

**Section 1610. Central Business District "CBD"**

Definition/Purpose: The purpose of the Central Business (CBD) District is to promote the development and redevelopment of the downtown core and to foster an economically healthy commercial district that is vibrant, walkable, attractive, safe, and sustainable. Development and redevelopment shall preserve and enhance the unique historic character and provide our residents with a mix of retail, commercial and professional services to meet every-day needs. Architecture shall reflect historic forms, and adaptive re-use of historic architecture is strongly encouraged. Infill, renovation and revitalization of the City's core shall respect and preserve the "main street" character, walkability, public spaces and the sharing of parking and other public infrastructure, which reflects the historic urban form of the City. The district places emphasis on and the preservation of historic resources and the character of the historic downtown as a part of a vibrant central business district.

In the Central Business District "CBD" the following uses are permitted:

1. Retail Store.
2. Personal Service.
3. Professional Residence-Office.
4. Professional Studio.
5. Office.
6. Bank.
7. Religious Institution, see section 310.
8. School, see section 310.

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

1. Multiple-family Dwelling.
2. Hotel.
3. Drive-through Bank.
4. Community Center.
5. Instructional Facility
6. Private Club.
7. Recreation, Indoor.
8. Restaurant.
9. Bar.
10. Government Facility, see section 310.
11. Planned Unit Development.

The general and specific standards designated in Section 803 and specified in these regulations shall be required for any proposed conditional use under this section. The permitted uses and uses permitted after issuance of a conditional use permit shall be subject to all standards and regulations set forth in Section 1610A.

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### Section 1610A. Central Business District Standards and Regulations

Lot area minimum	4,000 sq ft
Lot frontage minimum	50 feet
Lot depth minimum	50 feet
Front yard minimum	0 feet (Buildings are encouraged to be set at the street line.)
Rear yard minimum	0 feet
Side yard minimum	0 feet
Coverage maximum	100%
Building height maximum	60 feet
Accessory building height maximum	24 feet
Lot area minimum – Greater than one story	The minimum lot size can be waived by the Development Review Board provided all buildings are at least two story and 75% of the height of the tallest adjoining building, if applicable, subject to a maximum height of sixty feet.

General Regulations: Development Site Plan approval shall be required for all uses. For Flood Hazard areas, see Article XV of these regulations.

Specific Standards: The following standards shall be applicable to all new construction, reconstruction, enlargement, exterior alterations, additions, demolition, major landscape and site work, signage or lighting within the Central Business District. These standards do not apply to interior alterations that do not affect the exterior of the structure, customary maintenance and repair that does not affect the design of the structure, and routine landscaping. These standards are intended to assist City review boards, property owners, and developers with the preliminary planning, design, and evaluation of development proposals and approval of projects. The “shall” and other similar definitive statements indicate mandatory requirements and offer no flexibility unless choices are provided within the statements themselves. All projects must include these mandatory requirements as described. However, statements that use the word “should” or “encourage” shall be applied, but with some flexibility in accordance with the Municipal Plan. Such statements indicate that the City is open to design features that are equal to, or better than, those recommended - so long as the intent is satisfied. The applicant assumes the burden of proof to demonstrate how a proposed design meets the standards and determination will be made by the City.

#### (A) ENTRANCES & STOREFRONTS

1. All commercial buildings shall have at least one clearly delineated primary entry facing the road with a canopy, or articulated architecture, that is welcoming and easily identifiable from streets and sidewalks. Corner lots are not required to have two entries.

**Articulation** – the manner in which portions of a building form are expressed (materials, color, texture, pattern, modulation, etc.) and come together to define the structure.

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2. Maintain the large display windows that are characteristic of commercial buildings in the Central Business District. The traditional storefront image shall be preserved at the street level. No existing storefront window shall be covered up or converted to wall. When replacing glass or restoring windows in historic buildings, maintain the size, shape and proportion of the window and storefront opening similar to that seen historically in the district.
3. Design new storefronts that recall historic materials, features and proportions in a general way using historical photographs and other physical evidence where available. New storefronts need not duplicate all historical details, but they should maintain the basic configurations and proportions of storefronts typical to this district.

### (B) MASSING, SCALE & RHYTHM

1. Design new buildings to be compatible in mass, form and scale with existing structures and the historic architecture of the district:
  - a. Maintain similar overall size and massing;
  - b. Maintain similar setback distance from the street that matches the setback pattern in place. If the historic setback pattern cannot be achieved, use setback averages. Setback averages are determined by averaging the setbacks of adjacent properties within 250 feet. Landscaping can also be used to maintain the setback pattern;
  - c. Place the building width at the front of the lot or along the public right-of-way to maximize front façade exposure to the public.
  - d. Place parking lots behind the building. Buildings, along with trees, landscaping, and other site furnishings, shall be predominant along streets, rather than parking lots;
  - e. Follow existing roof forms and rooflines;
  - f. Maintain consistent size, spacing and placement of window openings. Emulate the original size, shape and rhythm of upper story windows;
  - g. Maintain similar rhythm and glass-to-wall ratio in commercial storefronts.
  - h. Maintain story heights similar to those seen historically on any given lot. For undeveloped lots, no building shall be less than two-stories. In the event of a catastrophic disaster, story heights of the previous structure must be maintained at a minimum.
  - i. Significant areas of blank wall are not permitted at the front of the building or along a road right-of-way.

**Massing** – the combined effect of the arrangement, volume and shape of a building or group of buildings; the overall bulk, size, physical volume, or magnitude of a structure or project.

**Rhythm** - the organization of building elements, or spaces between them, in a logical sequential manner; can be used to emphasize major circulation points or changes of use.

**Scale** - relative magnitude of a structure in relation to surrounding elements

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### **(C) MATERIALS**

1. The choice of materials can help to express a building's architecture. Selecting materials that fit within the context of the site and surroundings is recommended. An example of this would be to use brick when this material is present in adjacent buildings or sites.
2. Original historic architectural detail or elements shall be preserved and replicated to the optimum extent practicable (see the Vermont Division for Historic Preservation. *A Guide to Vermont Architecture*, reprint, Montpelier, VT, 1996, as well as Vermont Division for Historic Preservation. *The Historic Architecture of Addison County: including a listing of the Vermont State Register of Historic Places*, Montpelier, VT, 1992, for a description of architectural styles).

### **(D) FRANCHISES**

1. "Off the shelf" standardized franchise architecture is not permitted in Vergennes. Franchise operations that are proposed for existing buildings, infill locations, or as stand alone structures must employ an architectural design that either reflects the local setting or can be demonstrated to fit in a contextual, harmonious manner with the character of its surroundings.
2. Chain stores and franchises shall use materials and detailing that are compatible with adjacent or nearby buildings and blend appropriately with the existing landscape. New buildings shall appear similar in mass and scale with historic structures in the area. Existing historic or older homes and buildings can be restored to accommodate chain stores and franchises.

### **(E) CONTEXT**

1. Building design shall be sensitive to the overall character and context of the district in which it is located and to adjacent buildings. In particular, new development and redevelopment in the CBD shall incorporate historic architectural elements that reinforce the established character of that district and include:
  - a. mass and scale
  - b. window proportions and openings
  - c. cornice or canopy lines
  - d. roof forms and roof lines
2. Residential uses shall be prohibited at street or ground level, but are permitted and encouraged on the second-floor and above.

**(F) ROOF DESIGN & MECHANICAL EQUIPMENT SCREENING**

1. The roof of the building shall be in keeping with the scale and historic context of the structure itself.
2. Rooftop equipment and fixtures shall be concealed from eye-level view from any public right-of-way and from the ground level of any adjacent properties. In addition, they shall be visually minimized with painted colors and finish complementary to the overall building design.

**(G) SOLAR ENERGY INSTALLATIONS**

Before solar energy installations may be placed on a property within the Central Business District, a zoning permit must be obtained from the Zoning Administrator in accordance with Article III of these regulations. The following requirements shall also be met:

1. Solar panels or other solar devices on roofs shall be placed on the most visually inconspicuous area of a structure consistent with the requirements of maximum access to the sun. Location on a non-character defining roofline of a non-primary elevation (not readily visible from public streets) is preferred. However, solar shingles may be added to a roof surface visible from a public way if low or non-reflective shingles are used. Publicly visible solar devices mounted on roofs shall be evaluated on the basis of: size, least visible/high-performance location, panel arrangement and design, system infrastructure, color contrast with roof, glare, and impact on historic integrity of the structure. Shadow tolerant panels should also be considered for use in a less visible location.

**Solar panel** – an electrical device consisting of an array of connected solar cells which converts solar energy into electricity or hot water/liquid for space heating or domestic hot water production.

**Solar device** – solar membranes, solar shingles, solar in glass, non-PV technology, and solar hot water systems, and similar solar technology.

2. Solar panels and devices shall run parallel to the original roofline and located so as not to rise above the roofline, or alter a historic roofline or character defining feature such as dormers or chimneys.
3. Collectors on sloped roofs shall be mounted flat on the surface and at the same pitch. Removing historic roofing materials in order to add solar panels is discouraged.
4. On flat roofs, solar panels and devices shall be mounted behind a building parapet or setback from the edge of the roof to minimize visibility and may be set at a pitch and elevated if not highly visible from public streets.
5. The smallest solar panel or device shall be used consistent with operational requirements. Scattered or disjointed arrays are not permitted. Avoid interrupting arrays with rooftop projections such as vents and skylights.

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6. Solar panels, solar devices, mechanical equipment and mounting structures shall use non-reflective finishes such as an anodized finish. Coordinate roof and building color and pattern as much as feasible with color and pattern of solar panels and solar devices. Darker roofing colors are preferred.
7. Detached or ground mounted solar panels or solar devices may be located in the rear or side yard if the arrays are not highly visible from public streets and do not detract from other major character defining aspects of the site. Visibility from adjacent properties shall also be reduced to the greatest extent possible (through siting, landscaping, or other screening method) while still maintaining solar access.
8. Solar devices shall be used in non-historic windows, walls, siding or shutters that do not face public streets.
9. For new structures within the CBD, use building-integrated solar panels and devices in the initial design.

### **(H) DRIVE-THRU BANKS**

1. Drive-thru banks are the only drive-thru business permitted in the CBD. Drive-thru banks must have drive-thru facilities located to the side or rear of the building and the canopies shall relate in architectural style and design to the buildings to which they are attached.

### **(I) FENCING**

1. Traditional fence lines shall be maintained where they exist.
2. Fencing shall not dominate the buildings or landscape. Walls and fences shall harmonize with the site and the buildings on it in scale as well as in materials. Barbed wire, chain-link and security fencing (razor-wire, concertina wire) are prohibited. Appropriate fence materials include wood, stone, masonry and/or decorative metals.

### **(J) LANDSCAPE & STREETScape**

1. Existing vegetation shall be retained as much as possible. The preservation of healthy, mature plant species is recommended.
2. Street trees appropriate for the district shall be maintained and used to provide sufficient shading and an aesthetically pleasing environment for pedestrians, to reduce impervious cover and to partially mitigate the effects of automobile exhaust, heat, dust and other adverse urban conditions.
3. New development fronting on public streets shall provide street tree plantings 40 feet (desired) to 60 feet (maximum) distance on center with 2.5 - 3 inch caliper minimum diameter.

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4. Tree selection shall match the site and existing conditions; it shall support and enhance the relationship of architecture to the streetscape. Selections shall reflect municipal and state standards for appropriate species. Documents that provide guidance on the use of plant materials and street trees in Vermont include: *Selecting Trees for Urban Landscape Ecosystems*: State of New Hampshire Department of Resources and Economic Development Division of Forests and Lands. 1994; *Recommended Trees for Vermont Communities: A Guide to Selecting and Purchasing Street, Park, and Landscape Trees*. The Vermont Urban & Community Forestry Program. 2001; *Landscape Plants for Vermont*. University of Vermont Extension. 2002.
5. The streetscape shall include meaningful spaces for pedestrians that draw them in and provide site furnishings, such as benches, tables, bicycle racks and other pedestrian amenities made of durable, weather-resistant and vandal-resistant materials.
6. Site furnishings shall be consistent with the overall character and appearance of the district.
7. Site furnishings shall not block pedestrian access to main walkways, open space areas and/or building entrances.
8. If trees are to be planted under powerlines, specific varieties shall be selected which do not exceed the height of the lowest line when full grown. Larger trees can be planted if they are offset from the utility lines. Columnar trees may also be considered. Sufficient area for soil, rootball and growth shall be provided for new street tree plantings with a minimum 4'x4' surround for columnar species.
9. Plantings in islands or streetside treebelts shall avoid placement atop underground utilities wherever possible, or provide provisions to protect both trees and utilities such as root barriers.
10. Along streets, plant materials shall be selected and placed to avoid blocking sight lines at intersections and curb cuts.
11. The use of Vermont native or naturalized species with proven performance and hardiness is required. Plants and species need to be resistant to salt and other pollutants.
12. Where tree size landscaping is not possible, new developments shall incorporate planters or containers to provide areas for shrubs, perennial and annual plantings.

### **(J) LIGHTING**

1. All lighting shall be glare-free and shielded from the sky and adjacent residential properties and structures, either through exterior shields or through optics within the fixture, to include “cut-off” technology that controls light spread. Where necessary, additional landscaping may be required by the City to provide light screening between commercial districts and residential districts to help prevent light trespass.

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2. High pressure sodium luminaires shall not be employed, unless demonstrated to have appropriate color correction technology.
3. Lighting levels and design shall comply with the Illuminating Engineering Society of North America's *Recommended Practices and Design Guidelines*, latest edition. Energy efficient lighting sources are recommended, and may be required at the discretion of the City. The City has the right to impose time limitations on lighting.
4. The same type poles and fixtures shall be used throughout a multi-building/multi-tenant project site and be compatible in size with adjoining properties, as well as the overall character of the Central Business District.
5. Pedestrian walkways, courtyards and other connections shall be reinforced with pedestrian scale lighting, bollard lighting, accent lighting or a combination thereof to aid in pedestrian wayfinding and safety. Pedestrian scale lighting shall be a maximum of 16 feet in height.

### **(K) DEMOLITION**

1. Demolition of any original feature or part of a historic building shall be avoided. Where reconstruction of an element is impossible because of a lack of historical evidence, then a new design that relates to the building in general size, scale and material may be considered.
2. Demolition of any building, which contributes to the historic or architectural significance of the Central Business District, shall not occur unless public health and safety require the removal of the building or structure. If acceptable alternatives are not possible, the following must be met:
  - a. Circumstances and condition of the structure shall be evaluated. A qualified engineer's opinion on the structural integrity of the building shall be obtained, together with an estimate of needed stabilization and necessary code compliance work to be performed.
  - b. The physical and economic feasibility is part of the decision to approve a demolition. Using comparable rehabilitated structure values, and income if applicable, rehabilitation cost vs. new redevelopment cost shall be provided for consideration. Efforts shall be made to develop and offer alternative plans, including financing help through low-cost loans and other incentives to attract interested users and project developers.
  - c. The City has 90 days to find acceptable alternatives to the demolition, if it feels that it is physically and economically feasible.
3. Demolition may be considered if the building does not contribute to the historical or architectural character of the district.
4. In the event of demolition, new buildings must be compatible in mass, form and scale with the existing structure or the character of the district. This includes setbacks, building heights, and other requirements outlined in these standards.

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### **(L) FIRE/SAFETY**

1. A fire wall in conformance with 21 V.S.A., check Chapter 3, shall be required between buildings for all new construction and reconstruction.

**Section XXXX. Historic Neighborhood District “HN”**

Definition/Purpose: The purpose of our Historic Neighborhood District (HN) is to distinguish our city’s older neighborhoods and protect their historic value and integrity while permitting future residential development and redevelopment that is compatible with the existing historic character and development patterns of the area. Development and redevelopment shall uphold and respect the character-defining features and historic integrity of homes in this district including small lots, short setbacks and yard depths, and tree lined sidewalks. Commercial activity is not preferred in this district but may be considered as long as it fits within the character of the neighborhood and does not interfere with the quality of residential life in this district.

In the Historic Neighborhood District "HN" the following uses are permitted:

1. One-family Dwelling.
2. Two-family Dwelling.

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

1. Multiple-family Dwelling.
2. Medical Services Facility.
3. Nursing Home.
4. Professional Residence Office.
5. Boarding or Rooming House.
6. Planned Unit Development.
7. Bed and Breakfast.
8. Community Center.
9. Recreation, Outdoor.

The general and specific standards designated in Section 803 and specified in these regulations shall be required for any proposed conditional use under this section. The permitted uses and those with conditional use approval shall be subject to all standards and regulations set forth in Section XXXXA.

**SectionXXXXA. Historic Neighborhood District Standards and Regulations**

Minimum lot size	Residential: 7,000 sq. ft./unit Non-residential: 10,000 sq. ft./unit
Lot frontage minimum	70 feet
Lot depth minimum	100 feet
Front yard minimum	0 feet
Rear yard minimum	20 feet
Side yard minimum	5 feet

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Coverage maximum	Lot size: < 5,000 sq. ft. = 50% 5,000 – 10,000 sq. ft. = 40% > 10,000 sq. ft. = 35%
Building height maximum (all uses in district)	35 feet
Accessory building height maximum (all uses in district)	24 feet

General Regulations: Planned Unit Development (PUD) shall be required for Multiple-family Dwellings, except for conversion of existing single-family dwellings. Development Site Plan approval shall be required for all uses other than one and two-family dwellings. For Flood Hazard areas, see Article XV of these regulations.

Specific Standards: The following standards shall be applicable to all new construction, reconstruction, enlargement, exterior alterations, additions, demolition, major landscape and site work, or signage within the Historic Neighborhood District. These standards do not apply to interior alterations that do not affect the exterior of the structure, customary maintenance and repair that does not affect the design of the structure, and routine landscaping. These standards are intended to assist City review boards, property owners, and developers with the preliminary planning, design, and evaluation of proposals and approval of projects. The “shall” and other similar definitive statements indicate mandatory requirements and offer no flexibility unless choices are provided within the statements themselves. All projects must include these mandatory requirements as described. However, statements that use the word “should” or “encourage” shall be applied, but with some flexibility. Such statements indicate that the City is open to design features that are equal to, or better than, those recommended - so long as the intent is satisfied. The applicant assumes the burden of proof to demonstrate how a proposed design meets the standards and determination will be made by the City.

1. A building or premises shall be utilized only for the uses permitted in this district. Buildings should not be converted from a residential to commercial use unless it fits within the character of the neighborhood and does not interfere with the quality of residential life in this district.
2. New development and redevelopment shall be compatible in mass, form and scale with existing structures and the historic patterns of the district. This is also true for freestanding garages, sheds, and other outbuildings.
3. The size and proportions of new structures shall relate to the scale of adjacent buildings. Where appropriate, subdivide larger masses into smaller components that are similar in size to buildings seen traditionally.
4. Windows, doors and porches shall be similar in size and shape to those found historically along the street.

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5. New buildings shall be a minimum of two stories. In the event of a catastrophic disaster, redevelopment shall maintain previous story heights. All proposed single story buildings must get a waiver from the DRB.
6. When there is a strong or dominant roof shape in a block, proposed new construction or alterations shall be compatible with existing buildings. Flat roofs should be used only in areas where it is appropriate to the context.
7. Buildings shall reinforce the alignment and setback pattern established by its neighbors.
8. Primary entries and porches shall front the street. Windows should be of similar size and overall placement as adjacent buildings. Large expanses of glass, either vertical or horizontal, are generally inappropriate on new buildings in the Historic Neighborhood District.
9. Additions to structures shall be designed to preserve, as much as possible, the original scale and overall character of the structure as well as the district. This can be accomplished by:
  - a. Placing the new addition on an inconspicuous side or rear elevation so that the new work does not result in a radical change to the form and character of the historic building.
  - b. Limiting the size and scale of the addition so that it does not diminish or overpower the original building and/or the character of the Historic Neighborhood District.
  - c. Setting an infill addition or connector back from the historic building wall plane so that the form of the building – or buildings – can be distinguished from the new work.
  - d. Setting an additional story well back from the roof edge to ensure that the building's proportions and profile are not radically changed.
10. Architectural details on existing structures, such as columns, dormer, porches and bay windows, should be maintained, repaired, rehabilitated or restored in their original form.
11. In the event of demolition, new buildings must be compatible in mass, form and scale with the existing structure or character of the district. This includes setbacks, building heights, and other requirements outlined in these standards.
12. Demolition of any original feature or part of a historic building shall be avoided. Where reconstruction of an element is impossible because of a lack of historical evidence, then a new design that relates to the building in general size, scale and material may be considered.
13. Demolition of any building, which contributes to the historic or architectural significance of the Historic Neighborhood District, shall not occur unless public health and safety require the removal of the building or structure.

**Mass:** the combined effect of the arrangement, volume and shape of a building or group of buildings; the overall bulk, size, physical volume, or magnitude of a structure or project.

**Form:** shape and arrangement of a structure

**Scale:** relative magnitude of a structure in relation to surrounding elements

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14. Demolition may be considered if the building does not contribute to the historical or architectural character of the district.

**Section XXXX. Northern Gateway District “NGD”**

Definition/Purpose: The purpose of our Northern Gateway District (NGD) is to provide a compatible mix of commercial and residential uses that welcome our residents and visitors to our city. The district should allow for the establishment of residential and low intensity retail, service, business, office, and entertainment uses which complement, enhance, and support residential uses and our downtown. Because it serves as the northern gateway into the city, development and redevelopment shall be compatible with the distinct qualities and historic integrity of the settlement the traveler is about to enter and convey a positive image of the city. The development of visual and physical, functional and aesthetic enhancements that link, unify, welcome, and define this area are the principal goals of this district.

In the Northern Gateway District “NGD” the following uses require a conditional use permit by the Development Review Board:

1. Retail Store.
2. Restaurant.
3. Bank.
4. Drive-thru Bank.
5. Office.
6. Personal Service.
7. Professional Service.
8. Instructional Service.
9. Professional Studio.
10. Multi-family Dwelling, as part of a Planned Unit Development.
11. Motor Vehicle Sales.
12. Medical Service Facility.
13. Animal Hospital/Veterinary Clinic.
14. Enclosed Manufacturing Industries.
15. Community Center.
16. Recreation, Indoor.
17. Recreation, Outdoor.
18. Planned Unit Development.

The general and specific standards designated in Section 803 and specified in these regulations shall be required for any proposed conditional use under this section. Uses permitted after issuance of a conditional use permit shall be subject to all standards and regulations set forth in Section XXXXA.

**Section XXXXA. Northern Gateway District Standards and Regulations**

Maximum Residential Density <sup>1</sup>	Lot size: < 2 acres = 7,000 sq. ft./unit 2 – 6 acres = 10,000 sq. ft./unit > 6 acres = 15,000 sq. ft.
Lot area minimum	15,000 sq ft

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Lot frontage minimum	100 feet
Lot depth minimum	150 feet
Front yard minimum	25 feet
Side yard minimum	25 feet
Rear yard minimum	25 feet
Coverage maximum	60%
Building height limit	60 feet

<sup>1</sup>Additional residential density is possible through density bonuses as part of a PUD as outlined in Article IX.

General Regulations: Development Site Plan approval shall be required for all uses. For Flood Hazard areas, see Article XV of these regulations.

Specific Standards: The following standards shall be applicable to all new construction, reconstruction, enlargement, exterior alterations, additions, demolition, major landscape and site work, signage or lighting within the Northern Gateway District. These standards do not apply to interior alterations that do not affect the exterior of the structure, customary maintenance and repair that does not affect the design of the structure, and routine landscaping. These standards are intended to assist City review boards, property owners, and developers with the preliminary planning, design, and evaluation of development proposals and approval of projects. The “shall” and other similar definitive statements indicate mandatory requirements and offer no flexibility unless choices are provided within the statements themselves. All projects must include these mandatory requirements as described. However, statements that use the word “should” or “encourage” shall be applied, but with some flexibility in accordance with the Municipal Plan. Such statements indicate that the City is open to design features that are equal to, or better than, those recommended - so long as the intent is satisfied. The applicant assumes the burden of proof to demonstrate how a proposed design meets the standards and determination will be made by the City.

1. Animal hospital/veterinary clinics shall be at least 200 feet from any residential property.
2. Access points shall be clearly delineated and laid out so that entries across streets match, to the greatest extent possible, or do not create unsafe traffic and pedestrian conditions.
3. Mixed-use projects shall be developed with ground floor retail and second story offices and residences. No project or parcel shall be used entirely for residential purposes.
4. Building designs must employ an architectural style that either reflects the local setting or can be demonstrated to fit in a contextual, harmonious manner with the character of its surroundings. Such structures shall incorporate varied rooflines and interruptions to the building facades to create attached, but separate, masses and reduce the overall massing and scale of large buildings. Large areas of blank wall shall only be used for non-visible, non-pedestrian areas such as the side or rear of a building.
5. Rooftop equipment and fixtures shall be concealed from eye-level view from any public right-of-way and from the ground level of any adjacent properties. In addition, they shall be

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visually minimized with painted colors and finish complementary to the overall building design.

6. Shared walkways and parking between adjacent buildings and/or commercial uses shall be employed.
7. Shared service areas and trash facilities should be used for neighboring properties when feasible.
8. New development and redevelopment shall implement continuous sidewalk systems that connect to existing routes or establish new sections for pedestrian circulation.
9. Pedestrian connections shall be reinforced with pedestrian scale lighting, bollard lighting, accent lighting or a combination of to aid in pedestrians wayfinding and safety. Night lighting should be provided where stairs, curbs, ramps, abrupt changes in walk direction, and crossing vehicle lanes occur.
10. All lighting shall be glare-free and shielded from the sky and adjacent residential properties and structures, either through exterior shields or through optics within the fixture, to include “cut-off” technology that controls light spread. The same type poles and fixtures shall be used throughout a multi-building/multi-tenant project site and be compatible in size and scale with adjoining properties, as well as the overall character of the Northern Gateway District.
11. Buildings, along with trees and landscaping, shall be predominant along streets, rather than pavement and parking lots. Primary building entries shall face public R.O.W. and travel ways and not parking lots.
12. Landscaped buffers shall be provided along edge of buildings, sidewalks and right-of-ways. New development and redevelopment fronting on public streets shall provide street tree plantings 40 feet (desired) to 60 feet (maximum) distance on center with 2.5 - 3 inch caliper minimum diameter.
13. When sites are redeveloped, internal parking lot reorganization shall promote efficiency, safe access and aesthetic design options that include walkways within parking lots and shade trees.
14. Commercial development must be planned and designed in a manner that complements downtown businesses.
15. Drive-thru banks are the only drive-thru business permitted in the NGD. Drive-thru banks must have drive-thru facilities located to the side or rear of the building and the canopies shall relate in architectural style and design to the buildings to which they are attached.
16. “Off the shelf” standardized franchise architecture is not permitted in Vergennes. Franchise operations that are proposed for existing buildings, infill locations, or as stand alone structures must employ an architectural design that either reflects the local setting or can be

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demonstrated to fit in a contextual, harmonious manner with the character of its surroundings.

17. In addition to the requirements for a conditional use permit, an applicant for a formula business shall prepare and submit a community and economic impact analysis, which shall demonstrate that the project will not have an undue adverse impact on the continued use, development, character and vitality of other properties and businesses within the City of Vergennes. The analysis shall identify the following:

- a. Will the project unduly impact the character of the area, which is defined by the purpose of the zoning district or districts within which the project is located, and specifically stated policies and standards of the municipal plan? When evaluating the character of the area, the DRB shall consider its distinctive traits, qualities or attributes; its appearance and essential nature, pattern of uses, sense of community and cohesion; scenic and historic resources; and, any other factors that give it identity.
- b. Will the project result in the reduction, destruction or demolition of any park or other open space integral to the character of the district or the City as a whole?
- c. Will the project be harmonious with and complement surrounding properties and other businesses within the City and not detract from their economic vitality? The DRB shall consider the nature, use, scale, manner, and potential impacts on the Central Business District and the City as a whole by considering the following:
  - Will it significantly affect the City's image, character, and ambiance?
  - Will it discourage or negatively impact cultural events and activities within the City?
  - Will the project draw people away from other businesses within the Central Business District, either directly from institutions or businesses currently located in the downtown, or indirectly by causing secondary growth that will have this effect?
  - Will it discourage pedestrian activities or reduce parking in the Central Business District?
  - Will it undermine or be adverse to the City's economic growth efforts?
  - Will the project negatively influence market competition to the extent that it will have an impact on the economic vitality of the Central Business District and the City as a whole? Care must be taken to distinguish individual business competition concerns from a project's impact on the economic vitality of the CBD. A project's impact on market competition is a relevant factor under this standard only to the extent that it will have an impact on the economic vitality of the core of the CBD, or on the City as a whole.
  - Consider cumulative effects.

**FORMULA BUSINESS:** A retail store, restaurant, hotel or other establishment that stands alone as a principal use or with another use as an accessory use, and which is required by contractual or other arrangements to maintain any one or more of the following standardized features that causes it to be substantially identical to 30 or more other businesses located within the United States, regardless of the ownership of those businesses: name; if food is served, menu, ingredients, uniforms; trademark; logo; symbol; architectural design; signage; color scheme; merchandise, or any other similar standardized features.

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- d. Will the project reduce the ability of the public to access, circulate and easily conduct business or enjoy cultural activities, or diminish the City's economic growth efforts to an unacceptable level?
- e. Will the project displace jobs or will it provide economic revitalization and/or job creation? For purposes of this impact, the applicant must identify the number of jobs displaced or created, the quality of the jobs, whether the jobs are temporary or permanent, and the employment sector in which the lost jobs are located.
- f. Will the project have a fiscal impact either positive or negative on City tax revenue?
- g. Will the project have an impact either positive or negative on public services and public facilities resulting from the construction and operation of the proposed formula business and the incidence of those impacts?
- h. Do the economic impacts unreasonably outweigh the economic benefits?
- i. Are there other relevant impacts that significantly outweigh the benefits to the City's economic vitality?
- j. Has the applicant taken reasonable mitigating steps to reduce or minimize the undue impact? This would include customary project planning and market analysis, considering different types of projects and different locations, and reasonably sizing the project to avoid or reduce the adverse impact on the City's economic vitality?