

Business Districts Zoning Fact Sheet

1. Why is the PC updating the town's land use and development regulations?

Land use and development issues facing East Montpelier have changed dramatically since the town first adopted zoning and subdivision regulations in the late 1970s. Rapid population growth has leveled off and the number of school-age children has declined. Development of large lots is costly, resulting in the town being unaffordable for many young families. Meanwhile, scattered development has fragmented valuable forests and agricultural soils.

Some objectives for this update include:

- Establishing new zoning districts to allow for village-scale businesses and smaller house lots in East Montpelier Village and North Montpelier.
- Providing clear standards that will make the permitting process more predictable for applicants.
- Streamlining the administrative processes for some permits, which will reduce the cost and time it takes to get a permit for smaller projects.
- Promoting agriculture and forestry by discouraging the conversion of agricultural and forest lands into house lots, siting new homes where their impact on working lands will be minimized, and allowing for expanded on-farm businesses.

2. What does the 2018 Town Plan say about updating the regulations?

The 2018 Town Plan tasks the Planning Commission with multiple actions to update the town's Land Use and Development Regulations including:

- Ensure that zoning district boundaries, purposes and standards meet the goals of the town plan.
- Update zoning to ensure that commercial and industrial areas are appropriate and adequate to encourage appropriate business growth.
- Update site plan review, parking and design standards.
- Update zoning to prevent strip development.
- Update the zoning to make it easier to do planned unit developments.
- Update zoning to include Low Impact Development techniques that protect water quality.
- Ensure that zoning encourages compact development that protects scenic and natural resources including priority forest blocks and riparian buffers.
- Update zoning to encourage new development to reflect historic landscape patterns such as compact development.
- Adopt village zoning to implement the East Montpelier Village Master Plan
- Evaluate the potential for a village zoning district in North Montpelier.

3. What zoning changes are proposed for the town's business districts?

Current Status. The town has three zoning districts intended for businesses uses:

- **Zone A-Commercial** (1 acre minimum lot size), which extends from East Montpelier Village to the Plainfield town line. Existing development includes small-scale business and residential uses. About half of the land in this district is in either the flood plain or the river corridor, making it undevelopable.
- **Zone B-Industrial** (1 acre minimum lot size), which is located between US2 and VT 14S. Existing development includes commercial, industrial, agricultural and some residential uses.
- **Zone C-Residential/Commercial** (1 acre minimum lot size), which is located along US 2 from U-32 to East Montpelier Village and along VT 14N and VT 214 near North Montpelier. Outside East Montpelier Village, most development in this district is predominantly residential. A large parcel near U-32 is conserved farmland. In and near East Montpelier Village, existing development in this district is a mix of commercial and residential uses. The area east of VT 214 includes high and highest priority forest blocks that should be protected.

Pockets of commercial development, such as Morse and Bragg Farms, exist outside of the current business districts.

Town Plan Vision. The Town Plan envisions a mixed business and residential core for East Montpelier Village and North Montpelier. The draft zoning creates Mixed Use districts for these village areas.

The Town Plan recognizes the importance of having a district for commercial and industrial businesses that are not suitable for a village setting. The draft zoning creates the Business 3 district for that purpose.

The Town Plan encourages rural commercial development with an efficient and attractive growth pattern and that improves the town's gateways and overall rural character. The Town Plan discourages commercial strip development. The draft zoning creates the Business 2 district to further those goals.

Draft Business Zoning Districts. The draft zoning proposes two business districts:

- **Business 2 district** encompassing areas of existing commercial development along US 2, VT 14N and County Road (2 acre minimum lot size). This district is intended to support small rural businesses and existing business clusters.
- **Business 3 district** between US2 and VT 14S (3 acre minimum lot size). This district expands the current Industrial district and allows both commercial and industrial uses. Existing residences would be allowed to continue as permitted uses, but no new residences would be allowed.

Areas currently zoned for commercial uses that have been conserved or have developed into predominantly rural residential neighborhoods have been moved to a rural district.

The draft zoning allows more businesses to be considered permitted uses, rather than conditional uses. This makes permitting simpler and more predictable for applicants.

Minimum lot sizes for the business districts have been increased to allow space for on-site stormwater management. This reduces adverse stormwater impacts to adjacent properties, road infrastructure, and water quality.

4. Are businesses allowed in other districts?

Yes. Home occupations are permitted in all of the draft districts. Home businesses are permitted in most of the draft districts, but are a conditional use in the Residential 2 district. The Residential 2 district is primarily intended to be residential, although a limited number of businesses are permitted or conditional uses.

The proposed Mixed Use districts allow a variety of village-scale businesses as either permitted or conditional uses in East Montpelier Village and in North Montpelier.

The Rural districts allow lodging, natural resource based businesses, and certain commercial, industrial, arts and recreation, and civic and community businesses as either permitted or conditional uses, depending on the specific district.

5. What about the other areas of town?

The draft zoning proposes:

- **Village zoning**, comprised of a mixed-use districts surrounded by residential neighborhoods for East Montpelier Village and North Montpelier.
- **Residential neighborhood districts**, for East Montpelier Center, Northwood Drive area near Goddard College, and Gallison Hill area near U-32.
- **Rural districts**, replacing the current Zone D-Rural Residential and Agriculture and Zone E-Agricultural and Forest Conservation districts. Boundaries for these districts have been redrawn to reflect conserved lands, high priority forest blocks, wetland and interior lots without road access.

6. What happens next?

The Planning Commission will consider public feedback over the summer and may revise the draft zoning. Additional public meetings may be held in the Fall. The PC is required to hold at least one formal public hearing on the draft zoning before submitting it to the Selectboard for their consideration. The SB is required to hold at least two public hearings prior to voting on adoption.

Quick Land Use and Development Regulations Primer

1. What are land use and development regulations?

East Montpelier has adopted land use and development regulations to manage how land is developed and used. The land use and development regulations include zoning, site plan review, subdivision and flood hazard regulations.

The regulations establish zoning districts as shown on a zoning map. Each zoning district defines the types of uses allowed and sets dimensional standards for new development. District standards commonly include minimum lot size, maximum density, minimum frontage, minimum setbacks, maximum height or maximum lot coverage. The regulations may also contain general standards that apply to any development regardless of the district it is located in. General standards frequently include access and frontage requirements, parking requirements and sign requirements.

2. How do the regulations relate to the town plan?

Under state law, land use regulations are a means of implementing the town plan. Zoning regulations must be consistent with the town plan, particularly the future land use map.

3. What is the difference between permitted and conditional uses?

The Zoning Administrator may issue a zoning permit for a permitted use in a district that meets all the requirements of the regulations. If a use is conditional, the Development Review Board must approve it before the ZA can issue a zoning permit. The DRB will consider whether the proposed use will conform to the standards in the district and whether the proposal will have an “undue adverse affect” on the district and community.

4. Do all uses and structures require a permit?

No. Section 110 of the draft Land Use and Development Regulations includes a long list of structures and uses exempt from a local zoning permit.

5. Is a zoning permit the only permit I need?

No. If the project requires road access, the project will need an access permit from either the town or VTrans (for state highways). Most projects will need a wastewater permit from the state Agency of Natural Resources. Major projects may also need a state Act 250 permit.