Draft of Revised Density Standards

Revised 11/10/24

**Section 201.1 Recreational Commercial (RC)**

General Description: Lands within the former Timber Ridge Ski Area, occupied by the original base lodge, accessory structures, and parking areas, and outside the boundaries of the adjacent Forest District (F-2) and Residential District. Lands within the Tater Hill Golf Club occupied by the portion of the golf course within the boundaries of the town of Windham, the club house, restaurant, accessory structure, and parking areas.

Purpose: Provide for commercial development in an area selected to minimize impacts on the town’s rural character and traditional land uses, including forestry, agriculture and residential.

Permitted Uses: Single Family Dwelling, Two Family Dwelling, Accessory Dwelling Unit, Bed and Breakfast, Country Inn, Professional Offices, Personal Services.

Conditional Uses: Multifamily Dwelling, Garage/Gas Stations, Retail over 2,000 square feet, Storage/Warehouse, Planned Unit Development (PUD), Recreational/entertainment facilities, Restaurant, Retail Store, wind energy system, solar array.

 **Density**: ~~One unit per lot~~ 1 Dwelling Unit (Single-Family, Two-Family or Multi-Family) per lot. Or, 1 business or professional building per lot (including a Bed and Breakfast, Country Inn, or PUD). An Accessory Dwelling Unit may accompany a Single-Family and Two-Family Dwelling. **A business may be located in a dwelling unit or in an ~~existing~~ accessory structure.**

##### Minimum Lot Size: 1 acre OR ½ (one half) acre for PUD (Planned Unit Development)

Site Design for PUDs – PUDs with buildings grouped together in a village design with shared parking, open space, and integrated street tree and landscape design.

**Section 201.2 Hamlet (H)**

General Description: Areas of town with existing higher density of development, characterized by a traditional village or fairly dense mixed-use settlement pattern, as exists in Windham Center and South Windham.

Purpose: Continue historic higher density, mixed uses settlement pattern; prevent linear pattern of development; encourage compact development with distinct boundaries so as to preserve open space and minimize rural sprawl.

Permitted Uses: Single Family Dwelling, Two Family Dwelling, Accessory Dwelling Unit

Conditional Uses: Multifamily Dwelling, Home industry/business, ~~Personal Service~~, Professional Office, **~~Accessory Use???~~** Bed and Breakfast, Country Inn, Education, Commercial Garage, Government/Community Services, Planned Unit Development (PUD), solar array.

 Prohibited Uses: wind energy system.

  **Density: ~~one principal structure per lot~~ 1** Dwelling Unit (Single Family, Two-Family or Multi-Family) per lot. Or, 1 business or professional building per lot (including a Bed and Breakfast, Country Inn, or PUD). An Accessory Dwelling Unit may accompany a Single Family Dwelling. **A business may be located in a dwelling unit or in an ~~existing~~ accessory structure.**

Minimum Lot Size: 1 acre

**Section 201.3 Forest Districts (F)**

General Description: Windham has designated four Forest Districts. They are areas of steep slopes and contiguous forest. The land is characterized by the absence of development or improved roads…

Purpose: Protect large contiguous parcels of forest land and numerous natural and community resource values including town and regional watersheds; protect against soil erosion and related problems with development on steep slopes; minimize impact to municipal services.

Permitted Uses on land below 2000 feet elevation:

1. Agricultural, including: maple sugaring, pasturing livestock, raising crops, and building accessory to and necessary for such uses.

2. Commercial forestry

 3. Forestry for research, demonstration, education and related uses

 4. Private camp, consisting of a building used occasionally or seasonally for temporary shelter in connection with hunting, fishing or a recreational activity…

(**continue language on page 9 in current zoning regs)**

5. Accessory uses customarily incidental to a permitted or conditional use on the same lot. Accessory ~~buildings~~ **structures** shall not be used for dwelling purposes.

Conditional Uses on land below 2000 feet elevation:

1. Single family dwelling with state approved septic system.

2. Two-Family Dwelling with state approved septic system, or

3. A recreational camp for seasonal or occasional use for non-commercial, limited outdoor recreation… (not both) **(continue language on pp. 9-10 of current zoning regs)**

4.. Extraction of Earth Resources (must comply with Section 504).

5. Solar arrays and individual wind energy systems.

Permitted Uses on land 2000 feet to 2500 in elevation

1. Commercial Forestry (including maple sugaring)

Conditional Uses on land 2000 feet or more in elevation:

1. Pasturing livestock on previously open land.

2. Forestry for research, demonstration, education and related uses

3. Private camp

**Density** on land below 2000 feet: ~~1 dwelling unit per lot.~~ 1 Dwelling Unit (Single-Family or Two-Family) per lot, OR 1 camp (private or recreational) per lot, not both.

Density on land **2000 feet to 2500 feet in elevation**: ~~1 private camp per lot~~. Any construction over 2500 requires an Act 250 permit from the State of Vermont.

Minimum Lot Size: 27 acres

**Section 201.4 Rural Residential (RR)**

General Description: All remaining lands in Windham shall be zoned Rural Residential and subject to the Permitted and Conditional Uses and General Performance Standards of the current Zoning Regulations.

Purpose: Continue historic residential settlement pattern; prevent linear pattern of development; encourage compact development with distinct boundaries so as to preserve open space and minimize rural sprawl.

Permitted Uses: Single Family Dwelling, Two Family Dwelling, Accessory Dwelling Unit

Conditional Uses: Multi-Family Dwelling, Home industry/business, ~~Personal Service~~, Professional Office, **~~Accessory Use,???~~** Bed and Breakfast, Country Inn, Education, **Commercial** Garage, Government/Community Services, Planned Unit Development (PUD), Repair Shop, Retail Store, Extraction of Earth Resources (must comply with Section 504), Restaurant, and Recreational Facilities, wind energy system, solar array.

 **Density: ~~one dwelling per lot~~** 1 Dwelling Unit (Single Family, Two-Family or Multi-Family) per lot. Or, 1 business or professional building per lot (including a Bed and Breakfast, Country Inn, or PUD). An Accessory Dwelling Unit may accompany a Single Family Dwelling or Two Family Dwelling. **A business may be located in a dwelling unit or in an ~~existing~~ accessory structure.**

Minimum Lot Size: one acre

**Section 201.6 Historic District Overlay (HD)**

General Description: The two Historic Districts in Windham, as shown on maps from the National Register of Historic Places, identify historic places in the Town of Windham and South Windham as described in Chapter VI of the Town Plan. The Windham Congregational Church (Meeting House) and Baptist Church (Valley Bible Church) are part of the Vermont Historic Sites and Structure Survey. The Historic District Overlay covers part of the Hamlets of Windham and South Windham. The structures and area of the District are defined on the National Register of Historic Places…and the Town of Windham…website.

Purpose: The purpose of the Historic District is to define the structures in the district which provide a vision of the old town, to maintain the character of the vision for those structures, and to align future modifications and additions to the district with the character of that historic vision. New buildings and building renovations should be consistent with the historic character of the villages. The Historic Districts should continue higher density, support a mixture of business, institutional and civic uses; prevent linear pattern of development; encourage compact development with distinct boundaries so as to preserve open space and minimize rural sprawl…

##### **Permitted uses: Single family dwelling ~~s with Accessory Structures,~~ Two Family Dwelling, Accessory Dwelling Unit**

Conditional Uses: Multifamily Dwellings, Home industries/Businesses, ~~Personal Services,~~ Professional Office, **~~Accessory Use???~~** Bed and Breakfast, Country Inn, Education, Residential Garage, Government/community Services, solar array, **in-ground swimming pools, ~~tennis~~ sports courts (e. g. tennis, pickleball, basketball).**

Not permitted uses: Wind energy system, ~~swimming pools (in ground), tennis courts.~~

##### **Density: ~~One Dwelling with Accessory Structures per lot.~~**  1 Dwelling Unit (Single Family, Two-Family or Multi-Family) per lot. Or, 1 business or professional building per lot (including a Bed and Breakfast, Country Inn, or PUD). An Accessory Dwelling Unit may accompany a Single Family Dwelling. **A business may be located in a dwelling unit or in an ~~existing~~ accessory structure.**

Minimum Lot Size: 1 acre

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**Definitions:**

**Dwelling Unit:** A room or rooms connected together containing cooking, sanitary and sleeping facilities that constitute a separate, independent housekeeping establishment for residents. It shall include prefabricated modular units and mobile homes, as well as recreational vehicles, which **ARE OCCUPIED** ~~remain on a parcel~~ for more than 90 days within any consecutive 12-month period. It shall not include a motel, hotel, boarding house, tourist home, camps or similar structures.

**Dwelling Unit: Accessory: ~~an efficiency or one-bedroom apartment~~ A dwelling unit that is clearly subordinate to a single-family dwelling, and has facilities and provisions for independent living, including sleeping, food preparation, and sanitation, provided there is compliance with all the following:**

(i) The property has sufficient wastewater capacity

(ii) The unit does not exceed 30 percent of the total habitable floor area of the single-family dwelling or 900 square feet, whichever is larger.

(iii) Applicable setback, coverage, and parking requirements specified in the bylaws are met.

**Dwelling, Single Family**: A dwelling unit occupied by one family.

**Dwelling, Two Family**: Two dwelling units located in a single building, each occupied by families living independently of one another. At a minimum, units in a two-family dwelling must be attached by a common vertical wall or floor.

Dwelling, Multi Family: Three or more dwelling units located in a single building, each occupied by families living independently of one another. At a minimum, units in a multi-family dwelling must be attached by a common wall or floor.

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Current Definitions of Structures

~~Accessory Structure: Shed, wood storage bins, swimming pools (in ground), tennis courts, dog kennels, chicken house and other structures not covered by the above.~~

~~Appurtenant (structure): appurtenant structure means a structure which is on the same parcel of property as the principal structure and the use of which is incidental to the use of the principal structure~~

~~Structure: Any feature, which has been or intends to be added to a site such as barns, house, camps, sheds, TV antennas, chicken coops, etc. A complete list is contained in The Town Zoning Application~~

Proposed new definitions of Structures:

Structure, Principal: Any dwelling (including Accessory Dwelling Units and camps) or any building used as an office, business or for other commercial purposes (including Mobile Home Parks and Planned Unit Developments).

Structure, Accessory: Any minor structure or secondary feature, which has been or intends to be added to a site, such as barns, sheds, chicken coops, wood storage bins, swimming pools (in ground), dog kennels, tennis courts, etc. See the Town Zoning Permit Application for additional examples.

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**Current definition of recreational vehicle in Sec. 712 (p. 59)**

Recreational vehicle” means a vehicle which is: (a) Built on a single chassis; (b) 400 square feet or less when measured at the largest horizontal projection; (c) Designed to be self-propelled or permanently towable by a light duty truck; and (d) Designed primarily not for use as a permanent dwelling but as a temporary living quarters for recreational, camping, travel, or seasonal use.

**\*\*\*If we add a new section (Sec. 500) on RV’s, should the definition of a “recreational vehicle” that is in Sec. 712 be repeated in Appendix A, Definitions?**