

## Chapter 33

### Gateway Zoning District North

This chapter establishes the Gateway Zoning District North (GZDN) and the standards that are specifically applicable within that district.

#### 33.1 Boundaries – Purpose – Permitted Uses

**33.1.1 What are the boundaries of the GZDN?** The Gateway Zoning District North is shown on the official zoning map which accompanies this bylaw.

**33.1.2 What is the purpose of the GZDN?** This zoning district includes Williston’s northern “gateway,” on the west side of Route 2A. It offers a location for a continuing diverse mix of light industrial, commercial, and office uses.

**33.1.3 What uses are permitted in the GZDN?** See Table 33.A and WDB 33.1.3.1 and 2, below.

33.1.3.1. Retail Commercial. Predominantly retail uses are permitted only on lots facing Route 2A. Retailing will be further limited to uses that ordinarily require considerable space relative to the volume of sales and uses and that rely on outdoor sales and storage.

33.1.3.2 Accessory Uses. Customary accessory uses and structures are permitted in all zoning districts, as provided by Chapter 17 of this bylaw.

**33.2 Permits.** Permit requirements are explained in Chapters 4-6. With the minor exceptions noted there, all development in this zoning district will require a discretionary permit before an administrative permit can be approved.

#### 33.3 Dimensional Standards

**33.3.1 Is there a maximum building height in the GZDN?** Yes. The maximum building height in this zoning district is 36 feet.

**33.3.2 Must development in the GZDN be set back from property lines?** Yes. Setbacks from rear and side property lines in this zoning district are controlled by the landscaped buffer requirements of Chapter 23.

**33.3.3 Must development in the GZDN be set back from roads?** Yes. Setbacks from roads in this zoning district shall be:

33.3.3.1 ... from the right-of-way of Route 2A, 25 feet; and

33.3.3.2 ... from the right-of-way of any other road, 25 feet.

33.3.3.3 Average Setback Exception. The DRB may allow the setback required along a local road to be reduced to the average existing setback. The average existing setback will be determined by the Administrator by averaging the existing setback on all properties that are along the same street and within 300 feet of the lot where a reduction is proposed. A reduction shall be permitted only where the reduced setback is sufficient to permit for the construction of a sidewalk or, where one is called for in the *Town Plan*, a multi-use path.

**33.3.4 What use can be made of the required setbacks?** The setbacks must be landscaped in compliance with Chapter 23. Access drives, roads, pedestrian ways, underground utility lines, and where such lines are permitted, overhead utility lines, may cross required setbacks at a right angle ( $\pm 10^\circ$ ). Pedestrian ways may also run parallel to and within a required setback. Parking and loading areas may not be placed within required setbacks.

**33.3.5 Is a minimum frontage required in the GZDN?** Yes. All lots in this zoning district must have at least 40 feet of frontage on an existing or proposed public or private road. The DRB may require a greater frontage where necessary to provide safe access to the lot.

**33.4 Density Standards.** See Chapter 19 for an explanation of how density is calculated and a summary of the density standards of this bylaw. WDB 19.3 explains how the standards of this bylaw regulate nonresidential densities.

**33.5 General Standards** Development in this zoning district must, unless specifically exempted, comply with all standards established in Chapters 13-29.

**33.6 Specific Standards** Specific standards are presented in WDB 33.7 and 33.8.

### **33.7 Outdoor Sales and Storage**

**33.7.1 Are outdoor sales permitted in the GZDN?** Outdoor sales are permitted in this zoning district, but only within areas designated for that purpose on the approved plan. Outdoor sales outside designated areas are a violation of this bylaw, subject to enforcement as provided in WDB 7.4-7.6.

33.7.1.1 Within Buffers. Outdoor sales areas are not permitted within the landscaped buffers required by WDB 33.7.1.2 and Chapter 23.

33.7.1.2 Within Setbacks. Outdoor sales may be permitted within the front setbacks established by WDB 33.3.1, in compliance with the following standards.

- Outdoor sales areas may, along with access drives and other impervious surfaces, occupy no more than 50% of the area included within the setback. The remaining area must be landscaped, as required by WDB 33.3.4.
- Outdoor sales areas must be separated from roads by a continuous landscaped buffer that is at least eight (8) feet wide and includes the street trees required by Chapter 26 of this bylaw.
- Outdoor sales areas must be separated from sidewalks or recreation paths by a continuous landscaped buffer of at least six (6) feet.

**33.7.2 Is outdoor storage permitted?** Yes. Outdoor storage is permitted in this zoning district, but only within side and rear yards that are designated for that purpose on an approved site plan. Outdoor storage outside designated areas is a violation of this bylaw, subject to enforcement as provided by WDB 7.4-7.6.

33.7.2.1 Buffering and Setbacks. Outdoor storage areas must be buffered from all adjoining properties as required by Chapter 23 of this bylaw.

33.7.2.2 Screening. Screening fences or walls, which shall be located on the interior side of the buffer required by WDB 33.3.4, may be required by the DRB. Where such a requirement is imposed, the screening shall be an architectural extension of the building, with similar colors and detailing.

33.7.2.3 Temporary Storage. Temporary outdoor storage of construction equipment and materials is permitted in compliance with Chapter 17 of this bylaw.

**33.8 Slopes – Watershed Protection.** The northern and, to a lesser extent, western edges of this zoning district include steep slopes above the Winooski River. Development on or near these slopes is subject to review by the Conservation Commission and the standards of Chapter 29 of this bylaw. It is also subject to the additional standards adopted here.

***33.8.1 Are there additional limits on clearing and grading that could affect steep slopes in this zoning district?*** Yes.

33.8.1.1 Below the Crest Line. There shall be no clearing or grading of slopes greater than 15%, except where the DRB finds that there can be no reasonable use of the property without an exception to this standard.

33.8.1.2 Above the Crest Line. A 50-foot buffer shall be left above the crest line of the slope above the river. Where there is existing forest or woodland vegetation within that buffer it shall remain. Where the land has been previously cleared, woodland vegetation shall be re-established as part of the development. These required buffers may also be used to comply with the landscaped buffer standards of Chapter 23 of this bylaw.

***33.8.2 Are there additional limits on building that could affect steep slopes in this zoning district?***

Yes. Grading should be minimized by careful attention to the siting of access drives and roads, parking and loading areas, buildings, and other improvements, all of which should parallel the contours of the slope. Larger buildings should be terraced or stepped along the slope to help minimize both grading and apparent building mass. Retaining walls may be required to help minimize cut and fill.

**33.9- Retail Sale of Medical and Recreational Cannabis** The retail sale of cannabis for medical or recreational purposes is allowed in this zoning district, subject to the following application procedures and restrictions.

**33.9.1 Discretionary Permit Required.** An Administrative Permit to establish a Medical Cannabis Dispensary or Recreational Cannabis Retail Operation may only be issued by the Zoning Administrator following the approval of a Discretionary Permit by the DRB, following all of the required procedures of WDB 6.

**33.9.2 Submission Requirements and Security Plan.** Applications for Medical Cannabis Dispensaries and Recreational Cannabis Retail Operations must include all of the information required by the Discretionary Permit Checklist and must also include a Security Plan that explains how the business will be secured including:

- A description of how all points of entry (including but not limited to doors, windows, HVAC grates and roof accesses) will be secured.
- A description of how all cannabis materials will be secured within the operation, and

- A description of what on-site security will be provided during hours of operation, and
- A description of all alarm systems and automatic lighting or other systems that will be used to provide security for the dispensary after hours.

**33.9.3 Hours of Operation.** A Medical Cannabis Dispensary or Recreational Cannabis Retail Operation may operate between the hours of 9:00 AM and 9:00PM.

**33.9.4 Signage.** Signage for a Medical Cannabis Dispensary or Recreational Cannabis Retail Operation may only be approved as a part of the Discretionary Permit. Signage shall include text only and shall not incorporate any graphical elements including but not limited to pictures, icons or symbols. Signs for Medical Cannabis Dispensaries and Recreational Cannabis Retail Operations may only be placed on the wall of the building containing the main entrance of the business within OR on the ground within 50 feet of the business entrance. Signs are limited to one (1) wall sign of 12 square feet in size OR one freestanding sign no more than six (6) feet in height of no more than eight (8) square feet in size.

**33.9.5 Location** No Medical Cannabis Dispensary or Recreational Cannabis Retail Operation shall be located:

- within 200 feet of the property line of a residential property, with the exception of a residential property across a state highway, or
- within 1000 feet of the property line of a Medical Cannabis Dispensary or Recreational Cannabis Retail Operation in existence at the time a complete application for a Discretionary Permit is filed with the Zoning Administrator;
- Except a single business which functions as both a Medical Cannabis Dispensary or Recreational Cannabis Retail Operation shall not be required to separate the medical and recreational operations from one another as described above.

<b>Table 33.A - Gateway Zoning District North</b>	<b>NAICS</b>	<b>Notes</b>
Uses that are not specifically permitted are prohibited. Listed uses are permitted only in compliance with all applicable requirements of this bylaw and with the purpose statement for this zoning district.		
<i>on parcels facing on Route 2A</i>		
<b>Retail Trade</b>		
Motor Vehicle & Parts Dealers	441	
Furniture and Home Furnishings Stores	442	
Building Material & Garden Equipment & Supplies	444	
Gasoline Stations, with convenience stores	44711	
Convenience Stores	44512	
Sporting Goods Stores	45111	
<i>off Route 2A</i>		
<b>Construction</b>	20	
<b>Manufacturing</b>	31-33	
<b>Wholesale Trade</b>	42	
<b>Retail Trade, but only as listed below</b>		
Motor Vehicle & Parts Dealers	441	
Home Furnishings Stores	4424	
Building Material & Garden Equipment & Supplies Dealers	444	
Manufactured Home Dealers	45393	
Nonstore Retailers	454	
Medical and Recreational Retail Cannabis Sales	453998	In this category, only Medical and recreational Cannabis sales may be allowed, and only with the approval of a Discretionary Permit.
<b>Transportation &amp; Warehousing,</b> but not 491, retail outlets for the Postal Service	48-49	
<b>Information,</b> but not 51213, Theaters or Public Libraries	51	Theaters and libraries should be confined to the growth center or village center.
<b>Finance and Insurance</b>		
Investment Advisors	52393	
Insurance Agencies and Brokerages	52421	
<b>Real Estate And Rental and Leasing</b>		
Real Estate Offices	5312	
Real Estate, Related Activities	5313	Property managers and appraisers.
<b>Rental &amp; Leasing Services</b>		
	532	

<b>Professional, Scientific, and Technical Services, but only as listed below</b>		
Profession and Technical Services	541	
Testing Laboratories	54138	
Veterinary Services	541940	But only for small animals.
<b>Admin &amp; Support - Waste Management &amp; Remediation, but only as listed below</b>		
<b>Admin &amp; Support Services</b>	561-5616	
Waste Management & Remediation Services	562	
<b>Health Care and Social Assistance</b>	62	
<b>Fitness and Recreational Sports Centers</b>	71394	
<b>Accommodation &amp; Food Services, as listed below</b>		
Limited Service Eating Places (cafeterias, snack bars)	72421	Only as an accessory use.
Food Service Contractors	72401	
Caterers	72402	
Mobile Food Services (vendors, kiosks)	72403	
<b>Other Services, but only as listed below</b>		
Repair & Maintenance	811	
<b>Civic and Professional Organizations</b>	813	
Death Care Services	8124	
Dry Cleaning & Laundry Services	81202	
Linen & Uniform Supply	81203	
Pet Care	81291	
<b>Public Administration</b>	92	Public parks are permitted in all zoning districts.