

City of Montpelier

A New Era of Zoning



"October Crossing" - Robin LaHue

William Fraser - City Manager
Mary Hooper - Mayor

What's Inside?

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A New Era of Zoning

WHY CHANGE OUR ZONING ORDINANCE?



The City of Montpelier recently completed a Master Plan that calls for a new approach to zoning, one that represents a significant departure from the conventional zoning we currently use. The existing zoning ordinance is based on 20th century assumptions and constraints, having grown organically over the years into a complex, highly prescriptive set of rules and regulations that often work against the goals the city has established.

With the advent of the new Master Plan and its clearly articulated goals for the city, we must now bring our zoning ordinance into compliance with the municipal plan. In doing so, we can begin to encourage development we want while controlling what we don't want.

Help Montpelier Create a New Zoning Code!

For more information call Gwen at 223-9506
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YOUR NEIGHBORHOOD

One primary goal of the new zoning ordinance is to set clear goals for the different neighborhoods in the city. What are some of the neighborhood development standards other cities have adopted?

Across the country, municipalities are adopting new zoning ordinances that regulate the form of development rather than its type of use. These new ordinances are more prescriptive (what you want) than proscriptive (what you don't want) and allow cities, through a shorter, more concise and clear ordinance, to achieve a more predictable physical result that is in line with the neighborhood's existing character.

----- CASE STUDIES

Davidson, North Carolina

Goal: Create healthy, vibrant neighborhoods in a historic setting. Preserve and enhance the city's character.

Solution: A new zoning ordinance that incorporates a variety of lot sizes and housing types. This includes:

- Inclusionary zoning: 12.5% of all new housing is affordable.
- All developers consider pedestrian, bicycle, and street circulation in plans.
- New streets are narrow and tree-lined with on-street parking and sidewalks on both sides.
- A public design process occurs for every new development to help developers and the community understand each other's goals and to foster an exchange of ideas.

Petaluma, California

Goal: Connect and blend a 400 acre piece of land with the city's historic downtown.

Solution: A new SmartCode, a simple hybrid code that focuses on aspects the city cares about most:

- Different codes exist for different densities, minimum and maximum building heights, and types of frontal designs.
- Roads, green spaces, and buildings face river.
- No mandatory on-site parking.

THE DISTRICTS

In addition to outlining new goals for each neighborhood, the new zoning ordinance will include three main areas where additional criteria will be in effect: the Smart Growth District, the Historic Design District, and the Low Density Rural District.

SMART GROWTH DISTRICT

What is Smart Growth and what does it mean for land use?



Smart Growth is a new development concept that, though varied in its application, generally values compact development, encourages transit and pedestrian transportation, offers a wide range of housing options, and protects open space. Within Montpelier's Smart Growth District, the goal under the Master Plan is to promote housing development that reflects Smart Growth principles. Minimum density standards are being proposed for this district, and infill and cluster development may be encouraged. New projects may need to consider: transit, pedestrian and bicycle transportation; energy efficiency and renewable energy; the integration of mixed use to promote economic viability; and affordable housing needs.

Tools and Case Studies

Tool 1: Performance Based Zoning

This tool specifies the intensity of land use (rather than type) on a parcel with an eye toward the development's impact on the surrounding area.

----- CASE STUDY -----

Bath Charter Township, Michigan

Goal: Reduce the city's share of costs for new development.

Solution: A new zoning ordinance that:

- Creates five districts: two traditional low density districts and three higher growth districts.
- The three high growth districts allow a range of uses, some either "by right" and others that require special permits due to impact on surrounding area.

Tool 2: Infill Development

Infill development is the process of developing vacant or underused parcels within the existing urban area.

----- CASE STUDY -----

Atlanta, Georgia

Goal: Redevelop former site of Atlantic Steel Company.

Solution: Atlantic Station

- Includes mixed-use, high density development on 130 acres of infill in Atlanta.
- Includes a variety of housing types from single-family homes, to townhomes, apartments, and lofts.
- Offers access to green space, retail, entertainment.
- Emphasizes pedestrian walkways and narrow, pedestrian-friendly streets, and goes the extra distance to offer a shuttle service between all Atlantic Station amenities.

HISTORIC DISTRICT

How will we protect our historic properties and keep the downtown alive?

Within the Historic Design District, the goal under the Master Plan is to maintain and enhance the historic character of the area with high quality design. A revision of the Cityscape guidelines will be completed to update the design recommendations with some of the newer technologies, particularly those related to energy efficiency and renewable energy improvements. New projects may need to consider compatibility with historic standards, infill development that matches neighboring properties, and creative adaptation and reuse of historic buildings.

Tools and Case Studies

Tool 1: Form Based Codes (FBCs)

FBCs regulate the form of development so that it is consistent with the neighborhood characteristics.

----- CASE STUDY -----

Emmaus, Pennsylvania

Goal: Enhance pedestrian safety and retain the historical identity of this 250 year-old community.

Solution: A zoning ordinance that sets design standards for new development.

- New development is aligned with old buildings.
- All new construction is to be at least two stories high to be consistent with the surrounding cityscape.
- Parking is located at the rear of all buildings.
- Vehicular entrances are restricted along the pedestrian walkways.
- Other cities like Pataluma, California, mentioned previously, also regulate the frontal types of buildings downtown.



Tool 2: Leadership in Environmental and Energy Design, Neighborhood Development (LEED ND)

LEED ND is a rating system developed by the Congress for the New Urbanism, the Natural Resources Defense Council, and the U.S. Green Building Council. Through a series of clearly articulated standards, LEED ND encourages developers and cities to create more sustainable, livable cities. One of the metrics in the system is Historic Resource Preservation and Adaptive Use.

----- CASE STUDY -----

Stamford, Connecticut

Goal: Redevelop brownfield site in a transit-friendly area.

Solution: Participate in a LEED-ND Pilot Project and follow standards that:

- Employ green building techniques in new construction.
- Preserve and reuse historic buildings.
- Mix uses within the development.
- Create wide sidewalks and bike lanes.
- Line streets with trees and ground-floor retail.

RURAL DISTRICT

How we will protect the working rural landscape and important natural resources in the community?

Under the Master Plan, the goal of the Low Density Rural District is to encourage traditional rural uses while maintaining the natural resource base of the city. Agricultural activities, forestry, and low density settlement patterns, including rural economic activities, will likely be encouraged. New housing developments that have an impact on target resources may need to consider minimizing the land impact through practices such as cluster development and transfer of development rights.

Tools and Case Studies

Tool 1: Transfer Development Rights (TDRs)
TDRs allow a landowner to exchange their development rights on their property for development rights on another, more development-friendly piece of land.

----- CASE STUDY -----

Montgomery County, Maryland

Goal: Preserve critical lands around the county while minimally impacting landowners.

Solution: Transfer Development Rights Program

- Downzoned agricultural land from a maximum of one house per five acres to one house per twenty five acres ("sending area" to be protected).
- Compensated the affected property owners by allowing them to sell one development right per five acres (rather than one per twenty five).
- Created an initial "receiving area" that could accommodate 3,000 development rights (each development right is equal to one more housing unit than would otherwise be allowed).

Tool 2: Cluster Development

This tool allows developers to increase density in areas where a municipality wants growth in exchange for protecting lands that a municipality wants to preserve.

----- CASE STUDY -----

Routt County, Colorado

Goal: Protect ranching industry that is increasingly threatened by a growing population and increasing second home construction.

Solution: Implement a Land Preservation Subdivision Exemption that:

- allows a developer to cluster homes on smaller lots than base zoning permits in exchange for preserving at least 100 acres of open space.

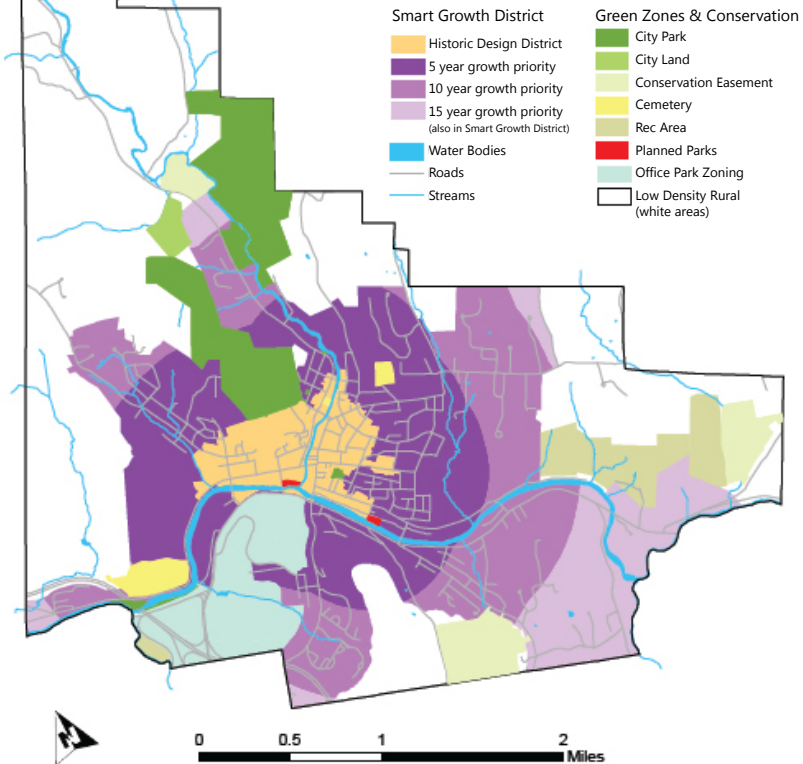


ZONING AND FUTURE LAND USE

The three districts are identified on the map below.

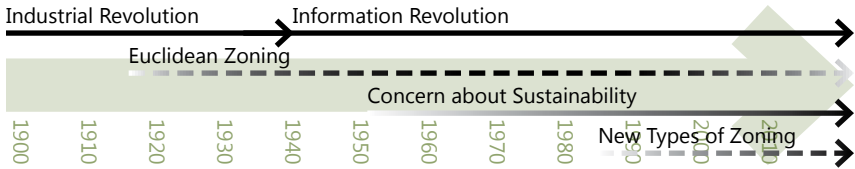
The first step in this process of rezoning and realignment will be a review of the boundaries for each of these larger areas, to insure that they accurately reflect the constraints and infrastructure available to meet the goals. For this reason, the boundaries presented here are temporary placeholders – it is likely that the boundary study will reveal changes that are needed.

City of Montpelier Master Plan 2010 Future Land Use



TRENDS IN ZONING

What will be the real differences between current and future zoning?



The City of Montpelier's current zoning ordinance is based on conventional zoning methods that date back to the early 20th century. This type of zoning, Euclidian zoning, is based on separating "incompatible" uses, so that single family homes and apartment complexes are not located directly next to industry or other "nuisances". These ordinances also regulate things such as minimum lot sizes, set back requirements, and height restrictions.

While this type of zoning is useful for addressing problems created by the industrial revolution, such as ensuring that landfills are not located next to an elementary school, they can prevent a city from addressing emerging problems such as urban sprawl, oil dependency, and decreasing open space. For example, in applying for a Growth Center Designation in 2009, Montpelier realized that its own zoning ordinance prevents infill development from occurring downtown and constrains residential densities that could help make the community more affordable and sustainable.

With the new Master Plan, the City of Montpelier is trying to move into a new era of zoning with more flexibility and clarity for people who want to create jobs in town and build housing for families. The future zoning regulation may incorporate some of the practices discussed in this pamphlet, but other alternatives will need to be considered to ensure that Montpelier starts the new century with zoning that matches the challenges of economic renewal, changing demographics, and resource and biodiversity conservation.

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