

2.15.1 SOUTHERN GROWTH DISTRICT – CORE OVERLAY DISTRICT

(A) Purpose: In addition to the stated purposes for the underlying Southern Growth District, the specific purpose of the Core Overlay District is to concentrate uses of higher impact and to provide incentive for a concentrated center for the Growth District.

(B) Permitted Uses:

- 1. Accessory Dwelling [Section 4.2]
- 2. Bed and Breakfast
- 3. Financial Institution
- 4. Office, equal to or less than 30,000 square feet of total floor area
- 5. Personal Service, equal to or less than 30,000 square feet of total floor area
- 6. Retail Sales and Service, equal to or less than 30,000 square feet of total floor area
- 7. Lodging Facility equal to or less than 30,000 square feet of total floor area
- 8. Other permitted uses within the underlying district

(C) Conditional Uses:

- 1. Retail Sales and Services or other Commercial use, greater than 30,000 square feet of total floor area
- 2. Lodging Facility, greater than 30,000 square feet of total floor area
- 3. Other conditional uses within the underlying district

(D) Dimensional Requirements

Maximum coverage: As per Planning Commission review; see Section 5.3(F)
 All other dimensional requirements: As specified for the underlying district

(E) Core Overlay District Requirements

- 1. All new developments within the Southern Growth District Core Overlay District shall be served by municipal water and wastewater.
- 2. Coverage maximums are for building and lot.

TABLE 2.15 SOUTHERN GROWTH DISTRICT

(A) Purpose: The purpose of the Southern Growth District is to provide an area for future residential and commercial growth in a compact and well designed pattern of development that is complementary, rather than competitive, to Swanton Village and other growth centers in adjacent towns, to provide for growth of an efficient system of roads and other infrastructure and to create connections between transportation modes. The design and development of this district should be accomplished in such a manner that historic, aesthetically pleasing, and environmentally appropriate patterns of development are created and visual impacts to surrounding roads and highways are avoided.

(B) Permitted Uses:

1. Accessory Dwelling [Section 4.2]
2. Accessory Uses/Structure [to a permitted use]
3. Agriculture
4. Child Care Home [6 children or less; Section 4.9]
5. Group Home [8 residents or less]
6. Home Occupation
7. Recreation/Outdoor
8. Roadside Stand
9. Single Family Dwelling

(C) Conditional Uses:

1. Accessory Use/Structure [to a conditional use]
2. Adaptive Reuse of an Historic Barn [Section 4.3]
3. Bed and Breakfast
4. Child Care Facility [Section 4.10]
5. Conversion of a Single Family Dwelling
6. Cottage Industry [Section 4.11]
7. Garden Center
8. Lodging Facility
9. Multi-Family Dwelling
10. Parking Facility
11. Public Facility [See (2.15.E)]
12. Retail Sales and Service, equal to or less than 30,000 square feet total floor area
13. Roadside Stand [Section 4.18]
14. Two Family Dwelling
15. Office and Personal Services, equal to or less than 30,000 square feet total floor area

(D) Dimensional Requirements (unless otherwise specified for a particular use):

Minimum Lot Size:	1/4 acre
Acres/Dwelling unit:	1/4 acre
Minimum Lot Frontage:	70 feet
Minimum Lot Depth:	70 feet
Minimum Setbacks:	
Front	30 feet
Side	15 feet
Rear	15 feet

Maximum Coverage:	As per Planning Commission review; see Section 5.3(F)
Maximum Height:	35 feet or 2-1/2 stories
For Specified Accessory Structures:	Table 2.16
PUDs:	Allowed [Article 8]

(E) District Requirements

1. Public facilities in this district are restricted to recreation and associated structures, educational facilities, public safety, and municipal water and wastewater facilities.

TABLE 2.14 NATIVE AMERICAN SITES OVERLAY DISTRICT (NASO)

(A) Purpose: The purpose of the Native American Sites Overlay District is to create trust, confidence and harmony between private property owners and Native Americans; to insure property owners' rights, privacy and property values; to preserve and protect Native American ancestral burial grounds.

(B) Permitted Uses

1. Agriculture [Section 9.1]
2. Forestry [Section 9.1]
3. Outdoor Recreation [no structures]

(C) Conditional Uses

All other permitted or conditional uses listed for the underlying district, unless otherwise specifically exempted under Section 5.5.

(D) Dimensional Standards

As set forth for the underlying district, unless otherwise specified for a particular use.

(E) District Requirements

1. Uses permitted within the Native American Sites Overlay Specifically include agriculture and forestry; unimproved open space, recreational and educational uses; and those uses generally permitted within single family dwellings which do not require structural alterations (i.e., child care homes, group homes, and home occupations as defined herein). All other uses and structures, including but not limited to new or expanded single family dwellings, additions and accessory structures, shall be subject to review under Section 3.17, as well as all other applicable municipal and state regulations. All properties on Monument Road and Fournier Lane with either a MOXXX or FLXXX parcel id prefix shall be subject to review under Section 3.17.
2. Applications for development within the Native American Site Overlay District shall be submitted in accordance with the provisions of Section 3.17 and are subject to state and federal agency referral requirements in accordance with Sections 9.1.
3. Development in the Native American Sites Overlay District shall be subject to conditional use review under Section 5.4 as well as applicable requirements of the underlying zoning district. Where this overlay imposes more restrictive standards on the construction and use of structures or land, the most restrictive standards shall apply.
4. Requests for variances for development within the Native American Sites Overlay District shall be subject to review under Section 9.4.
5. Permits, certifications and variance actions for development within the Native American Sites Overlay District shall be recorded by the Administrative Officer in accordance with Sections 5.4 and 9.6.

TABLE 2.13 FLOOD HAZARD OVERLAY DISTRICT (FHO)

(A) Purpose: The purpose of the Flood Hazard Area Overlay District is to promote public health, safety and welfare by preventing or minimizing hazards to life or property due to flooding. It is also the intent to the Town and Village of Swanton to regulate development within identified flood hazard areas in accordance with state and federal law in order to ensure that private property owners are eligible for flood insurance through the National Flood Insurance Program (NFIP).

(B) Permitted Uses

- 1. Agriculture [Section 9.1]
- 2. Forestry [Section 9.1]
- 3. Outdoor Recreation [no structures]

(C) Conditional Uses:

All other permitted or conditional uses listed for the underlying district, unless otherwise specifically exempted under Section 5.5.

(D) Dimensional Standards

As set forth for the underlying district, unless otherwise specified for a particular use.

(E) District Requirements:

- 1. Uses permitted within the Flood Hazard Area Overlay specifically include agriculture and forestry; unimproved open space, recreational and educational uses; and those uses generally permitted within existing single family dwellings which do not require structural alterations (i.e., child care homes, group homes, and home occupations as defined herein). All other uses and structures, including but not limited to new or expanded single family dwellings, additions and accessory structures, shall be subject to review under Section 5.5, as well as all other applicable municipal and state regulations. A “permitted use” in the underlying zoning district shall be reviewed only in accordance with the standards set forth in Section 5.5, and not other conditional use standards.
- 2. Mandatory state [§4424] and federal [44 CFR 60.3 and 60.6] requirements for continued eligibility in the National Flood Insurance Program – including but not limited to associated structural standards, definitions, administrative and variance requirements – are hereby adopted by reference and shall be applied to all development in this district. Accordingly:
 - a. Applications for development within the Flood Hazard Area Overlay District shall be submitted in accordance with the provisions of Section 5.5(A), and are subject to state and federal agency referral requirements in accordance with Sections 9.1 and 5.5(B).
 - b. Development in the Flood Hazard Area Overlay District shall be subject to conditional use review under Section 5.5, as well as applicable requirements of the underlying zoning district. Where this overlay imposes more restrictive standards on the construction and use of structures or land, the most restrictive standards shall apply.
 - c. Requests for variances for development within the Flood Hazard Area Overlay District shall be subject to review under Section 9.4(C).
 - d. Permits, certifications and variance actions for development within the Flood Hazard Area Overlay District shall be recorded by the Administrative Officer in accordance with Sections 5.5(E) and 9.6(E).

TABLE 2.12 TRAVEL SERVICE AREA (TSA) DISTRICT

(A) Purpose: The Travel Service Area District is intended to provide an appropriate location for commercial uses and services for the traveling public in the vicinity of the I-89 interchange and adjacent to Swanton Village.

(B) Permitted Uses:

1. Accessory Use/Structure [to a permitted use]
2. Automobile Repair [Section 4.5]
3. Automobile Sales [Section 4.5]
4. Automobile Service Station [Section 4.5]
5. Financial Institution
6. Lodging Facility
7. Mixed Use [Section 4.13]
8. Night Club
9. Personal Service
10. Public Facility [See Section (E)]
11. Restaurant
12. Retail Sales & Service
13. Storage Facility
14. Transit Facility

(C) Conditional Uses:

None

(D) Dimensional Requirements (unless otherwise specified for a particular use):

Minimum Lot Size:	¼ acre	Maximum Building Coverage:	30%
Minimum Lot Frontage:	70 feet	Maximum Height:	45 feet
Minimum Lot Depth:	70 feet		
Minimum Setbacks:		PUDs:	Not Allowed
Front	30 feet		
Side	15 feet		
Rear	15 feet		

(E) District Requirements:

1. Public facilities allowed within this district are limited to government storage, maintenance and garage facilities, and police and fire stations (see Section 4.16).
2. For development within this district, the entire lot shall be suitably landscaped, except for those areas which are covered by buildings or surfaced as parking or service areas. All landscaping shall be properly maintained throughout the life of any use on the lot.
3. Where lot lines coincide with residential district boundaries or existing residential properties, there shall be planted along such lot lines trees and shrubs, of a type and spacing as required by the Planning Commission subject to site plan review under Section 5.3, to adequately screen all operations on the lot from the view of adjoining residential districts and/or properties. Such screening generally shall be greater than 3 feet but less than 8 feet in height.
4. Existing retaining walls, trees, or landscaping within 20 feet of any street right-of-way, lot in residential use, or residential district boundary shall not be removed except with the approval of the Planning Commission subject to site plan approval under Section 5.3.
5. Customary accessory uses and structures to a residential use, including but not limited to child care homes, home occupations, and group homes, and on a conditional basis, accessory apartments, may be allowed within single family dwelling units in this district which were in existence as of the effective date of these regulations.
6. Planned unit developments are specifically excluded from this district.

Table 2.11 COMMERCIAL/LIGHT INDUSTRIAL (CLI) DISTRICT

(A) **Purpose:** The Commercial/Light Industrial District is intended to serve as a transition district between the Industrial District and nearby residential areas by allowing for a range of light industrial and comparable commercial uses in a manner and scale that protects the quiet, residential character of adjacent neighborhoods.

(B) Permitted Uses:

1. Accessory Use/Structure [to a permitted use]
2. Automobile Repair [Section 4.5]
3. Contractor's Yard [Section 4.8]
4. Educational Facility [Section 4.17]
5. Financial Institution
6. Manufacturing [See (E)]
7. Mixed Use [Section 4.13]
8. Office
9. Public Facility [See (E)]
10. Redemption Center
11. Restaurant
12. Retail Sales & Service
13. Storage Facility
14. Warehouse

(C) Conditional Uses:

None

(D) Dimensional Requirements (unless otherwise specified for a particular use):

Minimum Lot Size:	½ acre	Maximum Lot Coverage:	60%
Minimum Lot Frontage:	75 feet	Maximum Height:	75 feet
Minimum Lot Depth:	75 feet		
Minimum Setbacks:		PUDs:	Not Allowed
Front	50 feet		
Side	35 feet		
Industrial Park	25 feet		
Rear	35 feet		

(E) District Requirements:

1. Public facilities allowed within this district are limited to educational facilities, government offices, garage, maintenance, and storage facilities (see Section 4.16).
2. The following types of manufacturing uses or processes are specifically prohibited within this district:
 - a. uses involving the primary production of the following products from raw materials: asphalt, cement, charcoal and fuel briquettes; aniline dyes, ammonia, carbide, caustic soda, cellulose, chlorine, hydrogen and oxygen, industrial alcohol, nitrates (manufactured and natural) of any explosive nature, potash; plastic materials and synthetic resins, rayon yarn, and hydrochloric, nitric, phosphoric, picric, and sulfuric acids; coal, coke, and tar products, including gas manufacturing; explosives, fertilizers, gelatin, glue, and size (animal); linoleum and oil cloth; matches, paint, varnishes and turpentine; rubber (natural and synthetic); soaps (including fat rendering) and starch;
 - b. processes including the nitrating of cotton or other materials; the milling or processing of magnesium foundry; the reduction, smelting or alloying of metal ores; refining secondary aluminum; refining petroleum products, such as gasoline, kerosene, naphtha, and lubricating oil; the distillation of wood or bones; and the reduction or processing of wood pulp and fiber, including paper mill operations;
 - c. operations involving stock yards, slaughterhouses, and slag piles; and/or
 - d. the storage of explosives, and the bulk or wholesale storage of flammable materials, including gasoline, above ground.
3. Planned unit and planned residential developments are specifically excluded from this district.

TABLE 2.10 INDUSTRIAL (IND) DISTRICT

(A) **Purpose:** The Industrial District is established to encourage a full range of industrial, manufacturing and associated uses in locations that are well served by municipal utilities and facilities and, because of convenient access to I-89 and other state and local roads, can accommodate heavy traffic volumes associated with shipping and large numbers of employees.

(B) Permitted Uses:

1. Accessory Use/Structure [to a permitted use]
2. Adult Continuing Educational Facility
3. Contractor’s Yard [Section 4.8]
4. Extraction & Quarrying [Section 4.10]
5. Grain Elevator
6. Industrial Retail Sales
7. Manufacturing [See (E)]
8. Office
9. Public Facility
10. Salvage Yard
11. Solid Waste Transfer Station [Section 4.17]
12. Storage Facility
13. Trucking & Rail Terminal
14. Warehouse

(C) Conditional Uses:

1. Slaughterhouse

(D) Dimensional Requirements (unless otherwise specified for a particular use):

Minimum Lot Size:	½ acre	Maximum Lot Coverage:	60%
Minimum Lot Frontage:	75 feet	Maximum Height:	75 feet
Minimum Lot Depth:	75 feet		
Minimum Setbacks:		PUDs:	Not Allowed
Front	50 feet		
Side	25 feet		
Rear	25 feet		

(E) District Requirements:

1. The following types of manufacturing uses or processes are specifically prohibited within this district:
 - a. uses involving the primary production of the following products from raw materials: asphalt, cement, charcoal and fuel briquettes; aniline dyes, ammonia, carbide, caustic soda, cellulose, chlorine, hydrogen and oxygen, industrial alcohol, nitrates (manufactured and natural) of any explosive nature, potash; plastic materials and synthetic resins, rayon, rayon yarn, and hydrochloric, nitric, phosphoric, picric, and sulfuric acids; coal, coke, and tar products, including gas manufacturing; explosives, fertilizers, gelatin, glue, and size (animal); linoleum and oil cloth; matches, paint, varnishes and turpentine; rubber (natural and synthetic); soaps (including fat rendering) and starch;
 - b. processes including the nitrating of cotton or other materials; the milling or processing of magnesium foundry; the reduction, smelting or alloying of metal ores; refining secondary aluminum; refining petroleum products, such as gasoline, kerosene, naphtha, and lubricating oil; the distillation of wood or bones; and the reduction or processing of wood pulp and fiber, including paper mill operations;
 - c. operations involving stock yards, slaughterhouses, and slag piles; and/or
 - d. the storage of explosives, and the bulk or wholesale storage of flammable materials, including gasoline, above ground.
2. Planned unit developments are specifically excluded from this district.

TABLE 2.9 NEIGHBORHOOD COMMERCIAL LIGHT (NCL) DISTRICT

(A) **Purpose:** The Neighborhood Commercial Light District is established as a neighborhood business area to encourage uses that strengthen the area aesthetically, provide services to adjoining neighborhoods, and to allow for higher density residential development. New development should be designed to be compatible with the scale, density and character of existing commercial and residential uses. The character of the neighborhood district should be protected and enhanced through the provision of local services, adequate parking and pedestrian facilities, and suitable landscaping and screening. Strip development will be avoided through access management and the clustering of development.

(B) Permitted Uses:

1. Accessory Use/Structure [to a permitted use]
2. Child Care Home [6 children or less; Section 4.9]
3. Group Home [8 residents or less]
4. Home Occupation [Section 4.11]
5. Single Family Dwelling

(C) Conditional Uses:

1. Accessory Dwelling [Section 4.2]
2. Accessory Use/Structure [to a conditional use]
3. Automobile Repair
4. Automobile Service Station [Section 4.5]
5. Bed & Breakfast
6. Child Care Facility [Section 4.9]
7. Community Center
8. Conversion of Single Family Dwelling
9. Cottage Industry [Section 4.11]
10. Cultural Facility
11. Financial Institution
12. Funeral Parlor
13. Health Clinic
14. Mixed Use [Section 4.13]
15. Multi-Family Dwelling
16. Office
17. Outdoor Market [Section 4.16]
18. Personal Service
19. Private Club
20. Place of Worship [Section 4.17]
21. Public Facility [See (E)]
22. Recreation/Indoor
23. Recreation/Outdoor
24. Redemption Center
25. Restaurant
26. Retail Sales & Service
27. Two Family Dwelling

(D) Dimensional Requirements (unless otherwise specified for a particular use):

Minimum Lot Size:	¼ acre	Maximum Building Coverage:	30%
Acres/Dwelling Unit:	¼ acre	Maximum Height:	35 feet or 2½ stories
Minimum Lot Frontage:	70 feet		
Minimum Lot Depth:	70 feet		
Minimum Setbacks:		PUDs:	Allowed [See Article 8]
Front	30 feet		
Side	15 feet		
Rear	15 feet		
For Specified Accessory Structures:	Table 2.17		

(E) District Requirements:

1. Public facilities allowed within this district are limited to government office, maintenance and garage facilities, and police and fire stations (see Section 4.17).

TABLE 2.8 NEIGHBORHOOD COMMERCIAL (NC) DISTRICT

(A) **Purpose:** The Neighborhood Commercial District is intended to provide limited support services to the neighboring industrial park and to travelers on Route 78; to encourage a buffer between the built environment of Swanton Village to the east and the Missisquoi Wildlife Refuge to the west; and to allow for a limited mix of uses which does not duplicate services offered in Swanton Village. New development should be designed to be compatible with the scale, density and character of existing commercial and residential uses. The character of the area should be protected and enhanced through the provision of local services, adequate parking and pedestrian facilities, and suitable landscaping and screening. Commercial strip development and traffic congestion along Route 78 are to be avoided through access management and the clustering of development.

(B) Permitted Uses:

1. Accessory Use/Structure [to a permitted use]
2. Agriculture [Section 9.1]
3. Child Care Home [6 children or less; Section 4.8]
4. Forestry [Section 9.1]
5. Group Home [8 residents or less]
6. Home Occupation [Section 4.11]
7. Neighborhood Store [Section 4.15]
8. Office
9. Personal Service
10. Restaurant
11. Single Family Dwelling

(C) Conditional Uses:

1. Accessory Dwelling [Section 4.2]
2. Accessory Use/Structure [to a conditional use]
3. Agribusiness [including farm equipment sales]
4. Automobile Repair [Section 4.5]
5. Automobile Sales [Section 4.5]
6. Automobile Service Station [Section 4.5]
7. Bed & Breakfast
8. Child Care Facility [Section 4.9]
9. Community Center
10. Conversion of Single Family Dwelling
11. Cottage Industry [Section 4.11]
12. Cultural Facility
13. Funeral Parlor
14. Health Clinic
15. Lodging Facility
16. Mixed Use [Section 4.13]
17. Multi-family Dwelling
18. Outdoor Market [Section 4.16]
19. Public Facility [See (E)]
20. Roadside Stand [Section 4.18]
21. Recreation/Outdoor
22. Recreation Vehicle Sales & Service
23. Retail Sales & Service
24. Storage Facility
25. Two Family Dwelling

(D) Dimensional Requirements (unless otherwise specified for a particular use):

Minimum Lot Size:	¼ acre	Maximum Building Coverage:	30%
Acres/Dwelling Unit:	¼ acre	Maximum Height:	35 feet or 2½ stories
Minimum Lot Frontage:	70 feet		
Minimum Lot Depth:	70 feet		
Minimum Setbacks:		PUDs:	Allowed [See Article 8]
Front:	30 feet		
Side:	15 feet		
Rear:	15 feet		

For Specified Accessory Structures: Table 2.17

(E) District Requirements:

1. Public facilities allowed within this district are limited to government office and meeting facilities, garage and maintenance facilities, and water and wastewater treatment facilities (see Section 4.17).

TABLE 2.7 CENTRAL BUSINESS (CB) DISTRICT

(A) Purpose: The Central Business District is established to encourage a mix of commercial, cultural, civic and residential uses at high densities in Swanton’s traditional downtown, in a manner that is accessible and convenient to the general public while maintaining and enhancing the area’s historic character and economic vitality. Events and activities such as art exhibits, musical events, craft fairs and farmers markets are encouraged within this district as a further attraction to the area.

(B) Permitted Uses:

1. Accessory Use/Structure [to a permitted use]
2. Auction House
3. Day Spa
4. Financial Institution
5. Office
6. Personal Service
7. Restaurant
8. Retail Sales & Service

(C) Conditional Uses:

1. Accessory Use/Structure [to a conditional use]
2. Automobile Service Station [Section 4.5]
3. Child Care Facility [Section 4.9]
4. Community Center
5. Cultural Facility
6. Educational Facility [Section 4.17]
7. Health Clinic
8. Home Occupation [Section 4.11]
9. Lodging Facility
10. Mixed Use [Section 4.13]
11. Multi-family Dwelling
12. Night Club
13. Outdoor Market [Section 4.16]
14. Parking Facility
15. Place of Worship [Section 4.17]
16. Private Club
17. Public Facility [See (E)]
18. Recreation/Indoor
19. Recreation/Outdoor [public only]
20. Redemption Center
21. Transit Facility

(D) Dimensional Requirements (unless otherwise specified for a particular use):

Minimum Lot Size:	¼ acre	Maximum Building Coverage:	75%
Acres/Dwelling Unit:	¼ acre	Maximum Height:	40 feet
Minimum Lot Frontage:	70 feet		
Minimum Lot Depth:	70 feet		
Minimum Setbacks:		PUDs:	Not Allowed
Front	10 feet		
Side	15 feet		
Rear	15 feet		

(E) District Requirements:

1. Public facilities allowed within this district are limited to educational facilities, government office and meeting facilities, and public libraries (see Section 4.17).
2. Outdoor recreational facilities allowed within this district are limited to publicly owned and operated parks and playgrounds, and associated accessory structures and uses.
3. Planned unit developments are specifically excluded from this district.

TABLE 2.6 RESIDENTIAL (R5) DISTRICT

(A) **Purpose:** The Residential District is established to allow for a mix of housing types within high density, centrally located residential neighborhoods within the village center and which are serviced by, or proposed to be serviced by public water and sewer facilities; and to allow appropriate commercial and recreational uses to serve local residents without compromising the residential character of the district.

(B) Permitted Uses:

1. Accessory Use/Structure [to a permitted use]
2. Agriculture [Section 9.1]
3. Child Care Home [6 children or less; Section 4.9]
4. Forestry [Section 9.1]
5. Group Home [8 residents or less]
6. Home Occupation [Section 4.11]
7. Single Family Dwelling

(C) Conditional Uses:

1. Accessory Dwelling [Section 4.2]
2. Accessory Use/Structure [to a conditional use]
3. Bed & Breakfast
4. Child Care Facility [Section 4.9]
5. Community Care Facility
6. Community Center
7. Conversion of Single Family Dwelling
8. Educational Facility [Section 4.17]
9. Funeral Parlor
10. Health Clinic
11. Multi-Family Dwelling
12. Neighborhood Store [Section 4.15]
13. Recreation/Indoor [Public only]
14. Recreation/Outdoor [Public only]
15. Office
16. Personal Service
17. Place of Worship [Section 4.17]
18. Public Facility [See (E)]
19. Two Family Dwelling

(D) Dimensional Requirements (unless otherwise specified for a particular use):

	Minimum Lot Size & Area/ Dwelling Unit	Minimum Lot Frontage	Minimum Lot Depth	Minimum Setbacks			Maximum Building Coverage	Maximum Height
				Front	Side	Rear		
On-site Water & Sewer	1 acre	100 ft	100 ft	35 ft	20 ft	35 ft	20%	35 ft or 2½ stories
Municipal water & Sewer	¼ acre	70 ft	70 ft	35 ft	15 ft	20 ft	30%	35 ft or 2½ stories
Municipal Water or Sewer	½ acre	75 ft	75 ft	35 ft	20 ft	35 ft	25%	35 ft or 2½ stories

Setbacks for Specified Accessory Structures: Table 2.17

PUDs: Allowed [See Article 8]

(E) District Requirements:

1. Public facilities allowed within this district are limited to educational facilities, municipal and government offices, and police and fire stations (see Section 4.17).
2. Recreational facilities allowed within this district are limited to publicly owned and/or operated parks, and playgrounds, athletic fields, and indoor/outdoor tennis and basketball courts, skating rinks, and similar facilities, and associated accessory structures and uses.

TABLE 2.5 MODERATE DENSITY RESIDENTIAL (R3) DISTRICT

(A) Purpose: The Moderate Density Residential District is intended to provide for a moderate density of residential development in appropriate locations near the existing village center which have access to municipal services. This district also includes shorelands.

(B) Permitted Uses:

1. Accessory Use/Structure [to a permitted use]
2. Agriculture [Section 9.1]
3. Child Care Home [6 children or less; Section 4.8]
4. Forestry [Section 9.1]
5. Group Home [8 residents or less]
6. Home Occupation [Section 4.11]
7. Single Family Dwelling

(C) Conditional Uses:

1. Accessory Dwelling [Section 4.2]
2. Accessory Use/Structure [to a conditional use]
3. Adaptive Reuse of an Historic Barn [Section 4.3]
4. Bed & Breakfast
5. Child Care Facility [Section 4.9]
6. Community Care Facility
7. Conversion of Single Family Dwelling
8. Cottage Industry [Section 4.11]
9. Funeral Parlor
10. Garden Center
11. Mobile Home Park [Section 4.14]
12. Multi-family Dwelling
13. Place of Worship [Section 4.17]
14. Public Facility [See (E)]
15. Recreation/Outdoor
16. Roadside Stand [Section 4.18]
17. Storage Facility
18. Two Family Dwelling

(D) Dimensional Requirements (unless otherwise specified for a particular use):

Minimum Lot Size:	1 acre	Maximum Building Coverage:	15%
Minimum Lot Frontage:	150 feet	Maximum Height:	35 feet or
Minimum Lot Depth:	100 feet		2½ stories
Minimum Setbacks:		Minimum Setback from	
Front	50 feet	Lake Champlain:	50 feet
Side	30 feet		
Rear	50 feet		
For Specified Accessory Structures	Table 2.17	PUDs: Allowed	[See Article 8]

(E) District Requirements:

1. Public facilities allowed within this district are limited to transmission facilities, water and wastewater treatment facilities, police and fire stations (see Section 4.17)
2. Temporary docks associated with residential use do not require a zoning permit.
3. An accessory structure to a residential use within this district may include one boathouse for storage of up to three pleasure boats or watercraft.

TABLE 2.4 AGRICULTURAL/RESIDENTIAL (R1) DISTRICT

(A) **Purpose:** The Agricultural/Residential District is established to protect productive agricultural land and to maintain the economic viability of farming, to discourage the extension of public utilities and roads to serve new development, and to allow for low density residential development in a manner that is compatible with the maintenance and expansion of existing farm operations.

(B) Permitted Uses:

1. Accessory Use/Structure [to a permitted use]
2. Agriculture [Section 9.1]
3. Child Care Home [6 children or less; Section 4.9]
4. Forestry [Section 9.1]
5. Group Home [8 residents or less]
6. Home Occupation [Section 4.11]
7. Single Family Dwelling

(C) Conditional Uses:

1. Accessory Dwelling [Section 4.2]
2. Accessory Use/Structure [to a conditional use]
3. Adaptive Reuse of an Historic Barn [Section 4.3]
4. Agribusiness [including farm equipment sales]
5. Auction House
6. Automobile Repair [Section 4.5]
7. Bed & Breakfast
8. Campground [Section 4.7]
9. Cemetery
10. Child Care Facility [Section 4.9]
11. Community Center
12. Contractor’s Yard [Section 4.8]
13. Conversion of Single Family Dwelling
14. Cottage Industry [Section 4.11]
15. Extraction & Quarrying [Section 4.10]
16. Garden Center
17. Kennel
18. Outdoor Market [Section 4.16]
19. Place of Worship [Section 4.17]
20. Public Facility [see (E)]
21. Recreation/Indoor [See (E)]
22. Recreation/Outdoor
23. Roadside Stand [Section 4.18]
24. Storage Facility
25. Telecommunications Facility [See (E)]
26. Two Family Dwelling
27. Veterinary Clinic

(D) Dimensional Requirements (unless otherwise specified for a particular use):

Minimum Lot Size:	1 acre	Maximum Building Coverage:	15%
Minimum Lot Frontage:	200 feet	Maximum Height:	35 feet or
Minimum Lot Depth:	200 feet		2½ stories
Minimum Setbacks:		PUDs:	Allowed [see article 8]
Front	75 feet		
Side	50 feet		
Rear	50 feet		

For Specified Accessory Structures: Table 2.17

(E) District Requirements:

1. Public facilities allowed within this district are limited to electric and gas transmission lines, solid waste transfer stations certified by the state, and municipal water and wastewater facilities (see Section 4.17).
2. Indoor recreational facilities allowed within this district are limited to recreation halls and similar indoor recreation facilities which are accessory to campgrounds and public parks. Such facilities shall be located a minimum of 200 feet from all lot lines, and shall be effectively screened therefrom.
3. Telecommunications facilities in this district are limited to locations east of Route 105 (see also Section 4.20).

TABLE 2.3 SHORELAND/RIVER (S2) DISTRICT

(A) Purpose: The Shoreland/River District is intended to allow residential and seasonal recreational uses along portions of the Missisquoi River shoreline in a manner that protects water quality and riparian vegetation, minimizes adverse environmental impacts, and preserves and encourages public access to the river.

(B) Permitted Uses:

1. Accessory Use/Structure [to a permitted use]
2. Agriculture [Section 9.1]
3. Child Care Home [6 children or less; Section 4.9]
4. Forestry [Section 9.1]
5. Group Home [8 residents or less]
6. Home Occupation [Section 4.11]

(C) Conditional Uses:

1. Accessory Dwelling [Section 4.2]
2. Accessory Use/Structure [to a conditional use]
3. Adaptive Use of an Historic Barn [Section 4.3]
4. Bed & Breakfast
5. Boat Sales, Storage & Repair
6. Campground [Section 4.7]
7. Child Care Facility [Section 4.9]
8. Conversion of Seasonal, Single Family Dwelling
9. Cottage Industry [Section 4.11]
10. Marina [Section 4.12]
11. Mixed Use [Section 4.13]
12. Neighborhood Store [Section 4.15]
13. Pier, Dock, Boat Launch/Ramp [permanent]
14. Place of Worship [Section 4.17]
15. Public Facility [See (E)]
16. Recreation/Indoor [See (E)]
17. Recreation/Outdoor
18. Restaurant
19. Roadside Stand [Section 4.18]
20. Seasonal Dwelling
21. Single Family Dwelling
22. Two Family Dwelling

(D) Dimensional Requirements (unless otherwise specified for a particular use):

Minimum Lot Size	1 acre	Maximum Building Coverage	15%
Acres/Dwelling Unit	1 acre	Maximum Height	35 feet or 2½ stories
Minimum Lot Frontage	100 feet		
Minimum Lot Depth	100 feet		
Minimum Setbacks:		Minimum Setback from Lake Champlain*	50 feet
Front	50 feet	(*excluding docks, piers, boat ramps)	
Side	30 feet		
Rear	50 feet		
For Specified Accessory Structures	Table 2.17	PUDs: Allowed [See Article 8]	

(E) District Requirements:

1. Public facilities allowed in this district are limited to generation and transmission facilities, water and wastewater facilities, and fire and police stations (see Section 4.17).
2. Indoor recreational facilities allowed within this district are limited to recreation halls and similar indoor recreation facilities which are accessory to campgrounds and public parks. Such facilities shall be located a minimum of 200 feet from all lot lines, and shall be effectively screened therefrom.
3. An accessory structure to a residential use within this district may include one boathouse for the storage of up to three pleasure boats or watercraft.
4. Temporary docks associated with residential use do not require a zoning permit.
5. See Section 3.3 regarding conversions, and Section 3.5 regarding the merger of pre-existing small lots.

TABLE 2.2 SHORELAND RECREATION (SR) DISTRICT

(A) **Purpose:** The Shoreland Recreation District is intended to allow residential and seasonal recreational uses adjacent to the Lake Champlain shoreline in a manner that protects surface and ground water quality and shoreland vegetation, minimizes adverse impacts to the lakeshore environment, limits encroachments into public waters, and preserves both visual and physical access to and from the Lake.

(B) Permitted Uses:

1. Accessory Use/Structure [to a permitted use]
2. Agriculture [Section 9.1]
3. Child Care Home [6 children or less; Section 4.9]
4. Forestry [Section 9.1]
5. Group Home [8 residents or less]
6. Home Occupation [Section 4.11]
7. Seasonal Dwelling
8. Single Family Dwelling
9. Wildlife Preserve

(C) Conditional Uses:

1. Accessory Dwelling [Section 4.2]
2. Accessory Use/Structure [to a conditional use]
3. Adaptive Reuse of an Historic Barn [Section 4.3]
4. Bed & Breakfast
5. Boat Sales, Storage & Repair
6. Campground [Section 4.7]
7. Child Care Facility [Section 4.9]
8. Conversion of Seasonal, Single Family Dwelling
9. Cottage Industry [Section 4.11]
10. Kennel
11. Marina [Section 4.12]
12. Mixed Use [Section 4.13]
13. Neighborhood Store [Section 4.15]
14. Office
15. Pier, Dock, Boat Launch/Ramp [permanent]
16. Place of Worship [Section 4.17]
17. Public Facility [See (E)]
18. Recreation/Indoor [See (E)]
19. Recreation/Outdoor
20. Restaurant
21. Roadside Stand [Section 4.18]
22. Two Family Dwelling

(D) Dimensional Requirements (unless otherwise specified for a particular use) :

Minimum Lot Size:	1 acre	Maximum Building Coverage:	15%
Acres/Dwelling Unit:	1acre	Maximum Height:	35 feet or 2½ stories
Minimum Lot Frontage:	200 feet		
Minimum Lot Depth:	200 feet		
Minimum Setbacks:		Minimum Setback from	
Front	75 feet	Lake Champlain:*	50 feet
Side	50 feet	(*excluding docks, piers, boat ramps)	
Rear	50 feet		
For Specified Accessory Structures:	Table 2.17	PUDs:	Allowed [See Article 8]

(E) District Requirements:

1. Notwithstanding dimensional standards under Subsection (D), the following setbacks shall apply to all lots legally in existence as of the effective date of these regulations, unless subject to merger requirements under Section 3.5.
 - 0.5 acres to 0.75 acres - Front 40 ft., Side 25 ft., Rear 40 ft.
 - 0.25 acres to 0.49 acres - Front 35 ft., Side 20 ft., Rear 35 ft.
 - 0.125 acres to 0.24 acres- Front 35 ft., Side 15 ft., Rear 20 ft.
2. Public facilities allowed in this district are limited to transmission facilities, water and wastewater facilities, and fire and police stations (see Section 4.16).
3. Indoor recreational facilities allowed within this district are limited to recreation halls and similar indoor recreation facilities which are accessory to campgrounds and outdoor recreation facilities. Such facilities shall be located a minimum of 200 feet from all lot lines, and shall be effectively screened therefrom.
4. An accessory structure to a residential use within this district may include one boathouse for the storage of up to three pleasure boats or watercraft.
5. Temporary docks associated with residential use do not require a zoning permit.

TABLE 2.1 RECREATION/CONSERVATION (RC) DISTRICT

(A) **Purpose:** The Recreation/Conservation District is intended to protect important natural resources, including wildlife habitat, wetlands, riparian areas and forest and farm land; to promote recreational, educational and conservation uses of those resources; and to limit development in areas with poor proximity to municipal services and facilities.

(B) Permitted Uses:

1. Accessory Use/Structure [to a permitted use]
2. Agriculture [Section 9.1]
3. Child Care Home [6 children or less; Section 4.8]
4. Forestry [Section 9.1]
5. Group Home [8 residents or less]
6. Home Occupation [Section 4.11]
7. Seasonal Dwelling
8. Single Family Dwelling
9. Wildlife Preserve

(C) Conditional Uses:

1. Accessory Dwelling [Section 4.2]
2. Accessory Use/Structures [to a conditional use]
3. Adaptive Reuse of an Historic Barn [Section 4.3]
4. Bed & Breakfast
5. Campground [Section 4.7]
6. Conversion of Seasonal or Single Family Dwelling
7. Child Care Facility [Section 4.9]
8. Cottage Industry [Section 4.11]
9. Extraction & Quarrying [Section 4.10]
10. Place of Worship [Section 4.17]
11. Private Club
12. Public Facility [See (E)]
13. Recreation/Indoor [See (E)]
14. Recreation/Outdoor
15. Roadside Stand [Section 4.18]
16. Telecommunication Facility [See (E)]
17. Two Family Dwelling

(D) Dimensional Requirements (unless otherwise specified for a particular use):

Minimum Lot Size:	3 acres	Maximum Building Coverage:	5%
Minimum Lot Frontage:	300 feet	Maximum Height:	35 feet or 2½ stories
Minimum Lot Depth:	300 feet		
Minimum Setbacks:		Minimum Setback from	
Front	75 feet	Lake Champlain:*	50 feet
Side	100 feet	(*excluding docks, piers, boat ramps)	
Rear	100 feet		
For Specified Accessory Structures:	Table 2.17	PUDs:	Allowed [See Article 8]

(E) District Requirements:

1. Public facilities allowed in this district are limited to transmission facilities, water and wastewater facilities, and fire and police stations (see Section 4.17).
2. Telecommunications facilities within this district are limited to Fairfield Hill and locations east of Interstate 89 (see also Section 4.20).
3. Indoor recreational facilities allowed within this district are limited to recreation halls and similar indoor recreation facilities which are accessory to campgrounds and public parks. Such facilities shall be located a minimum of 200 feet from all lot lines, and shall be effectively screened there from.

conditional use subject to conditional use review under Section 5.4, the extension of the regulations for either portion of the lot not to exceed 50 feet beyond the district line into the remaining portion of the lot.

Section 2.3 Application of District Standards

(A) The standards for each district shall apply uniformly to each class of use and/or structure, unless otherwise specified in these regulations. All uses and structures must comply with all prescribed standards for the district in which they are located as set forth in Tables 2.1 - 2.13, and as defined in Article 10.2, unless otherwise permitted under Planned Unit Development (PUD) pursuant to Article 8. Nonconforming uses and noncomplying structures shall be regulated in accordance with Section 3.8.

(B) Overlay district standards shall be applied concurrently with the standards for underlying districts. Where overlay districts impose more restrictive standards on the use of a structure or land, the standards of the overlay district shall apply.

(C) Prescribed uses for each district are classified as “**permitted,**” to be reviewed in accordance with Section 9.1, or “**conditional**” to be reviewed in accordance with Section 5.4.

(D) All uses except for forestry, agriculture, single and two-family dwellings, and associated accessory structures and uses are also subject to **site plan review** in accordance with Section 5.3.

(E) Any use not permitted by these regulations, unless specifically exempted under Section 9.1, shall be deemed to be prohibited.

(F) Any list of prohibited uses and/or processes in any section of these regulations shall not be deemed to be an exhaustive list but is included for the purposes of clarity and emphasis, and to illustrate, by example, some of the uses frequently proposed that are deemed undesirable and incompatible and are thus prohibited.

Section 2.4 District Objectives, Uses and Standards

The following tables (2.1 - 2.15.1) set forth the stated purpose, allowable uses and specific standards for each zoning district. Table 2.16 provides a summary of dimensional requirements and allowed uses by district. Table 2.17 includes dimensional requirements for specified residential accessory structures.

- (3) Boundaries indicated as approximately following the center lines of streams or rivers shall be construed to follow such center lines.
 - (4) Boundaries indicated as approximately following the center lines of road, transportation and utility rights-of-way shall be construed to follow such center lines.
 - (5) Boundaries indicated as approximately following railroad lines shall be construed to be midway between the main tracks.
 - (6) Boundaries indicated as following lake or pond shorelines shall be construed as being parallel to the normal mean lake level, which in the case of Lake Champlain is 95.5 feet above mean sea level (msl). In the event of change in the shoreline the boundary shall be construed as moving with the shoreline.
 - (7) Boundaries indicated as following elevation contours shall be construed to follow such contours.
 - (8) Boundaries indicated as parallel to or extensions of features under Subsections (A)(1)-(7) shall be so construed. Boundaries indicated as lines perpendicular to lines or features described in subsections (A)(1)-(7) shall be construed to proceed at right angles from such lines or features. Distances not specifically indicated shall be determined by the scale of the map.
 - (9) Where available (i.e., in Zones 1- A30, AE and AH) the base flood elevations and floodway limits provided by the National Flood Insurance Program (NFIP) in the Flood Insurance Study and accompanying maps shall be used to administer and enforce the flood hazard area overlay district provisions of this bylaw. In areas where base flood elevations and floodway limits have not been provided by the NFIP (i.e., Zone A), base flood elevations and floodway information available from state or federal agencies or other sources shall be obtained and reasonably used to administer and enforce flood hazard area overlay provisions.
 - (10) The abandonment or relocation of a right-of-way or roadway, or the change in a line or feature which references a district boundary line, after the effective date of these regulations, shall not affect the location of such boundary line, except as otherwise noted under Subsection (C).
- (B) When the Administrative Officer cannot definitely determine the location of a district boundary by the scale or dimensions given on the official zoning map and associated overlays or by the above rules, the Planning Commission and/or the appropriate state official (e.g., flood hazard administrator) may be consulted prior to making the final determination. A determination by the Administrative Officer regarding the location of a district boundary may be appealed to the Board of Adjustment under Section 9.3.
- (C) Where a district boundary line divides a lot in single ownership on or after the effective date of these regulations or of amendments thereto, the Board of Adjustment may permit, as a

ARTICLE 2. ZONING DISTRICTS & DISTRICT STANDARDS

Section 2.1 Establishment of Zoning Districts & Official Zoning Map

(A) For the purposes of these regulations, the Town and Village of Swanton are divided into the following zoning districts as described in the accompanying tables (Tables 2.1 - 2.13) and depicted on the official zoning map:

Recreation/Conservation	(RC)
Shoreland/Recreation	(SR)
Shoreland/River	(S2)
Agricultural/Residential	(R1)
Moderate-Density Residential	(R3)
Residential District	(R5)
Central Business District	(CBD)
Native American Sites Overlay District	(NASO)
Neighborhood Commercial District	(NC)
Neighborhood Commercial Light District	(NCL)
Industrial District	(IND)
Commercial/Light Industrial District	(CLI)
Travel Service Area District	(TSA)
Southern Growth District	(SG)
Southern Growth District Core Overlay	(SGO)
Flood Hazard Overlay District	(FHO)

(B) The location and boundaries of said zoning districts are established as shown on the official “Town and Village of Swanton Zoning Map,” to include, as overlays, the most recent National Flood Insurance Program maps for the Town and Village of Swanton, which are hereby adopted by reference as part of these regulations. The official zoning map shall be located in the Town Clerk’s office and shall be the final authority as to the current zoning status of land and waters in the town and village.

(C) The official zoning map shall be identified by the signature of the Chair of the Legislative Body, as attested to by the Town Clerk, and shall bear the official seal of the municipality.

(D) No changes of any nature shall be made on the official map except in conformance with zoning amendment procedures and requirements set forth in the Act [§§4441, 4442].

Section 2.2 Interpretation of Zoning District Boundaries

(A) Where uncertainty exists as to the location of a district boundary shown on the official zoning map and/or overlay, the following rules shall apply:

- (1) For boundaries indicated as approximately following the depth of a single lot having frontage on a street or highway, the deepest single lot shall establish the depth of the boundary along said street or highway.
- (2) Boundaries indicated as approximately following property boundaries or platted lot lines shall be construed to follow such lot lines.