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TOWN OF RANDOLPH, VERMONT

ZONING REGULATIONS

AS ADOPTED December 6, 1988

EFFECTIVE December 28, 1988

including amendments of

September 25, 1990

November 4, 1997

April 13, 1999

June 6 and July 19, 2000

April 10, 2001

January 8, 2002 (*interim*)

January 29 and August 6, 2002

June 10 and August 26, 2003

December 2, 2003 (*interim extension and amendment*)

April 5, 2005

Also included:

Land Subdivision Control Regulations

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Town Zoning (*includes all applicable amendments listed below*)

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Land Subdivision Control Regulations – Last Amended December 28, 1988

ARTICLE I
GENERAL PROVISIONS

SECTION 1.1 ENACTMENT

In accordance with the Vermont Planning and Development Act of 1968, hereinafter referred to as the "Development Act," as enacted or subsequently amended, Subchapter 6, Section 4401, there is hereby established a Zoning Regulation for Randolph which is set forth in the text and map that constitutes this Regulation. This Regulation shall be know and cited as the "Randolph Zoning Regulation."

SECTION 1.2 INTENT

It is the intent of this Zoning Regulation to provide and promote the health, safety, convenience, and general welfare of the Town by regulating the use of land and buildings thereon in the Town of Randolph and to further the purposes established in the Development Act, Section 4302.

SECTION 1.3 DEFINITIONS *(amended June 10, 2003)*

Definitions contained in Section 4303 of the Development Act shall be applicable throughout this Regulation. Furthermore, unless otherwise expressly stated in this Regulation, the following additional terms shall, for the purpose of this Regulation, have the meaning herein indicated.

Words in the present tense include the future, the single number includes the plural and vice-versa. The word "person" includes a partnership, corporation, or other entity. The word "lot includes the work "plot" and the word "building" includes the word "structure".

1.3.1 ABUTTER

Shall mean all property owners whose property lines abut a proposed subdivision; those whose property lines lie directly across a public highway from the proposed subdivision; and those whose property lines lie a distance of not more than 300 feet from the proposed subdivision.

1.3.2 ACCESSORY BUILDING

Any building whose use is incidental and accessory to the use of the principal building on the same lot or an adjoining lot under the same ownership.

1.3.3 ACCESSORY USE

A use customarily incidental and subordinate to the principal use and located on the same lot. When applied to agriculture this shall be deemed to include the sale of products raised on the property.

1.3.4 ADMINISTRATOR

Means the Planning Administrator, or Zoning Administrator, or Administrative Officer as defined by Section 4442, Title 24, VSA.

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1.3.5 APPLICANT

Shall mean an owner, or his authorized agent.

1.3.6 BASE FLOOD *(amended June 10, 2003)*

The flood having a one percent (1 %) chance of being equaled or exceeded in any given year. Also referred to as the "100-year flood".

1.3.7 BASE FLOOD PLAIN *(amended June 10, 2003)*

The area that would be inundated by the base flood. On the FIRM, the base flood plain is Zone AE.

1.3.8 BASEMENT *(amended June 10, 2003)*

Any area of the building having its floor subgrade (below ground level) on all sides.

1.3.9 BOARD

Shall mean the Development Review Board of the Town of Randolph.

1.3.10 BUILDING *(amended June 10, 2003)*

Any structure having a roof and intended for the shelter, housing, or enclosure of person, animal, or materials. Any other structure more than eight (8) feet high shall be considered as a building, including a solid fence or wall, but excluding an electric transmission line or an electric light, telephone or telegraph pole, highway or railroad bridge, or flagpole.

For the purposes of the Flood Protection District provisions of these regulations, "building" means a walled and roofed structure including a gas or liquid storage tank that is principally above ground.

1.3.11 BUILDING COVERAGE AREA

Area of a lot which, when viewed directly from above, is or would be covered by a structure or structures or any part thereof.

1.3.12 BUILDING HEIGHT

The vertical distance from the average finished grade surrounding the building to the highest point of the roof.

1.3.13 BUILDING LINE

A line parallel to a street at a distance equal to the required front yard or at a greater distance when otherwise legally established by the municipality or by private covenant.

1.3.14 CAMPER

An enclosure constructed with living facilities, mounted on or build into a motor vehicle or hauled by a motor vehicle, generally smaller than a travel trailer and used primarily for traveling, camping and recreation.

1.3.15 DISTRICT

A district established by the provisions of Article II of this ordinance.

1.3.16 DISTRICT, OVERLAY *(amended June 10, 2003)*

A district, as herein defined, where certain provisions apply in addition to the provisions of the underlying district.

1.3.17 DWELLING UNIT (D.U.)

A building or part of a building which contains living and sleeping accommodations for permanent occupancy.

1.3.18 DWELLING UNIT (D.U.) ONE FAMILY

A detached building designated for or occupied solely as a dwelling by one (1) family including a mobile home.

1.3.19 DWELLING UNIT (D.U.) TWO FAMILY

A detached building designated for or occupied solely as a dwelling, by two families living independently of each other.

1.3.20 DWELLING UNITS (D.U.) MULTIPLE

A dwelling or group of dwellings on one lot containing separate dwelling units for three (3) or more families, having separate or joint entrances, services or facilities.

1.3.21 FAMILY

A person keeping house separately or any number of individuals related by blood, marriage or adoption, living together as a single family unit.

1.3.22 FAMILY DWELLING UNIT

A dwelling or a part of a dwelling occupied or intended to be occupied by a family unit for residential purposes and including private kitchen facilities.

1.3.23 FLOOD INSURANCE MAP (*amended June 10, 2003*)

An examination, evaluation, and determination of flood hazards and, if appropriate, corresponding water surface elevations.

1.3.24 FLOOD INSURANCE RATE MAP (FIRM) (*amended June 10, 2003*)

An official map on which is delineated both the special hazards areas, if any, and the risk premium zones applicable to the Town.

1.3.25 FLOOD-PROOFING (*amended June 10, 2003*)

Any combination of structural and non-structural additions, changes, or adjustments to structures which reduce or eliminate flood damage to real estate or improved real property, water and sanitary facilities, structures and their contents.

1.3.26 FLOODWAY (*amended June 10, 2003*)

The channel of a river or other watercourse and the adjacent land areas that must be reserved in order to discharge the base flood without cumulatively increasing the water surface elevation more than a designated height. On the FIRM, the floodway is the cross-hatched area within Zone AE.

1.3.27 FLOODWAY, FRINGE (*amended June 10, 2003*)

The area within the base flood plain (Zone AE) that may be developed provided the various development standards are met. On the FIRM, the fringe floodway area is the portion of Zone AE that is not cross-hatched.

1.3.28 HAZARDOUS WASTE

Means any waste or combination of wastes of a solid, liquid, contained gaseous, or semi-solid form which in the judgement of the Secretary of the Agency of Environmental Conservation may cause, or contribute to, an increase in mortality or an increase in serious irreversible or incapacitating reversible illness, taking into account the toxicity of such waste, its persistence and degradability in nature, and its potential for assimilation, or concentration in tissue, and other factors that may otherwise cause or contribute to adverse acute or chronic effects on the health of persons or other living organisms, or any matter which may have an unusually destructive effect on water quality if discharged to ground or surface waters of the state. Such wastes include, but not limited to, those which are toxic, corrosive, flammable, irritants, strong sensitizers, or which generate pressure through decomposition, heat, or other means. Radioactive waste shall be considered hazardous.

1.3.29 HOTEL/MOTEL/INN/DORMITORY

A building offering ten (10) or more units for lodging, or board and lodging; for compensation; for the use of transients. (The unit herein defined is meant for sleeping accommodations only; may or may not have individual unit bathroom facilities; but does not include kitchen facilities.)

1.3.30 JUNK

Means old or scrap copper, brass, iron, steel, and other old or scrap or other material, including but not limited to rope, rags, batteries, glass, rubber debris, waste, trash or any discarded, dismantled, wrecked, scrapped or ruined motor vehicles or parts thereof.

1.3.31 JUNK MOTOR VEHICLE

Means a discarded, dismantled, wrecked, scrapped or ruined motor vehicle or parts thereof, or one other than an on-premise utility vehicle which is allowed to remain unregistered for a period of ninety (90) days from the date of discovery.

1.3.32 JUNKYARD

Means any place of outdoor storage or deposit, whether in connection with a business or not, which is maintained, operated or used for storing, keeping, processing, buying or selling junk or for the operation of an automobile graveyard.

1.3.33 LICENSEE

Means any person licensed to operate and maintain a mobile home park under this section.

1.3.34 LICENSING AUTHORITY

Means the Town of Randolph.

1.3.35 LOT

A parcel of land occupied or to be occupied by a building or buildings, together with such open space as are required by the provisions of this Ordinance.

1.3.36 LOWEST FLOOR (*amended June 10, 2003*)

The lowest floor of the lowest enclosed area (including basement).

1.3.37 MANUFACTURED HOME (*amended June 10, 2003*)

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A structure, transportable in one or more sections, which is built on a permanent chassis and is designed for use with or without a permanent foundation when connected to the required utilities. For the purposes of the Flood Protection District provisions of these regulations, the term "manufactured home" also includes park trailers, travel trailers, and other similar vehicles parked on a site for greater than 180 consecutive days. For insurance purposes, the term "manufactured home" does not include park trailers, travel trailers, and other similar vehicles.

1.3.38 MEAN SEA LEVEL *(amended June 10, 2003)*

The national Geodetic Vertical Datum (NGVD) of 1929 or other datum to which base flood elevations shown on a community's FIRM are referenced.

1.3.39 MOBILE HOME

A vehicle constructed with living facilities for use primarily as a permanent dwelling, generally over thirty (30) feet in length and eight (8) feet or more in width, which was originally constructed to be hauled by a tractor, truck or other special vehicle and shall be considered a one family dwelling for purposes of this Ordinance.

1.3.40 MOBILE HOME PARK

Any premises used or permitted to be used for the parking of more than one mobile home.

1.3.41 NON-CONFORMING BUILDING

A building, the use or construction of which does not conform to all of the applicable provisions of this Ordinance, but which was legally existing at the effective date hereof.

1.3.42 NON-CONFORMING USE

A use of land, building, or premises which is not a use permitted by the provisions of this Ordinance for the district in which such land, building or premises are situated, but which was legally existing at the effective date hereof.

1.3.43 OPEN SPACE

A space, not occupied by a building or other roofed structure, on the same lot as the principal building.

1.3.44 PERSON

Means an individual, a corporation, a partnership, an association, and any other incorporated or unincorporated organization or group.

1.3.45 PLAT

Shall mean the final map and accompanying information by which the subdivider's plan of subdivision, or site plan which is presented to the Board for approval. Plats, if approved, will be submitted to the Town Clerk for recording.

1.3.46 PREMISES

A LOT defined in this section.

1.3.47 PRINCIPAL BUILDING

A dominant building, or portion thereof, the use of which is fundamental and superior to any other use of land or lot.

1.3.48 PRINCIPAL USE

The use or uses dominant on a lot such use or uses being fundamental and superior to any other use of the land or the lot.

1.3.49 PLANNED UNIT DEVELOPMENT (PUD), PLANNED RESIDENTIAL DEVELOPMENT (PRD)

Shall be deemed a single development, as defined by 24 VSA, which may include, but not be limited to, multiple categories of land use (i.e. residential and recreational) and/or multiple types (i.e. one family detached, condominiums, etc.) where various categories and types of land use may be combined as design elements in a proposed development.

1.3.50 RECREATIONAL VEHICLE *(amended June 10, 2003)*

A vehicular-type of portable structure without permanent foundation which can be towed, hauled or driven and is primarily designed as temporary living accommodations for recreation, camping and travel use, and including, but not limited to, travel trailers, truck camper, camping trailers and self-propelled motor homes.

1.3.51 RIGHT-OF-WAY LINE

A line dividing the street from the lot.

1.3.52 SCRAP YARDS

Any place of outdoor storage or deposit, whether in connection with a business or not, which is maintained, operated, or used for storing, keeping processing, buying, or selling scrap metals, including, but not limited to metals, rope, rags, batteries, glass, rubber debris, waste, trash or any discarded, dismantled, wrecked, scrapped or ruined motor vehicles, farm equipment, machinery or parts thereof.

1.3.53 SITE PLAN REVIEW

Site plan review shall mean the review and approval or disapproval of site plans for the development of tracts for uses other than one (1) and two (2) family dwellings and appurtenances whether or not such development includes a subdivision or re-subdivision of the site.

1.3.54 SOLID WASTE

Means any garbage, refuse, septage, sludge from a waste treatment plant, water supply plant, or air pollution control facility and other discarded material including solid, liquid, semi-solid, or contained gaseous materials resulting from industrial, commercial, mining, or agricultural operations and from community activities but does not include animal manure and absorbent bedding used for soil enrichment or solid or dissolved material in industrial discharges which are point sources subject to permits under the Water Pollution Control Act., chapter 47 of Title 10.

1.3.55 STREET RIGHT-OF-WAY

A public way or a way opened to the public use or other right-of-way giving access to the lot but excluding an alley used for service access only.

Means, relates to and included street, avenue, boulevard, road, land, alley viaduct, highway freeway, and other ways. A discontinued highway shall not constitute an existing approved highway.

1.3.56 SUB-DIVISION

Shall mean the division of a lot, tract, or parcel of land into three (3) or more lots, plats, sites, or other division of land for the purpose, whether immediate or future, of sale, lease or rent or of building development, or the extension of an existing road or street or the creation of one or more new streets or roads. The application of the term "subdivision" is to include but not be specifically be limited to condominium, or co-operative association and club owner.

When the owner of the initial lot, tract or parcel of land transfer ownership of portion of that land to a person or corporation, and that person or corporation further transfers ownership of any portion of that land that person or corporation, becomes a subdivider and must meet all the requirements of the subdivision regulation or if the owner of the initial lot transfers ownership of a second portion or lot from the initial lot, then he becomes a subdivider.

A public right-of-way will be construed as the boundary line of the lot, tract or parcel for purposes of subdivision.

1.3.57 SUBSTANTIAL IMPROVEMENT (*amended June 10, 2003*)

Any repair, reconstruction, or improvement of a structure, the cost of which equals or exceeds 50 percent of the market value of the structure either, (a) before the improvement or repair is started, or (b) if the structure has been damaged, and is being restored, before the damage occurred. The term does not, however, include either (1) any project for improvement of the structure to comply with existing state or local health, sanitary, or safety code specifications which are solely necessary to assure safe living conditions, or (2) any alteration of a structure listed on the National Register of Historic Places of a state inventory of historic sites.

1.3.58 TOURIST CABIN

A residential structure with or without kitchen facilities, and primarily intended for the accommodation of transients.

1.3.59 TOURIST HOME/GUEST HOME/BOARDING HOUSE

Any accessory use of a home that serves as the primary residence of the operator and offering less than ten (10) units of lodging, or board and lodging; for compensation; for the use of transients, or long term residence. (The unit herein defined is meant for sleeping accommodations only, may or may not have individual unit bathroom facilities; but does not include kitchen facilities.)

1.3.60 TRAVEL TRAILER

A vehicle constructed with living facilities, generally less than thirty (30) feet in length and eight (8) feet or less in width, designated to be towed by a passenger vehicle and used primarily for traveling, camping and recreation.

1.3.61 TRAVEL TRAILER PARK

Any premises used or permitted to be used for the parking of more than one occupied camper or travel trailer.

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1.3.62 WAREHOUSE, PUBLIC (*amendment of August 6, 2002*)

A building available to the general public, at a fee, for the storage of farm products, furniture and other household goods, or commercial or private goods of any nature.

1.3.63 WASTE DISPOSAL SITES

Any place, whether in connection with a business or not, which is used for the disposal, storage or pick up of non-recoverable, recoverable, or reusable or unusable radiological or chemical materials, compounds, or solutions in the solid, liquid, or gaseous state, contained in manufactured vessels or natural features of containment.

1.3.64 YARD, FRONT

An open space adjacent to the street as measured from the street right-of-way line to the building line.

1.3.65 YARD, REAR

An open space between the building and the rear lot line, extending the full width of the lot areas perpendicular to the lot line.

1.3.66 YARD, REQUIRED FRONT, REAR OR SIDE

So much of the front, rear, or side yard is required by the applicable provisions of this ordinance.

1.3.67 YARD, SIDE

An open space between the building and a side lot line, extending from the front yard to the rear yard. Any yard not a rear yard or a front yard shall be deemed a side yard.

1.3.68 ZONE AE (*amended June 10, 2003*)

See "Base Flood Plain", "Floodway" and "Floodway, Fringe."

1.3.69 ZONE X (*amended June 10, 2003*)

The area that would be inundated by the 500-year flood.

ARTICLE II
ZONING DISTRICTS AND APPLICATION OF REGULATIONS

2.1 LIST OF DISTRICTS

Randolph is hereby divided into the following districts¹ as shown on the Town Zoning Map:

<u>District</u>	<u>Symbol</u>
Flood Protection	FP
Residence	RES
Rural	RU
Civic-Tourist	CT
Commercial	C
Rural Village	RV
Apartment Residence	AR
Industrial	I

2.2 ZONING MAP

The location and boundaries of the said districts are established as shown on the attached Town Zoning Map. The Town Zoning Map is hereby made a part of the Regulation, together with all future notations, references, and amendments.

2.3 INTERPRETATION OF ZONE BOUNDARIES

If uncertainty exists as to the boundary of any district shown on the Town Zoning Map the Board shall determine the location of such boundary.

2.4 APPLICATION REGULATIONS

The application of this Regulation is subject to Section 4405 and Section 4409 of the Development Act. Except as hereinafter provided, the following shall also apply:

- 2.4.1 No building shall be erected, moved, altered, razed, rebuilt, or enlarged, nor shall any land or building be used, designed, or arranged to be used for any purpose or in any manner except in conformity with all regulations, requirements, and restrictions specified in which such building or land is located.
- 2.4.2 Nothing contained in this Regulation shall required any change of plans, construction or designated use of a building complying with local laws in force prior to this Regulation, if a building shall have been completed in accordance with such plans within one year from the effective date of this Regulation.
- 2.4.3 Any use not specifically permitted by this Regulation shall be prohibited unless authorized by the BOARD if it finds, after a duly warned public hearing, that the proposed use is not injurious, obnoxious, or offensive and is in keeping with the Character and permitted uses in the Zoning District. Any list of prohibited uses

¹ Other zoning districts have been added; see amendments.

contained in any section of this Regulation shall not be deemed to be an exhaustive list, but has been 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.

2.5 NON-CONFORMING USES AND NON-COMPLYING BUILDINGS

Non-conforming uses under this Ordinance shall be subject to the provisions of the Vermont Development Act, Section 4408 (b) and (c).

2.5.1 CONTINUANCE OF NON-CONFORMING USES

Any non-conforming use of building or premises lawfully existing at the effective date of this Ordinance or any pertinent amendment thereto, may be continued, and any building so existing which was designed, arranged, intended for, or devoted to a non-conforming use may be reconstructed structurally altered, and the non-conforming use therein changed, all subject to the following regulations.

- 2.5.2 No non-conforming use may be changed except to a conforming use, or, with the approval of the BOARD, a non-conforming use may be changed to another non-conforming use.
- 2.5.3 No non-conforming use shall, if once changed into a confirming use, be changed back again into a non-conforming use.
- 2.5.4 No non-conforming use shall be extended or expanded except with the approval of the BOARD, which shall have determined that no greater detrimental effect upon the community will result.
- 2.5.5 No non-conforming use which has been discontinued for a period of one year shall be thereafter resumed.

2.6 ENLARGEMENT OF NON-CONFORMING BUILDING

Any building which does not conform to the requirements of this Ordinance regarding building height limit, area, and width of lot, percentage of lot coverage, and required yards and parking facilities shall not be enlarged unless such enlarged portion conforms to the ordinance regarding the foregoing building and lot requirements applying to the district in which it is located and unless the use is governed by the Development Act.

2.7 CONSTRUCTION AFTER DAMAGE

Nothing in this Ordinance shall prevent the reconstruction within one year of a building damaged by fire, accident, the act of God, or of the public enemy, to its condition prior to such damage or prevent the restoration of a wall or structural member.

ARTICLE III

ADMINISTRATION AND ENFORCEMENT

3.1 ADMINISTRATIVE OFFICER

An Administrative Officer is hereby appointed to administer the Zoning Regulations, as provided in Section 4442 of the Development Act. Said Officer shall literally enforce the provision of this Regulation, and in so doing, shall inspect land development and maintain records of the actions taken, and perform all other necessary tasks to carry out the provisions of this Regulation and duties of the office. The Administrative Officer shall report all alleged violations of the Regulation to the BOARD in writing. Such reports shall be made part of the records of that body.

3.2 ZONING PERMITS

After the effective date of this regulation, no building shall be erected, moved, razed, enlarged, or altered nor any land development commenced until a permit for such has been issued by the Administrative Officer, as provided by Section 4443 of the Development Act. Application for such permit shall be filed with the Administrative Officer, upon a form furnished by that Officer containing a sketch of the premises, showing the location and size of the proposed structure, or alterations, the approximate dimensions of the lot and all required open spaces, and such other information as the Administrative Officer may require to determine that the proposed building or structure or alteration or land use conforms as to the provision of this Regulation. A fee in the amount as set by the Selectmen shall accompany each application.

3.2.1 Any permit issued hereunder shall become void if work described therein is not commenced within a period of one year from date of issue and diligently prosecuted thereafter.

3.2.2 CERTIFICATE OF OCCUPANCY

It shall be unlawful to use or occupy or permit the use of or occupancy of any land or structure, or part thereof created, erected, changed, converted, or wholly or partly altered or enlarged in its use or structure after the effective date of this chapter, within the area affected by such zoning regulations, until a certificate of occupancy is issued therefore by the Administrative Officer. A certificate of occupancy will be issued to non-public buildings when substantial completion of the structure is obtained.

3.3 PENALTIES

Violations of this Regulation shall be regulated as prescribed in Section 4444 and Section 4445 of the Development Act.

3.4 DEVELOPMENT REVIEW BOARD (amended July 19, 2000)

There has been established a Development Review Board as provided for in 24 VSA Ch. 117, hereinafter referred to as the BOARD. The rules of procedure, public notice, conditions for variance relief, and all other matters shall be as provided for in 24 VSA Ch. 117.

3.4.1 CONDITIONAL USES

No zoning permit may be issued by the Administrative Officer unless conditional use has been granted by the BOARD. All conditional uses in the Town of Randolph will be evaluated using the following criteria:

- a) that the proposed use is consistent with the objectives of the comprehensive plan and the purposes of this ordinance.
- b) that the proposed use will not cause any hazard to health or property through:
 - 1) fire
 - 2) traffic
 - 3) accident
 - 4) unsanitary conditions
 - 5) excessive noise
 - 6) vibration
 - 7) odor
 - 8) other nuisances
- c) that the proposed use will not add a volume of traffic to the highways beyond their reasonable capacity.
- d) that access and exit points are limited to one location which is sufficiently wide and so related to highways to insure safety and efficiency of circulation of vehicular and pedestrian traffic.
- e) proposals must meet Town of Randolph road standards once adopted. (*amended July 19, 2000*)
- f) unsightly uses will be properly screened.
- g) an adequate system of surface runoff control will be required.
- h) a continuous strip not less than six (6) feet wide shall be maintained between the right-of-way line and the balance of the lot which strip shall be suitably landscaped.

The BOARD may make specific requirements in order to satisfy these criteria. Such uses shall in addition be subject to any pertinent Ordinances of the Town of Randolph or Statutes of the State of Vermont.

3.4.2 LOCAL ACT 250 REVIEW (*amended July 19, 2000*)

- A. Pursuant to 24 VSA Ch. 117, Section 4401(d) and Section 4449, the Board is hereby authorized to undertake local Act 250 (10 VSA Ch. 151) review of municipal impacts caused by a “development” and/or “subdivision,” as such terms are defined in 10 VSA Ch. 151.
- B. With respect to such developments or subdivisions, the Board, pursuant to the procedures established under 24 VSA Ch. 36 (the Municipal Administrative Procedures

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Act), shall hear applications for local Act 250 review of municipal impacts at a duly warned public hearing.

- C. All applicants for Act 250 permits for such developments or subdivisions located within the Town of Randolph shall go through this review process, unless all of the following apply:
- 1) That the applicant can establish to the satisfaction of the Board that the applicant relied on a determination by the Vermont Environmental Board's local district coordinator that Act 250 jurisdiction did not apply to the development or subdivision in question and, based upon that reliance, the applicant obtained local permits without complying with the requirement for local Act 250 review.
 - 2) The Vermont Environmental Board's local district coordinator's jurisdictional ruling was later reconsidered or overturned on appeal, with the result that Act 250 jurisdiction does apply to the development or subdivision for local Act 250 review.
 - 3) The Board waives its local Act 250 review jurisdiction in the interest of fairness to the applicant.
- D. Determinations by the Board regarding whether or not to waive its local Act 250 review jurisdiction shall not be subject to review.
- E. In the Board's local Act 250 review proceedings, the applicant shall demonstrate to the satisfaction of the Board that the proposed development or subdivision:
- 1) Will not cause an unreasonable burden on the ability of the municipality to provide educational services (Act 250 Criterion 6);
 - 2) Will not cause an unreasonable burden on the ability of the municipality to provide municipal or governmental services (Act 250 Criterion 7); and,
 - 3) Is in conformance with the Town Plan as adopted in accordance with the 24 VSA Ch. 117 (Act 250 Criterion 10).
- F. At the request of the Planning Commission, the Board may provide comment to the Planning Commission on all other Act 250 review criteria for any development or subdivision undergoing Act 250 review within the Town of Randolph.

3.5.1a PLANNED RESIDENTIAL DEVELOPMENT (PRD)

With the approval of a subdivision plan, the BOARD is hereby empowered to vary certain zoning regulations under the criteria and procedures established in Section 4407 (3) of the Development Act.

3.5.1b PLANNED UNIT DEVELOPMENT (PUD)

With the approval of a subdivision plan, the BOARD is hereby empowered to vary certain zoning regulations under the criteria and procedures established in Section 4407 (3) of the Development Act.

3.5.2 PURPOSE

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The purpose of this provision is to encourage more efficient use of land, innovation in design, to facilitate the adequate and economic provision of streets and utilities, and to preserve the qualities of open land.

3.5.3 APPLICATION

A site plan shall be submitted to the BOARD showing location height, and spacing of buildings, open space and their landscaping, street, driveways, off-street parking spaces, unique natural or man-made features, and physical conditions of the site, accompanied by a statement setting forth the nature of all proposed modifications, changes, or supplementations of the existing zoning regulations.

3.5.4 PERMITTED USES

Uses shall be limited to those permitted or conditional uses approved within the district in which the Planned Unit Development or Planned Residential Development is proposed.

3.5.5 STANDARDS FOR REVIEW

The following standards shall be met in order for the BOARD to approve the application:

- a) The BOARD may allow for greater concentration of density, or intensity of land use, within some sections of the development than upon others. The approval for greater concentration of density in one section shall be offset by a lesser concentration in another or by an appropriate reservation of common space as long as overall density requirements of the total area are not exceeded. In deciding whether or not to allow for a great density, the BOARD shall consider the type or water and sewerage facilities and other proposed utilities and their ability to handle greater density or intensity of use.
- b) Width, yard, coverage and height requirements for the district in which the development is to be located shall normally be met. The BOARD may vary these requirements to allow for innovative design and effective land use. Applicable procedures and requirements outlined in Section 3.5.6 below, and other sections of these regulations, as well as the Town of Randolph Subdivision Regulations shall also be met.
- c) The PUD or PRD shall be an effective, unified treatment of the development possibilities of the project site. The development plan shall make appropriate provision for the preservation of streams and streambanks, steep slopes, wet areas, soils unsuitable for development, forested areas, historic areas, unique natural and man-made features.
- d) Mixed uses shall be arranged so as to be compatible and ensure visual and aural privacy for project residents.
- e) Proposed streets shall be in harmony with existing or approved thoroughfares.
- f) The development shall be proposed over a reasonable period of time in order that adequate municipal services and facilities may be provided. If the development is to be phased, open spaces shall be developed simultaneously with residential or commercial units in various stages of the project.
- g) When a PUD or PRD results in land available for parks, recreation or open space the BOARD may require as a condition of approval that donation of these lands for municipal purposes. In addition, the BOARD may establish such conditions on the ownership, use and maintenance of such lands as it deems necessary to assure the preservation of such lands for their intended purposes.

3.6 APPEALS *(amended July 19, 2000)*

- A. Appeals from any decision or act of the Administrative Officer shall be made to the Board as provided for in 24 VSA Ch. 117 Section 4464.
- B. Appeals from any decision of the Board shall be made to the Environmental Court pursuant to 24 VSA Ch. 117 Section 4471. The Town, having adopted the Municipal Administrative Procedures Act, has resolved that decisions regarding an appeal of a decision or act of the Board shall be on the record in accordance with Rules 74 and 75 of the Rules of Civil Procedure.
- C. Notwithstanding the provisions of 24 VSA Ch. 117 Section 4471, decisions of the Board under 24 VSA Ch. 117 Section 4449 and Section 3.4.2 of these regulations, with respect to local Act 250 review of municipal impacts, are not subject to appeal, but shall serve as presumptions under the provisions of 10 VSA Ch. 151 (Act 250).

ARTICLE IV

4.0 SITE PLAN REVIEW

Site Plan Review shall be required for the development of tracts for uses other than one (1) or two (2) family dwellings and appurtenances, whether or not such development includes a subdivision or re-subdivision of the site. No Zoning Permit may be issued by the Administrative Officer for any use or structure which requires site plan approval in the regulation, until the BOARD grants such approval. In considering its action the BOARD shall consider appropriate conditions and safeguards with respect only to the adequacy of traffic access, circulation and parking and landscaping and screening. The timing of its action and in all other regards, the BOARD shall conform to the requirements of Section 4407 of the Development Act.

4.1 APPLICATION PROCEDURE

A number of copies required by the Administrator not to exceed nine (9) copies of a site plan map and application shall be submitted and the BOARD shall review and approve or disapprove plans for all uses other than one (1) or two (2) family dwellings and appurtenances, whether or not such development includes a subdivision or re-subdivision of the site. The construction of a residential single or two family dwelling shall not be covered by this section. Required site plans shall show all buildings, parking areas, signs and landscaping at a scale sufficient to permit the study of all elements of the plan. All utilities shall also be shown and described. Typical elevations for all floor plans of all buildings may also be required. Elevations views for all signs shall be provided. In addition, the site plans shall show adjacent building outlines and other outstanding features within two hundred (200) feet of the development, or as required by the BOARD.

- a) The proposed use, design, and layout shall meet the provisions of the Zoning Ordinance and other Regulations and Ordinances of the Town and shall meet the intent of the Town Plan.
- b) The proposed use, design, and layout will be of such a location and in such size and character that it will be in harmony with the appropriate and orderly development of the surrounding area.
- c) The proposed use and layout will be of such nature that it will not make vehicular or pedestrian traffic hazardous. Factors for the BOARD to consider in the determination are the turning movements in relation to traffic flow, proximity to and relationship to intersections, adequacy of sight distances, location and access of off-street parking, provisions for pedestrian traffic, and minimization of pedestrian-vehicular contacts.
- d) The proposed height and location of buildings or structures, walls, and fences, parking, loading and landscaping shall be that it will not interfere with or discourage the appropriate development in the use of land adjacent to the proposed site or unreasonably affect its use.
- e) *(deleted in amendments of July 19, 2000)*
- f) A fee in the amount as set by the Selectmen shall accompany each application.

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- g) The BOARD shall consider and approve or disapprove site plans within 60 days from the date the application is received. Failure to so act will be deemed an approval. One (1) copy of the site plan application shall be returned to the application together with any requirements, comments, or actions by the BOARD. A second copy indicating the same requirements, comments or action, shall be retained by the Zoning Administrator. *(amended July 19, 2000)*
- h) If a site plan requires public roads, water, or sewers, the applicant may be required by the BOARD to furnish the town, as the case may be, a bond and covenant covering these improvements.

4.2 REFERRAL TO STATE AGENCY

In accordance with Section 4409 (C) of the Development Act, no Zoning Permit for development of land in certain locations shall be issued by the Administrative Officer without first submitting a report to the appropriate agency.

ARTICLE V

AMENDMENTS, INTERPRETATION, EFFECTIVE DATE

5.0 AMENDMENTS

This Regulation may be amended according to the requirements and procedures established in Sections 4403 and 4404 of the Development Act.

5.1 INTERPRETATION

In their interpretations and application, the provisions of this Regulation shall be held to be the minimum requirements adopted for the promotion of the public health, safety, comfort, convenience and general welfare. Except for Section 4409 (B) of the Development Act and where, in this Regulation, specifically provided to the contrary, it is not intended by the Regulation to repeal, abrogate, annul or in any way impair or interfere with any rules, regulations or permits previously adopted or issued pursuant to law relating to the use of buildings, structures, shelter or premises; nor is it intended by this Regulation to interfere with or abrogate or annul any easements, covenants or others agreements between parties; provided however, that where this Regulation imposes a greater restriction upon the use of a building or premises, or requires larger open spaces than are imposed or required by other statutes, ordinance, rule, regulations or permit or by an easement, or agreements, the provisions of this Regulation shall control.

5.2 EFFECTIVE DATE

This Regulation shall take effect twenty-one (21) days from the time of adoption by the Selectmen or after vote of a petitioned town meeting.

5.3 SEPARABILITY

Should any section or provision of the Regulation be decided by the courts to be unconstitutional or invalid, such decision shall not affect the validity of the Regulation as a whole or any part thereof other than the part so decided to be unconstitutional or invalid.

**B. ZONING CONTROLS
GENERAL REQUIREMENTS**

5.4 MISCELLANEOUS REQUIREMENTS

In accordance with the Development Act, Section 4406 and 4409 respectively, the following shall apply:

5.5 EXISTING SMALL LOTS

Any lot in individual and separate and nonaffiliated ownership from surrounding properties in existence on the effective day of any zoning regulation, including an interim zoning regulation, 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 not less than one-eighth acre in area with a minimum width or depth dimension of forty (40) feet.

5.6 REQUIRED FRONTAGE ON, OR ACCESS TO, PUBLIC ROADS OR PUBLIC WATERS

No land development may be permitted on lots which do not have frontage on either a public road or public water or, with the approval of the BOARD, access to such a road or waters by a permanent easement or right-of-way at least twenty (20) feet in width.

5.7 PROTECTION OF HOME OCCUPATIONS

Home Occupation is that accessory use of a dwelling that shall constitute either entirely or partly the livelihood of a person living in the dwelling subject to the following:

- a. No Home Occupation shall be permitted that:
 1. Changes the outside appearance of the dwelling or is visible from the street;
 2. Comprises an area within the existing dwelling, or accessory building, or in a combination of the two, that exceeds twenty-five percent (25%) of the living area of the dwelling to a maximum of five hundred (500) square feet;
 3. Employs anyone on the premises other than a household member residing in the dwelling. A waiver to a maximum of one non-household member may be granted if a hardship or necessity is demonstrated to the satisfaction of the BOARD;
 4. Generates traffic, parking, sewerage, or water use in excess of what is normal in the residential neighborhood;
 5. Creates a hazard to person or property or results in electrical disturbances, objectionable noise, vibration, smoke, dust, odors, heat or excessive glare, or other nuisance;
 6. Results in the outside storage or display of materials.
- b. Permits for Home Occupations shall be issued by the Zoning Administrator if all requirements have been met.
- c. Any approval for a Home Occupation is granted to the applicant for the length of time that the applicant occupies the dwelling. Approval shall terminate upon relocation by the applicant and shall neither remain with subsequent occupant of the dwelling nor transfer to a new location with the original applicant.

5.8 EQUAL TREATMENT OF HOUSING

- (a) Except as provided in Section 4407 (6) of this title, no zoning regulation shall have the effect of excluding mobile homes, modular housing, or other forms of prefabricated housing from the municipality, except upon the same terms and conditions as conventional housing is excluded.

- (b) No zoning regulation shall have the effect of excluding from the municipality housing to meet the needs of the population as determined in Section 4382 (c) of this title.

5.9 STATUTORY LIMITATIONS

The following uses may only be regulated with respect to size, height, bulk, yards, courts, setbacks, density of buildings, off-street parking, loading facilities, landscaping and screening requirements:

- 5.9.1 Public utility power generating plants and transmission lines.
- 5.9.2 State or community owned and operated institutions and facilities.
- 5.9.3 Public and private schools and other educational institutions certified by the Vermont Department of Education.
- 5.9.4 Churches, convents, and parish houses.
- 5.9.5 Public and private hospitals.
- 5.9.6 If any bylaw is enacted with respect to any land development subject to regulations under state statutes, the more stringent or restrictive regulations applicable shall apply.
- 5.9.7 No zoning permit for the development of land of the following types or located within the following designated areas may be granted by a municipality prior to the expiration of a period of thirty (30) days following the submission of report to the state agency designated in each case, describing the proposed use, the location requested and an evaluation of the effect of such proposed use on the plan of the municipality and on the regional, if any:
- (1) Forest and Parks Department. Any use in or within one thousand (1,000) feet of any state owned or leased property. This provision does not apply within any incorporated village or city.
 - (2) Department of Water Resources. Any of the following uses activities affecting ground or surface water resources:
 - (a) Any area designated as flood plain.
 - (b) The damming of streams so as to form an impounding area of five (5) acres or more for reservoir or recreational purposes.
 - (c) The drilling of wells deeper than fifty (50) feet or with an potential yield greater than twenty-five thousand (25,000) gallons per day, except this shall not apply to a well drilled by the owner of a farm or residence for his own use, or the use of the farm.
 - (3) Fish and Game Department. Game lands and stream bank areas owned or leased by the state.
 - (4) Vermont Aeronautics Commission. Airports.

- (5) Forest and Parks Department. The following recreational areas:
- (a) Ski areas with lifts or other equipment other than tows with total capacity of more than five hundred (500) persons per hour.
 - (b) Camps with accommodations for more than fifty (50) persons.
 - (c) Marinas with accommodations for twenty (20) or more boats with lengths in excess of twenty (20) feet.
 - (d) Public beaches, or lands within one thousand (1,000) feet thereof.
 - (e) Natural areas defined in Section 2010 of Title 10.
- (6) Highway Department. Any use within five hundred (500) feet of the intersection of any entrance or exit ramp providing access to any limited access highway.

5.9.8 A state licensed or registered community care home or group home, serving not more than six (6) persons who are developmentally disabled or physically handicapped, shall be considered by right to constitute a permitted single-family residential use of property, except that no such home shall be so considered if it is located within one thousand (1,000) feet of another such home.

5.10 AUTOMOBILE SERVICE STATIONS, JUNK AND JUNKYARDS

All motor vehicles, registered or unregistered, which do not comply with the Motor Vehicle Regulations to pass inspection or which are not repaired to pass inspection within ninety (90) days shall be screened from the highway and adjacent property by suitable screening. Any automobile service station not conforming to this regulation at the time this amendment goes into effect shall become a conforming use within a ninety (90) day period.

Body repair service stations shall not have over eight (8) cars in their lot at any one time without complying to the screening requirements.

Junkyards, auto wrecking and the storage of waste materials permitted by approval of the Board, in Rural Zones and in the Industrial Zones shall either be out of sight of any highway or be screened as above.

In any district where junkyards, auto wrecking yards and yards for the storage of waste materials are permitted by approval of the BOARD, the above regulations shall apply.

5.11 MOBILE HOMES

5.11.1 PERMITS

No person shall locate or relocate a mobile home in the town of Randolph outside of a Mobile Home Park, unless such person shall first obtain from the Administrative Officer a permit therefore, except that a person may bring in a mobile home while visiting relative or friends and may park in the same on the property of said relative or friend for a period not to exceed seven (7) days without a license provided the mobile home is located at least twenty-five (25) feet form the dwelling of any neighbor or such friend or relative and not used as a residence.

A person may park but not reside in a mobile home in the same manner on the property of relatives or friends who reside in the rural districts for a period not to exceed ninety-days with a permit.

An application for a mobile home permit shall be supplied by the Administrative Officer.

A mobile home so located shall meet all other regulations and requirements for any residential unit in that area as set forth in these regulations and such other regulations as shall be adopted by the town from time to time.

Mobile homes located in Randolph outside of a licensed Mobile Home Park at the time of enactment of this amendment shall continue to be subject to the provisions and requirements of the Zoning Ordinance in effect when the permit for that mobile home was issued.

5.12 *(deleted in amendments of July 19, 2000)*

5.13 TRAVEL TRAILERS AND CAMPERS

5.13.1 CAMPER PARK OR TRAVEL TRAILER PARK

No person or persons shall construct or operate a trailer camp without first obtaining site plan approval from the BOARD and a permit from the Administrative Officer.

5.13.2 APPLICATION

Application for a trailer camp site plan approval shall be made to the BOARD. The application shall be accompanied with a site plan and drawings prepared showing the property lines and area of the park, and where appropriate a contour map, a layout of the roads, walkways, trailer lots, parking areas, garbage collection stations, electrical distribution, water lines, sanitary sewer facilities and storm sewer drainage facilities.

5.13.3 TRAILER CAMP STANDARDS

The following regulations shall apply in respect to all trailer camps:

A trailer camp shall have an area of not less than five (5) acres.

Trailer camps shall provide for individual trailer driveways and parking.

Each trailer lot shall be at least twenty-five hundred (2,500) square feet in area and have a stable surface at least twenty (20) feet in width.

There shall be an undeveloped area of not less than one hundred (100) feet in depth between all camping trailer and tent sites and the traveled portion of any adjacent public highway; and any other lot boundary of the trailer camp shall be landscaped with existing or newly planted trees or other plant materials. The Board may reduce or waive the requirements of this subsection when in its opinion:

- a. Such a reduction or waiver will make it possible to preserve an attractive view from the site.

- b. Granting of the reduction of waiver will be in the public interest.

Each lot shall be located in a dry and well-drained area.

All roads within the site shall be of sufficient grade and alignment so as to permit safe traffic flow at all times. The design of roads shall be adequate to provide for the utilization of police, fire, ambulance, and other emergency vehicles. Proper traffic control signs shall be established as is consistent with the public safety.

5.14 OFF-STREET PARKING

5.14.1 PARKING FACILITIES REQUIRED

Parking facilities off street or highway right-of-way shall be provided to serve all buildings erected, moved, altered, or enlarged and all premises otherwise developed after the adoption of this ordinance. Such facilities shall be sufficient to accommodate the motor vehicles of all occupants, employees, customers and other persons normally visiting such building or premises at any one time.

5.14.2 LOCATION OF REQUIRED PARKING FACILITIES

Required parking facilities shall be located on the same lot as the building or other use which they serve, except that upon the approval of the BOARD required parking facilities may be located elsewhere.

5.14.3 REQUIRED PARKING

Off street parking spaces shall be provided in accordance with the specifications in this section in any district whenever any new use is established or when the present use is enlarged.

USE	PARKING SPACES REQUIRED
Residential	2 per family unit
A. Single Family	2 per family unit
B. Multi Family	1.5 per family unit
Church and School	1 per four seats in principal assembly room
Private Club or Lodge	¼ per maximum capacity
Theater or Auditorium	1 per 4 seats
Hospitals and Rest Homes	1 per 3 beds and 1 for each 2 employees on the maximum
working	shift
Personal and Professional Services Office, and Business Services	1 for every 250 square feet of gross floor space
Retail Stores, including Restaurants	6 for each 1000 square feet of gross floor space

<u>USE</u>	<u>PARKING SPACES REQUIRED</u>
Industrial	2 for each 3 employees on the maximum working shift
Motel	1 space per room
Elderly Housing	1 space per 4 apartments
Recreation and other uses not listed above	As required by the BOARD

All stalls shall be 9' x 20'.

The above requirements may be modified by vote of the BOARD.

5.15 REMOVAL OF TOP SOIL, SAND AND GRAVEL

5.15.1 REMOVAL RESTRICTED

Unless the BOARD has granted a permit there shall be no removal from the premises in any district of earth, sand, gravel or clay, except as surplus material resulting from a bona fide construction, landscape or agricultural operation being executed on the premises, and provided that no permanent non-correctable damage is done to the landscape.

5.15.2 REMOVAL OF TOP SOIL

The BOARD may grant a permit in any district for the removal of top soil or loam from any area, provided that no less than four inches of top soil or loam remains and provided further that the entire area disturbed is seeded with a suitable cover crop or is put to cultivation.

5.15.3 REMOVAL OF SAND, GRAVEL AND CLAY

The BOARD, after public hearing, may permit the removal of sand, gravel or clay in any district and may require any of the following conditions where necessary to protect the public safety and public interest, including the protection of area land values:

- a) The applicant shall submit a plan showing existing grades in the area from which the above materials are to be removed, together with finished grades at the conclusion of the operation.
- b) The plan shall provide for proper drainage of the area of operation during and after completion and no bank shall exceed a slope of one (1) foot of vertical rise in feet of horizontal distance except in ledge rock. No removal shall take place within twenty (20) feet in a property line except that where the grade from a property line rises towards the lot where removal is to take place, material lying above the grade at the property line may be removed.
- c) At the conclusion of the operation or of any substantial portion thereof, the whole area where removal takes place shall be covered with four (4) inches of top soil, or an amount equal to the pre-existing depth of same, and seeded with a suitable cover crop, except where ledge rock is exposed. The cover crop shall be properly established.

- d) Before a permit is granted under this section, the applicant shall post a bond with the Treasurer of the Town of Randolph in an amount set by the Selectmen as sufficient to guarantee conformity with the provisions of the permit issued hereunder.

5.16(*deleted in amendments of July 19, 2000*)

5.17 OTHER SPECIAL REGULATIONS

5.17.1 REDUCTION OF LOT AREA OR DIMENSIONS

No lot shall be diminished, or shall any yard, court, or any other open space be reduced unless in conformity with this Ordinance.

5.17.2 LOTS LYING IN MORE THAN ONE DISTRICT

In the case of lots lying in more than one (1) zoning district, the provisions of any zoning district may be applied for a distance not over thirty (30) feet into any other adjacent district.

5.17.3 PROJECTION INTO OPEN SPACES

Nothing in this Ordinance shall prohibit the projection of not more than one (1) foot into a required open space of pilasters, columns, belt courses, sills, cornices or other similar architectural features, nor the planting or landscaping of such open spaces.

5.17.4 OBSTUCTIONS AT STREET INTERSECTIONS

No fence, wall, hedge, shrubbery or other obstruction to vision in excess of two (2) feet in height shall be placed or allowed to grow at street intersections within the area formed by a line joining points on each front lot line twenty (20) feet from the intersection of the right-of-way.

5.17.5 LOTS ADJACENT TO A RAILROAD

In the case of that portion of a lot in a Commercial or Industrial District, where a portion of said lot is contiguous to a railroad right-of-way, no side or rear yard shall be required adjacent to such right-of-way.

5.17.6 DWELLINGS FOR MORE THAN ONE FAMILY

The number of family dwelling units on any lot shall not exceed one (1) for each unit of land area appearing under the heading "Minimum Lot Area Per Family Dwelling Unit" in the table applicable in the district in which such lot is located.

5.17.7 SIZE AND HEIGHT LIMITATIONS

The building height limit shall be applied separately for each wing or other distinct portion of the building, and may be increased for any building or distinct portion thereof by one (1) foot for every two (2) feet by which such building or such portion thereof lies inside the nearest limiting line of any required front, side or rear yard. Spires, cupolas, towers, chimneys, flagpoles, penthouses, ventilators, tanks, radio or television aerials and similar features, occupying in the building area and not used for human occupancy, may be erected to a reasonable and necessary height.

5.17.8 ACCESSORY BUILDINGS

Accessory buildings shall not be located in the front yard setback and shall not be closer than four (4) feet to the rear and side lot lines.

5.17.9 USE OF LAND ACCESS OR PARKING

The use of land for access to or for parking in connection with a use shall be considered to be accessory to and part of such use, except that this provision shall not prohibit access across a Commercial District to a use lying in an Industrial District. Except as otherwise provided in this Ordinance, access to or parking in connection with a permitted use may take place in a required front, side or rear yard.

5.17.10 MORE THAN ONE PRINCIPAL BUILDING PER LOT

With the exception of the PUD/PRDs, no more than one (1) principal building may be placed on a lot unless such buildings and any building accessory to such principal buildings are able to be subdivided into two separate and individual lots, both lots and their respective uses conforming to all applicable provisions of this Regulation.

5.17.11 TWO OR MORE PRINCIPAL USES WITHIN A STRUCTURE *(amended 4/2001)*

For each building that has more than one principal use in the building, the minimum lot area requirement for the building shall be the greater of the lot area requirements of all the uses in the building.

5.17.12 SANITATION REQUIREMENTS

All private dwellings, including vacation homes and camps, connected with water shall have sewer facilities approved by the Administrative Officer.

5.17.13 ONE- AND TWO-FAMILY RESIDENCES IN THE COM AND IND DISTRICTS *(amended 4/5/05)*

Notwithstanding the Chart of Permitted and Conditional Uses, buildings already located within the COM and IND Districts which were originally built and occupied as single- or two-family homes may continue to be used, or revert to use, as single- or two-family residences.

5.18 TELECOMMUNICATION FACILITIES (*interim amendment expired 1/8/05*)

ARTICLE VI
DISTRICT REGULATIONS

6.1 FLOOD PROTECTION DISTRICT (FP) (amended 6/10/03)

The flood protection district is an overlay district. All other requirements of these regulations shall apply in addition to the provisions herein provided, unless it is otherwise so indicated.

A. District Objective

The Flood Protection District is established pursuant to Section 4412 of the Development Act with the following intents:

1. To minimize and prevent the loss of life and property, the disruption of commerce, the impairment of the tax base and the extraordinary public expenditures and demands on public service that result from flooding;
2. To ensure that the development in flood hazard areas is accomplished in a manner that minimizes or eliminates the potential for flood damage;
3. To promote agriculture in flood-prone areas; and
4. To maintain the Town of Randolph's eligibility for federal flood insurance.

B. District Boundaries

1. The base flood elevations and floodway limits (Zone AE) which define the district boundaries shall be as currently delineated and amended in the future by the National Flood Insurance Program in the Flood Insurance Study and accompanying maps.
2. Figure 1, "Floodway Schematic," pictorially indicates floodway areas and is included for clarity.

C. Prohibited Uses

In addition to those uses classified as prohibited on the Use Classification table in the underlying districts, the following are prohibited:

1. Floodway Areas
 - a. All structures and filling of land except with the approval of the Board as herein provided.
 - b. Junkyards and storage facilities for chemicals, explosives, flammable liquids, or other hazardous or toxic materials.
2. Fringe Floodway Areas
 - a. Filling of land except with the approval of the Board as herein provided.
 - b. Junkyards and storage facilities for chemicals, explosives, flammable liquids, or other hazardous or toxic materials

D. Development Review Procedures

In addition to other review procedures contained within these regulations, the following shall apply for proposed development within the Flood Protection District:

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1. Prior to the issuance of a permit for the construction of new buildings, the substantial improvement of existing buildings, or for development in the floodway or fringe floodway, a copy of the application shall be submitted by the Administrator to the Vermont Department of Environmental Conservation in accordance with Section 4412 of the Development Act. A permit may be issued only following receipt of comments from the Department or the expiration of 30 days from the date the application was mailed to the Department, whichever is sooner.
2. Adjacent communities and the Vermont Department of Environmental Conservation shall be notified at least 15 days prior to issuing any permit for the alteration or relocation of a watercourse and copies of such notification shall be submitted to the Administrator of the Federal Insurance Administration.
3. Proposed development shall be reviewed to assure that all necessary permits have been received from those governmental agencies from which approval is required by Federal or State law.

E. Development Standards

In addition to other standards contained within these regulations, the following shall apply:

1. Floodway Areas
 - a. Development within the floodway is prohibited unless a registered professional engineer certifies that the proposed development will not result in any increase in flood levels during the occurrence of the base flood and will not obstruct the stream channel.
 - b. Any development that meets the above standard shall also meet the standards set forth below for development in the Fringe Floodway Areas.
2. Fringe Floodway Areas
 - a. All development shall be designed to minimize flood damage to the proposed development and to public facilities and utilities, and to provide adequate drainage to reduce exposure to flood hazards.
 - b. Structures shall:
 - i. be designed and/or modified and adequately anchored to prevent flotation, collapse, or lateral movement of the structure during the occurrence of the base flood;
 - ii. be constructed with materials resistant to flood damage;
 - iii. be constructed by methods and practices that minimize flood damage;
 - iv. be constructed with electrical, heating, ventilation, plumbing, and air conditioning equipment and other service facilities that are designed and/or located so as to prevent water from entering or accumulating within the components during flooding.
 - c. The flood carrying capacity within any altered or relocated portion of a watercourse shall be maintained.
 - d. New and replacement water supply and sanitary sewage systems shall be designed to minimize or eliminate filtration of flood waters into the systems

and discharges from the systems into flood waters.

- e. On-site waste disposal systems shall be located to avoid impairment to them or contamination from them during flooding.
- f. New and replacement manufactured homes shall be elevated on properly compacted fill such that the top of the fill (the pad) under the entire manufactured home is above the base elevation.
- g. The lowest floor, including basement, of all new buildings and existing buildings to be substantially improved for residential purposes shall be built or modified to be at or above the base flood elevation.
- h. New building and existing buildings to be substantially improved for non-residential purposes shall either (1) meet the requirements of subparagraph g above, or (2) be designed to be watertight below the base flood elevation with walls substantially impermeable and with structural components having the capability of resisting hydrostatic and hydrodynamic loads and effects of buoyancy. A permit for a building proposed to be flood-proofed shall not be issued until a registered professional engineer or architect has reviewed the structural design, specifications and plans, and has certified that the design and proposed methods of construction are in accordance with accepted standards of practice for meeting the provisions of this subsection.
- i. All new construction and substantial improvements with fully enclosed areas below the lowest floor that are subject to flooding shall be designed to automatically equalize hydrostatic flood forces on exterior walls by allowing for the entry and exit of floodwaters. Designs for meeting this requirement must either be certified by a registered professional engineer or architect or meet or exceed the following minimum criteria: A minimum of two openings having a total net area of not less than one square inch for every square foot of enclosed area subject to flooding shall be provided. The bottom of all openings shall be no higher than one foot above grade. Openings may be equipped with screens, louvers, valves, or other coverings or devices provided that they permit the automatic entry and exit of floodwaters.
- j. Recreational vehicles placed on sites within Zones A1-A30, AH and AE shall either (1) be on the site for fewer than 180 consecutive days, (2) be fully licensed and ready for highway use, or (3) meet all standards of §60.3(b)(1) of the National Flood Insurance Program Regulations and the elevation and anchoring requirement for “manufactured homes” of §60.3(c)(6)

F. Duties and Responsibilities of the Administrator

The Administrator shall maintain a record of:

- 1. All permits issued for development in the Flood Protection District.
- 2. The elevation, in relation to mean sea level, of the lowest floor, including basement, of all new or substantially improved buildings.
- 3. The elevation, in relation to mean sea level, to which buildings have been flood proofed.
- 4. All flood-proofing certifications required under this regulation.
- 5. All variance actions, including justification for their issuance.

G. Variances to the Development Standards

Variances shall be granted by the Board only:

1. In accordance with these regulations and in accordance with the criteria for granting variances found in 44 CFR, Section 60.6, of the National Flood Insurance Program regulations;
2. Upon a determination that during the base flood discharge, the variance will not result in increased flood levels;

Upon a determination that the structure or other development is protected by methods that minimize flood damages during the base flood and create no additional threats to public safety.

6.1.1

6.2 APARTMENT RESIDENCE DISTRICT (AR)

To provide for single family, two (2) family and multi-family residential areas in those Village areas of the Town are suitable to such uses in order to accommodate the present population and land use in this area and to provide for future growth.

6.2.1 PERMITTED USES

See Use Table.

6.2.2 LOT REQUIREMENTS

All dwellings must be connected with public water and sewer.

- 10,000 sq. ft. single family unit
- 15,000 sq. ft. two family unit
- 15,000 sq. ft. + 5,000 sq. ft. per family unit for each additional unit greater than 2 units
- Min. lot width 100 ft.
- Front yard setback 30 ft.
- Rear yard setback 30 ft.
- Side yard setback..... 20 ft.
- Max. bldg. coverage 40 %
- Max. bldg. height..... 30 ft.

6.3 RESIDENCE DISTRICT (RES) (RURAL 2-20)

The purpose of this district is to provide residential areas to accommodate the present population in the town and the growth to be expected in the future. To provide defined neighborhoods where availability of water and sewage disposal permit.

6.3.1 PERMITTED USES

See Use Table.

6.3.2 LOT REQUIREMENTS

MINIMUM LOT AREA

RESIDENTIAL

- 10,000 sq. ft. single family unit connected to public water and sewer
- 20,000 sq. ft. single family unit connected to public water or sewer

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40,000 sq. ft. single family unit if water and sewer on-site
30,000 sq. ft. two (2) family unit connected to public water or sewer
30,000 sq. ft. + 10,000 sq. ft. per family unit for each additional unit greater than two
(2) committed to public water or sewer

Min. lot width..... 100 ft.
Front yard setback..... 30 ft.
Rear yard setback..... 30 ft.
Side yard setback..... 20 ft.
Max. bldg. coverage..... 25 %
Max. bldg. height 30 ft.

RURAL 2-20

20,000 sq. ft. single family unit connected to public water and sewer
1 acre single family unit connected to public water or sewer
2 acres single family unit if water and sewer on site
30,000 sq. ft. two (2) family unit connected to public water and sewer
30,000 sq. ft. per family unit for two (2) or more units connected to public water or
sewer
1.5 acres per family unit if water and sewer on site for two (2) or more units
10,000 sq. ft. per family unit three (3) or more units connected to public water and
sewer

Min. lot width..... 100 ft.
Front yard setback..... 30 ft.
Rear yard setback..... 30 ft.
Side yard setback..... 20 ft.
Max. bldg. coverage..... 25 %
Max. bldg. height 30 ft.

6.4 RURAL DISTRICTS (RU3) (RU5)

To protect and encourage farming of all kinds, as an important part of the Town's economic base and to provide areas for residence at a density consistent with the capacity of the soil and topography as to furnish a potable water supply and to accommodate a private disposal system for such buildings.

6.4.1 PERMITTED USES

See Use Table.

6.4.2 LOT REQUIREMENTS

RURAL 3 ACRE AND RURAL 5 ACRE

Min. lot width..... 300 ft.
Front yard setback..... 30 ft.
Rear yard setback..... 30 ft.
Side yard setback..... 30 ft.
Max. bldg. coverage..... 15 %
Max. bldg. height 30 ft. (silos not included)

Barns, Stables

- Rear yard setback..... 200 ft.
- Side yard setback..... 200 ft.
- Front yard setback..... 50 ft.

6.5 RURAL VILLAGE DISTRICT (RV)

To provide areas for residence and commerce to co-exist in the same neighborhood and allow for future growth as an economic and social center for the surrounding area.

6.5.1 PERMITTED USES

See Use Table.

6.5.2 LOT REQUIREMENTS

- 10,000 sq. ft. single family unit connected to public water and sewer
- 20,000 sq. ft. single family unit connected to public water or sewer
- 40,000 sq. ft. single family unit if water and sewer on site
- 30,000 sq. ft. two (2) family unit connected to public water or sewer
- 30,000 sq. ft. per family unit for two (2) or more units if water and sewer on site
- 30,000 sq. ft. + 10,000 sq. ft. per family unit for each additional unit greater than two (2) connected to public water or sewer
- 20,000 sq. ft. for all other uses

- Min. lot width..... 100 ft.
- Front yard setback.....30 ft.
- Rear yard setback..... 30 ft.
- Side yard setback..... 20 ft.
- Max. bldg. coverage..... 25 %
- Max. bldg. height 30 ft.

6.6 CIVIC-TOURIST DISTRICT (CT)

To provide central locations along main highways in the Village and Town for community buildings of all kinds, public, organizational and institutional, which should be accessible to residents of the town and region. To provide accommodations and services for tourists and vacationers.

6.6.1 PERMITTED USES

See Use Table.

6.6.2 LOT REQUIREMENTS

- Min. lot area 20,000 sq. ft.
- Min. lot area per family unit.. 15,000 sq. ft.
- Min. lot width 100 ft.
- Front yard setback 40 ft.
- Rear yard setback 30 ft.
- Side yard setback..... 20 ft.
- Max. bldg. coverage 40 %

Max. bldg. height..... 30 ft.

6.7 COMMERCIAL DISTRICT (COM) (amended 4/5/05)

To concentrate the regional and town-wide business, to provide areas for its best development and to protect these locations by excluding other kinds of development which would serve to scatter new businesses and limit the expansion of present business; to provide areas sufficiently compact for the convenience of pedestrians, and with sufficient area to allow parking space for patrons who come by automobile.

Notwithstanding the above, buildings already located within the COM District which were originally built and occupied as single- or two-family homes may continue to be used, or revert to use, as single- or two-family residences. *(this paragraph only - interim amendment expired 1/8/04; adopted as permanent 4/5/05)*

6.7.1 PERMITTED USES

See Use Table.

6.7.2 LOT REQUIREMENTS

- Min. lot area 12,000 sq. ft.
- Min. lot area per family unit... 5,000 sq. ft.
- Min. lot width 100 ft.
- Max. bldg. height..... 30 ft. or consistent with height of existing buildings in the area.

Setbacks and max. bldg. coverage will be approved during the site plan review process. Green strips are encouraged.

6.8 INDUSTRIAL DISTRICTS (I or IND) (amended 4/5/05)

To create a type of district suited to modern industrial techniques and plan design for research and manufacture of products, where they will have space for expansion of assembly line construction, for parking and for landscaping which will make them fit into rural landscape. To provide location with good highway access and where possible rail access also for industrial uses which would be appropriate to the region.

Notwithstanding the above, buildings already located within the IND Districts which were originally built and occupied as single- or two-family homes may continue to be used, or revert to use, as single- or two-family residences.

6.8.1 PERMITTED USES

See Use Table.

6.8.2 LOT REQUIREMENTS

- Min. lot area 20,000 sq. ft.
- Min. lot width 150 ft.
- Front yard setback 40 ft.
- Rear yard setback 30 ft.
- Side yard setback..... 20 ft.
- Max. bldg. coverage 40 %
- Max. bldg. height..... 40 ft.

6.9 CONSERVATION ZONE

To provide for protection of surface reservoirs and to enhance the natural beauty of the rivers in the Town. No structures, paving, or filling will be allowed.

6.9.1 ZONE BOUNDARIES

200 ft. from the village reservoir

50 ft. each side of the Second and Third Branches of the White River

6.10 SPECIAL PROVISIONS

6.10.1 The sale of food or beverages for consumption is prohibited on the premises of single family, two (2) family and multi-family dwellings except where board is provided to transients.

6.10.2 On established streets where the homes on either side are less than thirty (30) feet from the street, any new homes or additions or construction attached to existing homes or buildings of any kind may be located as close to the curb as the adjacent houses.

6.10.3 Agriculture, the keeping of not more than two (2) head of livestock and of poultry up to twenty-five (25) birds, truck gardening, nursery crops, including greenhouses incidental thereto is a Conditional Use as shown in the Use Table. No livestock or poultry shall be housed within one hundred (100) feet from any street line or any lot line. This paragraph shall not permit raising of swine or fur bearing animals other than rabbits. No manure or dust producing fertilizer shall be stored in the open within one hundred (100) feet from any street line or lot line. However, those lands presently being used as a full time farming enterprise shall be exempt if the storage does not create an environmental hazard.

6.10.4 ELDERLY HOUSING

The Board may waive the density requirements of a zoning district when an elderly housing project is proposed.

1. Provides common area space of approximately fifteen (15) square feet per unit within the complex.
2. Provides that the proposal will not adversely effect the character of the neighborhood.

6.10.5 Service stations which are defined as including auto body and auto repair will be prohibited in Village Civic Tourist and conditional in Town Civic Tourists.

ARTICLE VII – *(deleted in amendments of July 19, 2000)*

Randolph Zoning Regulations

CHART OF PERMITTED AND CONDITIONAL USES	AR	RES & RU2-20	RU3	RU5	RV	CT	COM	IND	FP
Ambulance services	C	C	C	C	C	C	C	C	
Amusement parks				C					
Appliance, radio, TV, clock repairs					C		P		
Article 6, paragraph 6.10.3	C	C	C	P	C	C			C
Assembly halls			C	C	C	C	P		
Auction facilities			C	C	C		C		
Auto & vehicle wrecking and junkyards				C				P	
Auto and truck sales				C	C		C	P	
Autobody repairs			C	C	C	C	P	C	
Automobile repairs			C	C	C	C	P	C	
Barber shops & beauty parlors					C	C	P		
Beef and veal production			C	P	C				P
Beverages								P	
Blacksmith			C	C	C		C	C	
Blueprint and copy services					C		P	C	
Bowling alleys						C	P		
Camping facilities				C					
Candy								P	
Canning operations				C				P	
Cemeteries		C	C	P	C				
Cleaning establishments					C	C	P		
Commercial kennels			C	P	C				
Concrete mixing plants				C				P	
Correctional and penal facilities	C	C	C	C	C	C	C		
Court houses	C	C	C	C	C	C	C		
Dairy farming			C	P	C				P
Dairy products				C				P	
Dance halls						C	P		
Data processing facilities				C		C	P		
Distribution and storage facilities incl. truck terminals, storage of petroleum, chemicals, fertilizers, cement, scrap metal, waste paper, glass, cold or frozen food, feed grain			C	C				P	
Dormitories	P	C	C	P	C				
Dress making					C	C	P		
Electrical contractors					C		P	C	

Randolph Zoning Regulations

CHART OF PERMITTED AND CONDITIONAL USES	AR	RES & RU2-20	RU3	RU5	RV	CT	COM	IND	FP
Engineering offices & facilities				C		C	P		
Farm machinery & equipment				C	C		C	P	
Farm machinery sales and repair			C	P	C				
Farm supplies - sales & storage			C	P	C		P		
Financial institutions						P	P		
Fire stations	C	C	C	C	C	C	C		
Firewood and timber production			C	P	C				P
Fraternal & community institutions	C	C	C	C	C	C			
Fruit and vegetable production			C	P	C				P
Fur-bearing and animal production			C	P	C				P
Furniture & upholstery repair					C		P		
Furniture mfr.								P	
Garages and parking areas - buses			C	C	C			P	
Gasoline filling stations			C	C	C	C	P	C	
General crop production			C	P	C				P
General food products								P	
General grocery			C	C	C	C	P		
General retail sales					C	C	P		
Glass sales and installation					C		P	C	
Goat production			C	P	C				P
Golf courses				P					P
Golf driving ranges				C		C			P
Half-way houses & rehabilitation services	C	C	C	C	C				
Health care facilities	C	C	C	C	C	C			
Heavy contractors equipment				C	C		C	P	
Home & garden equipment							P		
Home or cottage industries	P	P	P	P	P	P			
Homes for children or the aged	C	C	C	C	C				
Horse breeding or training			C	P	C				P
Hotels, motels, inns, tourist cabins				P	C	P	C		
Laundromats					C	C	P		
Lumber and building materials				C	C		C	P	

Randolph Zoning Regulations

CHART OF PERMITTED AND CONDITIONAL USES	AR	RES & RU2-20	RU3	RU5	RV	CT	COM	IND	FP
Manufacturing incl. foundries, metal stamping, metal fabrication or heat treating, metal plating, grinding, polishing machining, forging, electrical equip, electronics, machinery mfr, sporting goods, musical instruments, clocks & watches, dental/surgical instruments, furniture, household fixtures & appliances, toys, silversmith, ceramic products, optical goods, bricks, tile & terra cotta products, extrusions, knitting, weaving, spinning, fiber mfg & preparation, dyeing, bleaching, printing (textile), clothing mfg, fertilizer mfg, paints & dyestuffs, stone cutting, monument production, cosmetics & drug mfr.								P	
Manufacturing, assembly, treatment or compounding of articles from previously prepared materials such as bone, cellophane, canvas, cork, feathers, film, glass, hair, horn, leather, paper, plastic, precious metals, stones, steel, textiles, tobacco, or wood								P	
Maple syrup production			C	P	C				P
Meeting and conference facilities				P	C	P	C		
Millwork mfg								P	
Miniature golf courses				C		C			C
Multi-family dwelling	P	C	C	P	C	C	C		
Municipal office buildings and garages	C	C	C	C	C	C	C		
Nursery crop & flower production			C	P	C				P
Office equipment repair					C		P	C	
Offices for governmental agencies	C	C	C	C	C	C	C		
Outdoor recreational facilities	C	C	C	C	C	C			C
Pallets and containers								P	
Paper board								C	
Parks	P	P	P	P	P	P			P
Personal & professional business offices	C	C	P	P	C	P	P		
Photographic studios					C	C	P		
Picnic areas	C	C	C	C	C	C			C
Planing mills								P	
Playground	C	C	C	P	C	C			P
Plumbing					C		P	C	
Police stations	C	C	C	C	C	C	C		
Pool and billiard parlors						C	P		
Post offices	C	C	C	C	C	C	C		
Poultry processing, slaughterhouses				C				C	
Poultry production			C	P	C				P

Randolph Zoning Regulations

CHART OF PERMITTED AND CONDITIONAL USES	AR	RES & RU2-20	RU3	RU5	RV	CT	COM	IND	FP
Private schools (incl. nursery schools)	C	C	C	C	C	C	C		
Private schools for: secretarial, vocational, dancing, music	C	C	C	C	C	C	C		
Public art galleries	C	C	C	C	C	C	C		
Public auditoriums	C	C	C	C	C	C	C		
Public libraries	C	C	C	C	C	C	C		
Public museums	C	C	C	C	C	C	C		
Public parking garages or areas			C	C	C	C	P		C
Publishing & printing							P	P	
Pulp/paper mfr.								C	
Rabbit production			C	P	C				P
Radio and TV stations			C	C	C	P	P		
Rail and bus terminals			C	C	C	P	P	P	
Real estate or insurance offices	C	C	P	P	P	P	P		
Religious institutions incl. churches, parish houses, convents, monasteries, church community bldgs.	C	C	C	C	C	C	C		
Research laboratories				C				C	
Restaurants, diners, cafes			P	P	P	P	P		
Riding stables				P		C			
Saloons, lounges, bars, bottle clubs					C	C	C		
Sawmills				C				P	
Schools and colleges	C	C	C	C	C	C	C		
Sheep production			C	P	C				P
Single family & two family dwellings	P	P	P	P	P	P	*	*	
Skating rinks - indoor						C	P		
Skating rinks - outdoor	C	C	C	C	C	C			P
Ski areas				C					
Small equipment repair (with engines)			C	C	C		P	C	
Stone crusher				C					
Swimming pools	C	C	C	C	C	C	C		
Swine production			C	P	C				P
Tailoring					C	C	P		
Tennis courts	C	C	C	C	C	C	C		C
Theaters - indoor						C	P		
Theaters - outdoor				C					
Tourist home/guest home/boarding house	C	C	C	C	C	P	C		
Turf culture - commercial			C	P	C				P
Undertaking	C	C	C	C	C		C		
Utility offices			C	C	C	C	P		

Randolph Zoning Regulations

CHART OF PERMITTED AND CONDITIONAL USES	AR	RES & RU2-20	RU3	RU5	RV	CT	COM	IND	FP
Utility service facilities	C	C	C	C	C	C	C	C	
Veterinary hospitals and facilities			C	P	C			C	
Wallboard (cellulose fiber)								C	
Warehouse, public					C				

P = permitted use

C = conditional use (requires approval from the Board)

*See §5.17.13

EV and MU Districts not included in this chart.

LIST OF USES BY ZONING DISTRICT

FLOOD PLAIN DISTRICT

PERMITTED USES

Beef and veal production	Maple syrup production
Dairy farming	Nursery crop and flower production
Firewood and timber production	Parks
Fruit and vegetable production	Playgrounds
Fur-bearing animal production	Poultry production
General crop production	Rabbit production
Goat production	Sheep production
Golf courses	Skating rinks – outdoor
Golf driving ranges	Swine production
Horse breeding or training	Turf culture – commercial

CONDITIONAL USES

Article 6, Paragraph 6.10.3	Picnic areas
Miniature golf courses	Public parking garages or areas
Outdoor recreation facilities	Tennis courts

RESIDENTIAL DISTRICT

PERMITTED USES

Home or cottage industries	Single family and two family dwellings
Parks	

CONDITIONAL USES

Article 6, paragraphs 6.10.3 and 6.10.4	Outdoor recreation facilities
Ambulance services	Personal and professional business offices
Cemeteries	Picnic areas
Correctional and penal facilities	Playgrounds
Court houses	Police stations
Dormitories	Post offices
Fire stations	Private schools (including nursery schools)
Fraternal and community institutions	Private schools for: secretarial
Half-way houses and rehabilitative services	Public art galleries
Health care facilities	Public auditoriums
Home for children or the aged	Public libraries
Multi-family dwelling	Public museums
Municipal office buildings and garages	Real estate or insurance offices
Offices for governmental agencies	Religious institutions

Randolph Zoning Regulations

Schools and colleges	Tourist home, guest home, boarding house
Skating rinks – outdoor	Undertaking
Swimming pools	Utility service facilities
Tennis courts	

APARTMENT RESIDENTIAL DISTRICT

PERMITTED USES

Boarding houses	Multi-family dwelling
Dormitories	Parks
Home or cottage industries	Single family and two family dwellings

CONDITIONAL USES

Article 6, paragraphs 6.10.3 and 6.10.4	Private schools (including nursery schools)
Ambulance services	Private schools for: secretarial
Correctional and penal facilities	Public art galleries
Court houses	Public auditoriums
Fire stations	Public libraries
Fraternal and community institutions	Public museums
Half-way houses and rehabilitative services	Real estate or insurance offices
Health care facilities	Religious institutions
Home for children or the aged	Schools and colleges
Municipal office buildings and garages	Skating rinks – outdoor
Offices for governmental agencies	Swimming pools
Outdoor recreation facilities	Tennis courts
Personal and professional business offices	Tourist home, guest home, boarding house
Picnic areas	Undertaking
Playgrounds	Utility service facilities
Police stations	
Post offices	

RURAL 5 ACRES DISTRICT

PERMITTED USES

Article 6, paragraphs 6.10.3 & 6.10.4	General crop production
Beef and veal production	Goat production
Cemeteries	Golf courses
Commercial kennels	Home or cottage industries
Dairy farming	Horse breeding or training
Dormitory	Hotel, motels, inn, dormitory
Farm machinery sales and repair	Maple syrup production
Farm supplies – sales and storage	Meeting and conference facilities
Firewood and timber production	Multi-family dwelling
Fruit and vegetable production	Nursery crop and flower production
Fur-bearing animal production	Parks

Randolph Zoning Regulations

Personal and professional offices
Playgrounds
Poultry production
Rabbit production
Real estate or insurance offices
Restaurants, diners, cafes

Riding stables
Sheep production
Single family and two family dwellings
Swine production
Turf culture – commercial
Veterinary hospitals and facilities

CONDITIONAL USES

Ambulance services
Amusement parks
Assembly halls
Auction facilities
Auto and vehicle wrecking and junkyards
Auto and truck sales
Auto-body repairs
Automobile repairs
Blacksmith
Camping facilities
Canning operations
Concrete mixing plants
Correctional and penal facilities
Court homes
Dairy products
Data processing facilities
Distribution and storage facilities
Engineering offices and facilities
Farm machinery and equipment
Fire stations
Fraternal and community institutions
Garages and parking areas – buses
Gasoline filling stations
General grocery
Golf driving ranges
Half-way houses and rehabilitative services
Health care facilities
Heavy contractors equipment
Homes for children or aged
Lumber and building materials
Miniature golf courses
Municipal office buildings and garages

Offices for governmental agencies
Outdoor recreation facilities
Picnic areas
Police stations
Post offices
Poultry processing, slaughterhouses
Private schools (including nursery schools)
Private schools for: secretarial
Public art galleries
Public auditoriums
Public libraries
Public museums
Public parking garages or areas
Radio and TV stations
Rail and bus terminals
Religious institutions
Research laboratories
Sawmills
Schools and colleges
Skating rinks – outdoor
Ski areas
Small equipment repair (with engines)
Stone crushers
Swimming pools
Tennis courts
Tourist home, guest home, boarding house
Undertaking
Utility offices
Utility service facilities
Water and sewerage treatment facility

CIVIC TOURIST DISTRICT

PERMITTED USES

Financial institutions	Radio and TV stations
Home or cottage industries	Rail and bus terminals
Hotel, motels, inn, dormitory	Real estate or insurance offices
Meeting and conference facilities	Restaurants, diners, cafes
Parks, playgrounds, picnic areas	Single family and two family dwellings
Personal and professional offices	Tourist home

CONDITIONAL USES

Article 6, paragraphs 6.10.3 and 6.10.4	Outdoor recreation facilities
Ambulance services	Photographic studios
Assembly halls	Picnic areas
Auto-body repairs	Police stations
Automobile repairs	Pool and billiard parlors
Barber shops and beauty parlors	Post offices
Bowling alleys	Private schools (including nursery schools)
Cleaning establishments	Private schools for: secretarial
Correctional and penal facilities	Public art galleries
Court homes	Public auditoriums
Dance halls	Public libraries
Data processing facilities	Public museums
Dress making	Public parking garages or areas
Engineering offices and facilities	Religious institutions
Fire stations	Riding stables
Fraternal and community institutions	Saloons, lounges, bars, bottle clubs
Gasoline filling stations	Schools and colleges
General grocery	Skating rinks - indoor
General retail sales	Skating rinks – outdoor
Golf driving ranges	Swimming pools
Health care facilities	Tailoring
Laundromats	Tennis courts
Miniature golf courses	Theaters - indoor
Multi-family dwellings	Utility offices
Municipal office buildings and garages	Utility service facilities
Offices for governmental agencies	

COMMERCIAL DISTRICT

PERMITTED USES

Article 6, paragraphs 6.10.3 and 6.10.4	Blueprint and copy service
Appliance, radio, TV, clock repairs	Bowling alleys
Assembly halls	Cleaning establishments
Auto-body repairs	Dance halls
Automobile repairs	Data processing facilities
Barber shops and beauty parlors	Dress making

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Electrical contractors
Engineering offices and facilities
Farm supplies – sales and storage
Financial institutions
Furniture and upholstery repairs
Gasoline filling stations
General grocery
General retail sales
Glass sales and installation
Home and garden equipment
Laundromats
Office equipment repair
Personal and professional offices
Photographic studios

Plumbing
Pool and billiards
Public parking garages or areas
Publishing and printing
Radio and TV stations
Rail and bus terminals
Real estate or insurance offices
Restaurants, diners, cafes
Skating rinks – indoor
Small equipment repair (with engines)
Tailoring
Theaters – indoor
Utility offices

CONDITIONAL USES

Ambulance services
Auction facilities
Auto and truck sales
Blacksmith
Correctional and penal facilities
Court homes
Farm machinery and equipment
Fire stations
Heavy contractors equipment
Hotels, motels, inns, tourist cabins
Lumber and building materials
Meeting and conference facilities
Multi-family dwellings
Municipal office buildings and garages
Offices for governmental agencies
Police stations
Post offices

Private schools (including nursery schools)
Private schools for: secretarial
Public art galleries
Public auditoriums
Public libraries
Public museums
Religious institutions
Saloons, lounges, bars, bottle clubs
Schools and colleges
Swimming pools
Tennis courts
Tourist home, guest home, boarding house
Undertaking
Utility service facilities

RURAL 3 ACRES DISTRICT

PERMITTED USES

Home or cottage industries
Parks
Personal and professional offices

Real estate or insurance offices
Restaurants, diners, cafes
Single family and two family dwellings

CONDITIONAL USES

Article 6, paragraphs 6.10.3 & 6.10.4	Nursery crop and flower production
Ambulance services	Offices for governmental agencies
Assembly halls	Outdoor recreation facilities
Auction facilities	Picnic areas
Auto-body repairs	Playgrounds
Automobile repairs	Police stations
Beef and veal production	Post offices
Blacksmith	Poultry production
Cemeteries	Private schools (including nursery schools)
Commercial kennels	Private schools for: secretarial
Correctional and penal facilities	Public art galleries
Court homes	Public auditoriums
Dairy farming	Public libraries
Distribution and storage facilities	Public museums
Dormitory	Public parking garages or areas
Farm machinery sales and repair	Rabbit production
Farm supplies – sales and storage	Radio and TV stations
Fire stations	Rail and bus terminals
Firewood and timber production	Religious institutions
Fraternal and community institutions	Schools and colleges
Fruit and vegetable production	Sheep production
Fur-bearing animal production	Skating rinks – outdoor
Garages and parking areas - buses	Small equipment repair (with engines)
Gasoline filling station	Swimming pools
General crop production	Swine production
General grocery	Tennis courts
Goat production	Tourist home, guest home, boarding house
Half-way houses and rehabilitative services	Turf culture – commercial
Health care facilities	Undertaking
Homes for children or aged	Utility offices
Horse breeding or training	Utility service facilities
Maple syrup production	Veterinary hospitals and facilities
Multi-family dwelling	
Municipal office buildings and garages	

RURAL VILLAGE DISTRICT

PERMITTED USES

Home or cottage industries	Restaurants, diners, cafes
Parks	Single family and two family dwellings
Real estate or insurance offices	

CONDITIONAL USES

Article 6, paragraphs 6.10.3 & 6.10.4	Appliance, radio, TV, clock repairs
Ambulance services	Assembly halls

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Auto and truck sales	Multi-family dwelling
Auto-body repairs	Municipal office buildings and garages
Automobile repairs	Nursery crop and flower production
Barbershops and beauty parlors	Office equipment repair
Beef and veal production	Offices for governmental agencies
Blacksmith	Outdoor recreation facilities
Blueprint and copy service	Personal and professional business offices
Cemeteries	Photographic studios
Cleaning establishments	Picnic areas
Commercial kennels	Playgrounds
Correctional and penal facilities	Plumbing
Court homes	Police stations
Dairy farming	Post offices
Dormitory	Poultry production
Dress making	Private schools (including nursery schools)
Electrical contractors	Private schools for: secretarial
Farm machinery and equipment	Public art galleries
Farm machinery sales and repair	Public auditoriums
Farm supplies – sales and storage	Public libraries
Fire stations	Public museums
Firewood and timber production	Public parking garages or areas
Fraternal and community institutions	Rabbit production
Fruit and vegetable production	Radio and TV stations
Fur-bearing animal production	Rail and bus terminals
Furniture and upholstery repair	Religious institutions
Garages and parking areas - buses	Saloons, lounges, bars, bottle clubs
Gasoline filling station	Schools and colleges
General crop production	Sheep production
General grocery	Skating rinks – outdoor
General retail sales	Small equipment repair (with engines)
Glass sales and installation	Swimming pools
Goat production	Swine production
Half-way houses and rehabilitative services	Tailoring
Health care facilities	Tennis courts
Heavy contractors equipment	Tourist home, guest home, boarding house
Homes for children or aged	Turf culture – commercial
Horse breeding or training	Undertaking
Hotel, motels, inns, tourist cabins	Utility offices
Laundromats	Utility service facilities
Lumber and building materials	Veterinary hospitals and facilities
Maple syrup production	Warehouse, Public
Meeting and conference facilities	

INDUSTRIAL DISTRICT

PERMITTED USES

Auto and vehicle wrecking and junkyards	General food products
Auto and truck sales	Heavy contractors equipment
Beverages	Lumber and building materials
Candy	Manufacturing
Canning operations	Millwork manufacturing
Concrete mixing plants	Pallets and containers
Dairy products	Planing mills
Distribution and storage facilities	Publishing and printing
Farm machinery and equipment	Rail and bus terminals
Furniture manufacturing	Sawmills
Garages and parking areas - buses	

CONDITIONAL USES

Ambulance services	Plumbing
Auto-body repairs	Poultry processing, slaughter houses
Blacksmith	Pulp/paper manufacturing
Blueprint and copy service	Research laboratories
Electrical contractors	Small equipment repair (with engines)
Fire stations	Utility service facilities
Gasoline filling station	Veterinary hospitals and facilities
Glass sales and installation	Wall board (cellulose fiber)
Office equipment repair	Water and sewerage – treatment facilities
Paper board	

AMENDMENTS

Mixed Use District (MXD) - September 25, 1990

East Valley District - April 13, 1999

MIXED USE DISTRICT (MXD)

ADOPTED SEPTEMBER 4, 1990

EFFECTIVE SEPTEMBER 26, 1990

MIXED USE DISTRICT (MXD)

Due to its proximity to Interstate 89 and Route 66, this district is uniquely qualified to provide a combination of selective commercial, residential and industrial development as approved under a comprehensive mixed use development plan.

The developer must clearly demonstrate that the planned development will be coordinated with potential or proposed development or surrounding land and be compatible in use to surrounding land. Furthermore, the developer must include a statement covering the planned rate of development and the assessment of impact on the development of the community, such as on schools, traffic, water, etc. Title 10 VSA Section 6086 (a) 1 through 10 must be addressed in developing such plans.

PROCEDURE

Step 1 Sketch Plan

The Mixed Use District process is set in motion by the developer. It is required to have a "pre-application" conference where the developer discusses the project with the Board in order to determine its requirements and design suggestions. At this meeting, the developer must present a sketch plan of the proposed project. The Board must indicate in writing to the developer, and enter in its own records any changes that have to be made in the plan and which items of Title 10 VSA Section 6086 (a) 1 through 10 must be complied with.

Step 2 Final Approval

This step follows all procedures and requirements for Planned Unit and/or Planned Residential Development as outlined in section 3.5.1A and/or 3.5.1B, as well as Article IV of the Town of Randolph, Vermont, Zoning Ordinance. The developer must demonstrate compliance with any of the criteria of Title 10 VSA Section 6086 (a) identified by the Board during step one to obtain final approval.

DEFINITIONS

Light Manufacturing: The process and fabrication of certain materials and products where no process will produce excessive noise, vibration, air pollution, water pollution, ground

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pollution, fire hazard or noxious emission which will disturb or endanger neighboring properties. Light manufacturing includes but is not limited to the following:

Metal heat treating, grinding, polishing, machining, forging, electrical equipment, electronics, machinery manufacturing, sporting goods, musical instruments, clocks and watches, dental/surgical instruments, furniture, household fixtures and appliances, toys, silversmith, ceramic products, optical goods, brick, tile and terra cotta products, extrusions, knitting, weaving, spinning, fiber manufacturing and preparation, dyeing, bleaching, printing (textile), clothing manufacturing, fertilizer manufacturing, paints and dyestuffs, stone cutting, monument production, cosmetics and drug manufacturing.

Manufacturing: The processing and fabrication of any article, substance or commodity.

Dust: Any emission which can cause damage to health of humans or animals, to vegetation or other forms of property or which can cause excessive soiling on the property of others.

Electrical Disturbance: Any abnormal interference with the performance of other electromagnetic transmitters or receivers.

Glare: Illumination beyond property lines caused by direct rays from incandescent or fluorescent lighting, or lighting from high temperature processes such as welding or petroleum or metallurgical refining, or by diffuse reflection from a surface such as a wall or roof structure.

Heat, Excessive: Anything which causes a harmful temperature increase on any adjacent property, whether such change occurs in the air or on the ground, in a natural stream or lake, or in any structure on such adjacent property.

Essential Services: The erection, construction, alteration or maintenance by public utilities or municipal or other governmental agencies of public buildings and generation or processing plants, transportation facilities, underground gas, electrical, steam or water transmission or distribution systems, including poles, wires, mains, drains, sewers, pipes, conduits, fire alarm boxes, police call boxes, traffic signals, hydrants, street signs, and other similar equipment and accessories in connection therewith, reasonably necessary for the furnishing of adequate services for the public health or safety or general welfare.

MIXED USE DISTRICT

Permitted Uses

1. Agriculture
2. Distribution and Storage facilities
3. Personal and Professional Offices
4. Hotels, Motels
5. Manufacturing, light
6. Meeting and Conference Facilities
7. Publishing and Printing Operations
8. Rail and Bus Terminals
9. Research and Development
10. Health Clubs and Resorts
11. Planned Unit Developments
12. Restaurants
13. Planned Industrial Development
14. Planned Office Park Development
15. Accessory Uses

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Conditional Uses

1. Planned Residential Developments
2. Essential Services

YARD AND LOT REQUIREMENTS

Minimum Lot Size	5 acres
Frontage	*
Front Yard Setback	*
Side Yard Setback (each)	*
Rear Yard Setback	*
Maximum Lot Coverage	
<u>buildings</u>	20%
<u>buildings and parking</u>	35%
Maximum Height of Buildings	30'

The Board may waive and/or vary these requirements in order to encourage creativity in design and planning of projects.

*As established by the Board.

ADDITIONAL REQUIREMENTS OF APPLICANTS

Where vegetation exists, every reasonable effort shall be taken to preserve this vegetation as well as the visual aesthetic quality of the area. The removal of existing vegetation shall only be allowed by Board approval.

Where non-residential uses abut residential uses, additional screening shall be required by the Board.

When reasonably possible, access to land in this zoning district will not be from Route 66.

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EAST VALLEY (EV) DISTRICT USE CLASSIFICATIONS

USE	EV
ANIMALS	
1 Horse training and riding stables	P
2 Kennels (commercial)	C
3 Veterinary hospitals	P
AUTOMOBILES & TRUCKS	
4 Auto repairs	P
5 Auto sales and repairs	P
6 Car wash facilities	P
7 Auto wrecking and junkyards	C
8 Automobile service station	C
ENTERTAINMENT & RECREATION	
9 Indoor entertainment & recreation facilities	C
10 Outdoor entertainment & recreation facilities	C
11 Camping facilities	C
EQUIPMENT	
12 Heavy equipment sales and repairs	C
13 Contractor's shop or yard	C
14 Power equipment sales and repairs	P
FOOD SERVICE	
15 Restaurants and cafes	P
16 Cafeterias and fast-food restaurants	C
17 Bars and lounges	C
MANUFACTURING & INDUSTRY	
18 Light manufacturing facilities	P
19 Heavy manufacturing facilities	X
20 Warehouse, private	C
21 Utility power generating plants	C
22 Solid waste management facilities	C
23 Hazardous waste management facilities	X
OFFICES	
24 Business and professional offices	P
25 Banks	P

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USE		EV
OFFICES (cont'd)		
26	Research laboratories and facilities	C
27	Radio and television facilities	C
28	Healthcare facilities	P
RESIDENTIAL		
29	One- or two-family dwellings	P
30	Multi-family dwellings	C
31	Sheltered care facilities	C
32	Intermediate & extended care facilities	C
33	Housing for the elderly and/or disabled	P
34	Hotels and motels	C
35	Tourist houses	P
RETAIL SALES & SERVICE		
36	Retail sales with outdoor display of goods	P
37	Retail sales without outdoor display of goods	P
38	Convenience stores	P
39	Personal service shops	P
TRANSPORTATION		
40	Trucking terminals	C
41	Bus and train terminals	C
42	Bus garages	C
43	Taxi service facilities	C
44	Ambulance facilities	P
MISCELLANEOUS		
45	Drive-thru facilities	C
46	Assembly halls	P
47	Laundromats	C
48	Funeral homes	P
49	Day care facilities	P
50	Warehouse, public	P
51	Educational institutions, public or private	P
52	Churches, convents and parish houses	P

P - Permitted Use **C** - Conditional Use **X** - Prohibited Use

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EAST VALLEY DISTRICT
LOT AND DIMENSIONAL REQUIREMENTS
(Minimums unless otherwise indicated)

		EV
Lot Area	SF	
One-family		10,000
Two-family		20,000
Multi-family		10,000 per family unit
Other uses		20,000
Lot Width	FT	100
Front Setback ¹	FT	30
Rear Setback ¹	FT	30
Side Setback ¹	FT	20
Max. Bldg. and Pkg. Coverage	%	75
Max. Bldg. Height	FT	30

¹ All setbacks are for principal buildings.

PROVISION AND DEFINITIONS
that are applicable to
THE EAST VALLEY DISTRICT ONLY
Effective April 13, 1999

PROVISION FOR DRIVE-THRU FACILITIES IN THE EAST VALLEY DISTRICT

If a proposed project involves a permitted use with a drive-thru facility, the entire project shall require conditional use review and approval.

DEFINITIONS FOR THE EAST VALLEY DISTRICT

ASSEMBLY HALL - A building or group of buildings under single management available for temporary rental for meetings or other assemblages and functions. An assembly hall may or may not provide kitchen facilities for the preparation of food to be served on the premises for the people in attendance.

AUTOMOBILE REPAIRS - The maintenance, servicing, repairing or painting of automobiles.

AUTOMOBILE SERVICE STATION - Any structure, land or portion thereof used for the retail dispensing or selling of vehicular fuels, including as an accessory use the sale and installation of lubricants, tires, batteries and similar vehicle accessories.

BANK - An establishment for the custody, loan, exchange or issuance of money and other financial transactions and in which such transactions are made on the premises and in person. A bank may include office space and automatic teller machines. A savings and loan, trust company and a credit union shall be considered a bank.

BAR or LOUNGE - A structure or part of a structure used primarily for the sale and dispensing of alcoholic beverages by the drink. A bar may or may not include the sale and service of food to be eaten on the premises.

BED AND BREAKFAST - See "Tourist House."

BOARDING HOUSE - See "Tourist House."

CAFETERIA OR FAST-FOOD RESTAURANT - An establishment whose principal business is the sale of pre-prepared or rapidly prepared food directly to the customer in a ready-to-consume state for consumption either within the restaurant building or off premises.

CAMPING FACILITY - A commercial establishment whereby a plot of ground upon which two or more campsites are located, established or maintained for use as temporary living quarters. Such living quarters may include a tent or other such portable enclosure or a recreational vehicle.

CAR WASH FACILITY - A structure containing facilities for washing motor vehicles, either automatically or semi-automatically, for a fee.

COMMUNITY CARE HOME - A residential facility, state licensed or registered, providing food, shelter, and personal guidance with supervision, serving not more than six (6) persons who are developmentally disabled or physically handicapped. A facility that

Randolph Zoning Regulations

meets this definition except that it serves more than 6 people shall be considered a sheltered care facility.

CONVENIENCE STORE - A commercial establishment not exceeding 3,500 square feet gross floor area offering personal services or items for sale in small quantities for daily use such as prepackaged food products, household items, newspapers, magazines, sandwiches and freshly prepared foods for off-site consumption. A convenience store may include the selling and dispensing of vehicular fuels.

COVERAGE, BUILDING AND PARKING - Area of a lot expressed as a percentage of the total area of the lot which, when viewed from directly above, is covered by a structure and is used for parking, access, traffic circulation, sidewalks and similar features.

DAY CARE FACILITY - A facility which operates according to a license or registration from the State of Vermont where care is provided on a regular basis for periods not exceeding 24 consecutive hours, either in the licensee's residence or other structure, for children under the age of 16.

DRIVE-IN FACILITY - An establishment which, by design, physical facilities, service or by packaging procedures, encourages or permits customers to receive services, obtain goods, or be entertained while remaining in their motor vehicles.

EQUIPMENT, HEAVY - Large vehicles and machinery used primarily in agricultural and industrial operations including, but not limited to, tractors, bulldozers and accessories.

EQUIPMENT, POWER - Small vehicles and machinery used primarily for residential and light commercial purposes including, but not limited to snowmobiles, chainsaws, lawnmowers and accessories.

ENTERTAINMENT FACILITIES - Establishments engaged in providing amusement for a fee or admission charge and including such activities as dance halls, theaters, musical entertainment, bowling alleys, billiard halls and commercial sports.

ESTABLISHMENT - An economic unit, generally at a single physical location, where business is conducted or services or industrial operations performed.

EXTENDED CARE FACILITY - A facility providing full-time convalescent or chronic care to individuals who, by reason of advanced age, chronic illness or infirmity, are unable to care for themselves.

HOTEL/MOTEL - A facility which offers transient lodging accommodations, either in one or more structures, to the general public at a fee. Such facilities may include, as accessory uses, restaurants, meeting rooms, entertainment and recreational facilities.

HOUSING FOR THE ELDERLY - Multifamily dwelling designed for people over the age of 60 years.

HOUSING FOR THE DISABLED - Multifamily dwelling designed for people with physical or developmental disabilities.

INTERMEDIATE CARE FACILITY - A facility which provides, on a regular basis, health-related care and services to individuals who do not require the degree of care and treatment which a hospital or extended care facility is designed to provide, but who, because of their mental or physical conditions, require care and services (above the level of room and board) which are made available to them.

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JUNK - Old or scrap metals, plastics, rubber or other material, including but not limited to rope, rags, batteries, glass, tires, waste, trash or any discarded, dismantled, wrecked, scrapped or ruined motor vehicles or parts thereof.

JUNK MOTOR VEHICLE - A discarded, dismantled, wrecked, scrapped or ruined vehicle that is propelled or drawn by power other than muscular power, including trailers or parts thereof, or one other than an on-premise utility vehicle which is allowed to remain unregistered for a period of ninety (90) days from the date of discovery.

JUNKYARD - Any place of outdoor storage or deposit which is maintained, operated or used in connection with a business for storing, keeping, processing, buying or selling junk or as a scrap metal processing facility. A junkyard shall also be any place of outdoor storage or deposit, not in connection with a business which is maintained or used for storing or keeping four or more junk motor vehicles which are visible from any portion of a public highway. It is not, however, a garage where wrecked or disabled motor vehicles are stored for less than 90 days for inspection or repairs.

KENNEL - An establishment in which more than six dogs or cats which are more than one year old are housed, groomed, bred, boarded, trained or sold.

KITCHEN FACILITIES - An area within a dwelling unit, place of lodging or other structure that is intended for the storing, cooking, preparing or handling of food and beverage.

LAUNDROMAT - An establishment providing washing, drying or dry cleaning machines on the premises for rental use to the general public.

MANUFACTURING - The processing and fabrication of any article, substance or commodity. Manufacturing where the processes involved will produce noise, vibration, air pollution, water pollution, ground pollution, fire hazard and/or noxious emissions which are detectable outside the facility shall be considered "heavy manufacturing," and all others shall be considered "light manufacturing."

OFFICE - A room or group or rooms used for conducting the affairs of a business, profession, service, industry or government.

PERSONAL SERVICE SHOP - A place of business whereby a person is serviced on the premises, including, but not limited to beauty salons, barber shops, tailors, tattoo parlors, massage parlors, and health care facilities such as offices where doctors, dentists, massage therapists, chiropractors and other health care professions treat patients.

RECREATION FACILITY - A place designated and equipped for the conduct or teaching of sports, leisure time activities and other customary and usual recreational activities.

RECREATIONAL VEHICLE - A vehicular-type portable structure without permanent foundation which can be towed, hauled or driven and primarily designed as temporary living accommodation for recreation, camping and travel use and including but not limited to travel trailers, truck camper, camping trailers and self-propelled motor homes.

RESEARCH LABORATORIES AND FACILITIES - An establishment or other facility for carrying on investigation in the natural, physical or social sciences, or engineering and development as an extension of investigation with the objective of creating end products.

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RESTAURANT OR CAFE - An establishment where food and drink is prepared, served and consumed primarily within the principal building. Take-out service and outdoor seating may be included.

RETAIL SALES AND SERVICE, GENERAL - Establishment engaged in selling goods or merchandise to the general public for personal or household consumption and rendering services incidental to the sale of such goods. A farm stand that sells products that are not grown or produced on the property shall be considered general retail sales.

SCRAP YARDS - See "Junkyards."

SHELTERED CARE FACILITY - A residential facility for the care of people which, in addition to providing food and shelter to more than six persons unrelated to the proprietor, also provides personal care service beyond food, shelter and laundry.

TERMINAL - A place where transfer between modes of transportation take place, or a terminating point where goods are transferred from a vehicle to a storage area or to other vehicles, or picked up by other forms of transportation.

TOURIST HOUSE - Any accessory use of a home that serves as the primary residence of the operator and offers less than ten (10) units of lodging, or board and lodging; for compensation; for the use of transients, or long term residents. The unit herein defined is meant for sleeping accommodations only, may or may not have individual unit bathroom facilities; but does not include kitchen facilities. A facilities which meets this definition except that it offers 10 or more units shall be considered a hotel.

TRAVEL TRAILER PARK - See "Camping Facility".

WAREHOUSE, PRIVATE - A building used primarily for the storage of goods and materials for a specific commercial establishment or group of establishments in a particular industrial or commercial field.

WAREHOUSE, PUBLIC - A building available to the general public, at a fee, for the storage of farm products, furniture and other household goods, or commercial or private goods of any nature.

WASTE DISPOSAL SITES - Any place, whether in connection with a business or not, which is used for the disposal, storage or pick up of non-recoverable, recoverable, or reusable or unusable radiological or chemical materials, compounds, or solutions in the solid, liquid, or gaseous state, contained in manufactured vessels or natural features of containment.

WASTE, HAZARDOUS - Means any waste or combination of wastes of a solid, liquid, contained gaseous, or semi-solid form which in the judgment of the Secretary of the Agency of Environmental Conservation may cause, or contribute to, an increase in mortality or an increase in serious irreversible or incapacitating reversible illness, taking into account the toxicity of such waste, its persistence and degradability in nature, and its potential for assimilation, or concentration in tissue, and other factors that may otherwise cause or contribute to adverse acute or chronic effects on the health of persons or other living organisms, or any matter which may have an unusually destructive effect on water quality if discharged to ground or surface waters. Such wastes include, but are not limited to, those which are toxic, corrosive, flammable, irritants, strong sensitizers, or which generate pressure through decomposition, heat, or other means. Radioactive waste shall be considered hazardous.

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WASTE, SOLID - Any garbage, refuse, septage, sludge from a waste treatment plant, water supply plant, or air pollution control facility and other discarded material including solid, liquid, semi-solid, or contained gaseous materials resulting from industrial, commercial, mining, or agricultural operations and from community activities but does not include animal manure and absorbent bedding used for soil enrichment or solid or dissolved materials in industrial discharges which are point sources subject to permits under the Water Pollution Control Act., chapter 47 of Title 10.

APPENDIX A

District Maps

APPENDIX B

Land Subdivision Control Regulations