

1 **Table 2.20 SCENIC RESOURCE PROTECTION OVERLAY DISTRICT**
2 **(SRPO)**

3 **(A) Purpose:** The purpose of this overlay district is to avert or minimize the adverse impacts of
4 development on identified scenic resources, viewsheds and roadscape corridors in the Town
5 of Essex through appropriate site planning and design practices. The standards are intended
6 to provide flexibility so that proposed development can be designed to fit the particular
7 characteristics of the site on which it is located. Scenic resources and important distant views
8 are identified in *Views to the Mountain: Scenic Protection Manual* (the Manual).

9 **(B) Applicability and Interpretation:** The standards established in this section shall apply to all
10 development located in the Scenic Resource Protection Overlay District that requires
11 Planning Commission review. This section includes mandatory standards (denoted by “shall”
12 or “will”) and advisory guidance (denoted by “should”, “encourage”, and “discourage”).
13 Most of the advisory guidance is related to design issues and is intended to assist applicants
14 in developing projects that will meet the mandatory standards.

15 **(C) General Provisions:** The overlay district is shown on the *Scenic Resource Protection*
16 *Overlay District Map*. The requirements of this overlay district shall be in addition to any
17 specifications for the underlying district(s) in which proposed development is located.

18 **(D) Review Process:** In addition to the information required in Section 5.2 of these regulations
19 and Section 2.4 of the *Town of Essex Outside the Village of Essex Junction Official*
20 *Subdivision Regulations*, applicants shall submit a site plan showing all existing site features
21 including forested lands, open meadows, wetlands, streams, stone walls, view corridors as
22 seen from public roads, existing buildings, and any other pertinent site features. Proposed
23 development plans shall include building envelopes and typical building elevations.

24 Should the Planning Commission deem it necessary to employ a qualified professional to
25 review any development proposal, the cost of employing such an individual shall be borne by
26 the applicant.

27 The Planning Commission shall render a decision as to the acceptability of the development
28 proposal based upon the guidelines for development set forth in *Views to the Mountain: A*
29 *Scenic Resource Protection Manual*, and the specific standards of this section. The Planning
30 Commission may approve, approve with conditions, or deny applications based on its
31 determination of whether the development proposal meets the purposes and standards of this
32 section.

33 **(E) Using Views to the Mountain: A Scenic Resource Protection Manual:**

34 **(1)** The Manual includes both a *Scenic Resource Protection Overlay District* map and a map
35 entitled: *Mt. Mansfield Scenic Roads Assessment Project Summary, Essex*. For purposes
36 of this section, *the Scenic Resource Protection Overlay District* map incorporated into
37 these Zoning Regulations should be used, instead of the map in the Manual, as it has
38 since been revised to more clearly illustrate the affected town roads.

39 **(2)** Part 2 of the Manual, entitled *Mount Mansfield Scenic Roads Assessment Project*
40 *Summary, Essex Roads*, includes a breakdown of the visual qualities of 15 Essex roads,
41 particularly with regard to outstanding views to Mount Mansfield and Camel’s Hump. A

42 photo inventory was undertaken along these roads, with pictures taken every 500 feet.
43 Each road has a description of the particular scenic resources, including what should be
44 reviewed with sensitivity, as well as a detailed map. The *Project Summary* Map shows all
45 of the roads together in one map.

46 (3) If a development is proposed along any of these scenic road segments, applications shall
47 address any impacts on scenic resources as seen from public roads using Part 2 of the
48 Manual, *Scenic Assessment, Essex Roads* as guidance. Part 2 offers planning guidance on
49 siting. In addition, the standards in Section F, below, shall be followed.

50 (F) **Site Development and Design Standards:** Part 3 of the Manual, *Design Guidelines*,
51 provides graphic depictions of preferred development patterns for siting, building envelopes,
52 driveways and parking, landscaping and fencing, signage, lighting, building design and
53 materials, roofs, and mass.

54 (1) **Subdivisions and Planned Unit Developments (PUDs).** Planned Unit Developments
55 (PUDs) are strongly encouraged as a way of more effectively clustering individual
56 buildings and providing areas of open space that contribute to scenic character and views.
57 To minimize the loss of scenic character, subdivisions and PUDs shall be designed and
58 located to minimize the intrusion of incompatible and unharmonious development into
59 existing scenic vantage points as viewed from public vantage points. The standards
60 outlined below shall apply to the design of subdivisions and PUDs within the *Scenic*
61 *Resource Protection Overlay District*. The acreage requirement of a minimum of 10 acres
62 may be waived by the Planning Commission.

63 (2) **Clustered development.** The clustering of house sites with protected open space is
64 preferred over dispersed development that fragments open space. Several clusters may be
65 considered as well. Clustering may not be appropriate for all sites.

66 (3) **Building envelopes.** To minimize loss of scenic character and protect open space, all
67 above grade development shall occur within designated building envelopes.

68 (a) Building envelopes shall be positioned so that views to distant mountains remain as
69 natural as possible with buildings and roadways occupying a small portion of the
70 overall view.

71 (b) Building envelopes shall be designed to use existing vegetation, forest or landforms
72 to screen buildings to the greatest extent possible. Where possible, buildings should
73 be located within, or near, the edge of forests or hedgerows.

74 (c) Where open meadows exist, building envelopes and roadways shall minimize
75 intrusions onto open meadows. Open meadows often provide pleasing foreground
76 views.

77 (d) Building envelopes should be designed to encourage a logical relationship with the
78 natural topography and surrounding natural and built landscape. Historically,
79 buildings tend to be oriented parallel or perpendicular to each other, but this is not
80 always possible in clustered development. The natural direction of slopes may also
81 dictate building alignments. When building orientations form a similar or related
82 pattern, the built landscape may appear less distracting, allowing the natural

83 landscape to predominate.

84 (e) The arrangement of building envelopes in a manner that protects a significant portion
85 of open space is strongly encouraged. Open meadows are especially valuable as the
86 foreground for distant views. Other site features may be identified as important. Open
87 space areas should be of a size where the ratio of width to length is as low as possible,
88 in order to avoid long strips of protected open space. Open space areas can be
89 incorporated into lots, or serve as common land available to all property owners.

90 **(4) Building Design and Massing.** To minimize loss of scenic character, buildings shall be
91 designed to be compatible with the surrounding natural environment and with other
92 buildings in the area in accordance with the following standards.

93 (a) Larger buildings should be designed to appear as a series of smaller attached
94 buildings much like ells and additions on historic houses. Dormer windows, porches
95 and other projections can also break up the mass of buildings. Uninterrupted wall or
96 roof planes that exceed 50 feet in any dimension should be avoided.

97 (b) Replication of historic architectural styles is not necessary, although the traditional
98 New England vernacular can provide a good model. Typically, these buildings
99 include a steeply pitched gable roof, ells, and are a minimum height of two stories (or
100 a second story under the roof). Two stories provide a more efficient use of the land
101 and a more traditional building proportion, but consideration should be given to
102 whether a second story will block an important scenic resource.

103 (c) Buildings oriented at right angles to each other are part of the traditional New
104 England pattern and this pattern is strongly encouraged. It provides a harmony among
105 buildings and with the surrounding landscape. As noted above, however, this pattern
106 may not always be achievable in clustered development.

107 (d) Building colors and materials should harmonize with surrounding and traditional
108 materials. Horizontal clapboards and brick are commonly seen in the landscape.
109 Colors can vary but extremely bright colors should be avoided. Highly reflective
110 materials should be avoided.

111 **(5) Access Roads, Driveways, and Service Areas.** To minimize the loss of scenic character,
112 driveways, parking, and service areas shall be designed and located to reduce their visual
113 impact. To this end:

114 ~~(a)~~ A single, shared-access road or driveway shall be used whenever possible over
115 numerous individual driveways. The Planning Commission may approve up to four
116 homes on a single driveway, provided the Public Works Director concurs with the
117 layout and so long as each home would have adequate frontage if it were served by a
118 single driveway on its own lot (i.e. three homes on a single driveway in the
119 Agricultural-Residential (AR) district would require at least 600 feet of frontage).

120 ~~(b)~~(a) Access roads and driveways should be located to minimize intrusions on open
121 meadows or high visibility within view corridors to distant views. Drives and
122 roadways shall be kept at the edge of open meadows and open space whenever
123 possible.

124 | ~~(e)~~(b) Widths of access roads and driveways and any cul-de-sacs or hammerheads
125 | should be kept to the minimum allowable.

126 | ~~(d)~~(c) Parking areas should be located to minimize visibility. They should be located
127 | behind buildings or screened from view.

128 | **(6) Dimensional Requirements.** All projects shall be designed to meet the minimum
129 | frontage, setback, and acreage requirements as set forth in these regulations. The
130 | Planning Commission shall have the authority to waive these requirements if better and
131 | more creative site design can be achieved, provided the overall lot has adequate acreage
132 | and frontage for all proposed dwelling units, and that curb cuts adhere to Public Works
133 | Specifications. Curb cuts that do not adhere to Public Works Specifications shall require
134 | approval from Public Works prior to receiving Site Plan approval or Final Plan approval
135 | from the Planning Commission.

136 | **(G) Landscaping:** To minimize loss of scenic character, landscaping shall be thoughtfully
137 | selected, located, and maintained to draw the viewer's eye toward attractive natural and built
138 | features, and to screen less attractive features. In addition to the requirements of Section 3.2
139 | (Buffers and Screening) and 3.4 (Fences and Walls), the following shall apply:

140 | (1) Appropriate siting of buildings and roadways will protect rural character more than
141 | landscaping. Clustering structures in a manner that leaves a significant portion of the
142 | property undeveloped and that minimizes their visual prominence should be explored
143 | before proposing landscaping to screen development.

144 | (2) The use of existing mature vegetation to screen buildings, roadways and parking areas is
145 | strongly encouraged. Placing buildings within or next to existing woodlands, rather than
146 | within open meadows, facilitates natural screening. Landscape plans that emphasize a
147 | mix of species and vegetation types in non-repetitive naturalistic groups are strongly
148 | encouraged.

149 | (3) The Planning Commission may require screening if site development will unreasonably
150 | intrude on a designated distant view or important scenic resource. Where open land in the
151 | foreground provides views to distant landscape features, landscaping should be selected
152 | that will allow for continued access to those views. The Planning Commission may
153 | require a management plan to maintain such open land and the visual access it provides
154 | to distant views.

155 | (4) When fences are proposed, the use of traditional New England fences and walls
156 | (stonewalls, split-rail fences, picket fences, etc.) is strongly encouraged. Expanses of
157 | chain link or solid privacy fences in visible areas without accompanying landscaping is
158 | strongly discouraged.

159 | (5) In instances where street trees would obscure important scenic resources, the Planning
160 | Commission may waive the requirement for street trees.

161 | **(H) Signs:** To minimize the loss of scenic character, signs shall be designed to be harmonious
162 | with the surrounding built and natural environment. In addition to the requirements of
163 | Section 3.10 of these regulations, the following shall apply:

- 164 (1) Signs generally are discouraged within the district except as necessary for wayfinding
165 purposes. The amount of signage shall be the minimum necessary to clearly identify the
166 name and location of a business or development to the traveling public. The message
167 shall state only the name and/or trademark of the business or activity that is located on
168 the premises.
- 169 (2) Signs shall be compatible with signs located on adjacent premises in scale and proportion
170 and shall not compete for attention.
- 171 (3) The use of monument signs at the entrance to subdivisions may be used if necessary for
172 wayfinding. Use of natural materials such as wood or stone are encouraged.
- 173 (4) Sign colors and design shall complement the color and design of the associated structure.
174 Use of bright, highly saturated or intense colors is discouraged as a primary component
175 of a sign's color scheme, but may be appropriate when used in moderation or as an accent
176 or contrast.
- 177 (5) Wall-mounted signs may be used and are preferred over separate signs for business uses.
178 The sign should be designed to be an integral part of the architecture of the building.
- 179 (I) **Lighting:** To minimize the loss of scenic character, exterior lighting shall be minimized,
180 particularly in areas characterized by relatively dark night skies and limited intrusions of
181 artificial light. In addition to the lighting requirements of Section 5.6(G), the following shall
182 apply:
- 183 (1) Outdoor lighting shall be limited to locations where activity will be occurring (e.g.
184 walkways, entrances, parking areas, intersections) and to times when activity will be
185 occurring (e.g. business hours).
- 186 (2) Light levels shall be the minimum needed for the intended purpose. Lighting shall be
187 designed to avoid sharp contrasts in light levels.
- 188 (3) Use of lighting as a security or advertising technique when no one is on the premises is
189 strongly discouraged.
- 190 (4) Use of technologies such as motion detectors or timers is strongly encouraged to provide
191 light only when and where needed to facilitate human activities.
- 192 (5) Use of full cut-off (as defined by the Illuminating Engineering Society of North America)
193 and shielded light fixtures is required. Light fixtures shall be designed and aimed to
194 prevent the light source from being visible from public vantage points or neighboring
195 homes.
- 196 (6) Exterior light sources shall be selected to minimize adverse color rendering of the
197 surrounding landscape.