

2.2.12 Ridgeline Review Overlay (RRO)

Purpose: The purpose of the Ridgeline Review Overlay is to protect the beauty and scenic rural character of Barnard while still allowing development on the ridgeline that is in compliance with both the ridgeline overlay and underlying zoning district standards.

Goals: The goals of the Ridgeline Review Overlay are to (1) ensure that development is designed to minimize adverse visual impact on designated ridgeline areas as seen from public roads (Classes I, II, and III), and (2) to protect designated ridgelines to ensure sustainable, long-term enjoyment of these vital scenic resources for all residents.

3.8 Ridgeline Review Overlay Requirements

A. Designated Area: The Ridgeline Review Overlay includes all land within 750 feet of the designated ridgelines except for land within 300 feet of Class I, Class II, or Class III town highways and state highways. The designated ridgelines are as shown on the Ridgeline Review Overlay map. Lands within the 300' road buffer are not considered to be within the Ridgeline Review Overlay and are therefore not subject to the Ridgeline Review Overlay standards.

B. Permitting of Uses and Structures: Uses and/or structures within the overlay are either exempted from ridgeline overlay review or require conditional use review. All applicable standards for the underlying zoning district and any overlapping overlay where development is proposed shall also be applied to any permit application. Any use or structure that is not exempt under **subsection (1)** shall require conditional use approval per **subsection (2)**.

(1) Exemptions. Uses and structures exempt from overlay review may require a zoning permit per the standards of the underlying district.

Exempt uses and structures include:

- a. Agriculture activities conducted in accordance with the Vermont Agency of Agriculture Food and Market's Required Agricultural Practices (RAPs).
- b. Forestry activities conducted in accordance with the Vermont Department of Forests and Parks Acceptable Management Practices for Maintaining Water Quality on Logging Jobs in Vermont or other accepted silvicultural practices, as defined by the Commissioner of Forests, Parks and Recreation. Logging within areas intending to be built on should be considered incidental site work and not covered by this exemption.
- c. Uncovered decks attached to a one or two-unit dwelling.
- d. Accessory structures with a footprint of less than 100 square feet (total accumulated in any 10-year period) and a height of less than 12 feet.
- e. Changes in use that do not involve any exterior alterations to a structure.

f. Additions, exterior alterations, accessory structures, and additions to accessory structures that the Zoning Administrator determines will not be visible from a public road due to screening by an existing structure on the same property or by topography, regardless of vegetation and/or forest cover.

g. New principal structures that are a permitted use in the underlying zoning district may be exempted from conditional use review if all of the following criteria are met:

i. The applicant can show that the proposed development will clearly not be visible at any point along public roads due to existing elevation of hillsides, knolls, and ridges and that, because of these existing features, entirely shields the proposed structure from view. The applicant shall provide elevation data showing the contours and elevation of the shielding features using one foot LiDAR, and the elevation, height and location of the proposed structure.

ii. The applicant can show that the shielding features crest at a higher elevation than the top of the proposed structure.

iii. The applicant certifies in writing that, as a permit condition, the proposed structure will not be visible at any point as seen from a public highway and that existing tree cover will be preserved within a 100' radius of the new structure.

If the Zoning Administrator is unable to determine that criteria i-iii have been met, then the proposal shall go before the Development Review Board per **subsection (2)** below.

(2) Conditional Uses. Uses allowed as a permitted or conditional use in the underlying zoning district, unless specifically exempted under **B (1)**, require the approval of the Development Review Board in accordance with **Section 6.5** and the standards provided in **subsections (3) and (4)** below.

(3) Overlay Standards

a. **Dimensional standards.** All dimensional standards are the same as per the underlying zoning district.

b. **General Review Standards**

i. **Forest Cover.** Forest cover shall be maintained or established adjacent to proposed structures to interrupt the facade of buildings, provide a forested backdrop to structures, and/or soften the visual impact of new development as viewed from public roads. The Development Review Board shall consider the location of proposed structures relative to existing vegetation. The DRB may require additional planting and/or limit the amount of clearing adjacent to proposed development to provide screening and maintain a forested backdrop. A tree cutting, landscaping and/or forest management plan may be required to ensure that ridges and hill tops remain wooded, and to ensure that trees remain standing adjacent to buildings to visually interrupt facades and reduce reflective

glare, as viewed from off site. Such a plan shall address specific measures to be taken to ensure the survival and, if necessary, replacement of designated trees during or after site development and the installation of all site improvements.

- ii. **Placement of Structures.** New structures shall be as minimally visible from public roads as possible given site conditions and topography, and shall not stand in contrast to the surrounding landscape patterns and features, serve as a visual focal point, or be visible from multiple points along a road, for an extensive distance along a road segment, and/or be highly visible from several vantage points within one mile of the development site.
- iii. **Landscaping & Screening.** In instances where existing forest cover or topography will not adequately screen proposed development, a landscaping plan shall be required by the Development Review Board. Such plan shall be designed to minimize the visual impact of the structure as viewed from public roads.
- iv. **Glare and lighting.** Exterior building materials of all structures visible from public roads shall be required to be of a type and design to minimize reflective glare and avoid undue adverse visual impact. All lighting, interior and exterior, shall be directed downward or shaded so that light sources do not directly illuminate beyond the site boundary lines.
- v. **Pre-application Site Development.** Forest management activities designed as pre-development site preparation shall be reviewed by the Development Review Board to determine compliance with the standards set forth in this Subsection. Such activities include, but are not limited to, road and driveway construction, excavation related to the upgrade and conversion of logging roads, development of roads or driveways, clearing and/or grading for house-sites and septic systems, or related work. Where a landowner fails to submit pre-development plans for review, the DRB shall require the site to be restored or re-vegetated as it was prior to development and/or limit development to a portion of the property which best meets the standards of this district.

(4) Application Requirements for Ridgeline Review. Applicants shall submit plans including the criteria below. The criteria in **(4)a** – **(4)c**, may be combined and submitted as a single plan for review.

- a. A plan drawn to scale based on a survey prepared by a licensed surveyor or the latest Barnard Tax Map showing a North Arrow, scale, legal property boundaries for the property and the location of the proposed development. Proposed structures shall be delineated on a plan drawn to scale and submitted with the application, depicting the location and size of the proposed structure.

- b. Plans depicting the location of the following:
 - 1. Ridgeline Review Overlay boundaries.
 - 2. Contours with intervals of 20' or less.
 - 3. Public and private roads; and
 - 4. Existing development.

- c. **Visibility analysis.** Any additional information describing the visual impact of the development as seen from public roads and measures to minimize this impact shall be submitted. Such information may include, but is not limited to, photographs taken from the nearest public road showing the proposed development location, or a narrative of the proposed development and current or proposed factors that will limit visibility of the development from the public road.

(5) Additional Requirements

- a. The DRB shall conduct one or more site visits to evaluate the location of the proposed development per the standards of this Overlay.

- b. Ridgeline Review Overlay approvals per the requirements in **Subsection (B)2** shall remain effective until such time as amended by the DRB after a new hearing.