

# LAND USE

## Chapter 10

**L**and use is among the most important and controversial planning issues faced by local communities. Historically, most decisions regarding land use have been made by individual land owners. Because these decisions affect neighboring properties and property values, the demand for public services and facilities, environmental health, public safety, the availability of finite resources, economic opportunity, and the overall character and quality of life of the community, land use decisions have become a legitimate public concern. Property values also reflect good planning for the community as a whole.



This chapter integrates all of the preceding chapters of the plan. The future land use plan is based on the careful consideration of Warren's traditional settlement patterns and historic resources; its rural character and unique sense of place; the distribution of natural resources and physical features; the location and capacity of public services, facilities and the trans-

portation network; the community's housing and economic needs; and, most importantly, the goals, objectives and strategies related to each of those considerations.

### *Current Land Use*

Current land uses reflect the influences that have shaped Warren's landscape over the past two centuries. While the economic and cultural importance of agriculture and forestry has waned, the Town has retained much of its historic settlement pattern of compact villages surrounded by an open, working landscape. Farming continues to dominate the more accessible countryside, while the less accessible mountains are more heavily forested than in past times. A breakdown of dominant land uses by acreage is provided in Table 10.1 and depicted on Map 7.

Nearly 85% of the Town is forested. Most of the active farmland includes the best agricultural soils on the East Warren plateau, along the Mad River and, to a limited extent, on

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A primary purpose of land use planning is to balance the legitimate interests of the community, as expressed through the planning process, with the rights and expectations of individual landowners. Achieving this balance is a difficult yet necessary function of the Town Plan.

**Table 10.1****Current Land Use**

Land Use	Approx. Acreage	% Total
Residential	1,056	4.1%
Commercial	69.1	0.26%
Open/Agriculture/Pasture	1,980	7.6%
Forest	22,001	84.9%
Outdoor Recreation	407	1.6%
Governmental	21.3	0.1%
Airport	71	0.27%
Sand & Gravel Extraction	26	0.1%
Water	124	0.5%
Other	151.7	0.5%
<b>Total</b>	<b>25907.1</b>	<b>100%</b>

Source: Central Vermont Regional Planning Commission, 1998

### Fuller Hill and along Lincoln Brook.

Commercial development is concentrated in the vicinity of the base of Lincoln Peak, in Warren Village and around the intersection of Route 100 and the Sugarbush Access Road. In addition to heavy concentrations around Lincoln Peak and in Warren Village, residential development is widely distributed throughout Town, especially along major roads, in Alpine Village and, increasingly, at higher elevations in the Northfield Range.

### *Land Use and Development Regulations*

The Town has administered development regulations for over three decades. In addition to a health ordinance which establishes standards for septic systems, the Town's primary land use regulations are the Warren Land Use and Development Regulations. This regulatory document was established in 2001 and combined the prior zoning bylaw and subdivision regulations into one document. During the zoning revision, site plan review was incorporated into conditional use and subdivision review.

Although many policies and programs related to capital budgeting, economic development, transportation, etc., have a direct bearing on future land use patterns, the primary means with which to affect future land use is through the Land Use and Development Regulations. This chapter therefore focuses on how those regulations can best achieve the goals of the community. Other implementation measures, such as infrastructure needed to support land use objectives, are briefly discussed below. A more detailed description of non-regulatory

policies may be found in other applicable chapters of this plan.

### *Land Use Districts*

Warren has had zoning since 1972. The most recent version was adopted in 2001 and amended in 2002. The existing Land Use and Development Regulations were designed to implement the most up-to-date land use policies. Map 8 is the Current Land Use Map and shows the boundaries of all of the land use districts. These policies called for maintaining the historic character of Warren Village, concentrating higher development densities and commercial activity in and around Sugarbush Village/Lincoln

Peak base area, allowing additional residential and limited commercial development at lesser densities throughout the most accessible areas of Town, and leaving those areas that are least accessible and most environmentally sensitive undeveloped. To achieve this pattern, the Land Use and Development Regulations establish the following districts:

- Forest Reserve (FR) District
- Rural Residential (RR) District
- Warren Village Historic Residential (WVR) District
- Sugarbush Village Residential (SVR) District
- Alpine Village Residential District (AVR)
- Vacation Residential (VR) District
- Sugarbush Village Commercial (SVC) District
- German Flats Commercial (GFC) District
- Access Road Commercial (ARC) District
- Warren Village Commercial (WVC) District
- Airport Commercial (AC) District
- Bobbin Mill Commercial District (BMC)
- Meadowland Overlay District (MO)
- Flood Hazard Overlay District (FHO)

Another provision in the Land Use and Development Regulations allows for the transfer of development rights (TDRs). TDRs have not been used as widely as hoped. This may be because of the high development densities presently permitted in the designated receiving areas, the limited demand for development in those areas since TDRs were allowed, and the lack of supporting infrastructure necessary to accommodate higher density. Other communities' experiences suggest that for Warren to create the market conditions necessary for an

effective TDR program, the Town may need to reduce permitted densities within receiving areas, facilitate the development of adequate infrastructure within existing receiving areas and/or designate new receiving areas.

Recent trends, coupled with concerns raised by Town residents, suggest that some changes should be made to the standards, although the guiding land use principles should remain intact. Beginning in 2005, the Land Use and Development Regulations must also undergo a general technical review and update to ensure compliance with statutory changes to State enabling legislation [Vermont Municipal and Regional Planning and Development Act 24 V.S.A., Chapter 117] enacted in recent years. Such issues as mandatory allowance for permitted accessory dwellings, enforcement limitations, recording requirements and site plan standards are contained within the State-level changes. Needed technical amendments have also been identified through the process of applying the regulations and writing this plan.

### *Subdivision Regulations*

Warren voters adopted the current subdivision regulations in as part of the Land Use and Development Regulations in 2001. These were amended in 2002. These authorize the Development Review Board to review and make decisions about proposals to subdivide land within the Town. As such, they provide public oversight regarding the pattern and location of development, the provision of public and private infrastructure, and the protection of natural resources and scenic features. In many respects, subdivision regulations are the most important tool for ensuring that new residential development occurs in a manner that is consistent with the Town's traditional landscape and rural character.

Increasingly, residential subdivisions in the Forest Reserve and Rural Residential District (where the bulk of land subdivision has occurred recent years) have been of a suburban character and pattern that is inconsistent with

Warren's historic landscape. As subdivisions have encroached into areas characterized by steep slopes and poor soil conditions, such as the Northfield Range, concern has grown regarding the environmental and visual impacts of land clearing, road and driveway construction, and the siting of houses and septic systems on hillsides.



### *Subdivision Design*

To accommodate residential subdivisions in a manner that protects natural resources and the Town's rural character, the Land Use and Development Regulations require careful site analysis and design. Rural communities facing development pressures similar to Warren have become more aggressive in

requiring that environmental and landscape protection are the primary design criteria for new subdivisions.

Figures 10.1 through 10.3 illustrate the preliminary steps in designing what is often called an "open space" subdivision. Figure 10.1 depicts the first step in the subdivision design process the preparation of an accurate site plan and resource inventory of the parcel. In this example, the boundaries of fragile natural features, including flood hazard areas, wetlands, water bodies and excessively steep slopes with gradients of 25% or greater, are carefully delineated.

Next, other important community resources are identified and mapped. In Warren, these could include wetlands, meadowland, severe slopes with a gradient between 15% and 25%, wildlife habitat, scenic knolls and ridgelines. It is also important to identify other prominent features, such as historic sites, fence lines and walls, and forest type; and to conduct a thorough assessment of the site's development capacity. Figure 10.2 shows how these features could be depicted on a preliminary plan.

With the careful delineation of fragile features and community resources, as well as other prominent features, subdividers may identify suitable development sites. Such sites would then be carefully located to avoid any adverse impact to identified natural resources, and to result in the minimum impact feasible to such community resources as farmland or

scenic areas.

Based on the potential development areas, illustrated in Figure 10.3, a preliminary subdivision plan may be developed. Only at this time, after the important resources have been

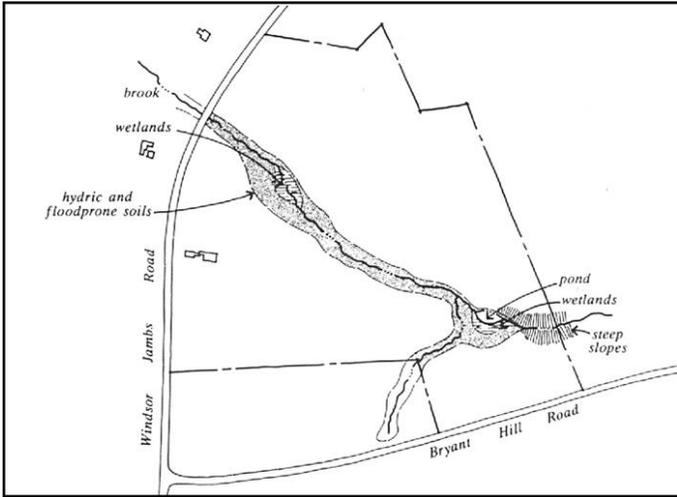


Figure 10.1

designated as open space, would house sites be identified, infrastructure be laid out and lot lines configured.

This approach differs from designing the subdivision around the most marketable house site. Development must be designed in a manner that has the least impact on the landscape.

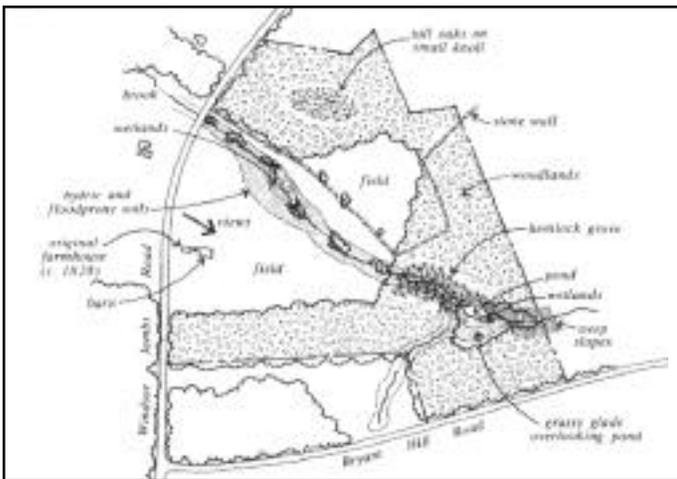


Figure 10.2

Standards have been included in the subdivision regulation that require: (1) documentation that the considerations described in Figures 10.1 through 10.3 were addressed; (2) the designation of open space in accordance with clear standards for all subdivisions involving a minimal number of acres, and; (3) the establish-

ment of designated building envelopes within which development may occur.

It should be noted that this design process may not be necessary for all subdivisions, especially those involving the creation of only one or two new lots and where significant fragile features are not present. In such cases, the subdivision regulations can include a streamlined review process for minor, as opposed to major, subdivisions. The scale of what constitutes a major subdivision is defined by the regulations.

Other revisions to the subdivision standards in Warren's Land Use and Development Regulations which might be considered include better definition of development on primary conservation areas (specifically steep slopes and "scenic" roads) and landscaping and tree cutting standards to address the scenic

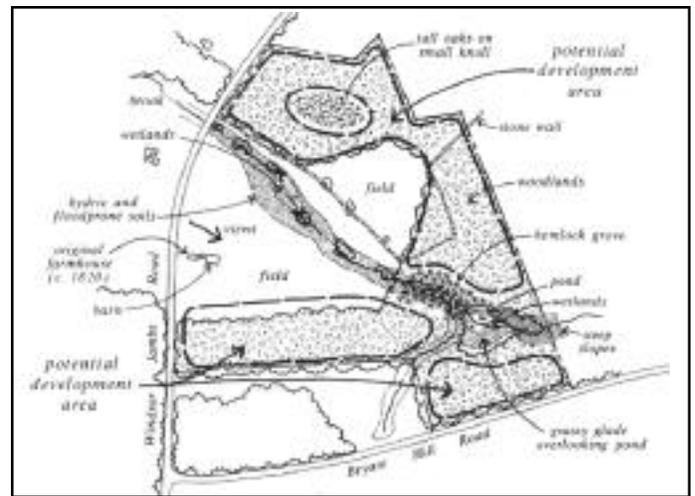


Figure 10.3

impacts of development on forested hillsides and meadowlands, and measures to encourage and facilitate affordable housing. Some thought should also be given to procedures for amending final plats.

### Settlement Patterns

The Town Plan and Land Use Regulations build upon past planning efforts. They are based on current planning principles that take into account how the Town has grown: commercial and high density residential development concentrated in village centers, accessible to major transportation routes; surrounding countryside characterized by low density residential development and a working landscape of farms and forest; and the least accessible and most fragile areas undeveloped.

To maintain this desired settlement pattern, while ensuring that the economic and housing

needs of local residents are addressed, the Land Use and Development Regulations continue to focus on three categories of land use districts. These are Village Centers, including Warren Village, Alpine Village and Sugarbush Village/Lincoln Peak; Rural Countryside & Meadowlands); and, Commercial Nodes. These three categories are discussed in detail below.

### *Village Centers*

Warren contains three areas characterized by higher densities and a more compact settlement pattern than surrounding areas. Despite these similarities, the three areas of Warren Village, Alpine Village, and Sugarbush Village (including the surrounding base area of Lincoln Peak) are quite different in character, function, and capacity to accommodate additional growth. Warren Village continues to serve as the town's historic center, even though the potential for locating additional development in the Village is limited. Sugarbush Village and the base of Lincoln Peak have served as the Town's principal modern growth center. The Alpine Village area was subdivided for high density development, but environmental constraints will limit future development.

Before addressing Warren's village centers, it is important to address the Town's relationship with the neighboring Town of Waitsfield and the extent to which Warren residents depend on that town's commercial and employment center, Irasville. Supporting the economic vitality of Waitsfield and Irasville is consistent with continued support for Warren Village and Sugarbush Village/Lincoln Peak as Warren's town centers, providing the scale of development (in the case of Warren Village) and character and type of commercial activities (in both cases) does not duplicate Irasville's commercial role in the Valley.

### *Warren Village*

Warren Village has served as the center of government and commerce for over 100 years. While the potential for additional growth is limited by both physical constraints and the desire of many residents to maintain the Village's quiet residential character, existing densities coupled with the Village's function as the center for governmental, social and cultural activities, require careful consideration of the Village's historic role in the community.

The Village features a mix of residential,

commercial and institutional land uses at relatively high densities along the road network. The settlement pattern and architecture are typical of 19th century Vermont, as indicated by the Village's inclusion in the National Register of Historic Places. Residential uses are dispersed throughout the Village, including single family structures, duplexes, and multi-family structures.

Commercial activity is concentrated at the 'triangle' formed by Main Street, Brook Road and Flat Iron Road, although a few commercial uses are found outside of this core area. Activities include a general store, an inn, sever-



al business and professional offices, and a few antique and specialty shops. During periods of high use, this core area can experience parking shortages and traffic congestion.

Governmental and institutional uses are clustered off of Main Street, just south of the 'triangle'. These include the Town Clerk's Office and Municipal Building, the Library, Town Hall, the Fire Station, a town cemetery, the Post Office and the Church. Finally, a newer center of town activity has evolved in the northeast corner of the Village, off of Brook Road. This is the location for the Town shed, the Warren Elementary School and the Brooks Recreation Field.

Water and wastewater facilities were historically provided on-site for most Village buildings. To address the potential for ground and surface water contamination related to the high concentration of septic systems, and the desire to maintain the economic viability of the Village's commercial core, the Town has installed a municipal wastewater system. This facility is addressed in greater detail in Chapter 8. In addition, transportation needs related to the Village are described in Chapter 7.

The Village's character and special charm result from a combination of features and ele-

ments, including:

- the dominance of residential land uses;
- a diversity of architecture reflecting the changing styles that have contributed to Vermont's architectural heritage;
- pedestrian access and circulation;
- a traditional village settlement pattern, comprised of buildings set close to and fronting upon roads;
- generally small lot development in the Village core with larger lots and more open land a short distance from that core;
- a complimentary mix of building scale and mass;
- several prominent buildings serving as civic and cultural focal points; and,
- a clear contrast between the Village and the surrounding countryside defined, in large part, by sparsely developed forested hillsides.



Warren Village is presently split into two distinct zoning districts. The Warren Village Commercial District and the Warren Village Historic Residential District, surrounds the Village. Several properties in the two Warren Village districts lie in the Flood Hazard Overlay District.

***Warren Village Commercial (WVC) District:***

The WVC District comprises the Village core and includes most of the commercial buildings within the Village. A full range of mixed residential and commercial uses are conditional uses. The WVC is surrounded by the Warren Village Historic Residential District.

**Planning Considerations:**

Standards to regulate the scale and site design of new development could be included with future zoning amendments to address concerns raised over the increasing intensity of commercial activities within this district. Since 1998 the U.S. Postal Service has indicated a desire to either expand its present leased facility on Main Street or to relocate outside of the Village. Public sentiment supports efforts to ensure the post office remains in the Village.

To accommodate an expanded facility on its present site, the 2001 changes to the Land Use and Development Regulations expanded the Village Commercial District south on Main Street to include the post office property. If this district is expanded further, however, the Village could experience a wider conversion of residential buildings to commercial uses.

***Warren Village Historic Residential (WVR) District:***

The WVR District, which surrounds the Warren Village Commercial District, encompasses most of the Village. Partly due to the Route 100 bypass in 1954, Main Street has not experienced the widespread commercialization typical of other

historic villages located along busy highway corridors. While several home-based businesses exist in this district, the area is predominately residential in character. Village residents have expressed concerns regarding perceived threats to the quiet, residential character of the Village. These include the potential for additional commercial activity (which is presently allowed in the district), and the potential for higher densities resulting in the loss of the Village's remaining open space. Although higher densities may be possible with the expansion of the municipal wastewater collection system, under present state rules, expansion may not occur for two years and possibly not at all. Presently, most properties do not comply with current dimensional and density standards. Some residents have indicated that additional residential development could occur in a manner, scale and pattern that better reflects the traditional character of the Village than the large lot development now required.

**Planning Considerations:**

It is clear from public concern that no increase in development density should occur unless the implications of such changes on Village character and the quality of life enjoyed by Village residents are clearly understood.

Most existing commercial enterprises in the Historic Village Residential District are associated with residential uses, which help to maintain residential character. Home-based businesses should continue as permitted uses. At

the same time, standards for site design and building scale could be considered concurrently with a review of existing land uses, parcel sizes, physical features and development densities in the district. With proper design standards, the Commission may find the means for allowing limited development while strengthening the standards needed to maintain Village character.

### ***Alpine Village***

Encompassing approximately 290 acres in the south-eastern corner of Town, Alpine Village was initially developed in the early 1960s for vacation homes, camps and related seasonal-recreation uses. The development pre-dates most state and local regulatory processes. Characterized by 1/10 acre parcels placed in a grid-lot and street pattern with little regard to land forms or development capacity, Alpine Village has developed as a clearly defined residential neighborhood.

Several landowners have consolidated pre-existing, non-conforming lots into larger parcels for residential purposes. In many instances, seasonal camps have been upgraded for year-round use. Due to the conversion of camps, as well as the availability of affordable land, Alpine Village has benefited from the investment and 'sweat equity' of home-owners over the years. However, the area is still plagued by problems stemming from the inception of the development.

For example, the road network is privately owned and in poor condition. Poor soils and small lot sizes may pose a number of public health risks associated with on-site septic systems and private wells. The conflict between year-round residents and landowners using the area for seasonal camping remains an issue. The most critical of these issues is sewage disposal. To date, no feasibility study has been performed to determine whether a community disposal system is practical. However, such a study will likely become more critical as year-round occupancy in the Village increases.

#### **Planning Considerations:**

To recognize the distinctive settlement pattern and potential for the area to continue serving as a source of affordable owner-occupied housing in Town, an Alpine Village Residential District (AVR) was included the Land Use and Development Regulations. The district is limited to residential uses and associated home-based businesses, although some limited community activities are appropriate in designated areas. The minimum lot size is one acre. Regardless of lot size, requirements that pre-

existing small lots be merged could be reviewed to determine whether those standards reflect current state statute, and an aggressive system for monitoring the transfer of small lots developed to support the continued consolidation of parcels. Finally, some standards for the use of recreational vehicles could also be included to ensure that sewage is disposed of in a safe manner.

### ***Sugarbush Village/Lincoln Peak Base Area***

The high elevation bowl formed at the convergence of Clay and Rice Brooks is the setting of Warren's largest growth center. Containing the bulk of the Town's recent commercial and residential development, the Sugarbush Village and Lincoln Peak area will likely continue to serve as the focus of economic activity and development for the foreseeable future.

Since the advent of alpine skiing on Lincoln Peak in 1958, Sugarbush Resort has been the economic engine that has supported the development of a dispersed mix of lodging, seasonal residential and commercial (especially restaurant and recreation) developments in and around the Clay Brook bowl.

Due to the lack of a guiding land use plan for this area, past development was largely uncoordinated and unorganized. Despite this, ownership patterns and 1970s zoning resulted in a high concentration of residential and commercial uses in Sugarbush Village, adjacent to the base of Lincoln Peak. Although Sugarbush Village provided direct access to ski trails, the large parking area formerly owned by the U.S. Forest Service prevented the development of base area facilities that could serve as an extension of the Village and more fully integrate the Village with ski area operations. In 2000 Sugarbush acquired the parking area and surrounding land (known as the '57 acre site') from the Forest Service. The acquisition will allow for a consolidation and rearrangement of base facilities and associated resort-oriented in-fill development which could strengthen the relationship between the Village and ski area.

Beyond the loosely defined boundaries of Sugarbush Village are a number of lodging and residential enclaves that have developed at a range of densities. These projects were primarily developed with direct access to the Sugarbush Access, German Flats and Inferno Roads.

To the south of the Access Road, and east of the Inferno Road, is a lower density residential area surrounding the Sugarbush Golf Course, which is one of the Resort's most important

summer recreation amenities. The Sugarbush Village/Lincoln Peak Growth Center encompasses the Sugarbush Commercial District and a portion of the Sugarbush Village Residential District. This area represents a significant portion of value found in the Town's grand list and is the focal point for the Valley's tourist industry.

In addition to the designated growth center, the zoning map (Map 8) designates the boundaries of a larger growth center study area. This area encompasses not only Sugarbush Village and the base of Lincoln Peak, but the majority of the commercial and condominium development in the vicinity, as well as approximately 300 acres of land presently zoned Rural Residential in the vicinity of the Sugarbush Golf Course. The study area boundary reflects past development patterns; and identified infrastructure and service area needs. The Sugarbush Village Commercial District, Sugarbush Village Residential District, and Vacation Residential District zoning designations are represented within the growth center and the surrounding study area.

#### ***Sugarbush Village Commercial (SVC) District***

The SVC District encompasses the core of Sugarbush Village, including the commercial enterprises adjacent to the covered pedestrian bridge, the Lincoln Peak base facilities and a portion of the 57-acre site. As noted previously, this SVC District is considered the Town's principal growth center and as such would facilitate a compact, urban core at the base of Lincoln Peak.

To this end, the SVC District has been designated a receiving area for development rights. For each acre of meadowland in the RR District for which development rights have been acquired, one additional unit or two additional hotel bedrooms may be permitted. The density within the District may be increased by up to 50% using the TDR program.

In the past, concerns have existed regarding the desire of Sugarbush management to develop self contained commercial amenities at the base of the mountain, and Sugarbush Village property owners' desires to maintain the economic viability of the Village through greater integration with, and access to, ski area operations. Recently, Sugarbush has demonstrated a willingness to support Village viability through property leasing and business development. In addition, after an extensive design and regulatory process, a hotel was approved

in a configuration that will improve the physical linkages between the Village and base area. Planning for this development continues.

#### **Planning Considerations:**

The development of the remainder of the 57-acre site (and associated ski-facility improvements) presents an opportunity to the community. As the ski area expands, the base area could be developed in a manner that reflects the ski village scale and density. Such considerations as an integrated street network, the development of parking structures to eliminate expansive surface parking lots, a pedestrian orientation of development and transit service could enhance the hotel as a prominent focal point in a traditional small-urban setting.

However, large scale development, use of



developable land for parking, and poor site design could undermine the opportunity that currently exists. To avoid this, Town and Sugarbush officials should continue to work together to ensure that future development occurs in a manner that takes full advantage of the potential to create a pattern and scale of development that balances the Town's planning goals with Sugarbush's economic goals.

Potential environmental threats associated with large scale development at high elevations should continue to be monitored. Wastewater treatment, stormwater management, and encroachment into remote areas, are all important considerations relative to future development. The ecological sensitivity of the area demands the highest level of environmental protection, especially during construction. In addition, the Town has concerns regarding large scale and intense future development of

the base area due to:

- greater recreational use of sensitive upland areas;
- increased development pressure outside of the growth center boundaries;
- the potential that existing business enterprises and other commercial centers may be undermined;
- traffic impacts on the regional road network; and,
- increased demand for public services and facilities.

These concerns should continue to be addressed whenever the current Land Use and Development Regulations are revised to ensure that they are addressed during future regulatory review of development proposals in this area.

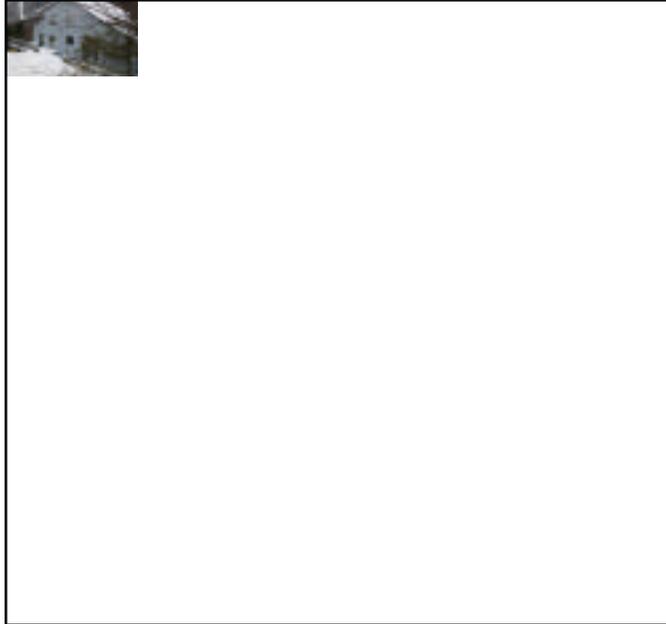
***Sugarbush Village Residential (SVR) District.***

The SVR District encompasses most of Sugarbush Village uphill from the base area, as well as some of the surrounding land. Within this 135+/- acre district are the Sugarbush Health & Racquet Club and wastewater treatment plant and a small portion of the 57-acre site just south of Rice Brook. This District also has been designated as a receiving area for development rights. For each acre of meadowland in the RR District for which development rights have been acquired, one additional unit or two additional hotel bedrooms may be permitted. The overall density within the District may be increased by up to 33% using the TDR program.

**Planning Considerations:**

Many of the issues associated with the SVC District also apply to this district. In many respects, the development potential of this area is not as great as the SVC portion of the 57 acre site in fact, development in the SVC district could be designed to strengthen and enhance the existing patterns found in the SVR zone. Additionally, there is some potential to allow for an overall density of the southeasterly triangle of SVR (see Map 8) comparable to the SVC District using the TDR program. Prior to such an expansion of the District and modifica-

tion of density, it will be important to fully understand how this land use change would affect the function of the SVC District as the Town's principal growth center



***Vacation Residential (VR) District***

The VR District currently encompasses over 470 acres of land surrounding the Lincoln Peak base area and Sugarbush Village. Much of the condominium development of the late 1970s and early 1980s occurred in this district.

Past development has included a range of styles and levels of construction quality.

Individual projects were generally isolated and lack road or pathway connections to one another or an integration of dedicated open space. In addition, the siting and landscaping of some projects resulted in unattractive developments. Finally, the extensive road frontage on major Town roads poses a risk of commercial strip development.

Like SVC and SVR Districts, this District has been designated a receiving area for development rights. However, the additional density may only be allowed in Planned Unit Developments.

**Planning Considerations:**

Because of the concentration of ownership of undeveloped land at the base of Lincoln Peak, the VR District provides business opportunities to a variety of landowners. Further, with good site design principles and clear open space protection and landscaping requirements, the VR District can serve as a low-impact, moderate density contrast to the high density core in and around Sugarbush Village.

***German Flats Commercial (GFC) District.***

The GFC District is intended to provide the parcel occupied by the Sugarbush Inn with higher densities and greater flexibility of uses than are allowed in the surrounding VR district. This District also has been designated a receiving area for development rights.

**Planning Considerations:**

While the elimination of this district could

be considered, the potential for Sugarbush to link the Inn with the ski area with lift facilities has been discussed for several years. Should such a lift extension occur likely terminating at the maintenance building near Village Woods the area could serve as a small crossroads commercial center. Should such a lift extension appear feasible, the Town could consider expanding this district to include the lift terminus and surrounding lands, and identifying appropriate uses, densities and development standards at that time.

### *Rural Countryside*

The bulk of the Town, over 90%, is designated as either the Forest Reserve (FR) District or the Rural Residential (RR) District. Within the RR District, approximately 1,800 acres have been included in the Meadowland Overlay (MO) District. Together, the RR and FR Districts comprise the bulk of the Town's productive forest and farm land and define its historic working landscape. At the same time, these parts of Town have been the focus of significant residential development pressure over the past fifteen years. Guiding future development in these districts will be of particular importance to efforts to preserve Warren's sense of place and rural character.



### *Forest Reserve (FR) District*

Defining characteristics of this district are steep slopes, a preponderance of soils with extremely poor septic suitability, highly visible hillsides and ridgelines that form the background view for many of the Town's scenic viewsheds, large tracts of productive forest land, fragile headwater areas, and extensive wildlife habitat which includes some of the most productive black bear habitat in the State. While portions of the district were once used for agriculture, as evidenced by stone walls and patchwork forest patterns, it is almost entirely wooded today. The FR District presently permits few land uses other than forest management and single family homes on a lot with a minimum of 25 acres. Much of the property within the district is subject to ongoing forest management, and large tracts are

held by the Green Mountain National Forest (GMNF). As was stated elsewhere in this plan, good forest management may ensure a sustainable income from timber harvesting while accommodating stable wildlife populations, protecting sensitive headwater streams and providing a wide range of low intensity recreation opportunities.

A number of programs are available to foster sound forest management and provide financial incentives to landowners in return for multiple use management of their property. The State Current Use program provides tax relief for landowners in return for responsible forest management. The Green Mountain Forest may be interested in expanding its land holdings, and the Vermont Housing and Conservation Fund is a possible source of funds

for the acquisition of development rights. During the last revision to the Land Use and Development Regulations in 2002, the boundary for the Forest Reserve District was modified in the following manner:

- The FR District east of Route 100, comprising the upper elevations of the Northfield Mountain Range, is defined by the 1,850' msl (mean sea level) contour elevation;
- The area west of Route 100 and south of Lincoln Brook was included within the FR District;
- The FR boundary in the Lincoln Brook watershed was lowered from 1,950' to 1,700' msl;
- Land currently under GMNF ownership is included in the boundaries;
- In the Bradley Brook watershed, the boundary was lowered from 2,500' msl to 2,000' msl; and,
- In the vicinity of Sugarbush Village and in the Slide Brook watershed, the boundary was drawn to include land adjacent to the Sugarbush Village/Lincoln Peak base area and all of Sugarbush Resort's land holdings in Slide Brook.

### **Planning Considerations:**

Because of the geographic conditions throughout this district, road improvements are expensive and difficult to maintain. This is

exacerbated by the distance from other Town roads and services. Further, emergency vehicle access is difficult on steep, narrow roads, and the potential exists for conflict between automobile traffic, logging operations and outdoor recreation in these areas.

Other important land use considerations in the FR District include the protection of wildlife habitat, especially black bear; the visual impacts associated with lot clearing and the placement of structures on prominent sites and steep hillsides; and erosion and stormwater runoff resulting from clearing and development on steep slopes, especially in headwater areas.

#### ***Rural Residential (RR) District***

The RR District comprises the bulk of the Town outside of the Forest Reserve District. The district is intended to protect environmental resources while permitting low density development. In addition to single-family homes permitted on one acre parcels, a number of other land uses, including light, medium and heavy industry, are presently allowed within this district.

#### **Planning Considerations:**

The general pattern of development in the RR District should remain largely rural. The historic pattern of farmyard clusters surrounded by open fields could be recreated through the application of Planned Residential Development (PRD) standards included in the Town's Land Use and Development Regulations. Such standards could allow landowners to cluster development in this historic pattern, which might not otherwise be permitted under conventional zoning.

The extent to which Warren residents are involved in home-based businesses is discussed in detail in Chapter 9 and is accommodated in this district. Finally, incentives to maintain historic barns should be continued, including allowing such structures to be used for uses not otherwise permitted in the Rural Residential District.

#### ***Meadowland Overlay (MO) District***

The RR District currently contains special standards for development proposed within delineated "Meadowlands". In the Meadowland Overlay District allowable land uses, density and lot size, and dimensional requirements are dictated by the underlying RR District. Development rights of meadowland also may be acquired and transferred to a number of other districts where high density development is

encouraged. Where meadowland has been identified and mapped, however, additional performance standards apply.

The MO District was designated to encompass all land that was in agricultural production in the late 1970's, as delineated on the 1979 ortho-photographic aerial photographs. The purpose of the district is to maintain viable farmland for agricultural uses and to locate development in a manner that, to the extent feasible, preserves the open fields and meadows that contribute to the Town's scenic landscape.

The Meadowland standards have been among the Town's most important and successful regulatory tools for protecting the working landscape. As residential development pressure continues to increase, the importance of this provision will increase as well.

#### **Planning Considerations:**

The MO District boundaries have not been reconsidered as the landscape has changed. Some consideration could be given to clarifying the boundaries and providing maintenance standards.

#### ***Commercial Nodes***

In addition to the Town's Village Centers, three small commercial districts are contained within the Land Use and Development Regulations.

#### ***German Flats Commercial (GFC) District:***

This district is considered in the context of the Sugarbush Village/Lincoln Peak base area.

#### ***Access Road Commercial (ARC) District:***

This district encompasses several commercial properties clustered around the intersection of the Sugarbush Access Road and Route 100. Several of the parcels within the district have been developed for commercial uses. This area serves as the gateway to Sugarbush Resort. Efforts to strengthen the area through improved landscaping and site design would contribute to property values as well as the scenic values of the Route 100 corridor.

#### ***Airport Commercial (AC) District:***

The Airport Commercial District encompasses the Sugarbush Airport and is designed to promote the continued viability of that facility and encourage compatible land uses while protecting neighboring residential properties from adverse impacts of such development. Nevertheless land users adjacent to this district should be cognizant of the inherent needs and

characteristics of airport operations.

***Bobbin Mill Commercial (BMC) District:***

The Bobbin Mill property, located just south of Warren Village west of Route 100, has been the site of industrial activity in the Town of Warren for over 100 years. The adjacent sand, gravel and stone quarry, with its secondary access off the Lincoln Gap Road, has been operated for over 50 years. The primary access for both industrial and extraction activity is via a dead-end Town Road from Route 100 that is not shared by other properties.

Due to its historic use, existing character, proximity to Route 100 and the Village, and relative isolation from surrounding properties, the area is a suitable location for continued industrial and associated commercial uses. Such a designation can be designed to encourage industry and resource extraction while avoiding conflicts with commercial and recreational uses requiring higher traffic volumes and public access.

**Planning Considerations:**

A review of the land uses allowed in the AC district would be useful to determine whether some of the commercial uses should be limited to accessory to the airport or other outdoor recreation enterprise, and whether other light industrial uses might be encouraged.

The upper portion of the BMC has good access, soils and southern exposure and is suitable for moderate density residential uses once the current sand extraction is completed. Other considerations include the need to protect water quality and recreational access in Lincoln Brook and ensure that standards are developed to protect neighboring properties.

***Other Provisions***

**Flood Hazard Overlay (FHO) District:** The Flood Hazard Overlay District was created to prevent or minimize hazards to life or property due to flooding. It also was designed to assist the Town in regulating development within identified flood hazard areas in accordance with state and federal law in order to ensure that property owners are eligible for flood insurance. During the preliminary phase of writing the Warren Disaster Preparedness Plan in 2004, flood was identified as the most likely and most potentially damaging of disasters threatening Warren. With the exception of agriculture, forestry, and outdoor recreation uses, all uses, permitted or conditional, in the underlying dis-

trict are conditional uses.

**Planning Considerations:**

Other safety considerations could be included in the Flood Hazard Overlay District standards, such as anchoring propane tanks.

***Future Considerations***

Again, to accomplish the proposed land use plan while achieving many of the goals set forth in other chapters of this Plan, additional development standards related to environmental protection, traffic management, commercial strip development, open space preservation and coordination of land use and capital facilities planning, will be required. A full range of regulatory and non-regulatory strategies are available to the Town. By focusing on the regulatory alternatives, it is hoped that this Plan will serve as a blue print for future zoning changes.



## Land Use Goals

Goal 10.A The preservation of the Town's historic settlement pattern, defined by compact villages surrounded by rural countryside.

Goal 10.B The regulation of land development in a manner which protects important natural and community resources including farm land, forest resources, important wildlife habitat and water quality while allowing for diverse land uses in appropriate locations.

Goal 10.C The development of a compact village core at the immediate base of Lincoln Peak and Sugarbush Village to serve as the Town's primary growth center.

### **Objective 10.1. To administer the Town's development regulations in a fair and consistent manner.**

#### *Implementation Strategies*

- a) Review the Land Use and Development Regulations to identify and correct technical deficiencies, ensure compatibility with the Town Plan and make substantive revisions identified elsewhere in this Plan.
- b) Review current administration and enforcement practices related to the Land Use and Development Regulations and ensure that all standards and associated permit conditions are efficiently administered and strictly enforced.
- c) Refer to the goals, objectives and strategies set forth in this Town Plan during all site plan, conditional use, Planned Unit Development, Planned Residential Development, and subdivision reviews and all state and federal regulatory reviews.
- d) Upgrade and maintain comprehensive permit tracking and record keeping system.
- e) On a regular basis, compare the Town's Land Use and Development Regulations to current Town policies and state statutes and make revisions to ensure

consistency as appropriate.

- f) Consider options for allowing minor amendments to the final plats for subdivisions and Planned Residential and Planned Unit Development through an administrative process.
- g) Consider adopting new requirements in the Land Use and Development Regulations covering building safety issues, such as requiring smoke detectors and/or sprinklers for fire protection in new home construction.
- h) Consider the use of assessing impact fees to pay for needed capital improvements (such as schools, roads, or other) which are a direct consequence of any new development.

### **Objective 10.2. Maintain an overall high quality of site design and environmental protection throughout Town.**

#### *Implementation Strategies*

- a) Review and revise, as necessary, conditional use standards to address the impact of various land uses on adjacent properties, the neighborhood or district in which a project is located, and the community at large. Standards and conditions should emphasize those adverse off-site impacts of a proposed project that can be identified, avoided and/or mitigated.
- b) Review and revise, as necessary, site plan review standards to ensure that overall building and site design is consistent with the purpose and character of the district within which a development is located. Standards and conditions should emphasize those considerations related to the internal layout of the site, the physical design, and the functional integration of the site with surrounding properties and uses.
- c) In revising the land uses permitted in each zoning district, identify those land uses which, because of such special considerations as scale, intensity or potential to impact neighboring properties or fragile features (e.g. gravel extraction, gasoline stations), require specific performance

standards related to site design and operations.

- d) Maintain existing sign standards. At a minimum, maintain the existing maximum sign sizes set forth in the Land Use and Development Regulations.
- e) Review and revise, as necessary, general performance standards to ensure that new and existing land uses do not exceed specific standards for noise, odor, water quality, lighting and related environmental and public health considerations. (See Chapter 3)
- f) Maintain standards to protect natural resources and fragile features, including wetlands, headwater streams, steep slopes, view sheds and wildlife habitat (See Chapter 3). Develop clearer standards regarding development on steep slopes.
- g) Prevent strip development (commercial development occurring in a linear pattern along major road corridors) along Route 100, the Sugarbush Access Road and German Flats Road.
- h) Maintain the Flood Hazard Overlay District provisions and update as needed to maintain the Town's eligibility for the National Flood Insurance Program and to support the Town's disaster preparedness efforts. Consider updating the Land Use and Development Regulations to reflect the need to protect high risk areas that are not in designated floodplains.
- i) Maintain standards for the protection and enhancement of surface and ground water quality throughout Town, including but not limited to maintaining setbacks from streams and a 50' minimum undisturbed setback along all streams (see Chapter 3).

**Objective 10.3. To preserve the character, scenic landscape and environmental well being of Warren's rural countryside through the designation of distinct zoning districts, and to regulate land use activities to ensure compatibility with the purposes of those respective districts.**

#### *Implementation Strategies*

- a) Maintain the Forest Reserve (FR) District for the purpose of protecting significant forest resources and headwater streams and limiting development in areas with steep slopes, shallow soils, wildlife habitat, fragile features, scenic resources, and limited access to Town roads, facilities and services. To this end,
  - i. Consider whether future changes to Forest Reserve boundary are required.
  - ii. Maintain the Forest Reserve District standards to require that all development, other than agriculture and forestry, be subject to conditional use review. In addition, conditional use standards specific to this district should be maintained to prevent erosion and sedimentation associated with stormwater runoff; to ensure that new development is sited and landscaped in manner which limits the visual impact of hillside development; and which avoids adverse impacts to water quality and headwater streams. (see Chapter 3)
  - iii. Maintain an overall density of one dwelling per 25 acres in the FR District.
  - iv. No development shall be permitted within that portion of the Forest Reserve District contained within the watershed of Slide Brook, with the exception of routine maintenance necessary to allow the continued operation of the Inter-tie Lift connecting Lincoln Peak and Mount Ellen. Forest management shall be limited within this area to those activities designed to preserve and enhance bear habitat.
- b) Maintain the Rural Residential (RR) District for the purposes of encouraging low density residential development; allowing moderate or high density residential development in appropriate locations; encouraging continued agricultural and forest management; and for the preservation of rural resources and natural features. To this end:
  - i. Consider whether future changes to the Rural Residential boundaries are required.
  - ii. Continue to prohibit those commercial uses that are found to be inconsistent with the RR District's residential and

- rural character (e.g. retail businesses, restaurants, heavy industry) while ensuring that home-based offices, child care facilities, and cottage industries are permitted and encouraged.
  - iii. Maintain a maximum density of one dwelling per acre. Consider lowering density as appropriate.
  - iv. Revise the Land Use and Development so that density calculations exclude fragile areas (slopes in excess of 25%, delineated wetlands, floodplain) from the total area used to calculate required lot size.
  - v. Concurrent with the review of uses described above, consider alternatives for supporting Rootswork and similar efforts by allowing educational and commercial activities associated with agricultural operations.
  - vi. Consider allowing the RR district to act as a receiving area for transfer of development rights (TDR).
- c) Maintain the Meadowland Overlay District (MO) to preserve an adequate land base for agriculture, prevent the conversion of farm land to other uses, and preserve the scenic qualities of the landscape. Consider updating boundaries to correct errors. Clarify development, clearing and maintenance requirements.
- d) Implement all strategies set forth in this Plan regarding the preservation of the Town's rural resources and natural features, and the continued viability of farming and forestry. (See Chapter 3).

**Objective 10.4. To reinforce existing villages and designated growth centers as the focus of cultural, economic and residential activities in the Town, in a manner that respects the unique character of those areas.**

*Implementation Strategies*

- a) Strengthen Warren Village's status as a Town center in order to promote its social, governmental, commercial and residential function in the community, while taking special care to protect the residential character and the quality of life enjoyed by Village residents. Also maintain a viable site in the Village for a Post Office. To this end:

- i. Maintain the Warren Village Historic Residential (WVR) District and Warren Village Commercial (WVC).
  - ii. Review the list of permitted and conditional land use allowed in the WVR District, and eliminate those that could undermine the residential character of the Village, while promoting the establishment of home-based businesses.
  - iii. Review site design, parking, lighting, setbacks and related standards for development within both the WVR and WVC Districts and create standards that will protect and enhance the scale, pattern and character of development that defines the Village. (See Chapter 3).
  - iv. In conjunction with (iii), above, review WVR density standards for residential uses and determine whether appropriate locations exist to accommodate higher densities and/or smaller lot sizes in a manner that maintains and enhances existing scale, patterns and character of development.
- b) Implement the objectives and strategies related to pedestrian enhancement, traffic management and parking improvements (see Chapter 7) and Community Facilities and Services (see Chapter 8).
- c) Maintain the Sugarbush Village/Lincoln Peak Growth Center as the Town's principal growth center to concentrate commercial, recreation and residential land uses associated with the operation and expansion of Sugarbush Resort as a four-season resort. Within the growth center, the following zoning designations should be maintained to concentrate mixed-use development at the base of Lincoln Peak and Sugarbush Village, while allowing a mix of lower density land uses in the surrounding area:
- i. Maintain the Sugarbush Commercial (SVC) District to promote a high density, mixed-use urban core in Sugarbush Village and at the base of Lincoln Peak (as depicted on Map 8). The SVC District should allow for a mix of commercial and residential uses at high densities, and should include specific development standards requiring:

- \_ the development of an integrated network of streets;
- \_ buildings to be oriented toward and front upon streets (as opposed to large parking areas);
- \_ a reasonable mix of building scale and consistent use of styles and materials;
- \_ pedestrian orientation, characterized by an extensive network of sidewalks and walking paths, a pedestrian scale and orientation of buildings, lighting and public spaces, and the placement of street furniture;
- \_ the efficient use of land, including provisions for the development of parking structures and use of public transit; and,
- \_ the design of a prominent gateway(s) and substantial undeveloped buffers to provide a sharp contrast between the village center and the lower density surrounding areas.

ii. Maintain the Sugarbush Village Residential (SVR) District to support high-density residential dwellings and commercial lodging in and around Sugarbush Village. In addition to residential and lodging uses, other commercial activities (e.g. restaurant, recreation) should be permitted in the SVR District. To promote an urban scale and character of development, district standards should be comparable to those described for the SVC District, above.

iii. Maintain the Vacation Residential (VR) District to encourage the development of seasonal dwellings at moderate density in the vicinity of the ski resort. The existing VR standards should:

- \_ discourage those land uses (e.g., retail, fast food restaurant) which would conflict with residential uses and could contribute to roadside clutter and strip development;
- \_ require appropriate landscaping and lighting standards to minimize the visibility of large development from off-site;
- \_ establish access management provisions to limit curb-cuts and maximize highway safety; and,
- \_ require the establishment of an

inter-connected network of walking paths, recreational trails and open space.

- iv. Maintain the German Flats Commercial (GFC) District to encourage the continued viability of the Sugarbush Inn, and consider expanding that district concurrent with the development of ski lift facilities extending to the northwest corner of the German Flats/Access Road intersection (see Map 8). Such a designation should include standards to strengthen the intersection as a compact commercial node, with a building pattern and orientation similar to that of the Sugarbush Inn.
- v. Maintain the Alpine Village Residential (AVR) District to recognize the distinct settlement pattern of this area and address associated concerns.

**Objective 10.5. To support the ongoing viability of commercial enterprises in those areas designated as commercial nodes, while limiting the encroachment of those districts along roads or into residential areas.**

*Implementation Strategies*

- a) Maintain the Airport Commercial (AC) District to permit airport related growth and development associated with the Sugarbush Airport. To this end, uses in the district should be reviewed to allow those uses open to the public (retail, restaurant) to continue only as accessory uses to the operation of the airport and outdoor recreation.
- b) Maintain the Access Road Commercial (ARC) District to allow a range of commercial uses in the vicinity of the Route 100/Access Road intersection. The district should not be extended, although a range of commercial uses should be permitted. Site standards should be developed to require appropriate landscaping, traffic calming and an arrangement of buildings in a manner that reflects a traditional Vermont crossroads settlement.
- c) Maintain the Bobbin Mill Commercial Park (BMC) District to allow for the continued operation and expansion of industrial and associated commercial uses.

Maintain standards to ensure that commercial traffic access is limited to Route 100, and that substantial buffer areas are established from Lincoln Gap Road within which only residential uses are permitted.

**Objective 10.6. To reinforce historic settlement patterns, protect environmental and scenic resources, and facilitate the logical extension of services and facilities through the careful regulation of land subdivision.**

*Implementation Strategies*

- a) Regulate land subdivision in a manner that ensures the pattern of future development does not adversely affect the Town's natural features, rural resources and scenic character. To this end maintain and strengthen the subdivision regulations as necessary to:
  - i. strengthen standards, as necessary, related to erosion control and stormwater management;
  - ii. require the delineation of a building envelope for each newly created lot to prevent adverse impacts to natural resources and fragile features;
  - iii. address the distinct characteristics of different zoning districts with specific standards designed for each district;
  - iv. include standards for the designation of open space for major subdivisions, including documentation that the subdivider considered all available options for preserving natural and community resources;
  - v. require the designation of public access to support the creation of a Town-wide trail network and the protection of important existing trails;
  - vi. coordinate traffic safety and access management objectives and implementation strategies of this plan with subdivision standards, and ensure that new development does not result in adverse impacts on traffic safety and efficiency;
  - vii. coordinate natural resource protection standards with the current and revised zoning standards, and prevent the creation of any lot which would result in significant adverse impacts on any fragile feature identified in this Plan, including wetlands, floodplain, steep

slopes (> 25%) and riparian areas;

- viii. include a provision in the permit fee schedule stipulating that the cost of special studies necessitated by an application (e.g. traffic studies, fiscal impact studies, landscaping evaluation, etc.) will be borne by the applicant unless otherwise determined by the Town.

- ix. consider allowing additional districts to be used as transfer of development rights (TDR) receiving areas.

- b) Through subdivision regulations and/or planned residential development standards for large subdivisions, require the clustering and siting of new development as necessary to protect identified natural resources, fragile features and cultural resources.

- c) Consider the development and adoption of an Official Map (§4422) to identify future road and trail improvements and important open space.

**Objective 10.7. To balance infrastructure and transportation improvements with land use policies; and to ensure that growth and development occurs at a rate and scale that do not overburden community facilities or services, or undermine the community's rural character and quality of life.**

*Implementation Strategies*

- a) Through an ongoing planning process, ensure that capital improvements are coordinated with land use policies to avoid conflict in rural areas of Town (see Chapter 8).
- b) Continue to prepare and adopt an annual capital improvements program to identify capital needs and schedule improvements in a coordinated manner (see Chapter 8).
- c) Do not extend sewage service beyond the Sugarbush Village/Lincoln Peak growth center boundaries and/or the Village Commercial and Historic Residential District boundaries in Warren Village, as delineated on the current zoning map (except as needed to address clear threats to public health and safety).
- d) Encourage all governmental facilities

requiring frequent and regular public access, such as the municipal offices, Town Hall, library and post office, to remain in Warren Village. (see Chapter 8)

- e) Require a phasing plan for large developments and major subdivisions when necessary to ensure that the rate of development does not overburden town services and facilities.
- f) Support the Memorandum of Understanding between Valley towns and Sugarbush Resort to maintain a balance between ski area expansion and the Valley's capacity to accommodate additional resort-related growth and activity.
- g) A balance between the number of commercial accommodations (beds) and on-mountain ski area capacity shall be maintained.
- h) Through the Land Use and Development Regulations ensure that large scale developments and major subdivisions shall not result in a significant diminishment of highway safety or existing levels of service. Ensure that the cost of transportation improvements and related mitigation necessary to accommodate development projects are borne by the developer.