

Town of Cabot Zoning Regulations

As amended, March 7, 2023

As amended, March 5, 2019

Town of Cabot Zoning Regulations

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Article I. Enactment, Purpose, Amendments and Definitions

Section 1.1 Enactment:

In accordance with the Vermont Planning and Development Act, hereinafter referred to as the “Act”, 24 VSA Chapter 117 Section 4401, there are hereby established Zoning Regulations for Cabot which are set forth in the text and map that constitute these Regulations. These Regulations shall be known as the Town and Village of Cabot Zoning Regulations”.

Section 1.2 Purpose:

It is the intent of these Regulation to provide for orderly community growth, to implement the Cabot Town and Village Plan and to further the purposes established in the Act, Section 4302.

Section 1.3 Application of Regulations:

The application of these regulations is subject to Section 4403, 4406, 4408, and 4409 of the Act:

Except as hereinafter provided, no excavation for a building or structure shall be commenced, nor shall a building or structure be erected, moved, altered or extended, and no land, building or structure, or part thereof, shall be occupied or used unless in conformity with the Regulations herein specified for the district in which it is located. Any use not permitted by these regulations shall be deemed prohibited.

Section 1.4 Interpretation

Except for Section 4409(b) of the Act, and where these Regulations specifically provide to the contrary, it is not intended to repeal, annul or in any way impair any regulation or permits previously adopted or issued, provided, however, that where these Regulations to impose a greater restriction upon use of a structure or land than are required by and other statute,

ordinance, rule, regulations, permit, easement or agreement, the provisions of these Regulations shall control.

Section 1.5 Amendments

These Regulations may be amended according to the requirements and procedures established in Sections 4403 and 4404 of the Act.

Section 1.6 Separability:

The invalidity of any provision of these Regulations shall not invalidate any other part.

Section 1.7 Effective Date

These Regulations shall take effect in accordance with the voting and other procedures contained in Section 4404(c) of the Act.

Section 1.8 Definitions

Except where specifically defined herein, all words used in these Regulations shall carry their customary meanings. Words used in the present tense include the future, and the singular includes the plural: the word “lot” includes “plot”; the word “Building” includes “structure”; the word “shall” is mandatory; “occupied” or “used” shall be considered as though followed by “or intended, arranged or designed to be used or occupied”; “person” included individual, partnership, association, corporation, company, or organization.

Doubt as to the precise meaning of any word used in these Regulations shall be clarified by the Planning Commission/Developmental Review Board

Accessory Use or Building- A use or building customarily incidental and subordinate to the principal use or building and located on the same lot.

Accessory Dwelling Unit- An accessory dwelling unit means an efficiency, one-bedroom apartment or structure that is clearly subordinate to a one-family dwelling, and has facilities and provisions for independent living, including sleeping, food preparation, and sanitation. 950 square feet or less.

Accessory Use Residential- A use or building incidental and subordinate to the principal building or use located on the same lot such as a shed, garage or storage building.

Agricultural Use Farm- A parcel or parcels of land, owned, leased or managed by a person devoted primarily to farming as defined by Vermont Statutes.

Building Height- Average maximum vertical height of a building or structure measured at a minimum of three equidistant points from finished grade to the highest point on the building or structure along each building elevation.

Building Footprint- The area on a project site that is used by the building structure and is defined by the perimeter of the building plan.

Building Front Line- Line parallel to the front lot line intersection that point in the building face which is closest to the front lot line. This face includes porches, whether enclosed or unenclosed, but does not include steps.

Businesses selling age restricted merchandise and services- Businesses that sell merchandise and or services that are regulated by age, by the Town, Vermont or Federal Government.

Club, Private- Building or use catering exclusively to club members and their guests for recreational purposes, and not operated primarily for profit.

Commercial Camps- An organized commercial establishment offering programs of an educational, recreational, or religious nature for youth, families, or other groups on a temporary basis.

Commercial Use- Any area of land, including structures thereon that is used or designed to be used for the sale or storage of goods and merchandise, the transaction or business, or provision of services or entertainment.

Community Center- Includes public or private meeting hall, place or assembly, museum, art gallery, library, place of further education and church not operated for profit.

Development- The division of a parcel into two or more parcels, the construction, reconstruction, conversion, structural alteration, relocation or enlargement or any building or other structure, or of any mining, excavation or landfill, and any change in the use of any building or other structure, or land, or extension of use of land.

Dormitory Use- Includes fraternity, sorority, nurses' home, college dormitory.

Dwelling Unit- A building or part of a building intended for human habitation that contains living, sleeping, cooking and sanitation facilities.

One-Family Dwelling Unit- Detached building used as living quarters by one family.

Two-Family Dwelling Unit- Detached building used as living quarters by two families.

Multi-Unit Dwelling- A structure used as living quarters for three or more families.

Garage- A building solely for storage of vehicles.

Grade, Finished- Completed surfaces of ground, lawns, walks, paved areas and roads, brought to grade as shown on the plans relating thereto.

Group Service- Church, school, community center and other public gathering places or sites for group service activities.

Home Occupation- An occupation, profession, activity or use that is carried on for gain within a home by a resident that does not alter the homes exterior or affect the residential character of the property.

Hotel, Motel, Bed and Breakfast (B&B) or Dormitory- Building consisting of rooms which are rented as sleeping units each unit consisting of a bedroom and bath and may contain or share kitchen facilities.

Hospital- Includes sanitarium, clinic, rest home, nursing home, convalescent home, home for the aged, and any other place for the diagnosis or treatment of human ailment.

Industrial Use- Any facility for the assembly, manufacture, compounding, processing, packing, treatment, research or testing of goods and services.

Junk Yard- Land or building used for collecting, storage or sale of wastepaper, rags, scrap metal or discarded material: or for the collecting, wrecking, dismantling, storage, salvaging and sale of machinery parts or vehicles not in running condition.

Living Quarters- A building or part thereof containing a kitchen and/or bathroom.

Loading Space- Off Street space used for the temporary location of once licensed motor vehicle, which is a least twelve feet wide and forty feet long and fourteen feet high, not including access driveway, and having direct access to a street or alley.

Lot- Land occupied or to be occupied by a building and its accessory buildings, together with the required open spaces, having not less than the minimum area, width and depth required for a lot in the district in which such land is situated , and having frontage on a street, or other means of access as may be determined by the Developmental Review Board to be adequate as a condition of the issuance of a building permit for a building on such land.

Lot Depth- Mean horizontal distance from the street line of the lot to its opposite rear line measured at right angles to the building front line.

Lot Frontage- Distance measure across the width of the lot at the building front line, or the proposed building front line.

Mobile Home- Movable living unit with or without wheels, used for living quarters. A sectional prefabricated house shall not be considered a mobile home.

Motel- Building containing rooms which are rented as a series of sleeping units for automobile transients; each sleeping unit consisting of at least a bedroom and bathroom.

Non-Conforming Use- Use of land or structure which does not comply with all Zoning Regulations for the district in which it is located, where such use conformed to all applicable laws, ordinances, and regulations prior to enactment of these Regulations.

Non-Complying Structure- Structure not complying with the Zoning Regulations for the district in which it is located, where such a structure complied with all applicable laws, ordinances, and regulation prior to enactment of these Regulations.

Office Building- A structure used primarily for the conduct of business relating to administration, clerical services, consulting, and other client services not related to retail sales. Office building can hold single or multiple firms.

Outdoor Advertising- Means a sign which advertises, calls attention or directs a person to a business, association, profession, commodity, product, institution, service, entertainment, person, thing, or activity of any kind whatsoever, and is visible from a highway or other public right-of-way. Goods for sale displayed from inside the window of a retail establishment shall not be considered outdoor advertising.

Parking Space- Off-street space used for the temporary location of one licensed motor vehicle which is at least nine feet wide and eighteen feet long, not including access driveway and having direct access to a street or alley.

Professional Residence- Office- Residence in which the occupant has a professional office of an architect, accountant, chiropractor, dentist, doctor or medicine, landscape architect, land surveyor, lawyer, optometrist, osteopath, physiotherapist, planning consultant, podiatrist, engineer, or psychologist, which is clearly secondary to the dwelling use for the living purposes and does not change the residential character thereof and where not more than one person outside the family is employed.

Public Service- any site, structure, facility or infrastructure owned and operated by the Town, State or other unit of government.

Rental Units- Dwelling units or portions of dwelling units rented for a fee or service.

Short-Term Rental- Rental of a dwelling unit or portion of a dwelling unit for 1 to 30 consecutive days and no more than 60 days in a year, such as an “air BnB”.

Long-Term Rental- Rental of a dwelling unit or portion of a dwelling unit for more than 60 days in a year.

Recreation, Private Outdoor- Includes yacht club, golf course, trap, skeet and archery range, swimming pool, skating rink, riding stable, park, lake and beach, tennis court, recreation stadium and skiing facility.

Recreation, Public Outdoor- Includes publicly owned and operated playground, playfield, park, open space, swimming pool.

Residential Use- Includes one family dwelling, two family dwelling, multi family dwelling, and professional residence-office.

Retail Business- Includes an enclosed structure for the sale of retail goods or services such as a restaurant, automobile service station or bank.

School- Includes parochial, private, public and nursery school, college, university, and accessory uses; and shall exclude commercially operated school of beauty culture, business, dancing, driving, music and similar establishments.

Signage- An object device fixture display or structure used for visual communication.

Street Line- Right of way of a street as dedicated by a deed or record. Where the width of the street is not established, the street line shall be considered to be twenty-five feet from the center line of the street pavement.

Structure- Anything constructed or erected, the use of which requires location on the ground, or attachment to something located on the ground, except a wall or fence on an operating farm.

Temporary Housing- Any structure including a tent, teepee, travel trailer, mobile home, shack or shed, intended to serve as a residence.

Trailer- Includes any vehicle used as a sleeping or camping or living quarters mounted on wheels or a camper body usually, mounted on a truck and any vehicle which is customarily towed by a motor vehicle and used for carrying goods, equipment, machinery, boats or as an office.

Trailer Camp- Land on which two or more trailers are parked and occupied for living purposes.

Utility Service- Any site, structure, facility, or infrastructure privately or publicly owned and operated.

Yard- Space on a lot not occupied with a building or structure. Porches, weather enclosed or unenclosed, shall be considered as part of the main building and shall not project into a required yard.

Yard, Front- Yard between the front line and the front line of a building extended to the side lot lines of the lot. The depth of the front yard shall be measured from the street line to the front line of the building.

Yard, Rear- Yard between the rear lot line and the rear line of a building extended to the side lot lines of the lot. The depth of the rear yard shall be measured from the rear lot line to the rear lot line of the building.

Yard, Side- Yard between the principal building or accessory building and a side lot line, and extending through from the front yard to the rear yard.

Article II. Establishment of Zoning districts, Administration and Enforcement

Section 2.1 Establishment of Zoning districts

The town and Village of Cabot are hereby divided into the following zoning districts as shown on the Town and Village Zoning map:

Medium Density Developed District (Town and Village)

Undeveloped Village District (Village only)

Low Density Residential and Agricultural District (Town only)

Shoreland District

Section 2.2 Zoning Map and Interpretation of Boundaries

The location and boundaries of zoning districts are established as shown on the attached zoning map and described as follows:

Shoreland District:

That land in the town of Cabot between the normal mean water mark of a lake or pond, exceeding 20 acres and a line not less than 800 feet from such mean water mark.

If uncertainty exists with respect to the boundary of any zoning district, the planning commission shall determine the location.

Section 2.3 Administrative officer

The Administrative officer is hereby appointed to administer the Zoning Regulations, as provided for in Section 4442 of the Act.

Section 2.4 Zoning Permit

No land or building development may commence, nor shall any land or structure be used, extended in any way unless a Zoning permit shall have been duly issued by the Administrative Officer, as provided for in Section 4443 of the Act. The fee for such Zoning Permit shall be established by the Selectboard.

The Administrative Officer shall not issue a zoning permit unless an application fee, plot plan, sewage disposal constructions and any other approvals required by these regulations have been properly submitted.

The Administrative Officer shall within 30 days of submission of application, data and approvals either issue or deny a zoning permit. Such permits shall be made out in triplicated and one copy sent to the applicant by receipted certified mail. If denied, the Administrative Officer shall so notify the applicant in writing stating his/her reasons therefore.

A zoning permit shall become void if the work described therein has not been commenced within one year from the date of issuance.

Section 2.5 Penalties

Violations of this zoning ordinance shall subject the violator to fines as stipulated in 24 VSA Chapter 117 § 4451 of the Act.

Section 2.6 Developmental Review Board

There is hereby established a Developmental Review Board whose members may consist of the members of the Planning Commission. Rules of procedure, nature of appeals, public notice, conditions for variance relief and all other matters shall be as provided in subchapter 10 of the Act.

Section 2.7 Conditional Uses

No Zoning Permit shall be issued by the administrative Officer for any use or structure which requires a conditional use permit in the Regulation until the Developmental Review Board grants such approval. In considering its action, the Developmental Review Board shall make finding on general and specific standards, hold hearings and attach conditions as provided for in Section 4460 (e) of the Act.

The general standards include assurance that the proposed use will not adversely affect:

1. The Capacity of existing or planned community facilities.
2. The character of the area affected.
3. Traffic on roads and highways in the vicinity.
4. Bylaws then in effect.
5. Intrinsic capability of the land to support the use.

Specific standards include the following:

1. The Developmental Review Board may require the installation, operation, and maintenance of such devices and/or such methods of operating as may be in the opinion of the Developmental Review Board, reasonably required to prevent or reduce fumes, gas, dust, smoke, odor, noise, vibration or similar nuisance. Performance standards shall be as specified by the appropriate State regulatory agencies.
2. The board may impose such conditions regarding the extent of open spaces between the proposed use and surrounding properties as will tend to prevent injury which might otherwise result from the proposed use to surrounding properties and neighborhoods. The Board shall not require more than double setback or double yards for the particular zoning district.
3. Landscaping and fencing may be required to maintain district character, and to screen the use from view of a public way.

Section 2.8 Site Plan Approval

No zoning permit shall be issued by the Administrative Officer for any use of structure, except for one-family, two-family dwellings, agricultural use or enclosed accessory building use pertaining thereto until the Developmental Review Board grants site plan approval. The Board shall conform to requirements of 24 V.S.A. § 4416 of the act before acting upon any application and may impose appropriate conditions or safeguards. The owner may be required to submit two sets of maps and supporting data to the Board which shall include the following:

Site plan, drawn to scale showing: existing features, contours, structures, easements: proposed structure locations and land use areas: streets, driveways circulation, parking and loading spaces and pedestrian walks: landscaping, including site grading and screening.

Section 2.9 Referral to State Agencies

In accordance with Section ???? of the Act, no zoning permit for the development of land in certain locations shall be issued by the Administrative Officer without first submitting a report to the appropriate State agency.

Section 2.10 Non-Conforming Uses

The following provisions shall apply to all buildings and uses existing on the effective date of these Regulations which do not conform to the requirements of these Regulations:

1. Any non-conforming use of buildings or land or any non-complying buildings may be continued indefinitely, but:
 - a. Shall not be changed to another non-conforming use without approval of the Developmental Review Board and then only to a use which, in the opinion of the Board, is of the same or of a more restricted nature.
 - b. Shall not be re-established if such use has been discontinued for a period of one year, or has been changed to, or replaced by a conforming use. Intent to resume a non-conforming use shall not confer the right to do so.
 - c. Maybe repaired or rebuilt if damaged by fire or accident, provided that, reconstruction is started within one year.
2. Any structure or portion thereof declared unsafe by a proper authority may be restored to a safe condition.
3. A non-conforming use shall not be extended, but the extension of a lawful use to any portion of a non-complying building which existed on the effective date of these Regulations shall not be deemed the extension of a non-conforming use.
4. A non-complying building may be enlarged only to the extent that the degree of non-compliance is not increased.
5. Land may not be subdivided so as to create a non-conforming use.

Article III General Regulations

Section 3.1 Miscellaneous Requirements

The provisions of these Regulations shall be subject to such additions, modifications or exceptions as herein provided by the following general regulations.

In accordance with Sections 4406 and 4409 of the Act, the following shall apply:

Section 3.2 Existing Small Lots

Any lot in individual and separate and non-affiliated ownership from surrounding properties in existence on the effective date of these Regulations may be developed for the purposes permitted in the district in which it is located, even though not conforming to minimum lot size requirements, if such lot is no less than one-eighth acre in area with a minimum depth dimension of forty feet.

Section 3.3 Required Frontage on or Access to Public Roads or Waters

No land development may be permitted on lots which do not either have frontage on a public road or public waters or with the approval of the Planning Commission, access to such a road or waters by a permanent easement or right-of-way at least 20 feet in width. Any road to be eligible for consideration for adoption as a Town Road must meet State Highway Planning Standard A-76.

Section 3.4 Protection of Home Occupations

No Regulation herein is intended to infringe upon the right of any resident to use a minor portion of a dwelling for an occupation which is customary in residential areas and which does not change the character thereof.

Section 3.5 Special Public Use Exceptions

Unless specific locational provision is made under Article IV of these Regulations, the following uses may only be regulated with respect to size, height, bulk, yard, courts, setbacks, density of buildings, off street parking and loading facilities, and landscaping or screening requirements:

1. Public utility power generating plants and transmission lines.
2. State or community owned and operated institutions and facilities.
3. Public and private schools and other educational institutions certified by the Vermont Department of Education.
4. Churches, convents and parish houses.

5. Public and private hospitals.

Section 3.6 Parking Standards

(a.) Residential and mixed use residential units	1.5 Spaces per unit
(b.) Elderly housing and lodging room	1 per sleeping room
(c.) Places of public assembly, restaurants	One per 4 seats
(d.) Office, business services and clinics	One per 300 sf of public space and office area
(e.) Commercial business and unspecified uses	One per 500 sf of retail floor area
(f.) Onsite parking is to be developed to the side of rear of a parcel, beyond the setback for construction	
(g.) Business that store vehicles must provide off street parking for each vehicle.	
(h.) Multi use buildings must provide parking for each use	
(i.) Parking spaces shall measure a minimum of 9'x18'	

The Development Review Board (DRB) will establish minimum parking requirements and can adjust parking if the landowner can demonstrate there is adequate space for the intended use. This could include the use of off-site parking or written agreements for shared parking.

Spaces for persons with Disabilities are to be included in the total number of required parking spaces and shall be provided in accordance with Americans with Disabilities Act (ADA) design guidelines. Handicapped spaces shall be clearly marked and signed.

Section 3.7 Exterior Lighting and Signage:

(a). Lighting- all exterior lighting shall be shielded and directed downward.

- a. Building signs can be down lit or up lit with a directed shielded light. Signage lights shall be off when the business is not open.

(b). Signage:

- a. Hanging building and ground mounted signage shall not exceed 16sf.
- b. Flush wall mounted building signs, signs on windows and facades cannot exceed 50% of front building surface.
- c. Internally illuminated signs are not permitted.
- d. Temporary signs for private special events like auctions, yard sales, reunions or parties that are not more than 4sf in area are permitted, signs may be set up no more than three days before the event and must be removed within 48 hours after the event.

Section 3.8 Storage of Waste Materials

Commercial or public use dumping, or storage of trash, waste, garbage, junk or automobile junk shall be permitted only as part of the normal operation of a sanitary landfill or junkyard, established or approved by the Board of Selectman and approved by the appropriate State regulatory agency.

Section 3.9 Temporary Housing

On approval by the Planning Commission, temporary housing may be located on the construction site of a new residence for a period not to exceed one year, if in the opinion of the Planning Commission, not to do so would cause a hardship.

Section 3.10 Prohibited Uses in Floodplain Areas

Notwithstanding the Zoning District Regulations, the following uses shall be prohibited in floodplain areas as designated on the flood insurance rate map for Cabot dated September 18, 1985:

1. All residential, commercial, industrial and other buildings intended for human occupancy or employment, excluding recreational, agricultural (except dwelling units), and temporary uses.
2. All dumps, junkyards and storage of flammable liquids.
3. Private sewage and water facilities, except those approved by the State Agency of Natural Resources.

Permitted structures must have the lowest floor (including basement) elevated so as to be at or above the base flood level.

Section 3.11 Historic Sites

Notwithstanding any other provision for district uses specified in these Regulations, application for the proposed use of any parcel of land which contains a Historic site or building listed in the Cabot Town and Village Plan will be required to have a site plan approval by the Planning Commission prior to issuance of a permit. Prior to granting site plan approval, the Planning Commission shall find:

1. That the historic building and/or site is included in the site plan and will be restored, renovated or otherwise preserved.
2. That the Town, State or other public body has granted first option to purchase said historic site or building and has refused to exercise said option within a six-month period.

Section 3.12 Travel Trailers

Travel trailers weighing less than 1,500 pounds are exempt from regulations. Owner of travel trailer weighing more than 1,500 pounds shall be required to apply for a regular zoning permit if trailers are placed on one site for thirty days or more.

Section 3.13 Trailer Camp Permits

No person or persons shall construct or operate a trailer camp without first obtaining site plan approval from the Planning Commission and a permit from the Administrative Officer. Before issuing a trailer camp permit, a performance bond shall be obtained from the operator to assure that the camp is maintained in a satisfactory manner.

Application for a trailer camp site plan approval shall be made to the Planning Commission. The application shall be accompanied with a site plan and drawings showing property lines, area, contours, roads, walkways, lots, parking, water lines, sanitary sewage drainage facilities, garbage collection and electrical distribution.

Section 3.14 Trailer Camp Standards

The following regulations shall apply to all trailer camps:

1. A trailer camp shall have an area of not less than 3 acres.
2. Trailer camps shall provide for individual trailers, access driveways and parking.

3. Each trailer lot shall be at least 4500 square feet in area, and at least fifty feet in width and have a well-drained surface.
4. All access driveways within a trailer camp must be at least 15 feet in width and have a well-drained surface.
5. The water supply must be approved by the State Agency of Natural Resources.
6. The method of sewage disposal must be in compliance with the State Agency of Natural Resources regulations.
7. No trailer lot or service building shall be closer to a public street, right of way line, than eighty feet, nor closer to a property line than fifty feet.
8. A strip of land at least twenty-five feet in width shall be maintained as a landscaped area abutting all trailer camp property lines.
9. No trailer shall be parked on a lot closer than ten feet to a lot line.

Section 3.15 Standards

In all districts, uses are not permitted which more than occasionally exceed any of the following standards measured at the individual property line, as determined by the Developmental Review Board:

1. Emit dust or dirt which is considered offensive;
2. Emit any smoke, in excess of Ringelmann Chart No. 2;
3. Emit any noxious gases which endanger the health, comfort, safety or welfare of any person, or which have a tendency to cause injury or damage to property, business or vegetation;
4. Cause, as a result of normal operations, a vibration which creates displacement of 0.002 of an inch.
5. Lighting or signs which create glare, which could impair the vision of a driver of any motor vehicle.
6. Cause a fire, explosion or safety hazard.
7. Cause harmful wastes to be discharged into the sewer system, streams, or other bodies of water. Effluent disposal shall comply with local and State sewer health standards.

Section 3.16 Sand and Gravel Operations

Sand and gravel operations may be permitted only upon approval of the Developmental Review Board, which shall find that:

1. All pertinent and applicable State regulations are abided by.
2. A landscaping plan has been submitted indicating enough plant materials of suitable size and character so that effective screening of the sand and gravel pit will occur.
3. A bond has been posted with the Selectboard by the applicant in an amount approved by the Planning Commission as sufficient to cover the cost of landscaping as described in #2 above and to guarantee that when such sand and gravel operations are terminated, the finished grades will be covered with a suitable topsoil and cover crop, except where rock ledge is exposed.

Section 3.17 Prohibition on Large Developments

Notwithstanding any other provisions of these regulations, no person shall be permitted to increase the number of housing units in the Town and Village of Cabot by more than 2 % in any one year. Within 30 days after enactment of this regulation, and every 12 months thereafter, the Planning Commission shall certify the binding limits on the number of housing units which may be constructed by any person during that year.

Article IV Zoning District Regulations

Section 3.18 Fences

Fences and walls are considered accessory structures for purposes of these regulations and shall be designed and built in a manner consistent with consideration of public safety and character of the neighborhood and subject to the following:

1. Fences and walls are not required to meet minimum district front, side and rear setback distance requirements for accessory structures under Article III.
 - a. Fences or walls may be located within town highway rights-of-way, but shall not obstruct public rights-of-way, including travel lanes, shoulders and ditches, bicycle lanes and pedestrian paths and sidewalks, or interfere with corner visibility or site distances for vehicular or pedestrian traffic.
 - b. The Town of Cabot assumes no liability for damage to private fences or walls located within the town highway rights-of-way, nor any responsibility for their maintenance and repair.

- c. All fences and walls located within state highway rights-of-way require approval from the Vermont Agency of Transportation.
2. No zoning permit or approval is required for:
- a. Agricultural walls and fences
 - b. Temporary fencing incidental to an approved construction project
 - c. Residential fences or walls less than 6 feet in height that do not obstruct public rights-of-way or interfere with corner visibility or sight distances for vehicular or pedestrian traffic, except within the Flood Hazard Area Overlay District.
3. All other fences and walls, including fences and walls within the Flood Hazard Overlay District (special Flood Hazard Areas) require a zoning permit.
- a. Fences and walls within the Flood Hazard Overlay district must meet applicable development under Article III section 3.10.
 - b. No zoning permit shall be issued for a fence or wall within a state highway right-of-way without written approval from the Vermont Agency of Transportation.
 - c. For a fence located on a property line, the submission of a signed agreement between the adjoining property owners is required prior to the issuance of a zoning permit.

Section 4.1 Village district (V) and Lower Village District (LV)

Purpose:

- (a). The Village district encompasses the historic settlement of Cabot Village and adjoining land that is served by public infrastructure. The district encourages compact and pedestrian-friendly residential, small-scale commercial, and mixed uses. It recognizes the value of protecting historic buildings and character.
- (b). The Lower Village District replaces the previous Medium Density Developed District and the Undeveloped Village District. Refer to maps Village District and Lower Village District for specific boundary lines. The portion of Medium Density District on Route 2 reverts to Low Density residential and Agricultural District.

Uses

Permitted Uses-Requiring a Zoning permit

1. One- or Two-family dwelling unit
2. Accessory Dwelling Unit
3. Accessory use—residential
4. Single Unit-short-term or long-term Rental unit
5. Public Service Structures or building
6. Commercial Additions for Required ADA and Code Improvements
7. Home Occupation
8. Signage
9. Community Center¹
10. Change of Use¹

Permitted Uses- Requiring DRB Review and a Zoning Permit

1. Agricultural use farm²
2. Utility Service, Structure
3. Multi-Unit Dwelling
4. Two or more Units-Short-term or Long-Term Rental Unit
5. Hotel, Motel, B&B, or Dormitory
6. Retail Business
7. Office Building
8. Industrial Use
9. Mixed Use Commercial and or Residential
10. Planned Unit Development
11. Business Selling Age Restricted Merchandise and Services

*1 - Zoning Administrator on review may refer the project to the DRB for a hearing based on use and scale of development.

2 - Residential accessory gardens, small numbers of farm animals and related agricultural practices are allowed without a permit as long as there is no undue adverse effect. All agricultural structures are required to complete a permit application and meet zoning requirements, the State of Vermont will determine if the use requires an application fee.

Village District (V)

For parcels connected to the town water and wastewater system.

Area lot, height and general requirements-Village District

	Residential-Commercial
Lot Area Minimum	10,000sf or .28 acres
Lot Frontage Minimum	50ft of road frontage or approved 20ft easement/ownership for access
Roadside, Front Yard Minimum	25 feet from road centerline
Side/ Rear Yard Minimum	10ft from lot line
River/Brook Minimum Setback	25ft from top of bank or high-water line
Building Height	35ft

Lower Village District (LV)

For parcels connected to the Town wastewater system.

Area lot, height and general requirements-Lower Village District

	Residential-Commercial
Lot Area Minimum	25,000 or .57 acres
Lot Frontage Minimum	100ft of road frontage or approved 20ft easement/ownership for access
Roadside, Front Yard Minimum	45 feet from road centerline
Side/ Rear Yard Minimum	20ft from lot line
River/Brook Minimum Setback	25ft from top of bank or high-water line
Building Height	35ft

Section 4.2 Low Density Residential and Agricultural District

Permitted Uses-Requiring a Zoning permit

1. Agricultural and forest uses
2. One family dwelling
3. Two family dwelling
4. Professional residence-office
5. Religious institution
6. School
7. Public outdoor recreation
8. enclosed accessory building use
9. Community Center
10. Private outdoor recreation
11. Wildlife refuge
12. Cemetery
13. Bank, financial institution
14. Planned residential development.

Permitted Uses- Requiring DRB Review and a Zoning Permit

1. Sand and gravel operations
2. Junkyard
3. Tourist home, and/or boarding house, motel, hotel, lodge
4. Dormitory use
5. Private club
6. Retail store
7. Office Building
8. Restaurant
9. Public utility substation
10. Automotive service station and garage
11. Drive-in stand
12. Trailer camp
13. Accessory use
14. Any other commercial or industrial use
15. Temporary residence for the purpose of cutting or handling timber
16. Multi-unit dwelling

Area, Yard, Coverage, Height and General Regulations

	Residential-Commercial
Lot Area Minimum	2 acres
Lot Frontage Minimum	200ft of road frontage or approved 20ft easement/ownership for access
Roadside, Front Yard Minimum	50 feet from road centerline
Side Yard Minimum	40ft from lot line
Rear Yard Minimum	40ft from lot line
Building Height Maximum	Three stories or 35ft, whichever is less. No limit for agricultural uses.
Coverage Maximum	10%

General Regulation for Residential Commercial and Group Services:

- A. As set forth in Article III of these Regulations
- B. Site plan approval by the Planning Commission is required for non-residential uses.

Section 4.3 Shoreland District

In the shoreland District the following uses are permitted:

- 1. Agricultural use
- 2. Commercial forestry under the direction of the County Forester
- 3. Accessory building
- 4. Single family dwelling
- 5. Planned residential development that:
 - A. The provisions of section 4.5 Planned Residential Development of these regulations are complied with,
 - B. The shoreline access provided a minimum common shoreline frontage of 150 feet per dwelling unit.

The following uses are permitted after issuance of a conditional use permit by the Development Review Board:

1. Permanent pier, dock, float, boat hoist, or boathouse which does not impede ordinary navigation
2. Non-commercial recreation
3. Commercial Camps

Area, Yard, Coverage Height and General Regulation:

	Residential Uses	Non-Residential Uses
Lot Area Minimum	1 acre	2 acres
Lot Frontage Minimum	150 feet	250 feet
Shoreline Frontage Minimum	150 feet	250 feet
Rear Yard Minimum (Distance to Pond)	75 feet	75 feet
Side yard Minimum	25 feet	25 feet
Coverage Maximum	15%	10%
Building Height Maximum	25 feet from average ground level or 2 stories, whichever is less	25 feet from average ground level or 2 stories, whichever is less

No vegetation shall be disturbed or altered within 50 feet of the mean water level of the pond. Developed lots at the date of the enactment of this amendment shall be exempt from this regulation.

Access to the pond shall be by footpath only.

Section 4.5 Planned residential Development

In order to promote the wise use of certain areas of the Town and Village of Cabot, to discourage strip development and to preserve optimum open space, the Planning Commission may modify Area, yard and general regulations as specified below and in accordance with Section 4407(3) of the Act for the purpose of Planned Residential Development. Site plan approval by the Development Review Board is required prior to the issuance of a permit.

1. The applicant shall submit to the Planning Commission a site plan showing the height, location and spacing of buildings, open spaces and their landscaping, streets driveways, off-street parking spaces and all other physical features, accompanied by a statement setting forth the nature of all proposed modifications, changes, etc. of the existing zoning regulations.
2. In no case shall the permitted number of dwelling units exceed the number which would normally be permitted in the particular zoning district.
3. Dwelling units may be a varied types including one-family, two-family or multi-family construction.

Area, Yard and General Regulations:

Yards required: Front yards shall be designed so that no building is closer than 50 feet to the right-of-way line of public road or private access road. Side yards shall be as required in the zoning district.

Building Height Maximum: 35 feet General Regulations:

1. Water supply and sewage disposal systems within planned residential districts shall be designed and installed in accordance with State standards in effect and prior to covering must be inspected and approved by the Administrative Officer or other agents appointed by the Selectboard.
2. Wherever possible, water and sewage disposal systems within planned residential districts shall be community systems, installed by the developer and maintained by the developer or by an association of homeowners.
3. The land area within the development not allocated to building lots and street shall be reserved as common space for not less than 99 years. Such land may be reserved by one of the following methods :

a) Deeded to the Town along with stipulated endowment funds, the interest on which will provide for maintenance of the common areas for not less than 99 years.

b) Held in corporate ownership by the owners of the units within the development, provided that membership in such corporation is mandatory and stipulated as such in the deed. All common space as defined above shall be held and maintained by said corporation for not less than 99 years.

****For telecommunications and Sewage ordinances see the previous regulations.**