

Table 3.4
URBAN MIXED USE (UMU) DISTRICT

(A) **Purpose:** The purpose of the Urban Mixed Use District is to facilitate the re-development of an area characterized by historic industrial and residential structures, access to community facilities and services and close proximity to the Central Business District.

(B) **Allowed Uses -- with Zoning Permit:** The following uses are allowed with the approval of the Administrative Officer in accordance with Section 10.3

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| <ul style="list-style-type: none"> (1) Accessory Apartment (see Section 5.2) (2) Accessory Use/Structure (see Section 5.3) (3) Home Child Care | <ul style="list-style-type: none"> (4) Home Occupation (see Section 5.13) (5) Single-Family Dwelling (6) Two-Family Dwelling |
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(C) **Allowed Uses -- with DRB Approval:** The following uses are allowed with the approval of the Development Review Board in accordance with Article 6:

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| <ul style="list-style-type: none"> (1) Accessory Use/Structure (see Section 5.3) (2) Adaptive Reuse of a Historic Structure (see subsection (E) and Section 5.4) (3) Artist Studio/Gallery (4) Civic Center (5) College/University (6) Community Care Facility (7) Cultural Facility (8) Day Care Facility (9) Hospital (10) Manufacturing (11) Medical Clinic (12) Mixed Use (see section 5.16) | <ul style="list-style-type: none"> (13) Multi-Family Dwelling (14) Motor Vehicle Sales and Service (see section 5.10) (15) Professional/Business Office (see subsection E) (16) Personal Service Establishment (17) Place of Worship (18) Private Club (19) Public Facility (see subsection E) (20) Research & Development Facility (21) Retail Establishment (22) Rooming House (23) School (24) Shelter Home (25) Warehouse |
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(D) **Dimensional Standards:**

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| (1) Lot Area (Minimum) | 10,000 square feet |
| (2) Lot Width (Minimum) | 100 feet |
| (3) Side Yard (Minimum) | 10 feet |
| (4) Rear Yard (Minimum) | 10 feet |
| (5) Building Height (Maximum) | 60 feet |

(E) **Supplemental District Standards**

(1) **Additional Use Standards:** In addition to other standards set forth in these regulations, within the UMU District the following standards and restrictions shall apply to the following uses:

- a. **Adult Oriented Businesses** are expressly prohibited in the UMU District.
- b. **Dwellings (all).** All dwellings shall have a building footprint, excluding porches, decks and entry stairs, of not less than 20 feet in width and not less than 20 feet in depth, and shall have a minimum roof pitch of 5 over 12.
- c. **Professional/Business Offices** shall be limited to one business or corporation per principal structure, provided such business or corporation occupies a minimum of 8,000 square feet of floor space.
- d. **Public Facilities** shall be limited to parks, playgrounds and recreational facilities.

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(2) **Adaptive Reuse of Historic Structures:** Within any building identified as a historic structure on the *Vermont Historic Sites & Structures Survey*, the following uses may be permitted pursuant with Section 5.4 and in accordance with the standards set forth below:

- a. **Nightclub.**
- b. **Professional/Business Office**, which is exempted from the conditions of subsection (1), above.
- c. **Restaurant**, although drive-through windows are explicitly prohibited.
- d. Contractor's Yard, which may be located on property occupied by historic structure(s).
- e. Retail Establishment.

(3) **Supplemental Review Standards:** In addition to the standards set forth in Article 6, in granting approvals in the UMU District the Development Review Board shall apply the following standards:

a. **Road Frontage:** Within the UMU District, use of the area between structures, and between structures and the street line, shall be limited to landscaping, pedestrian paths and associated pedestrian amenities (e.g., street furniture, pedestrian scale lighting and signs) and driveways. Outdoor storage, parking and loading areas shall not be located within the area between structures, and between structures and the street line, unless the Board finds that the property is a pre-existing building and that no other practical alternative exists. The Board shall require the installation of curbing or other suitable edge treatment along the street line and to define driveway entrances.

b. **Landscaping:** Landscaping shall be installed in accordance with Section 6.3(7). In addition, landscaping shall emphasize the screening of parking areas and the establishment and/or reinforcement of a roadside tree canopy along Benmont Avenue through the planting of street trees in accordance with Section 6.3(7). Landscaping shall also emphasize screening of parking areas from Route 7/North Street.

c. **Pedestrian Access.** One or more walkway, separate and distinct from driveways, shall be installed to provide direct pedestrian access from adjacent sidewalks to the building's primary entrance.

d. **Building Height.** The minimum height for buildings within the UMU District located south of the intersection of Leonard Street and Benmont Avenue (including all properties to the east and south of the Leonard Street and Benmont Avenue intersection) is 2 stories. The Development Review Board may, pursuant to review under Article 6, allow the expansion of an existing building, or construction of a new building, of less than 2 stories providing the Board determines:

- i. the proposed construction is a minor addition to an existing building, such as an attached shed or entry-way; or
- ii. the proposed construction is a an unenclosed addition to the existing building, such as a porch or fixed awning; or
- iii. the proposed construction is a small (less than 500 square feet) accessory structure; or
- iv. the proposed construction is necessary to preserve the building's historic character.

e. **Building Orientation:** Buildings shall front toward and relate to streets, both functionally and visually, and not be oriented toward parking lots. The front facade should include a main entry-way and pedestrian access to the street. Buildings located on corner lots shall either be oriented toward the major street or include a corner entrance. The Board may impose a maximum and/or minimum setback, relative to other buildings in the District, to achieve a consistent streetscape. Building facades visible from Route 7/North Street shall be attractive in appearance.

f. **Compatibility with Historic Structures:** New buildings and additions to existing buildings shall be designed to be compatible with historic structures located within the district with regard to building scale, massing, materials, orientation and rhythm of openings (fenestration).

(4) **Access Management.** Driveways and their intersections with streets shall be located and designed in accordance with Section 4.3.

(5) **General Standards and Specific Use Standards:** All uses and development within the UMU District shall comply with other applicable standards of these regulations, including General Regulations under Article 4 and Specific Use Standards under Article 5.

Table 3.4 (continued)
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(6) **Design Standards:** Development involving the demolition, renovation, or alteration of an historic structure shall be reviewed in accordance with the standards and procedures set forth in Table 3.19 (Historic Central Bennington Design Review District) of these Regulations. Development that does not involve the demolition, renovation, or alteration of an historic structure shall comply with the Planned Commercial District Design Standards.