

Village and Settled 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:

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

3. What zoning changes are proposed for East Montpelier Village?

The village area currently includes portions of several zoning districts that provide no context for what is village and what is not. Many of the lots in the village are smaller than 1 acre. Current zoning districts in the village include:

- Zone C-Residential/Commercial (1 acre minimum lot size);
- Zone D-Rural Residential/Agricultural (3 acre min); and
- Zone E-Agricultural/Forest Conservation (7 acre min).

The Town Plan envisions the village to have a mixed use core along US 2 and VT 14S, with adjacent residential areas with relatively small lot sizes. The draft zoning proposes:

- **Mixed Use 4** district along US 2 in the village (0.5 acre min lot size);
- **Mixed Use 2** district (0.5 acre min lot size) along VT 14S; and
- **Residential 2** district (0.5 acre minimum lot size) west of US 2 and north of VT 14S.

4. What zoning changes are proposed for North Montpelier?

North Montpelier is currently in the Zone C-Residential/Commercial district (1 acre min lot size). Large areas of North Montpelier have been permanently conserved.

The Town Plan envisions North Montpelier as a small rural village and possible growth area, including small community-oriented commercial uses and historic residential areas. The draft zoning proposes:

- **Mixed Use 4** district along VT14N in the village (0.5 acre minimum lot size); and
- **Residential 2** district (0.5 acre minimum lot size) between the Mixed Use 4 district and Calais.

5. What zoning changes are proposed for East Montpelier Center?

East Montpelier Center is mostly in Zone D-Rural Residential/Agricultural (3 acre min lot size). The area near the cemetery is in Zone E-Agricultural/Forest Conservation (7 acre min lot size.) Many of the residential lots between Barnes Road and Dodge Road are smaller than 3 acres.

The Town Plan envisions East Montpelier Center as a residential hamlet. The draft zoning proposes:

- Residential 2 district (0.5 acre min lot size) along Center Road between Barnes and Dodge Hill Road.

6. What zoning changes are proposed for VT 214 near Goddard College?

The area just north of Goddard College on VT 214, including the apartments on Northwood Dr, is currently in:

- Zone D-Rural Residential/Agricultural (3 acre min lot size) west of VT 214; and
- Zone C-Residential/Commercial (1 acre min lot size) east of VT 214.

The Town Plan does not specifically discuss this area. The draft zoning proposes for this area:

- **Residential 2** district (0.5 acre minimum lot size) to better reflect the denser, multi-family character of this area.

7. What zoning changes are proposed for Gallison Hill near U-32?

Gallison Hill Road near U-32 is currently divided between:

- Zone C-Residential/Commercial (1 acre min lot size); and
- Zone D-Rural Residential/Agricultural (3 acre min lot size).

The Town Plan envisions this area of Gallison Hill Road as a possible growth area. The proximity of the school makes this area appropriate for residential growth. The draft zoning proposes for this area:

- Residential 2 district (0.5 acre minimum lot size) to allow for increased residential growth.

8. What about the other areas of town?

The draft zoning proposes:

- **3 rural districts**, replacing the current Zone D-Rural Residential/Agricultural and Zone E-Agricultural/Forest Conservation. Boundaries for these districts have been redrawn to reflect increased development capacity along paved roads and decreased development capacity in areas that have been conserved, have priority forest blocks or wetlands, or are interior parcels without road access. The rural areas will be the focus of an open house on June 20.
- **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.

9. 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.