

Development Review Board
Timothy Waker, Chair

Design Advisory Board
John Watanabe, Chair

Planning Commission
Greg Boshart, Chair

Conservation Commission
Alan Benoit, Chair

TOWN OF MANCHESTER
OFFICE OF ZONING AND PLANNING

WWW.MANCHESTER-VT.GOV

Office of Zoning and Planning

Janet M. Hurley
Town Planner
Zoning Administrator
E 9-1-1 Coordinator
j.hurley@manchester-vt.gov

Leslie Perra
Assistant Zoning Administrator
l.perra@manchester-vt.gov

***REPORT OF THE MANCHESTER PLANNING COMMISSION
ON THE PROPOSED NEW
MANCHESTER LAND USE & DEVELOPMENT ORDINANCE
DECEMBER 18, 2017***

The Manchester Planning Commission proposes the attached Manchester Land Use & Development Ordinance to replace the current ordinance adopted by the Selectboard on December 16, 2015. Included with this proposed ordinance is a new zoning map that establishes 12 new basic zoning districts. This ordinance applies to all lands within the Town of Manchester except those within the Village of Manchester, a separate municipality with its own zoning and sign ordinances.

The purpose of this new ordinance is to more effectively implement policies expressed in the town plan, namely protection of Manchester's rural character while also encouraging denser development and mixed use of the town core. Desired outcomes include the provision of more housing of a price that is affordable to people who work in Manchester; a pedestrian oriented downtown with a vibrant mix of uses that maintains traditional New England architectural features; increased housing units in the town core; protection of open and working lands outside of the town core; enabling alternative modes of transportation, especially walking and biking, in the core and throughout the town; provision of recreational opportunities throughout Manchester; increased available activities (in addition to shopping) in the downtown; and improved economic conditions for growing locally based businesses in Manchester, including expanded opportunities for agricultural and forest product enterprises. Another goal of the proposed ordinance is to eliminate complexity and redundancy in the permitting process.

Section 1, Zoning Districts, describes the 12 new basic zoning districts for the town, and dictates the allowed uses and dimensional requirements for each district. These districts have been designed to better reflect existing land use patterns as well as desired future land use and development of the town. The Downtown (DN) District encompasses the town's historic commercial center. The Town Center (TC) District is to accommodate the most intensive mixed use and commercial activity in the town. Three mixed use districts are proposed to

accommodate various degrees of mixed residential and commercial uses. An expanded Office Industrial (OI) District aims to make more land available for the growth of light industry and other businesses in Manchester. Four residential districts are proposed to allow for high residential density development around the town's commercial center and lower density residential use of the outlying areas. A Rural Agricultural (RA) District is proposed to accommodate rural working lands uses, including farming and other natural resource based enterprises. Finally, the Forest Conservation (FC) District is intended to protect the forested mountain slopes that define the eastern and western sides of the town while maintaining opportunities for recreation and forestry operations in these areas. These districts were devised with significant public input over the course of the last 19 months.

Section 2 of the ordinance establishes three overlay districts, the Design Review Overlay (DRO) District, the Aquifer Protection Overlay (APO) District, and the Flood Hazard Overlay (FHO) District. The DRO will encompass the Downtown (DN), Town Center (TC), Mixed Use 1 (MU1), Mixed Use 2 (MU2), Mixed Use 3 (MU3) districts, and the town's four historic districts as described and depicted in the 1986 Vermont Historic Sites & Structures Survey. Proposed development within the DRO must be in accordance with Manchester's design guidelines for New England or Vermont vernacular architecture and pedestrian oriented streetscapes. The APO includes all lands falling in the state mandated source water protection area for the town's two well heads located adjacent to Union Street and the Battenkill. The APO will insure against contamination of the municipal water source. The FHO includes all lands falling within the special flood hazard areas as defined by National Flood Insurance Program maps as developed by FEMA and river corridors as determined by the Vermont Agency of Natural Resources. Flood hazard provisions are unchanged from the current ordinance and comply with National Flood Insurance Program requirements.

The remainder of the proposed ordinance is organized to reflect and describe the regulatory process. Section 3, Authority, Adoption & Applicability, describes the statutory authority of the municipality to adopt regulations and the process by which they are adopted or amended, as well as describing the applicability or limitations of the ordinance in regulating various forms of land use and development. Section 4, Administrative Mechanisms, describes the mechanisms by which the ordinance is administered. Section 5, Review Procedures, outlines the processes by which applications for land use and development are reviewed. These provisions of the ordinance remain relatively the same as those currently enacted, although the limitations and exemption sections are significantly expanded to offer more clarity.

Section 6, General Regulations, is organized alphabetically and establishes development and use standards for various types of limited uses or development features. The remaining

sections further establish standards for broader categories of uses, facilities, or types of development, including Section 7, Utility Facilities; Section 8, Housing; Section 9, Site Design Standards, including parking, landscaping, and exterior lighting, among others; Section 10, Sign Regulations; and Section 11, Subdivision Standards. Finally, Section 12 offers definitions for important terms used throughout the ordinance.

These sections of the ordinance include both retained standards as well as modified and new standards. Modifications reflect significant public input received since the beginning of this rezoning effort in April 2016 and reflect the policies of the Manchester Town Plan, as adopted on May 9, 2017. Site design standards are clarified and made more uniform for all types of development proposals. One new provision is to allow residential density bonuses for the conversion of existing nonresidential structures, such as motel structures, for residential use.

Other provisions allow for residential density bonuses in the more rural areas of the town for development proposals that include significant land conservation and energy efficiency elements. The new ordinance will also allow the inclusion of undevelopable lands in calculating residential density allowances. These provisions will serve to offset decreased base residential density in the rural districts, from 2 acres per dwelling unit to 5 acres per dwelling unit in the Rural Residential (RR) District and 10 acres per dwelling unit in the Rural Agricultural (RA) District. For planned residential development taking advantage of density bonuses, minimum lot size must be ten times the building footprint of a primary structure. To better protect forested ridgelines, the minimum lot size in the Forest & Conservation (FC) District is increased from 10 to 25 acres.

Highlights for the town core include:

- Unrestricted residential density in the Downtown (DN) and Town Center (TC) districts;
- A requirement for at least two functional stories for new buildings in the Downtown (DN) and Town Center (TC) districts.
- An increase in the maximum building height of 5 feet to allow for four stories in the Downtown (DN) and Town Center (TC) districts.
- A maximum front setback of 15 feet in the Downtown (DN) and 30 feet in the Town Center (TC) districts.
- Increased residential density to 10 dwelling units per acre in the residential areas immediately surrounding the commercial core in the Residential 10 (R10) District, and an allowance of 4 dwelling units per acre in other residential areas within the municipal sewer service area, in the Residential 4 (R4) District.

The Planning Commission finds that the proposed ordinance is in keeping with the goals and policies of the town plan, particularly by:

- Streamlining administration of the ordinance by simplifying zoning districts and regulatory provisions.
- Allowing for the conversion of existing nonresidential structures to residential use with density bonuses.
- Ensuring protection of forested lands and ridgelines in the Forest & Conservation (FC) District.
- Provision for the protection of working lands for agricultural and silvicultural uses in the Rural Agricultural (RA) District.
- Enabling the development of food systems and forest product related enterprises.
- Supporting the protection of open lands in the Rural Residential (RR) District.
- Expansion of the amount of lands available for light industrial development within the Office Industrial (OI) District.
- Allowing more mixed use and residential development in areas that can be served by municipal sewer and water in the Mixed Use 3 (MU3) and Residential 4 (R4) districts.
- Encouraging multifamily and pedestrian oriented residential development within the Residential 10 (R10) District.
- Encouraging concentrated mixed use development that includes residential in the town core within the Downtown (DN), Town Center (TC), and Mixed Use 1 (MU1), districts.

The proposed new ordinance and zoning map will allow for increased economic vitality, more affordable housing options, increased mixed use of the core, and protection of the town's rural character. The proposed ordinance and map reflect policies of the Manchester Town Plan and input by over 125 citizens over the course of this 19 month public planning effort. The Planning Commission looks forward to receiving continued public feedback over the course of the statutory public hearing process.