

# RECOMMENDATIONS FOR THE COMMERCIAL DISTRICT

The following are recommended revisions and additions to Jericho’s 2015 Zoning, Land Use and Development Regulations, (April 9, 2015). Note that **BLUE** indicates new or updated language. All references to “Commercial” District in the zoning regulations will also need to be updated with the new name of the district. These pages and sections are NOT outlined below. Photographs and graphics may be used for any of these standards, but will not be prepared until such time that the standards have been finalized so as to not create unnecessary work.

## SECTION 2. GENERAL DEFINITIONS

(Jericho Land Use and Development Regulations (JLUDR) pg. 4)

**COMMERCIAL USE** – Any business or activity involved in the buying, selling, and maintenance of commodities, services, and facilities for profit.

(JLUDR pg. 6)

**FORMULA BUSINESS** – Any business or establishment that is required by contractual or other arrangement to maintain two or more of the following standardized features that results in it being substantially identical to 10 or more businesses located worldwide, regardless of the location or ownership of those businesses: name, merchandise, logo, trademark, uniform, décor, color scheme, standardized architecture, façade, signage, menu, ingredients, or any other standardized features. The formula business definition applies to any commercial, retail, restaurant, and personal/professional service uses (such as salons).

(JLUDR pg. 15)

~~**RETAIL, GENERAL MERCHANDISE:** Commercial establishments that sell or rent/lease, primarily direct to consumer, diverse merchandise, including, but not limited to dry goods, apparel and accessories, furniture and home furnishings, small wares, hardware, pharmaceutical products, magazines, books and newspapers, and food. The stores included under this heading are known as department stores, variety stores, and general stores. This category does not include convenience stores that sell automotive fuel. See also **FUEL SALES.**~~

~~**RETAIL, SPECIALTY STORE:** Commercial establishments that sell or rent/lease, primarily direct to consumer, a single type of merchandise including but not limited to dry goods, apparel and accessories, furniture and home furnishings, small wares, hardware, pharmaceutical products, magazines, books and newspapers, and food. This category does not include convenience stores that sell automotive fuel. See also **FUEL SALES.**~~

**RETAIL, ACCESSORY** – A retail use that is incidental and subordinate to that of the established principal use. An accessory retail use must also meet the following requirements:

- a) Must be located on the same lot and under the same ownership as that of the principal use.
- b) Must serve, be related to, or complement the purpose of the principal activity, but not exceed it in terms of economic importance and dependence.

- c) Must be subordinate in terms of height, area, scale, and overall extent of the main structure.
- d) May be located in a separate building, provided such building does not exceed 25% of the gross floor area of the principal use, which includes any attached garage or other attachment.
- e) Must comply with the development standards applicable to the principal use to which it is an accessory.
- f) May not be erected prior to the principal use or structure.

**RETAIL SALES** - Commercial establishments that sell or rent/lease, primarily direct to consumer, merchandise including but not limited to dry goods, apparel and accessories, furniture and home furnishings, small wares, hardware, pharmaceutical products, magazines, books and newspapers, and food, but excludes those classified more specifically by definition, including but not limited to drive-thru, farmers market, fuel sales, garden center, motor vehicle sales, mobile home sales, restaurant, lumber and building supply yard, or other similar business specifically defined in this section.

**OR**

Any enclosed business concerned primarily with the direct retail sale or rental of commonly used goods, commodities, wares, or products immediately available for purchase by the consumer, but excludes those classified more specifically by definition, including but not limited to drive-thru, farmers market (farm stand?), garden center, motor vehicle sales, mobile home sales, lumber and building supply yard, or other similar business specifically defined in this section. Retail sales include the sale of a product, as opposed to a service (i.e. bank or restaurant).

**3. ZONING DISTRICTS**

(JLUDR pg. 21)

**3.2. Purpose of Districts**

3.2.6. The purpose of the ~~Commercial District~~ is to provide employment opportunities and a location for commercial, industrial and similar uses that are not compatible in a village setting due to noise, dust, heavy truck traffic and similar nuisances. While roadside visibility is important for the viability of some businesses, strip development is prohibited in the district. Strip development is defined as linear development along Route 15 that has broad frontage, lack of two or more stories over the entire footprint, and a limited reliance on shared access. Curb cuts shall be limited to avoid impeding circulation on Route 15, and interior circulation roads shall be required on larger parcels with three or more buildings. [NEW] is to [Katherine and Susan are working on. Reference to the Master Plan should be included here. It is recommended that the Master Plan be included as an amendment to the Town Plan.]

(New subsection to be added to JLUDR pg. 24)

**3.5 Special Standards for Specific Districts**

The following special standards shall be applicable, in addition to any other standards required in these regulations, to all new construction, reconstruction, enlargement, exterior alterations, additions, demolition, major landscape and site work, or signage within the specific district. These standards do not apply to interior alterations that do not affect the exterior of the structure, customary maintenance and repair that does not affect the design of the structure, and routine landscaping. These standards are intended to assist the Development Review Board, property

owners, and developers with the preliminary planning, design, and evaluation of proposals and approval of projects within the specific district.

The “shall” and other similar definitive statements indicate mandatory requirements and offer no flexibility unless choices are provided within the statements themselves. All projects must include these mandatory requirements as described. However, statements that use the word “should” or “encourage” shall be applied, but with some flexibility in accordance with the town plan or the regulations therein. Such statements indicate that the Development Review Board is open to design features that are equal to, or better than, those recommended - so long as the intent is satisfied. The applicant assumes the burden of proof to demonstrate how a proposed project meets these standards, and a determination will be made by the Development Review Board. In the event that any of these standards conflict with other standards found within these regulations, the more stringent standard shall apply.

### 3.5.1 [NEW] District

#### 3.5.1.1 Building Mass & Size

3.5.1.1.1 Recommended building footprint is 10,000 square feet [refer to the Master Plan in the town plan for specific locations].

Proposed structures in excess of 10,000 square feet must break up the building form so as to not appear as a single rectangular box. This can include several smaller buildings. In no instance shall gross building square footage exceed 25,000 square feet anywhere within the [NEW] District.

3.5.1.1.2 Proposed structures in excess of 10,000 square feet shall include a plan to incorporate or contribute to a public or community space (indoor or outdoor) within the District (see Section 3.5.1.11 Community Spaces).

3.5.1.1.3 The relative massing of a large building’s façade (greater than 10,000 square feet) shall be broken down into progressively smaller elements to achieve appropriate scale. Buildings should have a distinct “base” at the ground level using articulation or appropriate materials; “middle” made distinct by variations in material, color, windows, balconies, signage, etc; and “top” that emphasizes a distinct profile or outline (see also Section 3.5.1.10 Scenic and Rural Quality).

3.5.1.1.4 Building design shall be sensitive to the overall character and context of the [NEW] District. This includes maintaining and reinforcing the established architectural patterns of the district and shall consider:

- (i) mass and scale
- (ii) window proportions and openings
- (iii) cornice or canopy lines
- (iv) roof forms and roof lines

3.5.1.1.5 Articulated architecture and variations in the façade are required on any size building to create an interesting design, reinforce rhythms and cast shadows. Significant areas of blank wall are



3.5.1.3 Streetscape and landscape

- 3.5.1.3.1 Landscaping shall consist of a combination of groundcovers and shrub and tree plantings wherever suitable and appropriate. All development proposals in the district require a landscape plan. Such plans can rely on the retention of existing vegetation and tree cover, as well as open space areas with native groundcovers and meadow like conditions to reinforce existing landscape patterns. Native or naturalized materials are recommended.
- 3.5.1.3.2 Vegetative buffers are to be employed for green infrastructure and stormwater management purposes as appropriate, or as screening when necessary. Screen plantings should be designed in a manner that does not call attention to the element being screened – i.e. sometimes utility boxes are better off not being screened if such screening draws the eye and elevates the visual presence of the element, versus diminishing its visibility or presence in the landscape. In some portions of the district native hedgerow plantings may be appropriate to screen incompatible uses or to break up open area. Refer to the Master Plan in the town plan for specific locations and recommendations.
- 3.5.1.3.3 Fence designs that are commonly found in the town – such as post and rail type designs- and reflect Vermont design patterns are recommended for aesthetic purposes but suitable designs may vary based on location, context and purpose. Colored vinyl chain link fencing, if appropriate for service areas or security, shall be black.
- 3.5.1.3.4 Existing tree canopies, hedgerows, and copses, particularly those along Route 15, shall be maintained to the greatest extent possible. New development should incorporate street trees to enhance the district’s scenic quality and new trees shall enhance the relationship of the architecture to the street. A minimum of 1 street tree for every 50’ of frontage shall be installed. The trees can be clustered or planted in a regular pattern. Refer to the Master Plan in the town plan for specific locations and recommendations.
- 3.5.1.3.5 Species can be alternated to avoid a uniform look, a monoculture that is susceptible to disease or damage from pests or harsh conditions. Deciduous trees break up paving expanses and provide shade, which is particularly important in parking areas (to reduce the solar gain of the parking surface) and in public gathering spaces.
- 3.5.1.3.6 Tree plantings in parking area islands or along the street should avoid areas of underground utilities to protect the utility infrastructure. Tree massing is encouraged and to be incorporated with green infrastructure elements.
- 3.5.1.3.7 Furnishings such as benches, tables, bicycle racks, and other pedestrian or bicyclist amenities should be made of durable, weather-resistant and vandal-resistant materials. Preference shall

be given to Vermont or locally made furnishings that are consistent with the overall character and appearance of the project.

3.5.1.4 Site Lighting

- 3.5.1.4.1 Night lighting shall be provided where stairs, curbs, ramps, changes in walk direction and vehicular crossings occur. All lighting shall be shielded and “cut-off” style to avoid light spill and trespass.
- 3.5.1.4.2 Motion-sensor security lighting should be employed.
- 3.5.1.4.3 Suitable photometrics shall be employed to ensure that lighting levels are appropriate to the use and suitable for uniform lighting of a parking lot or walkway. For pedestrian lighting and entries, wall mounted downlights or post-mounted lights that illuminate walkway surfaces are suitable.
- 3.5.1.4.4 Proposed developments and parking lots with more than 10 spaces are required to submit a lighting plan with photometric and design information that 1) provides lighting wattage, 2) lumen/footcandle patterns, 3) height and type of fixture with proper shielding, and 4) number and location of fixtures.
- 3.5.1.4.5 All outdoor lighting shall be served by underground conduits.

3.5.1.5 Parking & Access

- 3.5.1.5.1 No new accesses and curbcuts will be granted along the north side of Route 15 from North Main Street to the eastern boundary of the district. Access to new businesses will be along interior roadways or shared driveways.
- 3.5.1.5.2 Shared access and shared parking areas shall be promoted throughout the District. Any new curbcuts shall be no closer than 250’ to any other existing or new curbcut in the district.
- 3.5.1.5.3 Safe and convenient pedestrian walkways shall be provided from parking areas and sidewalks to a primary or secondary building entrance. Walkways must be maintained and effectively lit during hours of operation and conform to current ADA standards.
- 3.5.1.5.4 Shared walkways and parking between adjacent buildings or lots shall be encouraged.
- 3.5.1.5.5 Curbing delineating parking areas shall be low enough for delivery vehicles/large trucks to drive over.
- 3.5.1.5.6 Parking islands should be incorporated into lot designs to break up parking areas, visually organize the space and provide areas for snow storage.
- 3.5.1.5.7 Entrances to parking areas and business driveways, access to loading areas, and interior circulation patterns shall be designed for maneuverability of delivery trucks and larger vehicles.
- 3.5.1.5.8 Proposed development shall incorporate amenities to support bicycling in the district.

3.5.1.6 Signs

- 3.5.1.6.1 Signs should make a positive contribution to the general appearance of the street and the area in which they are located. High quality, unique, and innovative sign design is recommended.
- 3.5.1.6.2 The scale of signs should be appropriate for the building on which they are placed and the area in which they are located. The size and shape of a sign should be proportional with the scale of the structure.
- 3.5.1.6.3 Signs should be designed so that they are integrated with the design of the building. Signs in multiple tenant buildings should be designed to complement or enhance the other signs in the building or on the lot.
- 3.5.1.6.4 The illumination of signs may be restricted adjacent to residential uses to reduce impact.
- 3.5.1.6.5 Colors should be selected to contribute to legibility and design integrity and to enhance, not detract, from the character of the area. A substantial contrast should be provided between the color and material of the background and the letters or symbols to make the sign easier to read in both day and night. Light letters on a dark background or dark letters on a light background are most legible. Light letters on a dark background work best for day and night time use.
- 3.5.1.6.6 Sign materials should be compatible with the design of the façade or the building for the which they are intended.
- 3.5.1.6.7 Sign materials should be extremely durable and weather resistant.

3.5.1.7 Sustainability & Green Infrastructure

- 3.5.1.7.1 Low Impact Development (LID) shall be incorporated into all development plans. Examples of LID include swales (rock swales, bioswales, or dry swales), riparian buffers, infiltration basins, raingardens, xeriscaping, vegetated screens or walls, tree coverage in parking lots, and pervious paving.
- 3.5.1.7.2 Bio-retention areas in parking lots and on development sites are encouraged to treat stormwater runoff in a natural manner.
- 3.5.1.7.3 Design techniques that stabilize slopes, provide low maintenance alternatives to lawn areas, reduce erosion and runoff shall be utilized.
- 3.5.1.7.4 New construction shall incorporate materials and products that support healthy indoor air quality.
- 3.5.1.7.5 New construction shall maximize natural light.
- 3.5.1.7.6 New construction shall minimize noise pollution and promote a quiet environment.
- 3.5.1.7.7 The use of renewable energy options such as solar, wind, and geothermal are encouraged in the [NEW] District as a way to

promote a sustainable and healthy environment, except that solar projects greater than 150 kW shall not be allowed along Route 15. All energy projects shall meet the setback requirements for the district and utility lines shall be placed underground. Appropriate and effective screening of the project and any related infrastructure shall be proposed and reviewed as a part of the permitting process.

3.5.1.8 Natural Resources

- 3.5.1.8.1 High priority should be given to preserving areas of existing woodland vegetation, including clusters of understory and groundcover vegetation. Refer to the Master Plan in the town plan for areas specifically identified for preservation.
- 3.5.1.8.2 Vegetative stabilization techniques and/or retention methods using natural materials for slope retention are encouraged throughout the [NEW] District, and required in areas adjacent to the river corridor.

3.5.1.9 Scenic & Rural Quality

- 3.5.1.9.1 All new utility lines shall be placed underground.
- 3.5.1.9.2 To the greatest extent possible, existing vegetation along Route 15 shall be preserved during any new construction or demolition of existing buildings, and supplemented as necessary with new plantings compatible with existing vegetation to screen structures and minimize impacts on views from Route 15. Refer to the Master Plan in the town plan for areas specifically identified for preservation.
- 3.5.1.9.3 Two or more story buildings shall be designed to create an attractive skyline and shall not include blank walls oriented toward the street or Route 15. Typical Vermont vernacular and architectural features such as gable, gambrel and sloped roofs, spires, cupolas, clerestory windows, weathervanes, and similar architectural features are welcome additions on rooflines in the district.
- 3.5.1.9.4 Minimize visual impact by placing the narrow or gable ends of the building toward the road (or in line with specific views) and avoid unbroken planes of building frontage.
- 3.5.1.9.5 Site structures at the edge of wooded areas or hedgerows, or clustered closer to existing development, and not in the center of open fields.
- 3.5.1.9.6 Structures shall be sited so that they do not protrude above a ridgeline or block primary scenic views. These include important scenic views along Route 15. Refer to the Master Plan in the town plan for scenic view areas specifically identified.
- 3.5.1.9.7 Site structures in such a way that agricultural or natural resources are not fragmented or otherwise impacted so as to have an undue adverse impact on the character of the area.

3.5.1.9.1 Where disparate or incompatible uses exist adjacent to one another, wider buffers of woodland can be planted or preserved as effective screening that allows the different uses to coexist.

3.5.1.10 Community Spaces

3.5.1.10.1 As a condition to the approval of any development in the [NEW] District, and in an effort to promote a vibrant and healthy community, the Development Review Board may require that up to 10% of the areas on the plat be dedicated for the purpose of a public space. The public space may be an extension of the business or may be used to promote products and services, but shall primarily serve as an area that facilitates social engagement or recreation and will provide a benefit to the community or to workers in the district. This may include the implementation of public art, developing recreational opportunities, improving access to the outdoors, creating community gardens, developing trails or links to existing networks, installing interpretive signage, or providing appropriate access to Brown’s River.

3.5.1.10.2 The Development Review Board may require dedication of recreation land to the Town, or another non-profit association, or other means to ensure the long-term ownership and maintenance of the land. The Development Review Board shall consider the following in determining whether such recreation area is important.

- (i) The size of the proposed development and the resulting area proposed for outdoor recreation purposes,
- (ii) The physical suitability of the site for recreational use,
- (iii) Whether use of the applicant’s land for such proposed use would conform with the Jericho Comprehensive Town Plan and the Chittenden County Open Space Plan, and
- (iv) The site’s proximity to other recreation land.

3.5.1.10.3 Upon approval from the Selectboard, if a suitable public space, park, playground, or outdoor recreation site is provided, the Development Review Board may exempt the applicant from payment of municipal impact fees in relation to recreation and open space.

**4. ZONING USES**

(Replace use table JLUDR pg. 25)

USE	OS	FOR	RAR	LDR	VIL	[NEW]	VCTR
<b>1.0 Agriculture and Related Uses</b>							
1.1 Agriculture	A	A	A	A	A	A	A
1.1.1 Slaughterhouse			C	C		C	

Town of Jericho Commercial District Recommendations

USE	OS	FOR	RAR	LDR	VIL	[NEW]	VCTR
1.2 Silviculture/Forestry	A	A	A	A	A	A	A
1.3 Veterinary facility			C	C	C	P	C
1.4 Veterinary Facility with accessory kennel			C	C	C	C	
1.5 Stable – boarding/riding	A	A	A	C	C	P	C
1.6 Kennel		C	C	C		C	
1.7 Garden Center accessory to farm			P	C	C	P	C
1.8 Wildlife Management	A	A	A	A	A	A	A
<b>2.0 Residential Uses</b>							
<b>2.1 Single Family<sup>1</sup></b>							
2.1.1 SF-1 dwelling unit/lot		P	P	P	P	€	P
2.1.2 Accessory apartment		P/C <sup>2</sup>	P/C <sup>2</sup>	P/C <sup>2</sup>	P	P/€ <sup>2</sup>	P
2.1.3 Dwelling, accessory to farm		C	P	P	P	P	P
2.1.4 Guest house		C	P	P	P	P	P
<b>2.2 Multi-family<sup>1</sup></b>							
2.2.1 Multi-family dwelling, 2 units			C	C	P	€	P
2.2.2 Multi-family dwelling					C	€	C
2.2.3 Residential care facility				C	C	€	P
2.2.4 Rooming house				C	C	€	C
2.3 Senior Housing Development		C	C	C	C		C
<b>3.0 Commercial Uses</b>							
<b>3.1 Lodging</b>							
3.1.1 Hotels and motels						€	C
3.1.2 Inns		C	P	P	P	P	P
3.1.3 Bed & Breakfast		C	P	P	P	P	P
<b>3.2 Retail Sales</b>							
3.2.1 Retail Sales ≤ 3000 sq.ft.						P	P/C <sup>3</sup>
3.2.2 Retail Sales > 3000 sq.ft.						€	C
<b>3.3 Garden Center</b>							
3.3.1 Garden center ≤ 3000 sq.ft.			C	C	C	P	P/C <sup>3</sup>
3.3.2 Garden center > 3000 sq.ft.						P	
3.4 Lumber, building supply yard						C	
3.5 Farmers Markets	P/C <sup>4</sup>	P/C <sup>4</sup>	P/C <sup>4</sup>	P/C <sup>4</sup>	P	C	P
3.6 Mobile Home sales						C	
3.7 Motor Vehicle sales						C	
3.8 Gallery/Studio/Museum							

Town of Jericho Commercial District Recommendations

USE	OS	FOR	RAR	LDR	VIL	[NEW]	VCTR
3.8.1 Gallery/Studio/Museum ≤ 3000 sq.ft.			C	C	P/C <sup>3</sup>	P	P/C <sup>3</sup>
3.8.2 Gallery/Studio/Museum > 3000 sq.ft.						P	C
3.9 Fuel sales						C	
3.10 Financial Institutions							
3.10.1 Financial Institution ≤ 3000 sq.ft.						P	P/C <sup>3</sup>
3.10.2 Financial Institution > 3000 sq.ft.						P	C
3.11 Food Service							
3.11.1 Restaurant/Tavern ≤ 3000 sq.ft.						P	C
3.11.2 Restaurant/Tavern > 3000 sq.ft.						€	C
3.11.3 Caterer (with accessory retail)		C	C	C	C	P	P
3.11.4 Caterer (no accessory retail)		C	P	P	P	P	P
3.12 Personal/Professional Services							
3.12.1 Personal/Professional services, <b>Type 1</b> ≤ 3000 sq.ft.					C	P	P/C <sup>3</sup>
3.12.2 Personal/Professional services, <b>Type 1</b> > 3000 sq.ft.						C	C
3.12.3 Personal/Professional services, <b>Type 2</b> ≤ 3000 sq.ft.					C	C	C
3.12.4 Personal/Professional services, <b>Type 2</b> > 3000 sq.ft.						C	C
3.13 Motor Vehicle Repair						C	C
3.14 Car Wash						C	C
3.15 Recreation: Commercial & Municipal							
3.15.1 Indoor							
3.15.1.1 General					C	P	C
3.15.2 Outdoor							
3.15.2.1 Passive	A	A	A	A	A	C	A
3.15.2.2 General	C	C	C	C	C	C	C
3.15.3 Gymnasium					C	C	P

Town of Jericho Commercial District Recommendations

USE	OS	FOR	RAR	LDR	VIL	[NEW]	VCTR
<b>4.0 Industrial Uses</b>							
<b>4.1 Manufacturing</b>							
4.1.1 Heavy Manufacturing						C	
4.1.2 Light Manufacturing						C	C
4.1.3 Research & Development						C	C
4.2 Wholesale or warehousing			C	C		C	
4.3 Contractor Yard		C	C	C		C	
4.4 Junk Yard						C	
<b>5.0 Institutional Uses</b>							
<b>5.1 Schools and Child care</b>							
5.1.1 Day-care		P	P	P	P	C	P
5.1.2 Preschool			C	C	C	€	P
5.1.3 Elementary				C	C	€	P
5.1.4 Secondary				C	C	€	P
5.1.5 Vocational school			C	C	C	C	C
5.2 Place of Worship				C	C	C	P
5.3 Library							P
5.4 Hospice facility						€	P
5.5 Hospital facility							P
5.6 Nursing home facility			C	C	C	€	P
<b>5.7 Club</b>							
5.7.1 Club ≤ 3000 sq.ft.				C	C	€	P/C <sup>3</sup>
5.7.2 Club > 3000 sq.ft.				C	C	C	C
5.8 Fish and game club		C	C	C			
5.9 Funeral home					C	C	C
5.10 Cemetery				C	C		C
5.11 Post Office							P
5.12 Municipal facility, Office							P
5.13 Municipal facility, Other			C	C	C	C	
5.14 Dormitory/Hostel	P	P	P	P	P	P	P
<b>6.0 Accessory Structures and Uses</b>							
6.1 Accessory structures	C	P	P	P	P	P	P
<b>6.2 Accessory uses</b>							
6.2.1 Home Occupation		P	P	P	P	P	P
6.2.2. Recreation, Accessory Use		A	A	A	A	A	A
6.3 Accessory retail					P	P	P

(JLUDR pg. 33)

- 4.7.12 *Junkyard*: New or expanded junkyards may be approved within the ~~Commercial~~ [NEW] Zoning District subject to conditional use review under Section 10.9. *Junkyard proposals must also meet the special standards outlined in Section 3.5 as well as the following requirements:*

(JLUDR pg. 34)

- 4.7.13. *Fuel Sales*: New or expanded fuel sales may be approved within the ~~Commercial~~ [NEW] Zoning District subject to conditional use review under Section 10.9. *Fuel sales proposals must also meet the special standards outlined in Section 3.5 as well as the following requirements:*

(New subsection to be added to JLUDR pg. 35)

- 4.7.16. *Formula Business*: In order to support small-scale local businesses and to maintain the unique character of Jericho, any new or expanded formula business may only be approved subject to conditional use review under Section 10.9. Additionally, the Development Review Board may only approve such project if the applicant demonstrates that:

- 4.7.16.1 There is no availability of the same business or similar business like the proposed project within the town and the surrounding region (within 10 miles).
- 4.7.16.2 The proposed business will add diversity to and complement the mix of businesses in the area.
  - 4.7.16.2.1 The Development Review Board may, at their discretion, require an applicant for a formula business to prepare and submit an economic impact analysis, at the applicant's expense, which must demonstrate that the project will not have an undue adverse impact on the continued use, development, and vitality of other businesses within the Town of Jericho.
- 4.7.16.3 The proposed business will serve a community need or local demand.
- 4.7.16.4 The proposed business and architecture is compatible with the existing architectural and aesthetic character of the area and will not materially alter the identity or unique sense of place.
  - 4.7.16.5.1 Off the shelf, standardized franchise architecture is not allowed anywhere in Jericho. The proposed project must utilize a unique visual appearance that reflects or compliments the character of the area or district it is located, and not project a visual appearance that is homogenous with its elements in other communities.
  - 4.7.16.5.2 Buildings shall be designed so that facades, signs, and other appurtenances will have an integrated, harmonious and attractively arranged appearance, and in a size, scale and manner, which will not adversely affect the appearance of surrounding developments and the character of the area as defined in the

town plan and these regulations. This includes harmonizing color schemes, trademark, service mark, signage and décor with the surrounding character of the area.

4.7.16.5.3 No drive-thru windows shall be allowed.

4.7.16.5.4 The size of any individual formula business shall not exceed 3,500 square feet of gross floor area [NOTE: for example, this size could accommodate an array of smaller franchises like a Subway, Chinese take-out, vision center, beauty salon, cell phone shop, convenience store, etc].

4.7.16.5 The existing vacancy rates in town are low enough (<5%), which support the need for new development (as opposed to adaptive reuse) to accommodate the proposed formula business. If vacancy rates are higher than 5%, and adaptive reuse is not feasible, then the applicant must demonstrate why it is a hardship and not economically possible.

4.7.16.6 There shall not be an undue adverse impact to the public safety or character of the area from increased traffic. At the discretion of the Development Review Board, the applicant may be required to submit a traffic study, prepared by a registered engineer, and at the applicant’s expense, that demonstrates there will be no undue adverse impact from traffic.

4.7.16.7 No internally illuminated signs shall be allowed. In place of box-type or internally illuminated signs, the Development Review Board may require use of halo-lit signs and die-cut metal sign panels with individually illuminated letters or logos, and may also require alternative materials or lighting solutions, and adjustments to the scale of trademark logos and graphics.

NOTE: Another consideration for formula business may be to identify the districts where they are allowed/not allowed in the use table.

## 5. DIMENSIONAL STANDARDS

### 5.7 Table of Dimensional Requirements for Standard Subdivisions and Conventional Developments

	OS	FOR	RAR	LDR	VIL	[NEW]	VCTR
Minimum lot area (acres)	10	10	10	3	1	1	0.25
Minimum road frontage (feet)	400 <sup>1</sup>	400 <sup>1</sup>	400 <sup>1</sup>	200 <sup>1</sup>	120 <sup>1</sup>	150/120 <sup>1,3</sup>	75
Minimum front yard (feet) <sup>2</sup>	35	35	35	35	25	50/25 <sup>3</sup>	25
Minimum side yards (feet) <sup>2</sup>	25	25	25	20	15	20	10
Minimum rear yard (feet) <sup>2</sup>	25	25	25	20	20	25	20
Maximum lot coverage	5%	30%	30%	40%	40%	60%	60%
Structure height (feet, maximum)	34	34	34	34	34	34	45

1) Lots fronting on the outside of curved portions of a cul-de-sac shall have a minimum frontage of 100 feet on the circumference of the cul-de-sac, except in the Village Center District, where the minimum frontage shall be 75 feet

2) Front, side, and rear yard setbacks are calculated from the point of maximum projection (foundation, deck, or eave)

3) In the [NEW] District, the minimum road frontage shall be 150 feet on Route 15 and 120 feet on all other roads, and the minimum front yard setback shall be 50 feet on Route 15 and 25 feet on all other roads.

## 7. GENERAL PROVISIONS

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(JLUDR pg. 61)

### 7.8.2. Permanent Signs:

#### 7.8.2.1. Commercial District

~~Up to two [2] signs shall be allowed for each of up to two businesses on a single lot. One [1] sign shall have an area of not more than thirty two [32] square feet and the other not more than sixteen [16] square feet. One [1] additional sign, not more than sixteen [16] square feet, shall be allowed announcing the sale of motor fuel.~~

~~In the case of a lot containing more than two [2] businesses, each establishment shall be allowed one sign on its own premises, not to exceed sixteen [16] square feet in area. In addition, one [1] common sign shall be allowed per lot, not to exceed thirty two [32] square feet in area.~~

One (1) free-standing sign shall be allowed per lot. In the case of a lot containing more than two (2) businesses, each establishment shall be allowed one sign on its own premises, not to exceed sixteen (16) square feet in area. In addition, one (1) common entry sign shall be allowed per lot, not to exceed thirty-two (32) square feet in area. A maximum of 3-4 business listings on an entry sign is recommended. When 3-4 entries is not sufficient, it is recommended that one sign with the overall complex name or destination be used, not the street with individual locations identified on their building front.

## 10. PERMIT AND REVIEW PROCEDURES

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(JLUDR pg. 112)

10.13.5.2. Open space land shall not be required in the ~~Commercial and Village Center~~ Districts. Open space shall be equivalent to at least 25% of the entire parcel in the Village District, and shall be equivalent to at least 50% of the entire parcel in the remaining districts.

(JLUDR pg. 125)

\*\*The Parking Use Table on page 125 will need to be updated to match the updated Zoning Use Table