

Adopted Amendments to the 2000 Montpelier Master Plan

Added Material

Deleted Material

**Prepared by the Montpelier Planning Commission
December 13, 2004**

As amended by the City Council following its first hearing on March 30, 2005

**And adjusted by the Planning Commission at its meetings
on April 11, April 25, and May 9, 2005**

And adopted by the City Council on July 13, 2005.

solicit review and comments which were incorporated into the now 2000 draft Montpelier Master Plan. The final stage of the planning process is review, revisions where appropriate, and approval of the Plan by the Planning Commission and the City Council. *This Plan was amended on July 13, 2005 which extended it to July 13, 2010.*

Major accomplishments and events since the 1990/1995 Master Plan include:

- expansion of Hubbard Park in 1991
- the creation of the Conservation Commission in April 1992
- the devastating flood of March 11, 1992
- the creation of the Tree Board in August, 1993
- the creation of the North Branch River Park
- construction of section 1 of the Winooski West Bike Path in 1999
- construction of Stone Cutters Way, including section 1 of the Winooski East Bike Path, 1997-1999
- reconstruction and expansion of the Montpelier Fire Station;
- formation of a downtown revitalization steering committee in 1998, which evolved into the Montpelier Downtown Community Association in June, 1999;
- construction of a new Police Station behind City Hall in 1999.

1.3 Consistency with Act 200

The Montpelier Master Plan has been prepared with close attention to the requirements of Title 24 VSA *Chapter 117*, Subchapter 5. That subchapter outlines the content and process for approving a master plan. Specific requirements are outlined for a plan to be consistent with the Act. Briefly, those requirements include:

1. *A statement of objectives, policies and programs:* See Section 2.4 and the goals and policies of individual elements.
2. *A land use plan:* See Chapter 11.
3. *A transportation plan:* See Chapter 5.
4. *A utility and facility plan:* See Chapter 7.
5. *A statement on preservation of rare and irreplaceable natural areas, scenic and historic resources:* See Chapter 3 and Chapter 4.
6. *An educational facilities plan:* See Chapter 7.
7. *A program for implementation:* See Chapter 12.
8. *A statement indicating how the plan relates to development trends and plans for adjacent municipalities and the region:* See Section 2.2.
9. *An energy plan:* See Chapter 7.
10. *A housing element:* See Chapter 6.

The 1990/1995 Master Plan was approved by the Central Vermont Regional Planning Commission in 1995. Differences between this document and the 1990/1995 plan include:

- the addition of an **economic development** chapter;
- and expanded **energy** section;
- a revamped **transportation** chapter; and
- a revised implementation matrix.

- Strengthen the role of neighborhoods and citizens in the planning and development process.
- Reinforce existing development before extending settlement further.
- **Encourage new residential development in accordance with the principles of traditional patterns of neighborhood development that includes new dense, residential development that supports and enhances mixed uses, pedestrian circulation, intensively-used open space, inter-connected street patterns, architecture in harmony with the neighborhood, and a sense of community.**
- Discourage automobile-dependent growth in the downtown core.
- Improve and enrich pedestrian, bicycle, rail, and shuttle access.
- Encourage a diverse local economy.

Preserve the natural and historic features that distinguish the City of Montpelier.

- **Encourage an awareness by Montpelier citizens of the city's key natural features based on objective standards and an inventory of the city.**
- Revitalize the Winooski River and all its associated branches as a special focus of the city.
- Protect our ridge lines from development.
- **Encourage preservation of open space by carefully balancing the community need for open space and other land uses.**
- Preserve the architectural heritage of the city by considering becoming a Certified Local Government, revising the zoning ordinances and design review process, and establishing a more comprehensive planning process.
- When possible, in light of public safety concerns, preserve the historic features of the bridges over the Winooski.
- Promote our natural and historic, as well as cultural, attractions as a tourist and regional resource.

Ensure efficient and reliable community services, including education, utilities, public safety, recreation and transportation.

Encourage a diversity of housing opportunities in all neighborhoods of the city.

- Define the scope of housing need in the city.
- Encourage the preservation and maintenance of existing housing.
- Use transportation options effectively to encourage suitable types of housing.
- **Encourage housing that provides a range of ownership options and is affordable to a range of income levels.**
- Encourage the development of new housing. Ensure that new development respects existing neighborhoods, preserves key natural areas and provides effective and safe use of existing or enhanced vehicular, bike and pedestrian transportation networks.

Encourage growth which strengthens the city's tax base.

Encourage locally owned business.

Support growth in established commercial and industrial areas outside of the downtown core.

CHANGES TO OUR CITY, OUR ORDINANCES AND OUR SERVICES WILL BE CONSIDERED SUCCESSFUL TO THE EXTENT THEY:

- Improve the quality of life.
- Preserve and protect our heritage and environment.
- Encourage diversity of population and commerce.
- Provide long term benefits to the community and its residents.
- Strengthen the city's tax base.
- **Treat all citizens fairly.**

3. Natural Features and the Environment

3.1 Natural Setting

Montpelier is located in the upper watershed of the Winooski River. This river cuts a path through the Green Mountains and connects the region with Chittenden County and the communities of the Champlain Valley. The surrounding Green Mountains play a key role in the landscape of the region and the city. Many of the higher peaks of the main range and of the Worcester Range are visible from within the city, including Camel's Hump, Worcester Mountain, and Mount Hunger.

Montpelier's natural setting is particularly attractive. Its location at the confluence of the Winooski and North Branch Rivers has influenced development not only along the valleys, but also on the hillside slopes that overlook the valley. Higher elevations are 400 to 500 feet above these valleys, providing a contrast strong enough to be apparent anywhere in the city.

Figure 4 indicates this general pattern of topography which shapes development and the city's image, form, and character. Montpelier's steeper slopes provide a strong visual benefit and physical edge to the downtown area, and are an important feature which defines Montpelier's central business district (Figure 5). Vistas along several downtown streets, such as State and Main Streets, are terminated by the steeper wooded slopes that occur at the base of the surrounding hills.

Montpelier Land Area:

- 6,611 acres
- 10.3 square miles
- 287,984,600 square feet

Elevation:

- 550 ft above sea level
- 507 ft near lower State Street
- 1,123 ft near upper Main Street

The city's open spaces provide important recreation, visual and environmental benefits (see Figure 11, Open Space Network and Figure 17, Sensitive Environmental Features).

The City has made an effort to protect outlying open areas, such as upper Elm Street, outer Terrace Street, Towne Hill Road, *Sabin's Pasture*, and Old Country Club Road. Generally they are not served by public infrastructure which would encourage development.

Montpelier's four rivers are important features within the city's landscape. The Winooski River runs northwest to southeast through the central area, and extends approximately four and one-half miles within the City limits. The smaller North Branch extends for a similar length to the city's northern border and the Wrightsville Reservoir. A small portion of the city's southeastern boundary is formed by the Steven's Branch of the Winooski River; the Dog River forms a portion of the western boundary.

Although flooding along these riverbanks, both from runoff and ice damming has been partly mitigated through flood mitigation programs implemented by the City, the potential for future flooding still remains. According to the "Montpelier Flood Hazard Mitigation Plan" (July, 1998), over 478 acres, or 7.2% of the entire city is in the 100 year flood plain; an additional 86.5 acres is in the 500 year flood plain. While most of the areas affected by flooding are near the waters' edge, nearly the entire downtown area is within the 100-year floodplain (Figure 6). The City's ongoing mitigation measures include early warning and emergency response, building and property improvements, public awareness and education, and participation in programs such as the Community Rating System and Flood Mitigation Assistance Program through the Federal Emergency Management Agency.

The Montpelier Conservation Commission has proposed six River Conservation Corridors (Figure 7), and recommends the following types of development within each corridor:

1. North Branch Greenway (North branch Recreation Trail linking Lane Shops with Wrightsville Reservoir):
 - Link to east Montpelier trail system,
 - Outdoor classroom across from the Recreation Field.
 - Old growth forest areas.
 - Intact riparian forests and beaver meadows.

2. Downtown Riverbanks:
 - Performance gazebo
 - Skateboard park.
 - Floating boat launch.
 - Fish ladder.
 - Park at the confluence of the North Branch and Winooski.
 - Steps and ramp to the river's edge.
 - River edge walk. Pedestrian bridge.
 - Main Street bridge Welcome Park.
 - River habitat enhancement.

3. Blanchard Brook Greenway:
 - Footpath linking New England Culinary Institute with Barre Street, the Montpelier Bike Path and the Winooski River.
 - Spur trail to the Slate Quarry.
 - Quiet, high gradient stream - a one minute walk from Vermont College.

4. Terrace Street Ravine:
 - High gradient stream- a five minute walk from Montpelier High School and the Capitol Building.
 - Foot path access through the arch at the end of Baldwin Street.
 - Mature hemlock/pine ravine.
 - Remains of a historic road, mill and bridge.

5. Winooski Greenway East:
 - Natural/recreation trail linking Barre Street with Route 2.

6. Drive-in Park at the Confluence of the Steven's Branch and the Winooski River:
 - Picnic tables and a small loop trail to the confluence.
 - River viewing.

3.2 Natural Features and the Environment Goals and Recommendations

1. **Preserve, enhance and maintain the natural features and the integration of built and natural settings which makes Montpelier unique.**
2. **Continue to protect and maintain the City's existing parks and open space including Hubbard Park, North Branch and the Capitol lawn.**
3. **Develop a methodology and tools that allow for appropriate development while also protecting those open spaces determined to be important to the community.**
4. **Inventory the city to determine key natural features, critical habitats, recreational areas, forests, and views and vistas. Develop criteria and recommendations to guide the City in preserving these features.**

Recommendations:

- a. **Allocate the resources needed to allow the Open Space Advisory Committee to work with landowners to prepare, resources permitting complete an inventory of key natural features, open areas, forests, and views and vistas in Montpelier and develop recommendations for preserving these features and to complete the "Views and Vistas" study which currently exists in draft.**
- b. **Identify criteria for evaluation of parcels taking into consideration such factors as: the Master Plan for the town; protection of surface waters and aquifers; wetlands and buffers; steep slopes; key views and vistas; recreation potential; unusual qualities, including vistas and view shed; historic and/or cultural significance; unique or prominent natural features;**

natural communities; location; and any such other factors that the Committee deems relevant.

- c. Prepare a complete inventory of open space within the City of Montpelier and apply the specific criteria to each parcel in the inventory.*
- d. By the next revision of this Master Plan, the Planning Commission and the City Council shall establish priorities and adopt tools for open space protection. Such tools may include fee purchase, transfer or purchase of development rights, acquisition of easements, conservation overlay districts or other appropriate zoning, encouragement of charitable donations and bargain sales.*

Upper Elm Street and Towne Hill Road are examples of suburban neighborhoods situated on a major arterial road. These neighborhoods are primarily residential and do not contain many of the elements of other city neighborhoods such as public buildings and mixed use activity.

Other neighborhoods include but not limited to:

- Liberty/Loomis/Elementary School Area
- Terrace Street
- Berlin Street/Prospect/Hill Street
- River Street
- Green Mount Cemetery /Lower State Street

4.4 City Gateways and Entrance Corridors

The significant entrances to the city should be given priority consideration for urban design. "Gateways" have been defined as those points on the major arterial roadways leading into the city where the first glimpse of the Statehouse and City Hall tower appear. Entrance corridors through these gateways lead the traveler to the urban core. Two such gateways and entrance corridors have been identified.

Western Entrance and Gateway

The western entrance corridor and gateway extends from the 1-89 interchange along Memorial Drive as it proceeds into the city. The quality of this entrance corridor is composed of natural vegetation and steep rock embankments on the north and south sides, as far as Dog River Road, and continuing on the south side to National Life Drive. The " gateway" exists approximately at the intersection of Memorial Drive with National Life Drive, and the entrance corridor extends to Northfield Street.

Eastern Entrance and Gateway

The eastern entrance corridor and gateway extends along Berlin and River Streets from the Berlin line. The entrance corridor is composed of a variety of conditions including strip commercial development, housing, and natural areas. Portions of the Washington County Railroad closely follow this route. The eastern gateway to the urban core appears approximately at the intersection of Berlin and River Streets with views from both streets through the Granite Street bridge and beyond to the City Hall towers and Statehouse.

4.5 Historic Resources and the Built Environment Goals and Recommendations

- 1. Reinforce Montpelier's neighborhoods, both commercial and residential by encouraging diverse, compatible, and dense land uses that build upon the existing variety and character in these neighborhoods.**

Recommendations:

- a. Ensure that new development complements its surrounding neighborhoods where possible. Where development cannot tie into and reinforce existing neighborhoods, the scale and diversity of that development should follow Montpelier's existing patterns ***based on traditional patterns of neighborhood development.***
- b. Consider revisions to the Zoning Regulations, Zoning District Map and Design Review Guidelines to:
 - permit compatible mixed uses that reinforce neighborhoods;
 - allow for mixed uses within neighborhoods, particularly those uses that are mutually supportive and complement the fabric of the area in which they are located;
 - expand conditional and permitted uses in all of the zones, particularly in office parks and residential zones; and
 - increase density where appropriate to achieve compact, efficient, settlement patterns.

- c. Create incentives for development that:
 - may be less profitable but desirable such as *affordable* housing and the arts; these might be tied to profitable development; ~~and~~
 - reinforces or complements existing neighborhoods, *and*
 - *encourages the preservation of high priority open space.*
 - d. Re-evaluate existing standards regarding parking, traffic flow, road design regulations, and street elements to ensure compatibility with neighborhoods and to reinforce neighborhood centers.
 - e. In the downtown, actively pursue mixed use and increased uses of existing buildings, and solutions for traffic and parking congestion.
 - f. In the Statehouse neighborhood, the City should work to encourage mixed use and dense land use, along with riverfront and traffic goals outlined in other chapters.
 - g. Existing affordable housing and light industry along Barre Street should be protected. Additional housing and space for the arts might be incorporated into new development in the Barre Street neighborhood.
 - h. Office Park zones should be examined in the context of Montpelier's neighborhoods. Development should reinforce existing neighborhoods by increasing diversity of use and by maintaining current densities. Where an entirely new neighborhood will be created, the existing characteristics of Montpelier neighborhoods *shall* may be used as a model, ~~to the extent of providing housing and commercial uses.~~
- 5. Improve the process of city planning and project review to ensure that new development is compatible with the city's historic built environment and reflects the changing needs of the community.**

Recommendations:

- a. Revise Design Review guidelines and criteria, to reflect and protect the unique characteristics of Montpelier's distinct neighborhoods and areas.
- b. Consider extending the Design Control District, or including design standards in site plan review criteria to protect visually and historically sensitive areas such as all of the Stone Cutters Way, parts of River Street, and the gateway areas, while including guidelines and criteria tailored for those areas.
- c. Provide a framework for neighborhood stakeholders to have a stronger voice in land use and development planning.
- d. Strengthen the City's demolition standards to prevent demolition of historic structures by neglect.
- e. Enforce minimal habitability standards to allow for full occupancy (BOCA codes and others).
- f. Establish criteria for lighting of both private establishments and public areas to foster an intimate scale, provide good color aesthetics, and prevent glare to adjoining properties and the public.
- g. *Establish criteria and develop regulations that allow for compatible mixed uses in new neighborhoods.*

6.3 Housing Demand

A high proportion of Montpelier residents occupy rental units compared to the county and the state. In 1989 over 43% of the city's residents were renters, compared with 31% for both the county and the state.

The value of houses in Montpelier is close to that of the county, although more expensive than the state (Table 6-8).

Vermont municipalities raise a majority of their income from property taxes, and relative property tax burdens influence the attractiveness of the city for residential and commercial growth.

Montpelier	\$94,100
Washington Co.	\$95,600
Vermont	\$89,300

Source: US Census, STF3A

Historically, Montpelier's tax burden on property owners has been relatively high. The impact of Act 60 (Vermont's Equal Education Opportunity Act) on Montpelier taxpayers remains to be seen, as still considerable discussion on the funding formula is going on.

Pioneer Apartments	60
Gould Apartments	12
Cumming Street Apartments	20
Lane Shops Apartments	50
Seven St. Paul Street	7
Sect. 8 Existing/Mod. Rehab.	108
Prospect Place	29
Hebert Farms	10
Vermont State Housing Authority	16
Franklin Square Condominiums	18
Community Development Assoc.	6
<u>Wash. Co. Comm. Housing Project</u>	<u>4</u>
Total Units	340

Source: Montpelier Housing Authority, 1999

6.4 Population and Housing Goals and Recommendations

1. Provide clean, safe, and affordable housing for current and future Montpelier residents.

Recommendations:

- a. Design and prepare an inventory of housing type, condition, accessibility, cost and value.
 - b. Perform a community needs analysis and compare the results with a city-wide housing inventory analysis to define the city's housing needs.
 - c. Formulate a plan to address housing needs.
 - d. Identify and address institutional and public policy regulatory barriers to private development of new housing.
2. **Create opportunities for new housing development that respects the city's existing settlement patterns and allows for a diversity of types of housing and which adheres to the principle that Montpelier should be organized around a more dense center with multiple, less dense zones around the center.**

Recommendations:

- a. New residential growth should be encouraged in existing and new neighborhoods, and the zoning regulations shall be revised to provide for mixed-use and residential neighborhoods based on the principles of traditional patterns of neighborhood development both in the areas designated in the zoning regulations for new housing development and in the city's downtown area. See Section 11 Land Use Development, 11.2 Current Zoning, Figure 15 Current Zoning Districts, and Figure 16 Land Use Goals and Objectives/Future Land Use Plan. Residential mixed growth should support and enhance mixed uses, pedestrian circulation, intensively-used open space, inter-connected street

patterns, architecture in harmony with the neighborhood, and a sense of community.

CB-II - Central Business II: A transitional district between the Civic and Central Business Districts. The district permits office and multi-family residences and other uses which would enable the preservation of the historic character of the areas where mapped. Minimum lot area is 10,000 square feet.

OP - Office Park District: Provides for well-designed corporate campus-type development. This district provides special planning for sites with a 10-acre minimum and includes design guidelines to protect view corridors and natural features.

GB - General Business: Auto-related or dependent and associated uses and activities for travelers. The minimum lot area requirement is 15,000 square feet, 20,000 square feet or one acre depending on availability of public water or sewer.

IND - Industrial District: Manufacturing, warehousing, distribution and associated uses and activities. Minimum lot area ranges from one to two acres depending on availability of services.

The current zoning has, over the years, proved insufficiently flexible for the needs of the City, too frequently leading to piecemeal modifications and zoning variances as it repeatedly proved inadequate to achieve the City's vision of its future. An example was the application of interim zoning to Sabin's Pasture (shown on Fig. 15 as IRD). The City shall begin revising its zoning to better reflect the needs and desires of its residents for future development based on traditional patterns of neighborhood development.

11.3 Special Controls and Uses

The zoning regulations also provide for the following special controls and uses:

District	Acres	% of Total
LDR	3,191.73	48.4
MDR	2,048.83	31.1
HDR	223.15	3.4
CIV	35.42	0.5
CB-I	39.88	0.6
CB-II	73.59	1.1
OP	275.54	4.2
GB	311.27	4.7
RIV	18.39	0.3
IND	172.00	2.6
Cemetery	21.97	0.3
Recreation	184.15	2.8
Total	6,595.92	100.0

Source: City of Montpelier Geographic Information Systems, 2004

1. Special development regulations for Office Park Development parcels - These regulations offer development standards and design guidelines for the OP District.
2. Standards for development in Flood Hazard areas.
3. Planned Developments - both Planned Residential Developments and Planned Unit Developments are allowed pursuant to State regulations. An Academic Institution Planned Unit Development has been enacted to provide for future development of academic institutions in residential districts. There are currently two AI-PUDs in Montpelier: Woodbury College, Vermont College of ~~Norwich~~ ***the Union Institute and University***.
4. Design Control District - An overlay district to guide development in an area with particular historical, architectural, urban design, visual and cultural significance. This District includes portions of CB-1 and CB-2, the Civic District, Office Park District, and residential areas surrounding the downtown.

The regulations also provide for group housing, signs, parking and loading and other key aspects of development in the city. A parking fund for the provision of public parking has been established to receive parking replacement fees in the CB-I, CB-II and Civic Districts. In addition, some provisions have

been made for the collection of impact fees for new development in the city.

Please download Figure 15 separately.

It was not able to be incorporated into this PDF document.

The current zoning map establishes the location of these districts based on the type of existing development, availability of water or sewer services and other infrastructure requirements, and elevation. For comparative purposes, the approximate acreage in the principal zoning districts is shown in Table 11-2. The current zoning map is Figure 15.

11.4 Future Land Use Plan

The city's Future Land Use Plan emphasizes quality development in addition to laying out areas for new development (Figure 16). The Plan has been formed by considering natural and environmental features, the availability of infrastructure, the demand for development, and the desires of the community. Also considered is the existing zoning and how that might be changed in the future. The Future Land Use Plan is intended to provide a general guideline for future land use distribution in the city. ~~It is not a zoning plan, although it should provide guidance for future zoning changes.~~ ***It, as well other provisions in this Master Plan, will be used to guide future changes to land use in Montpelier, but the land use areas on the future land use map are general indications of intent and the demarcation lines between these areas are generalized and not intended to be strictly interpreted. The Future Land Use Plan is intended to be a general guide for revisions of the City's zoning regulations and for the review of proposed development plans, but the map is intended to be interpreted comparatively less strictly than a zoning map.*** The future land use plan includes the following components (Figure 16):

Single Family Residential: These areas are primarily single family attached and detached developments. ~~Accessory apartments and planned developments should be allowed by special exception after full consideration of their impacts.~~

Mixed Residential: The intention of these areas is to encourage high-quality residential development at densities prescribed in the zoning regulations with minimal intrusion of conflicting uses or activities. ***This zone shall include compatible neighborhood-focused retail and commercial uses.*** Residential uses may consist of a variety of building types, including single-family detached residences, town houses and multiple-family dwelling as determined by zoning.

Accessory apartments are encouraged in all residential areas.

Commercial: This is the central retail shopping and office area of the city and the location of a vital and diverse mixture of pedestrian-oriented uses, including residential. The area houses major institutions and local government functions in addition to commercial activities. Uses and activities which contribute to the cultural vitality for which the city is known should be encouraged because the area is in many ways the landmark area of the city. In addition to shops and financial institutions, places of entertainment, galleries, performance spaces, and housing should be provided.

Capitol Complex: The Capitol Complex lies adjacent to the downtown and has been defined by boundaries mutually determined by the State and the City. It is the location of the renowned Statehouse and affiliate offices of State government.

Planned Office: This is the location of uses requiring larger parcels of land than are available downtown and where access is important. These uses include planned office parks and research facilities. Because they are located in highly visible locations in the city, concern must be given to site development and design.

Industrial: These are areas for manufacturing, distribution, and utility uses which are major economic drivers of the city.

General Business: These are outlying commercial and office areas which provide regionally-oriented business and service uses which are automobile oriented and require good access. Because these areas are at the gateway to the city, they can be visually intrusive and require careful design review. Also included are such community facilities as the high school.

Business/Residential – These areas are designed to provide a mix of residential properties with compatible business uses.

Institutional – These are lands that are subject to Planned Development requirements,, used for educational purposes or located in the Capitol Complex.

Land Conservation – an area of land that is valued for natural processes and wildlife, for protection of natural resources, for resource cultivation, for active and passive recreation, and for providing community, cultural, and/or public benefits. Also included are lands that are less suited to development due to sensitive environmental features such as those delineated in Figure 17, steep slopes (Figure 5), topography (Figure 4), or deed restrictions.

TABLE 11-3. Non-Residential Development Sites within the City of Montpelier

OFFICE PARK ZONE (57 ACRES)	Location	Contiguous Plot Area (acres)	Estimated Zoned Devel. Area (acres)	Within Municipal Service Area		Flood plain Elevation	Pedestrian Bike Path Access	Railroad Access
				Potable Water	Waste Water			
	National Life	164.34	36	yes	yes	above	no	no
GENERAL BUSINESS ZONE (55 ACRES)	Graves Street (betw. RR and Middlesex line)	5.61	5	yes	yes	below	no	yes
	Barre Street north	95.10	30	yes	yes	above	future	no
	Barre Street south	5.28	5	yes	yes	to be revised	future	yes
	Grossmans Site	6.08	6	yes	yes	below	future	yes
	Drive-In Theater Site	11.67	9	yes	yes	to be revised	no	no
INDUS- TRIAL ZONE (50 acres)	WSKI Tower Site	4.31	4	yes	yes	above	future	yes
	Farrell Distributing Corp. (behind new arena)	96.28	30	yes	yes	above	future	yes
	Old Golf Driving Range	18.51	16	yes	yes	below	future	yes

Sensitive Environmental Features: These areas include natural conditions, parks and preserves and other areas which should be preserved primarily as open space or limited, restricted development. (See Figure 17 Sensitive Environmental Features. ***This map includes only those natural features already identified by state and federal agencies.***) Many of the conservation areas outside the urban core include features which limit their development potential. Most of these areas are currently zoned low density residential or are in established parks and preserves. The identification of these areas does not intend to preclude development. Rather development potential should be defined by the zoning regulations.

11.5 Criteria for Future Development

There are opportunities for new development within Montpelier. Table 11-3 shows some potential commercial and industrial sites in Montpelier. In addition, residential and non residential opportunities may exist on infill lots within the downtown, through the redevelopment of existing property, through replacement or adaptive reuse, on undeveloped parcels adjacent to currently developed areas, and on remote parcels.

Any proposal will be considered on its merits and according to the land use regulations in effect at the time of application. While this plan does not endorse specific developments, the following criteria should be taken into account when regarding the location of future development:

1. Development should be in conformance with the uses and standards of the city's zoning and subdivision regulations.
2. Development should utilize the city's existing street grid, or build upon it as through extensions.
3. Development should preserve density and provide access to public transportation.
4. Development should enhance rather than impair the city's natural resource and environmental attributes.
5. Development should be accommodated within the capacity of existing community facilities without the need to construct new facilities.
6. Development should preserve prime agricultural soils for existing and potential agricultural uses.
7. Development should, in addition to economic benefits, provide amenities or services of benefit to the Community.

11.6 Land Use and Development Goals and Recommendations

1. **Future land use should preserve the primary qualities which make Montpelier unique. Among those qualities are a compact settlement pattern with a mixture of uses and human-scale development.**

Recommendations:

- a. Enact, through zoning, policies to protect hillsides and ridgelines, preserve and enhance riverfronts, and existing neighborhoods.

12.2 Tools and Techniques

The city has at its disposal a variety of tools and techniques which can be used to implement the Master Plan. This section describes the specific mechanisms which either are currently in place, or could be developed to implement the goals and policies of the city.

Land Use Regulation

The regulation of land use and development is one of the fundamental police powers granted to local jurisdictions in the State of Vermont. There are a variety of regulatory techniques available to the City. Because of their susceptibility to legal challenge, regulatory controls are the most powerful and widely used implementation tools for the Master Plan. The State of Vermont enables communities to pass bylaws concerning zoning, subdivision regulations and the official map.

Zoning

Conventional Zoning is the most commonly used by-law for guiding development at the local level. It is employed to control the use of private land and structures, and the density, height and bulk of development. The Montpelier Zoning Regulations should be thoroughly reviewed in the context of this Plan, in particular the proposed land use plan Section 11.4 Future Land Use Plan.

In conjunction with this revision, ~~addition~~, the following concepts may ~~specific actions should be considered:~~

- **Conditional Use** - The City should consider a more expansive use of the conditional use regulations as described in Title 24, § 4407(2) ~~4414(3)~~. Use of this tool could allow for controlled flexibility in the zoning regulations by allowing a more diverse range of uses in certain districts as long as the use meets specified range of standards and did not adversely affect the capacity of existing or planned community facilities; the character of the area affected; traffic on roads and highways in the vicinity; bylaws then in effect; or utilization of renewable energy resources.
- **Transfer of Development Rights (TDR)** - TDR provisions would allow the City to separate the rights to develop from the rights of ownership of land. Using this technique, the City would designate "sending" areas which are identified for conservation, and "receiving" areas where the rights could be used for increased development. This technique would be particularly useful to preserve open space or meadow areas, or to contain development on hillsides or the riverfronts. TDR is also frequently used for the preservation of historic structures and in historic districts.
- **Hillside/Ridgeline Protection** - A hillside and ridgeline protection ordinance, as part of the zoning regulations, should be carefully crafted to define the public purpose and areas affected. Ridge line and hillside conservation areas should be defined on a map and the conditions for development should be determined as site plan approval criteria. The application requirements and review procedures should also be delineated within the regulations.
- **Cluster Development** - The planned residential development (PRD) provisions of the zoning regulations permit the reduction in lot size, coverage and density requirements in exchange for the preservation of open land or special natural features on units of land three acres or more. These provisions for clustering development can be used effectively to achieve the goals and objectives of this plan. However, a PRD is initiated by the developer. The provisions should be reviewed to enable the Planning Commission to have greater control over clustering in areas where the preservation of open space or natural features is considered important to the city as a whole. Cluster provisions should include regulations for the preservation and maintenance of public open areas within cluster subdivisions.

- Transitional Districts - The CB-II District is a form of transitional district which permits uses from the less intensive adjoining district (Medium or High Density Residential) and selected uses from the more intensive adjoining district (Central Business District). Transitional districts are effective in precluding the more intensive uses from creeping into the less intensive zone, and act as a buffer between the two intensities of land use. A similar technique is proposed along Berlin Street between Northfield Street and River Street, where a mixture of selected business and residential uses is proposed.
- Buffering - Buffer strips visually separate one use from another, or from the public domain, such as roadways or public buildings, in order to block noise, lights, or other nuisances, or to provide visual separation. Buffering requirements, incorporated in the zoning regulations, would be effective to control the impacts of strip development, preserve natural areas and riverfronts, preserve important archeological sites, and soften the transition between potentially conflicting uses.
- Civic District - The zoning regulations for the Civic District should be reviewed in the context of the Capitol Complex Master Plan and administered in conjunction and partnership with the Capitol Complex Commission. A buffer zone of properties adjoining or affecting the Capitol Complex should be delineated.
- Accessory Units - Accessory dwelling units are apartment units in single-family residences which share, at most, an entrance, yard and parking with the primary unit. Such units are clearly secondary to the primary unit in the structure. Both the homeowner and the community benefit from accessory units. Older homeowners with large residences benefit from the extra income of a rental apartment, and the security of tenant companionship. New homeowners find the added income aids in meeting monthly payments. The community benefits from this source of relatively inexpensive housing which meets demands in various stages of the life cycle. Accessory unit zoning provisions usually require preservation of the single-family character of the area, adequate parking, and public sewer and water hook ups. Some provisions require owner-occupancy of the structure, or an owner-tenant relationship to avoid placing the units on the open market.
- Affordable Housing ~~Bonuses~~ - Density bonuses and inclusionary zoning for the provision of below market rate units ~~is are~~ becoming a popular means of providing for affordable housing. ~~Zoning provisions~~ Bonuses offer a developer an increase in allowable residential density if a ratio of below market rate units are offered either within the development, on an alternative site, within rehabilitated housing or through a contribution to a housing trust fund. Inclusionary zoning may be utilized when ~~a~~ The developer benefits from the economy of scale involved in producing the a substantial number of units, ~~and~~ In both cases, the community gains affordable units. Mechanisms would need to be researched to provide for on-going monitoring and compliance.
- Revised Development Standards for Affordable Housing - A significant component of housing cost is development standards with regard to lot area, frontage, setbacks, coverage and density required by the zoning regulations. Modifying or permitting flexibility in these standards can significantly reduce the cost of housing development. As lot areas, frontage and setback requirements are reduced, modification in design are necessary which produce new housing forms, such as zero lot line developments. The modification of zoning standards could be accompanied with restrictions on pricing to ensure the cost savings are passed along to the consumer.
- Payment in lieu of parking - The City's replacement fee for parking which permits a waiver of parking requirements in exchange for a fee payment should be preserved. The payments should be reviewed periodically to ensure they are in line with actual costs of providing parking. The City should consider the relative merit of expending funds on leasing private land for public parking and the improvement of the peripheral parking supply.

- Building Code - The City's building code should be reviewed in the context of revising development standards for affordable housing.

Land Acquisition and Easements

Land may be acquired by fee simple acquisitions by government authority from private individuals. Increasingly, however, the acquisition of easements is becoming a common means to acquire interest in land, either for conservation or for other purposes. The acquisition of the development interest in land, either by purchase or by transfer of that interest to another parcel, is another means to acquire property for a particular purpose. *Other methods of acquiring ownership interests in land may be by charitable donations and bargain sales.*

~~The City requires statutory authority from the State Legislature to purchase land. Generally, this authority is only granted for a public purpose or use. Consequently, fee simple acquisitions of property would be applicable only for such elements of the Master Plan as acquiring roadway rights-of-way, new public facilities, park expansion, or public parking. The City should seek to obtain the statutory authority to create a municipal conservation fund for purchasing property for the protection of open space and natural area. Once such authority is obtained, the City should implement an active program to acquire fee simple or other property rights to such properties, and seek donations of land.~~

Public Spending

The City is limited in its ability to spend public revenues to those expenditures which are reasonably related to the operation of government, or promote the general welfare of the community. Another limitation is the ability to make funds available through taxation or other revenue producing activities.

- Capital Budget - The City's capital budget will continue to be the principal spending vehicle. The capital budget should be based on the City's capital improvements program, which shall be reviewed and revised in the context of this Master Plan. Such elements of the Plan as public lighting, utilities, street scape features, road and intersection improvements, water and sewer improvements, and school improvements are appropriate inclusions in the capital program and budget.
- Community Development - The Federal Community Development Block Grant (CDBG) program for Montpelier is administered out of the Department of Planning and Development. The major focus of the program is on housing rehabilitation and weatherization activities. Projects which are designed to create and retain employment and improve public facilities in support of housing and economic development can also be eligible for community development funding. This funding source could be used for various elements of the plan, including planning activities and "bricks and mortar" improvements.
- Special Assessment Districts - Special Assessment Districts are a particular form of special area designation which permit charges to certain property owners to cover the cost of installing capital improvements. These improvements may include streets, sidewalks, water and sewer services, streetscapes, signage, landscape improvements or the provision or improvement of parking. The districts are voluntarily established in areas where there is a common purpose to be achieved by the property owners, who band together to "tax" themselves for improvements of common benefit. Special assessment districts should be considered for downtown improvements, gateways and entrance corridors. A Downtown Improvement district formed through the collaboration of the City and State governments, merchants, and downtown property owners would be an example of a special assessment district
- Impact Fees - In 1989, the City passed an ordinance to permit the collection of impact fees, pursuant to 24 V.S.A. Chapter 131. An impact fee is a fee levied as a condition of issuing a zoning or subdivision permit which pays for the portion of the costs of a capital project that will benefit a particular development, or to compensate the municipality for the cost of construction of an improvement required by the development.