Signs Permitted in the B1 District.....	26-6
26.08	Signs Permitted in the B2 District.....	26-7
26.09	Signs Permitted in the B3 District.....	26-8
26.10	Signs Permitted in the M1 District.....	26-9
26.11	Signs Permitted in the OI District	26-9
26.12	Shopping Centers and Malls	26-10
26.13	Marquee Sign Regulations.....	26-11
26.14	Home Occupation Signs.....	26-13
26.15	Exceptions and Modifications	26-13
26.16	Temporary Sign Regulations.....	26-15
26.17	Political Sign Regulations.....	26-20
26.18	Maintenance and Relocation of Signs	26-21
26.19	Obsolete and Abandoned Sign Regulations	26-22
26.20	Permanent Off-Premise Signs in Easements	26-22
Article 27	Residential Occupancy Controls	27-1
27.01	Residential Occupancy Control.....	27-1
Article 28	Reserved	28-1
TITLE VI	NATURAL RESOURCES	VI-1
Article 29	Watershed Protection	29-1
29.01	Adoption Date and Effective Date.....	29-1
29.02	Jurisdiction.....	29-1
29.03	Exceptions to Applicability	29-1
29.04	Establishment of Watershed Review Boards	29-2
29.05	Establishment of Watershed Areas	29-2
29.06	Watershed Areas Described	29-2
29.07	Cluster Development.....	29-4
29.08	Buffer Areas Required	29-5
29.09	Rules Governing the Interpretation of Watershed Area Boundaries	29-5
29.10	Existing Development.....	29-5
29.11	Watershed Protection	29-5
29.12	Public Health, Safety, and General Welfare	29-6
Article 30	Flood Damage Prevention	30-1
30.01	General Provisions.....	30-1
30.02	Administration.....	30-2
30.03	Provisions for Flood Hazard Reduction	30-7
Article 31	Landscape Standards.....	31-1
31.01	Applicability.....	31-1
31.02	General Screening Standard	31-1
31.03	Compliance with Screening Standard	31-2

31.04 Screening Land Use Classification	31-2
31.05 Table of Screening Requirements.....	31-3
31.06 Buffer and Screen Requirements	31-4
31.07 Combination Uses.....	31-7
31.08 Subdivisions.....	31-7
31.09 Screening Along Streets.....	31-8
31.10 Vehicular Surface Area	31-9
31.11 Flexibility in Administration Required	31-11
31.12 Compliance and Maintenance.....	31-11
31.13 Preservation of Existing Trees and Vegetation.....	31-14
Article 32 Reserved.....	32-1
Article 33 Reserved.....	33-1
TITLE VII DEFINITIONS.....	VII-1
Article 34 Definitions	34-1
34.01 Definitions of Basic Terms	34-1
TITLE VIII APPENDICES	VIII-1
Appendix A Application Information	1
Appendix B Guide for Landscaping	1