



Planning and Permitting Innovations

Updating Neighborhood Regulations Legalizing the Homes You Have and Need

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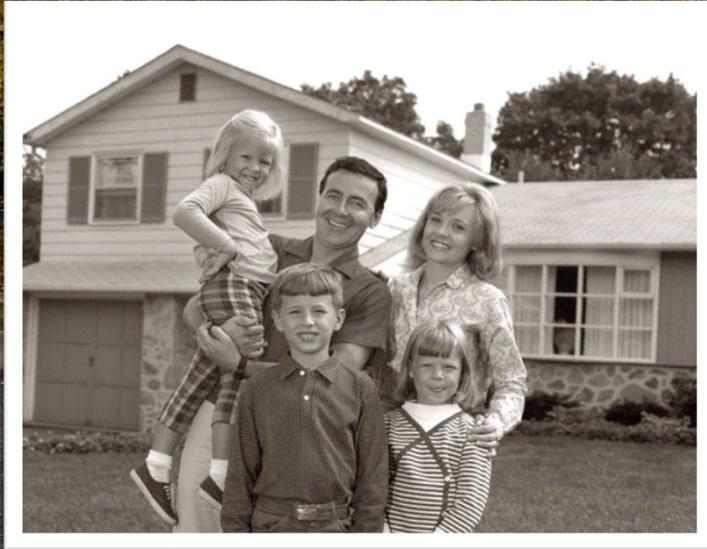
VT Department of Housing and Community Development

An aerial photograph of a residential neighborhood in Wilder Village, Hartford, Vermont. The scene shows a variety of houses, including single-story bungalows and two-story colonial-style homes, interspersed with trees displaying vibrant autumn colors in shades of yellow, orange, and red. In the background, a large, forested hillside rises under a cloudy sky. The overall atmosphere is peaceful and scenic.

Are your Walkable Neighborhoods Non-Conforming?

Photo: Wilder Village in Hartford, VT

Does Your Zoning Require This?



Vermont Households Now





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Photo: Woodstock, VT



Neighborhood Development Area Designation Program

- ❑ Ensure that all investments contribute to a built environment that enhances the existing neighborhood character and supports pedestrian use;
- ❑ Ensure sufficient residential density and building heights;
- ❑ Minimize the required lot sizes, setbacks, and parking and street widths; and
- ❑ Require conformance with "complete streets" principles as described under 19 V.S.A. § 309d, street and pedestrian connectivity, and street trees.



Application Guidelines





HAVE NEIGHBORHOOD HOMES BEEN

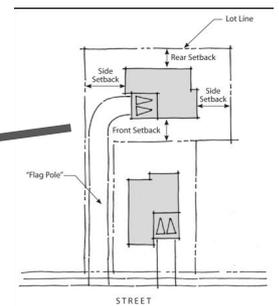
OUTLAWED

IN YOUR COMMUNITY?

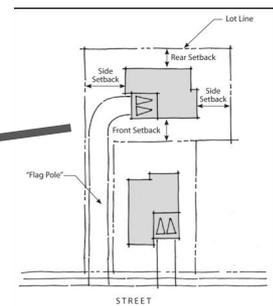
REAR LOTS W/ ACCESS EASEMENTS



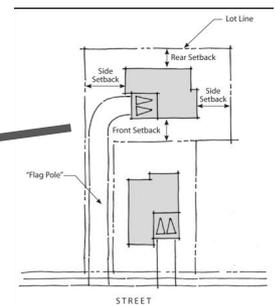
PANHANDLE LOTS



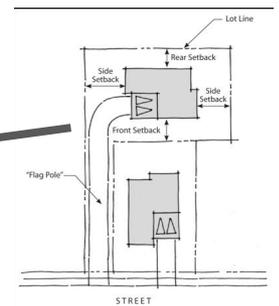
SMALL LOT DUPLEX



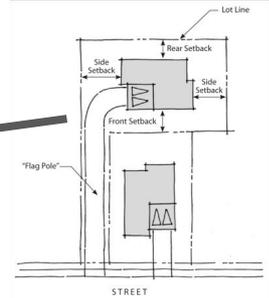
SMALL LOT FOURPLEX (W/ADMINISTRATIVE REVIEW)



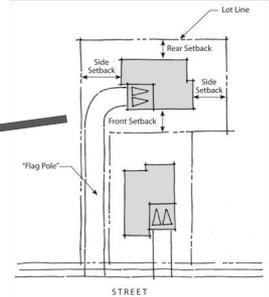
SMALL LOTS



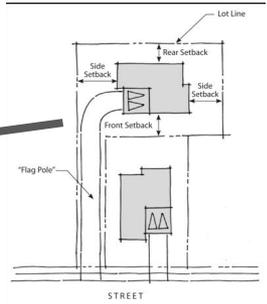
ACCESSORY DWELLING UNIT FLEXIBILITY



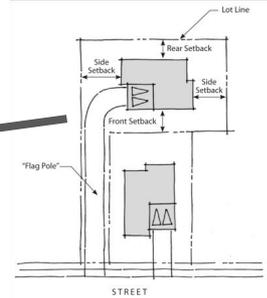
REDUCED SETBACKS



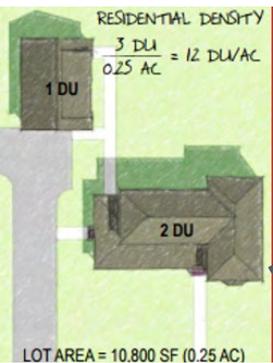
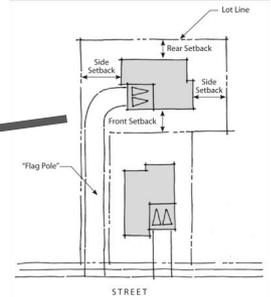
REDUCED PARKING



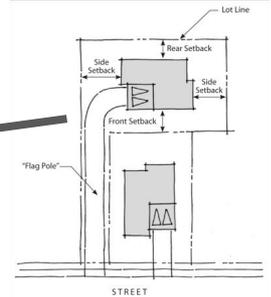
COTTAGE CLUSTER & SMALL HOMES



MIXED-USE BUILDINGS/LOTS



7 NEW LOTS + 24 NEW UNITS + 1 NEW BUSINESS



Manipulated image credit: Susan Henderson



**Rezoning
Manchester to
Address Community
Housing Needs**



FUNDED BY A MUNICIPAL PLANNING GRANT FROM THE VERMONT AGENCY OF COMMERCE AND COMMUNITY DEVELOPMENT
WITH LOCAL MATCHING FUNDS FROM DORSET, MANCHESTER, AND MANCHESTER VILLAGE



FEBRUARY 2016



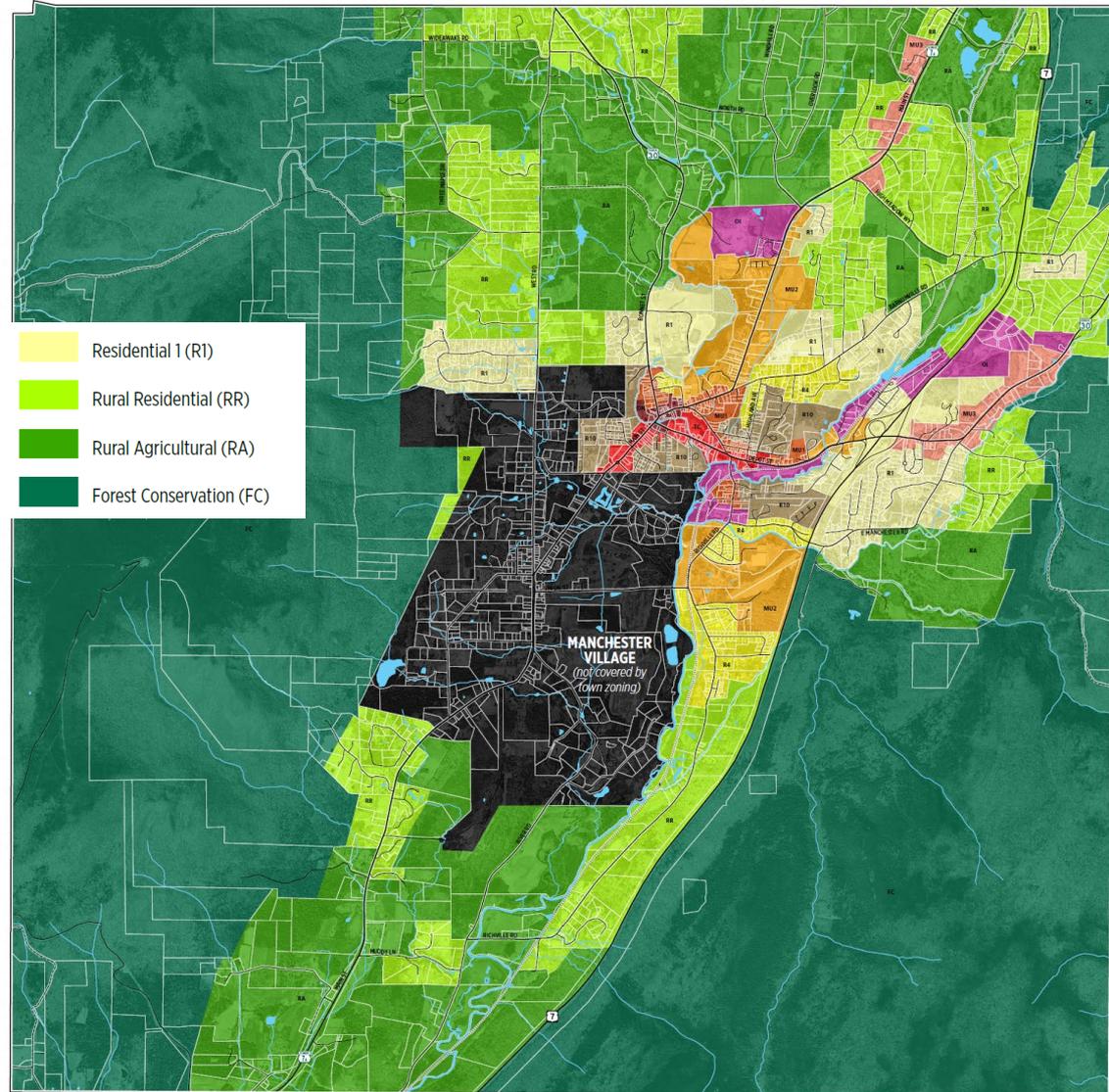
Figure 13 Data: US Census Bureau, LEHD Origin-Destination Employment Statistics (LODES). Data refer only to primary jobs in 2013 in the Study Area (Manchester and Dorset).

Old Zoning: 7 basic zoning districts with 12 overlay districts.

New Zoning: 12 basic zoning districts with 3 overlay districts.



- **Matched actual residential densities to that allowed by zoning district. Less noncompliance.**
- **Radically increased residential density allowances and building heights in the core, while decreasing it in the rural areas.**
- **Allowed for clustered housing subdivisions in the rural areas with significant protection of original parcel. No resulting loss in development potential for individual residential lots.**



New Provisions

Section 8 Housing

8.1 Adaptive Reuse

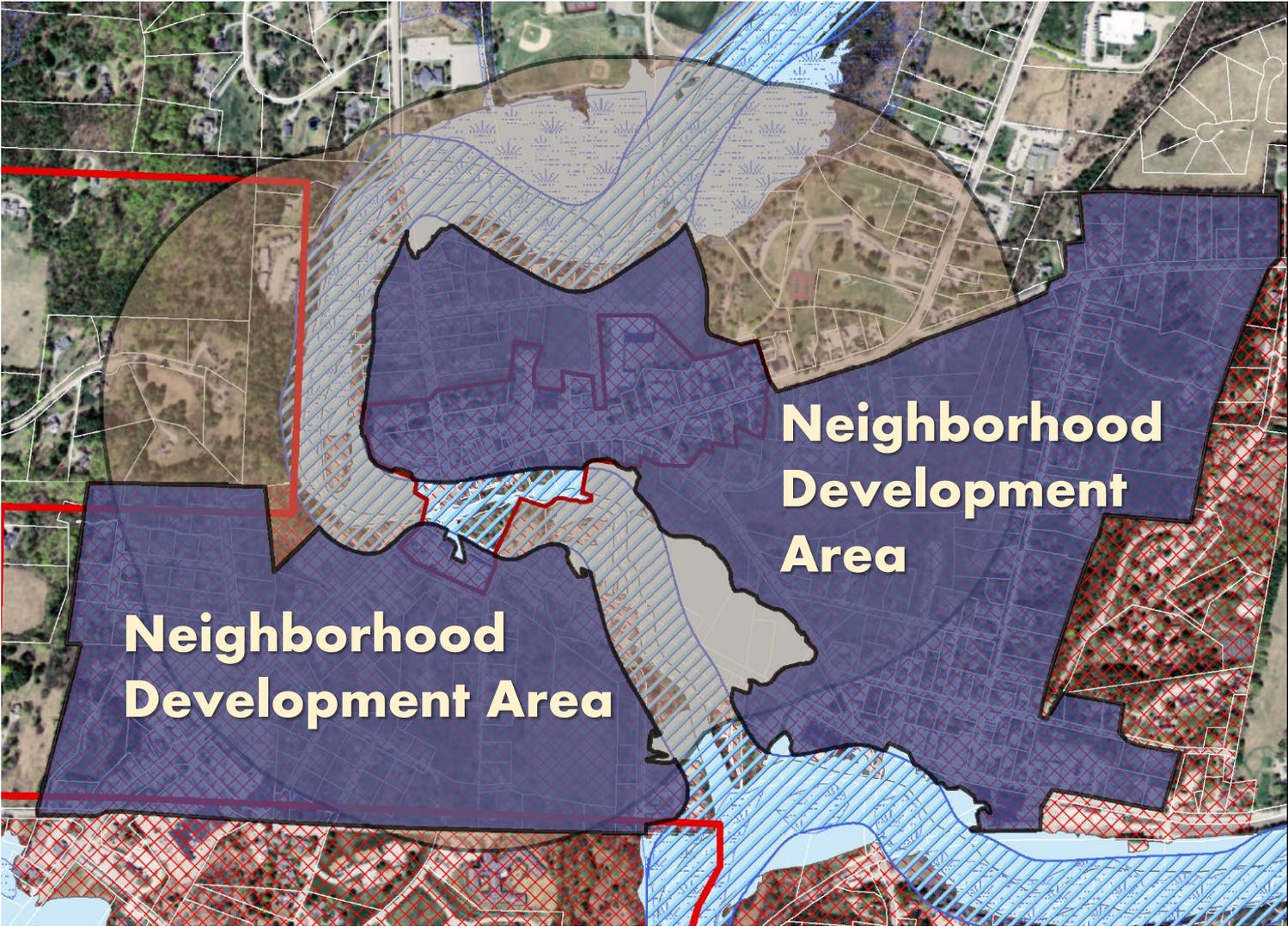
8.1.1 Applicability. The provisions of this section apply to the conversion of an existing non-residential building to housing except within the Office Industrial and Forest Conservation districts where residential development is prohibited.

8.1.2 Site Development Plan. No residential conversion under the provisions of this section may be made until a site development plan meeting the requirements of Section 2.3 and Section 3.2 has been approved by the Development Review Board.

8.1.3 Density. The number of dwelling units that may be created within an eligible building may exceed the maximum residential density of the applicable zoning district provided that each dwelling unit meets the requirements of Section 8.3 and the following criteria:

- (1) The unit will qualify as affordable, workforce or senior housing, as defined in this ordinance.
- (2) The unit will have a total habitable floor area of 1,200 square feet or less.
- (3) The unit will have access to dedicated, secured, enclosed storage space equivalent to at least 5% of the floor area of the unit or 60 square feet whichever is less. This storage space does not have to be directly accessible from the unit and shall not include bedroom closets.
- (4) The unit will have direct access to at least 60 square feet of private or semi-private outdoor space such as a porch, deck, balcony, yard or patio.
- (5) The unit will have access to at least 1/2 acre of common open space suitable for passive outdoor recreation or a walking trail at least 1/2 mile in length.

8.1.4 Historic Buildings. Adaptive reuse of a building listed individually, or as a contributing structure within a designated historic district, in the National Register of Historic Places or Vermont Register of Historic Places must preserve the historic character of the building with any exterior modifications being undertaken in accordance with the practices recommended by the U.S. Department of Interior's Technical Preservation Services in the *Guidelines for Rehabilitating Historic Buildings*.



**Neighborhood
Development Area**

**Neighborhood
Development
Area**



6. IMPLEMENTATION MATRIX

This Strategic Plan is intended to provide guideposts and measures for success - but not rigid ones - to help focus and target investments, grants, town policies, and town support for non-profit and private actions. The Strategic Plan recognizes and weaves in the many significant new investments that have been made, including the Manchester Community Library and roundabouts, and those underway such as the Depot Street enhancements, the Manchester River Walk, and private redevelopment.

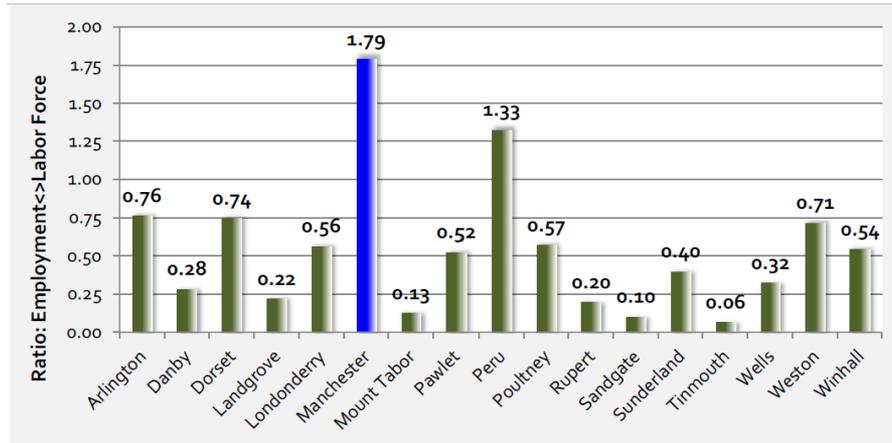
To achieve the plan goals listed below, an implementation matrix of actions and strategies has been developed. The matrix is unattached to this plan to facilitate active use and update, but is incorporated into the plan by reference.

STRATEGIC PLAN GOALS

- **Goal 1: Housing** - Increase quantity and variety, in and close to Downtown.
- **Goal 2: Economic responsiveness** - repurpose retail space, recruit and foster new or missing uses.
- **Goals 3: Connections** - Build a complete network of pathways and streets, supported but not dominated by parking, fully linking Downtown Manchester with schools, the Battenkill, parks, and surrounding neighborhoods and countryside.
- **Goal 4: Identity** - Establish Downtown Manchester as a vibrant, pedestrian oriented environment with day and night vitality.
- **Goal 5: Anchors and Gateways** - Establish welcoming points of entry and wayfinding, and improve appearance and function of key sites in Downtown Manchester.
- **Goal 6: Partnerships** - Establish a downtown organization to be responsible for seeking Downtown Designation and implementing reinvestment agreement with Vermont Downtown Program.

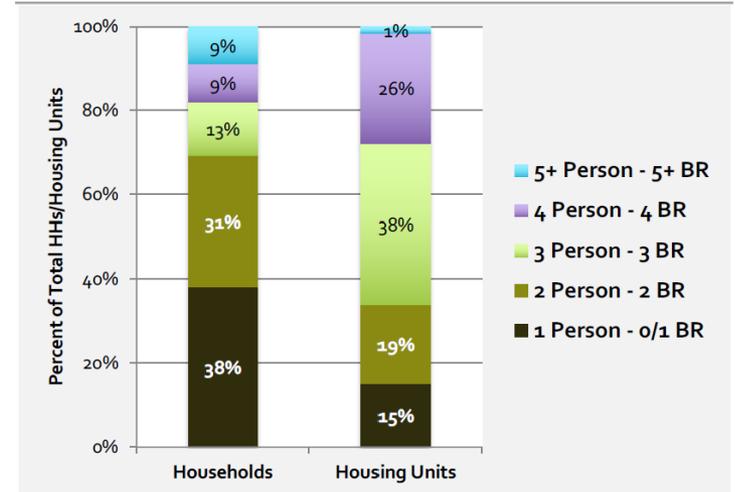
Phase 1 - Downtown Mixed Use Market Study

Ratio of Local Jobs to Labor Force: Manchester LMA Communities

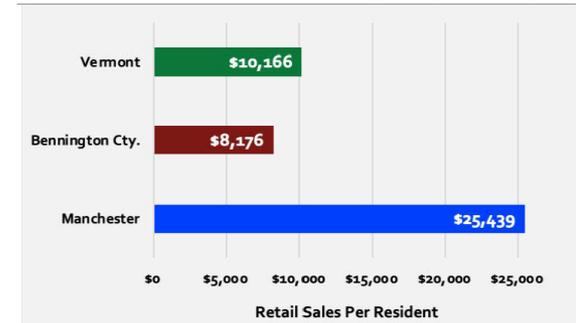


Because there are more jobs than workers living in Manchester, the community attracts a net inflow of commuters; persons who live in other communities but who work in Manchester. While some of these commuters may prefer to live in their current community, a segment would probably opt to move to Manchester if suitable or affordable housing were to become available.

Comparison: Manchester Households by Size vs. Manchester Occupied Housing Units by Size



Retail Sales Per Resident: Manchester; Bennington Cty.; Vermont (2018)



Phase 2 - Downtown Mixed Use Study

- Is a downtown mixed use development feasible given new zoning and NDA Designation?

- If not, why not?
- What further changes can the town make to make it feasible?
- Can the state help via Downtown Program or other?

Major changes in Montpelier UDR

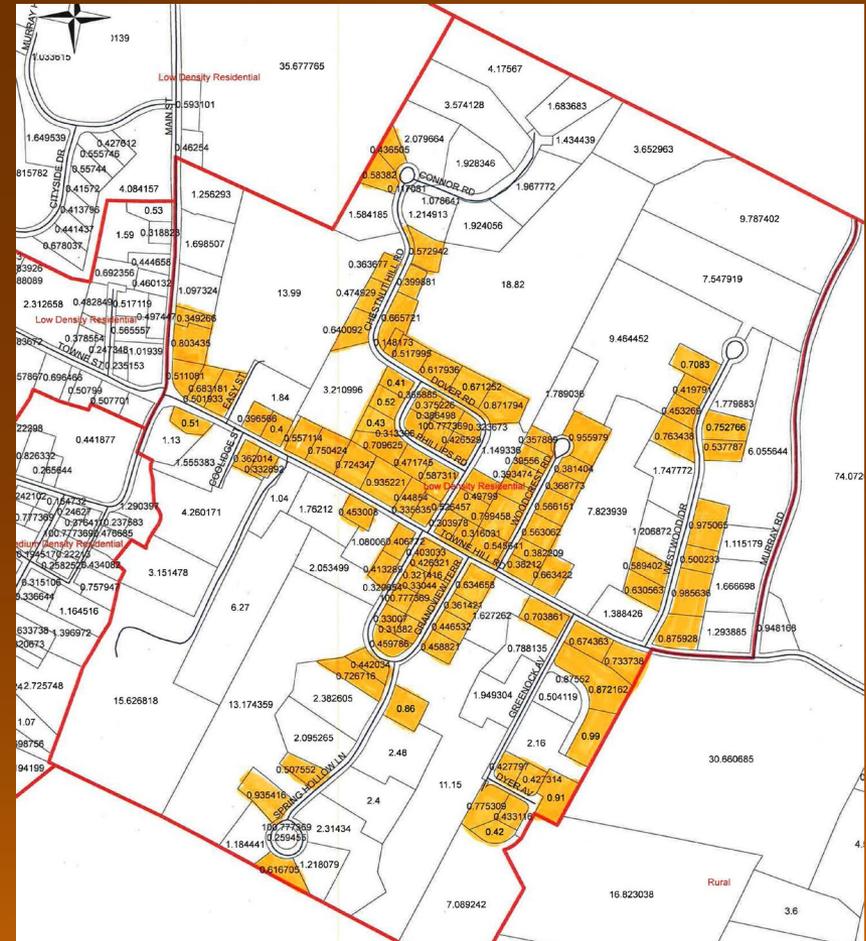
1. Match densities on the ground to zoning densities for each neighborhood.
2. Allow any single dwelling unit (on a conforming lot) to be a duplex.
3. Expand the use of administrative permits and administrative reviews.

#1 Why should densities match the ground?

- Allows great neighborhoods to happen.
- Allows for infill of underdeveloped lots.
- Streamlines process by removing nonconformities and variances
- For example, College Hill South Neighborhood (First, Ridge, Foster, Kent)
 - Total number of parcels -126
 - Old -zoned HDR (8700 sq ft min lot; 1 unit/1,500)
 - Old- 80 non-conforming lots (63%) and 1 non-conforming density
 - Figures needed to make 90% conforming: 3,485 sq ft min lot and 1 unit/3,049

Density Continued

- Example- Towne Hill
- Old zoning- 1 acre minimum (1 unit per 43,560 ft²)
- 157 total parcels
- 100+ less than 1 acre (63% non-conforming)
- 50+ of those are less than 1/2 acre
- The 16th smallest parcel (90% compliance) is 15,250 ft²
- Recommended Res 15 k; approved Res 24k



90% Rule- How it works

- Rule: 90% of all parcels (densities, setbacks, etc.) in a zoning district should be conforming to the zoning regulations.
- Process-
 - Use Grandlist
 - Highlight parcels in district
 - Count number of parcels
 - Multiply by 0.9 and subtract from total (or simply multiply by 0.1)
 - Sort list by parcel size (or eliminate starting with the smallest)
 - Count up to find the 90% parcel.
 - Assign a zoning district that closely matches.

#2. Allow 1DU to be 2DU

- New rule allows any single dwelling unit to be converted to a duplex regardless of zoning density if
 - It is on a conforming lot with municipal water and wastewater
- Non-conforming lots may still use accessory apartment rules.
- Allows new options for older larger homes
- Effectively doubles infill potential of any neighborhood.

#3 Streamline process

- See Eric and Paul's presentation !!
- One unit and two unit parcels are permitted in all residential
- Three and four unit parcels are allowed in all residential and permitted in almost all (conditional in only two)
- Multifamily is allowed in all – many permitted - but not in two
- Added administrative approval for minor site plan

Other smaller changes

- Matched zoning boundaries to parcel lines as much as possible.
- Used “dwelling units” ... not “families” to avoid defining what a family is for a single family dwelling.
- Count units by parcel (not by structure)
- Used fine grained neighborhood boundaries based on parcel size and use. (50+ neighborhoods in Montpelier)
- Combined similar neighborhoods into zoning districts.
- Increased the number of residential zoning districts from 3 to 7
- Eliminated or greatly reduced parking requirements

Roads not taken

- Exempt one to four unit buildings from site plans.
- Use form based codes or just regulate bulk and massing and allow however many units as can fit...
 - Montpelier does this in the Urban Center Districts ... no max residential density.. but could expand to others.

Non-regulatory options

- Allow “commercial residential” (multifamily developments) to qualify for tax stabilization... and draft criteria that supports its use.
- Fund a Housing Trust Fund to invest in affordable housing projects
- Hire a community development specialist to advance housing projects (apply for CDBG grants, negotiate public private partnerships, manage RLFs and trust funds)
- Create Housing programs like Montpelier’s accessory apartment program.
- Created a first time home buyer program that provides \$\$ for down payments

Non-regulatory options

- Create a separate revolving loan fund to provide 0% loans payable upon sale for projects (usually low income homeowners)
- Eliminated impact fees
- Adopt State Designations to remove some permitting requirements- Neighborhood Designation (under consideration), Growth Center, Designated Downtown, etc.
- Looking to adopt MAPA to streamline permits
- Tax Increment Financing (TIF)



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Community Planning + Revitalization Division
VT Department of Housing and Community Development

Photo: Burlington, VT

What is the “biggest little change” you can make to improve housing access and affordability in your community?

CNU Congress for the
New Urbanism

Vermont

Regional Planning Commissions
VT Housing Conservation Board
AARP Vermont
VT Realtors Association
Towns of Brattleboro, Castleton,
Fairfax, Ludlow, Middlesex and
City of Vergennes



**ENABLING BETTER PLACES:
A ZONING GUIDE FOR
VERMONT NEIGHBORHOODS**



Thank You!

<https://accd.vermont.gov/PlanningandPermittingInnovations>

Photo: Algiers Family Housing, Guilford, VT