

Chapter 30
Official Zoning Map and Other Regulatory Maps

This chapter establishes the Official Zoning Map and provides rules for its use and interpretation and establishes other regulatory maps such as overlay districts and the Official Map.

30.1 Zoning Map. The *Official Zoning Map of the Town of Williston* is available for review at the Williston Planning and Zoning Office. The Town makes every effort to provide accurate copies, but questions about the exact location of a zoning district may be resolved only by reference to the official zoning map.

30.2 Zoning District Boundaries

30.2.1 How do I know exactly where the zoning district boundaries are? Zoning district boundaries generally follow property lines, as they were shown on the 2014 tax map, but there are exceptions to this rule.

30.2.1.1 Streams. Where a zoning district boundary is shown along a stream, that boundary follows the centerline of the stream unless otherwise clearly indicated by a note on the official zoning map. Zoning boundaries and the extent of the watershed protection buffers established by this bylaw shift as the course of the stream shifts.

30.2.1.2 Roads. Where a zoning district boundary is shown along a road, that boundary follows the centerline of that road unless otherwise clearly indicated by a note on the official zoning map.

30.2.1.3 Utility Lines. Where a zoning district boundary is shown along a power line or other utility easement or right-of-way, that boundary follows the centerline of that easement or right-of-way unless otherwise clearly indicated by a note on the official zoning map.

30.2.1.4 Other Boundaries. Notes on the official zoning map describe boundaries that do not follow a stream, road, utility line, or property line.

30.2.1.5 Parcel Merger. If a property line that was also used as a zoning district boundary line on the official zoning map is eliminated by re-platting, the zoning district boundary line shall remain where it was.

30.2.2 What if I disagree with the Town about a zoning district boundary? If there is a question about the location of a zoning district boundary, the Administrator will determine where the boundary is. The Administrator’s decision may be appealed to the DRB using the procedure established in Chapter 5 of this bylaw.

30.2.3 Is it possible to change a zoning district boundary? Yes, but it is not a simple process. The boundaries of Williston’s zoning districts are generally consistent with the future land use map adopted in the *Comprehensive Plan*. This means that changing a zoning district boundary will usually require two amendments: one to the *Comprehensive Plan* and one to the official zoning district map adopted in this chapter. The process required to amend the official zoning map is explained in Chapter 8 of this bylaw. The process of amending a *Comprehensive Plan* is established by 24 V.S.A. § 4385.

30.3 About the Zoning Districts. Each zoning district chapter begins with the adoption of a boundary, a statement of purposes, and a list of permitted uses.

30.3.1 How are uses defined and listed? Uses are listed by name and NAICS classification. NAICS stands for the North American Industrial Classification System, which is an all-inclusive hierarchical system for describing economic activities. NAICS classifications include as many as six digits, for the finest level of detail, but for most purposes of this bylaw less detailed classifications are adequate. Smaller classifications include all of the more detailed classifications that begin with the same numbers. For example, NAICS 11 – Agriculture, Forestry, Fishing, and Hunting – includes NAICS 111 – Crop Production, and NAICS 1111 – Soybean Farming. Only those uses listed as permitted for each zoning district are allowed unless otherwise exempted.

30.3.2 What types of standards apply in each zoning district? Four types of standards apply in the zoning districts created by this bylaw: dimensional, density, general, and specific. Dimensional standards help determine the location and size of development on a site. Density standards help determine the total extent of development on a site. The general standards adopted in Chapters 13-29 regulate access, the provision of infrastructure, outdoor lighting, potential nuisances, and many other aspects of development. More specific standards are also adopted – in the relevant chapter – to ensure that each zoning district fulfills its purpose.

30.4 Overlay Districts. All overlay districts named and described below are available at the Planning Office and town website and are incorporated herein by reference.

30.4.1 Conservation Areas. The Conservation Area overlay maps include Significant Wildlife Habitat Areas; Unique Natural Communities; Unique, Rare, Threatened, and Endangered Species and Communities; 1988 Lesa Farmland; and Visual Assessment Official Maps. Collectively these overlays identify conservation areas throughout the town that are subject to the regulations and standards set forth in Chapter 27.

30.4.2 Design Review District. The Design Review District overlay identifies the area that includes the, GZDS, GZDN, GZDW, MUCZD, MURZD, and TCZD, and all lots in the IZDW that abut Marshall Avenue or Route 2, which is subject to the regulations and standards set forth in Chapter 22.

30.4.3 Williston Village National Register Historic District and Additional Review Area. The Williston Village National Register Historic District and Additional Review overlay identifies the area subject to the development standards and regulations in WDB 42.2.3, which requires the issuance of a Certificate of Appropriateness (COA) as a condition to all permitted development.

30.5. Official Map. The Official Map of the Town of Williston is adopted pursuant to subsection 3 of section 4401, Title 24 VSA Chapter 117, as amended, filed in the office of the Town Clerk, and incorporated herein by reference. Within the Taft Corners Form Based Code Overlay District, the Regulating Plan of the Taft Corners Form Based Code provides the highest degree of precision for planned public facilities and shall stand as the Official Map

30.5.1 What is an Official Map? According to the Vermont Planning Information Center (VPIC), an Official Map “is a powerful tool available to Vermont municipalities to control community design by identifying the locations of future public facilities.” Official Maps show future municipal infrastructure (street, rails, sites reserved for public buildings, areas reserved for stormwater and

flood control, etc.) planned for by the municipality. The intent of the Official Map is to provide a “clear picture to property owners, developers, and the public of the municipality’s intentions with regard to its future physical form and design.”. The Official Map ensures that the municipality’s expectations are transparently provided to developers and that landowners are treated fairly by the municipality through the acquisition process.

30.5.2 What kind of infrastructure is on the Official Map? The Williston Official Map shows the following types of infrastructure: streets, multi-use paths, sidewalks, bike lanes, trails, desired connections, park and rides, and bus shelters. Desired connections identify two approximate locations in the community that the Town would like to connect via transportation infrastructure. The specific transportation infrastructure (e.g. primitive path, multi-use pathway, street) to connect the two locations has not been identified at present. Much of the infrastructure identified on the Williston Official Map has been long planned for by the Town. Some infrastructure has been included as written objectives or shown on maps in the Williston Town

30.5.3 How is the Official Map used by the Town of Williston? In Williston, the Official Map shall be considered by an applicant (property owner) as a part of any development application that is required to be submitted and reviewed by the Williston Development Review Board. This includes all residential and commercial subdivision, site plan, and variance applications. The Official Map shall also be considered if the subject infrastructure shown on the Official Map has been included in the Williston Capital Improvement Fund and Program. For properties that include infrastructure shown on the Official Map, landowners must demonstrate in their development application that the “proposed development will accommodate the planned public facility.” This may mean showing planned right-of-way on a subdivision plat, providing an easement to the Town for the future infrastructure on a site plan, or any other action that enables the Town to implement the Official Map. If the Town finds that the development shown on the Official Map is accommodated, then the development proposal can be approved by the Town provided that the application meets all other applicable regulations in the Williston Development Regulations.

30.5.4 What if a landowner refuses to accommodate infrastructure shown on the Official Map in their development proposal? If a proposed development does not accommodate the planned public facility, the application will be denied. After an application denial, the Town of Williston has 120 days from the date of the denial to institute proceedings to acquire the property. Acquisition may be done voluntarily through a legal agreement and property transaction between the property owner and the town. Acquisition can also be done involuntarily through eminent domain. If Williston does not take action within 120 days, the application must be reviewed again with no regard to official map designation. At any point during that process, the Town of Williston can choose not to acquire property and allow the proposed development to proceed.