Section 7. Building Functions

Taft Corners Form-Based Code: *Sections 1 to 8*

1. Introduction
2. Regulating Plan
3. Building Form Standards
4. Architectural Standards
5. Public Realm Standards
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A. Uses

Uses are grouped into broad categories. Permitted uses, by BUILDING FORM STANDARD and STORY, are shown in the use table below and defined in 7.H at the end of this Section.

1. All uses are defined in in F below. When in conflict, these standards govern.
2. Permitted uses by BUILDING FORM STANDARD frontage are shown in *Section C. Use Table*, below.
3. Certain uses are exempt per *Section 4.2 of the Williston Unified Development Bylaw*.
4. All uses not expressly permitted or exempted are prohibited.
5. All uses must meet the standards of the applicable BUILDING FORM STANDARD in *Section 3*. Any additional development or performance standards are indicated in the *Section D. Use Table* and provided in *Sections D.-H.* below.

B. Use Determination

1. Administrator Responsibility: The Zoning Administrator is responsible for categorizing all uses. If a proposed use is not listed in a use category, but can be said to be reasonably similar in intent and reasonably fit into one of the listed use categories, the Zoning Administrator must treat the proposed use as a permitted use under that category. If a proposed use is not listed in a use category, and is fundamentally different from any other listed use and there is reasonable doubt that it is compatible with the functioning of Taft Corners, the use must be prohibited.
2. Uses Not Specifically Listed: When determining whether a proposed use is similar to a use listed in *Section 7*, the Zoning Administrator must consider the following criteria:
   a. The actual or projected characteristics of the proposed activity in relationship to the stated characteristics of each use.
   b. The ability of the proposed activity to reasonably function within the constraints of its BUILDING FORM STANDARD.
   c. The likely impact on surrounding properties.
   d. The intent of the Taft Corners Form Based Code.

C. Use Table

This table identifies the categories of uses allowed in the GROUND STORY and/or upper STORIES for each BUILDING FORM STANDARD frontage; however, some specific uses may be restricted or prohibited. All uses must comply with all other applicable standards in this Form-Based Code. Additional regulations specific to the use/function are referenced in the right-hand column.

		BUILDING FORM STANDARD (BFS)								
		Urban General		Storefront		Urban General 2		Urban Neighborhood		ADDITIONAL REGULATIONS
CATEGORY		Ground Story	Upper Story	Ground Story	Upper Story	Ground Story	Upper Story	Ground Story	Upper Story	*For all uses, see F through H, below.*
RESIDENTIAL	Household Living	**P**	P	**X**	P	**P**	P	P	P	
	Group Living	**P**	P	**X**	P	**P**	P	P	P	
COMMERCIAL	Office	**P**	P	**X**	P	**P**	P	P	P	
	Vehicle Sales	**P**	X	**P**	X	**X**	X	X	X	
	Day Care Facilities	**P**	P	**X**	P	**P**	P	R	R	
	Lodging	**P**	P	**X**	P	**P**	P	P	P	
	Amusement and Recreation	**P**	X	**R**	X	**X**	X	X	X	
RETAIL	Retail Sales & Service	**P**	R	**P**	R	**X**	X	X	X	
	Restaurant/Bar	**P**	R	**P**	R	**P**	X	X	X	
	Banks/Financial Services	**P**	X	**X**	R	**X**	X	X	X	
	Maker Space	**P**	R	**P**	R	**X**	X	X	X	
INDUSTRIAL	Light Industrial & Manufacturing	**P**	P	**X**	P	**P**	X	X	X	
	Research & Development	**P**	P	**X**	P	**P**	X	X	X	
	Wholesale/Warehouse/Distribution	**P**	P	**X**	X	**X**	X	X	X	
	Auto Repair	**P**	P	**X**	X	**R**	X	X	X	
CIVIC		**P**		**P**		**P**		**P**		*See Section 1. Introduction and Definitions*
Key: P= Permitted R= Additional Regulations Apply X = Not Permitted										

D. General Development and Performance Standards

The following standards apply to all Taft Corners FBC frontages and use categories.

1. All permitted uses must meet the *Section 3. Building Form Standard General Provisions* and those standards specified in the applicable individual BUILDING FORM STANDARD (BFS) pages.
2. No civic, commercial, retail, or institutional use is permitted above a residential use.
3. Businesses providing drive-through services may not have a drive-through lane or drive-through service window that abuts or faces a STREET-SPACE.

4. Outdoor Storage
   Outdoor storage is prohibited.
5. Parking
   Parking lots and structures are required to meet all BUILDING FORM STANDARDS for the frontage sites on which they are located.
6. Nuisances, such as; smoke, radiation, vibration or concussion, excessive noise, heat or glare are governed by the Williston Unified Development Bylaw Performance Standards Chapter 18)

E. Residential Uses – Development and Performance Standards

1. See the Town Center, Transitional Neighborhood, and Strollable Neighborhood BUILDING FORM STANDARD frontages for configuration requirements for GROUND STORY residential uses fronting the STREET-SPACE.
2. A lobby serving an upper STORY residential use is permitted on the GROUND STORY within the SHOPFRONT space of a Storefront frontage site.
3. Residential dwelling units are not permitted within the required minimum depth for the SHOPFRONT space in a Storefront frontage site.
4. Group Homes and Assisted Group Living uses are subject to all Vermont law and Williston Unified Development Bylaw requirements and certifications.

F. Commercial Uses – Development and Performance Standards

1. Amusement and Recreation, Commercial Assembly
   a. Only Indoor Amusement uses are permitted.
   b. Theater, Auditorium, and Arena uses must meet the GROUND STORY FENESTRATION requirements of the applicable BUILDING FORM STANDARD, but are exempt from the upper STORY FENESTRATION requirements.
   c. The lobby serving a Commercial Assembly or Indoor Amusement and Recreation use is permitted in the SHOPFRONT area of a Storefront frontage.
2. Animal Sales and Service
   No outdoor kennels, play, or exercise areas are permitted.
3. Restaurant/Bar
   a. A restaurant or bar use is permitted in the second STORY of a Storefront or General Urban frontage site provided it is an extension of the same restaurant and the second STORY floor area is equal to or less than the GROUND STORY floor area of the same use.
   b. Outdoor areas for eating and drinking are allowed on the DOORYARD, TREE LAWN, and in private outdoor service areas[1] in General Urban and Storefront frontages, but not in the CLEAR SIDEWALK area and subject to the issuance of all applicable permits and licensing.
   c. Establishments with live entertainment are prohibited if the walls of the facility are within 200 feet of an Strollable Neighborhood frontage site within Taft Corners or a residentially zoned property which is outside of Taft Corners.
4. Vehicle Sales and Services
   a. Surface parking lots for vehicle sales or rental can only be located and configured in compliance with the PARKING SETBACK LINE or other regulations for the site on which it is located, as indicated on the Taft Corners REGULATING PLAN and/or BUILDING FORM STANDARD. (See the REGULATING PLAN and *Section 3.*)

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1 Note of intent: this would be behind the RBL and behind the required STREET WALL, within the % RBL build-out that is not required, or deeper in the lot behind or within the building.

b. Auto repair services are subject to the following:
   (i) The property must be at least 100 feet from any solely residential lot;
   (ii) All mechanical work, or work involving powered tools, must be indoors (no open FENESTRATION), and strictly comply with D.4 above.
   (iii) Overnight vehicular storage is not permitted, unless within an enclosed building or behind a masonry PRIVACY FENCE;
   (iv) The use may not include the display and rental of cargo trailers, trucks, or similar vehicles;
   (v) Auto body repair is prohibited;
   (vi) The storage or junking of wrecked motor vehicles (whether capable of movement or not) is prohibited; and
   (vii) Discarded and replacement vehicle parts and accessories must be stored inside the main structure.

5. Lodging
   a. GROUND STORY guest rooms are not permitted within the required minimum SHOPFRONT depth in a Storefront frontage site.
   b. GROUND STORY guest rooms abutting any REQUIRED BUILDING LINE (or street frontage) must meet the configuration standards for GROUND STORY residential uses as specified in the General BFS.
   c. A lobby serving an upper STORY overnight lodging use is permitted on the GROUND STORY of any Storefront frontage site.

6. Office
   a. Office uses are not permitted within the required minimum depth for the SHOPFRONT space in a Storefront frontage site.

7. Day Care Facility
   All day care facilities are subject to all permitting and licensing requirements under Vermont Law and the Williston Unified Development Bylaws.

8. Retail Sales and Services
   a. No merchandise (including motorcycles, scooters, and automobiles) may be left within the DOORYARD when the business is not open.
   b. Maker-Space production/preparation functions may not occupy more than 1/3rd of the required minimum SHOPFRONT space of a Storefront frontage.
   c. Banks/Financial Services. Only retail banking services are permitted within the required minimum depth for the SHOPFRONT space in a Storefront frontage site.

G. Civic and Institutional Uses – Development and Performance Standards

CIVIC BUILDINGS designed for civic uses (as defined in *Section 1. Definitions*) are not subject to *Section 4. Architectural Standards* or *Section 3. Building Form Standards,* except for *Section 3.1.E. Neighborhood Manners.*

H. Use Definitions

1. **Commercial:** Any activity involving the purchase, sale, storage, or other transaction regarding the disposition of any article, substance, commodity, or services for consideration and profit; and the maintenance or conduct of offices, professions, dwelling rooms and units, or recreational or amusement enterprises conducted for profit.
2. **Civic Use:** Uses per 24 V.S.A. 4413(a) excepting solid waste and hazardous waste management facilities.
3. **Industrial:** Businesses involved in activities such as manufacturing or processing of products by automated, digital, mechanical, or manual means; warehousing and storage; waste disposal; transportation and logistics; research and development; and related technical engineering and distribution functions. (See also Manufacturing-Light, Office-Technical, Research and Development Facility, Food and Beverage Processing, etc.)
4. **Institutions:** Public and private uses including, but not limited to, colleges, universities, hospitals, churches and membership clubs.
5. **Maker Spaces:** An establishment, not exceeding 3,000 square feet of floor area, for activities and processes such as small-scale fabrication, welding, and coating, preparation, display, and sale of individually crafted items such as jewelry, furniture, sculpture, pottery, leathercraft, hand made articles, and related items. This includes uses that are typically not permitted in non-industrial zoning districts.
6. **Light Manufacturing:** The manufacturing of finished products or parts from previously prepared materials using hand tools, mechanical tools, and electronic tools, including processing, fabrication, assembly, treatment, and packaging of products, as well as incidental storage, sales, and distribution of such products; as well as shops for overhaul and repair including for plumbing, HVAC, and electrical. A light manufacturing use may include a show room and/or offer public tours that are incorporated into the facility's ordinary operations.
7. **Office:** A room or group of rooms used for conducting the affairs of a business, profession, service industry, or government.
8. **Performing Arts Center/Theatre:** An establishment primarily used for performing arts performances which may include permanent seating.
9. **Residential:** Regularly used by its occupants as a permanent abode, which is made one's home as opposed to one's place of business and which has housekeeping and cooking facilities for its occupants only.
10. **Restaurant:** Any food service establishment subject to Vermont Health Regulations where food and beverages are prepared and served for consumption primarily on premises; and where the service of alcoholic beverages is incidental to the consumption of food (less than fifty percent (50%) of the gross sales receipts from the business).
11. **Retail:** The selling of goods, wares, or merchandise directly to the consumer.
12. **Warehouse:** A building used for the storage of goods or materials. Warehouses may include the local, regional, national or international distribution of goods but do not include retail sale of goods.
13. **Warehouse, Retail:** A building used for the sale of goods, in bulk or as individual retail items, to the general public or to a membership.
14. **Wholesale Sales:** The selling and/or distributing of merchandise to retailers; to industrial, commercial, institutional, or professional business users, or to other wholesalers; or acting as agents or brokers and buying merchandise for, or selling merchandise to, such individuals or companies.
15. **Worship, Place of:** A building, structure, or defined space used for religious devotion, including but not limited to churches, synagogues, and mosques.

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