

Rural Areas 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 smaller house lots, particularly in East Montpelier Village.
- Promoting agriculture and forestry by discouraging the conversion of agricultural and forest lands into house lots and siting new homes where their impact on working lands will be minimized.
- 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.

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

3. What zoning changes are proposed for the town's rural areas?

Current Status. The the town's rural areas are largely either in Zone D-Rural Residential/Agricultural (3 acre minimum lot size) or Zone E-Agricultural/Forest Conservation (7 acre minimum lot size). These districts are largely agricultural, forested and residential. Both districts have large parcels of conserved land that have limited development potential. Most of the high and highest priority forest blocks are located in Zone E-Agricultural/Forest Conservation.

Town Plan Vision. The Town Plan envisions that development in rural areas will follow a rural pattern, with low overall densities and clustering of structures to keep agricultural and forest lands open. Subdividing large parcels of agricultural and forest lands into smaller lots for development threatens open space and important agricultural and natural functions. Clustered development and density-based zoning can help protect these areas while still allowing some residential development. The plan also calls for reduced front setbacks to allow development closer to the road.

Draft Rural Zoning Districts. The Planning Commission has not yet made a decision on the best approach for new rural zoning district. The PC is presenting two options and is seeking feedback on the districts and whether the community prefers one option over the other before making a decision.

Density-Based Zoning. Several of the proposed rural zoning districts use a different technique that allows for the subdivision of smaller house lots while keeping a low overall density on rural land. Property owners who have enough acreage and frontage to subdivide can choose to carve off a small lot for development and keep more of their rural land as part of a larger parcel for farming or forestry. See example on other side of this handout.

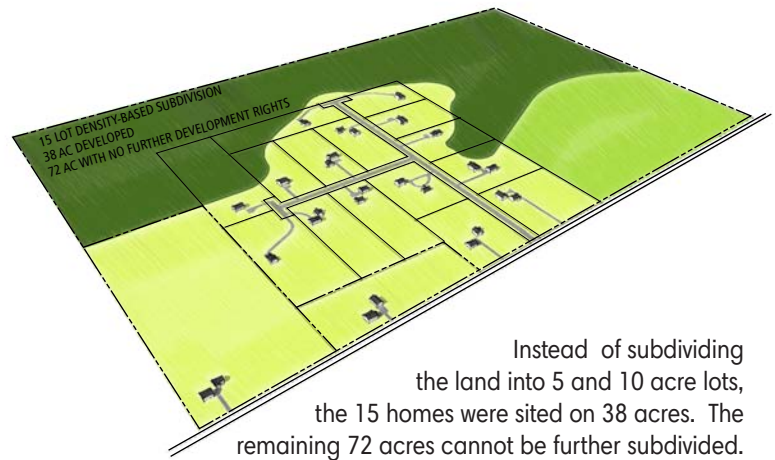
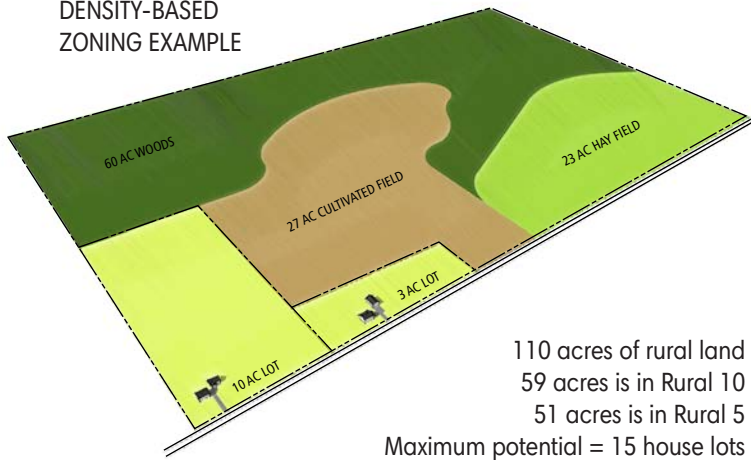
Option A. This option would allow for higher densities along the paved roads outside the village with lower densities along gravel roads and on land more than 1,000 feet from public roads.

- Rural 2 district (2 acre min lot size)
- Rural 5 district (2 acre min lot size and a 5 acre density)
- Rural 10 district (2 acre min lot size and a 10 acre density)

Option B. This option is more similar to current zoning and does not allow for higher densities along County and Center Roads.

- Rural 2 district (2 acre min lot size)
- Rural 3 district (3 acre min lot size)
- Rural 10 district (1 acre min lot size and a 10 acre density)

DENSITY-BASED ZONING EXAMPLE



4. 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.
- **2 business districts**, replacing the current Zone A-Commercial and Zone B-Industrial Districts. Boundaries for these districts have been redrawn to reflect existing business development and areas that cannot be developed because they are in the floodplain. The business districts will be the focus of an open house on June 27.

5. 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.