

Act 250 Proposed Criterion 9(L) H.823

**Strip Development, Existing Settlements and
Criterion 9(L) - Settlement Patterns**

Senate Committee on Natural Resources and Energy

Prepared by Michael Zahner, Vermont Chamber of Commerce

Date: April 15, 2014

Strip Development

10 V.S.A. Section 6001(3)(36) is added to read:

(36) “Strip development” means linear commercial development along a public highway that includes three or more of the following characteristics: broad road frontage, predominance of single-story buildings, limited reliance on shared highway access, lack of connection to any existing settlement except by highway, limited accessibility for pedestrians, and lack of coordination with surrounding land uses in terms of design, signs, lighting, and parking. In determining whether a proposed development or subdivision constitutes strip development, the District Commission shall consider the topographic constraints in the area in which the development or subdivision is to be located.

Existing Settlements

10 V.S.A. Section 6001(3) is amended to read:

(16) (A) “Existing settlement” means an area that constitutes one of the following:

(i) a designated center; or

(ii) an existing community center that is compact in form and size; that contains a mixture of uses that include a substantial residential component and that are within walking distance of each other; that has significantly higher densities than densities that occur outside the center; and that is typically served by municipal infrastructure such as water, wastewater, sidewalks, paths, transit, parking areas, and public parks or greens.

(B) Strip development outside an area described in subdivision (A)(i) or (ii) of this subdivision (16) shall not constitute an existing settlement.

Criterion 9(L) – Settlement Patterns

Settlement patterns. To promote Vermont's historic settlement pattern of compact village and urban centers separated by rural countryside, a permit will be granted for a development or subdivision outside an existing settlement when it is demonstrated by the applicant that in addition to all other applicable criteria, the development or subdivision:

(i) will make efficient use of land, energy, roads, utilities, and other supporting infrastructure;

(ii) is designed in a manner consistent with the planning goals set forth in 24 V.S.A. § 4302(c)(1);

(iii) will conform to the land use element, map, and resource protection policies included in the municipal and regional plans applicable to the proposed location of the development or subdivision;

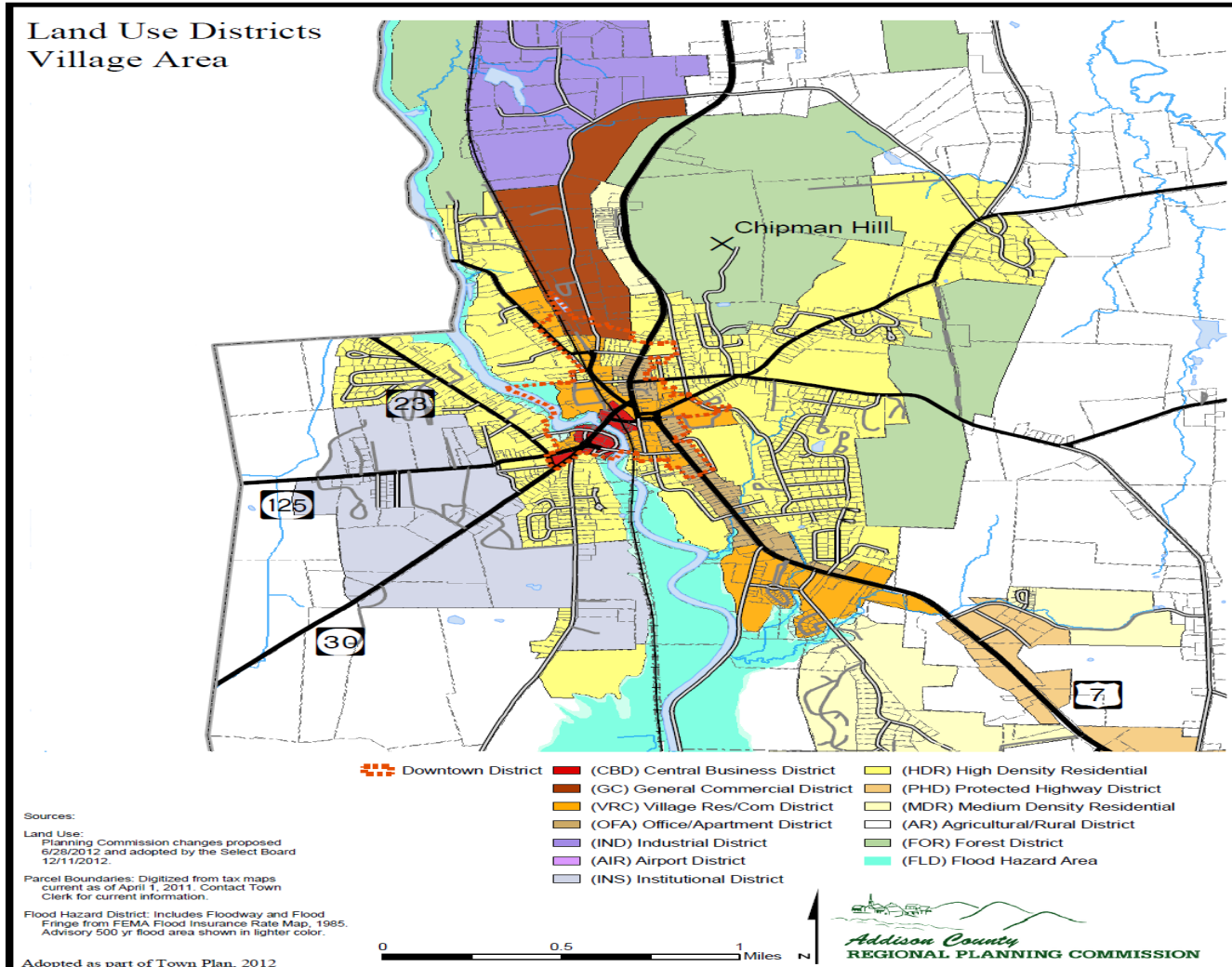
(iv) will not establish, extend, or contribute to a pattern of strip development along public highways;

(v) if the development or subdivision will be located in an area that already constitutes strip development, incorporates infill as defined in 24 V.S.A. § 2791 and is designed to avoid or minimize the characteristics listed in the definition of strip development under subdivision 6001(36) of this title; and

(vi) if the development or subdivision will be adjacent to an area that already constitutes strip development, is designed to avoid or minimize the characteristics listed in the definition of strip development under subdivision 6001(36) of this title.

24 V.S.A. § 2791 (20) "Infill" means the use of vacant land or property within a built-up area for further construction or development.

Middlebury Land Use Districts



Overhead View of Middlebury's Commercial District



Middlebury's Industrial Park



Middlebury Industrial Park Juncture with Route 7



**PROJECT NARRATIVE
VERMONT HARD CIDER COMPANY
PROPOSED MIDDLEBURY BOTTLING PLANT
MIDDLEBURY, VERMONT**

Summary

Vermont Hard Cider (VTHC), is proposing to construct a new freestanding 87,005 square foot bottling plant on a 26.86 acre parcel of land owned by Otter Valley Equipment (OVE) on the north side of Exchange Street, in Middlebury's Industrial Park. The proposed building will contain a visitor's center and offices as well as production and warehousing space. Site improvements include installation of two curb cuts off of Exchange Street and the construction of access drives, visitor and employee parking, and shipping and receiving area. The facility will be served by municipal water and sewer service. The proposed project is anticipated to generate approximately 20 new jobs. Manufacturing jobs as indicated by the Town of Middlebury "...are important for improving wage levels for local people and for the continued economic prosperity of the community as a whole." The visitor's center portion of the project is expected to generate a minimal amount of tourism to the area.

Vermont Hard Cider Location



Vermont Hard Cider Elevation Plans



Middlebury Town Plan

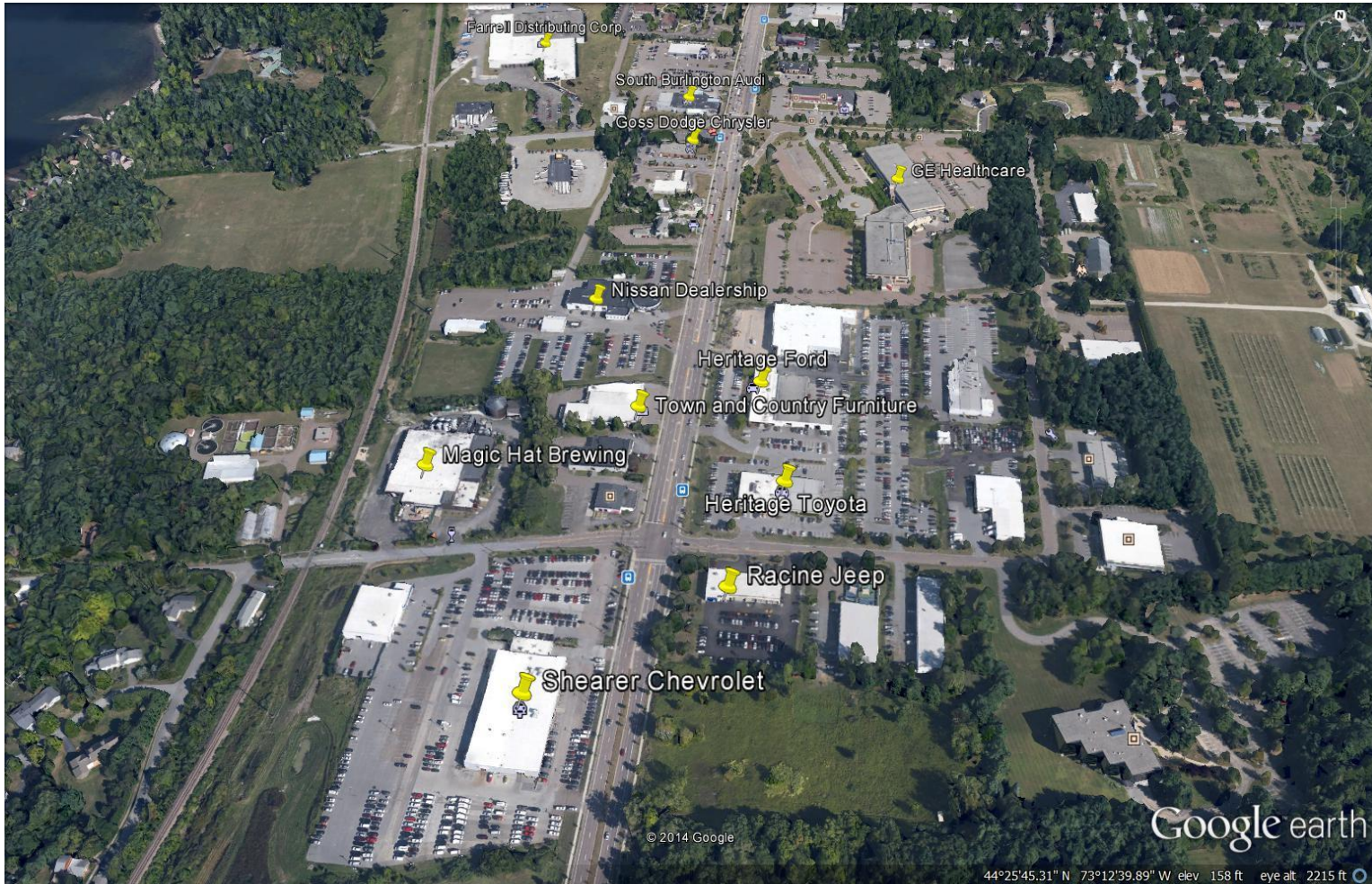
GC - Middlebury General Commercial District: This District provides for general commercial or light industrial uses which are not possible or desirable in [other] districts due to lack of space, the need for loading and unloading facilities or aesthetic concerns in those areas. *These uses include equipment and vehicle sales and service, lumber or farm supply establishments, and machine shops. New residential development should not be permitted in the GC District. Where development in this district abuts residential areas, extensive landscaping and screening should be required.*

IND - Industrial District: This District has been created to encourage the best and fullest use of the Town's prime industrial land for manufacturing jobs and other economic benefits for the community and surrounding area. The IND is designed to attract clean industry of a diverse nature for manufacturing with accessory warehousing and offices, research and other uses. *The Industrial Park must be reserved for large scale that have unique manufacturing requirements (water, sewer, truck access, power and similar infrastructure needs) and are not appropriate in other neighborhoods.*

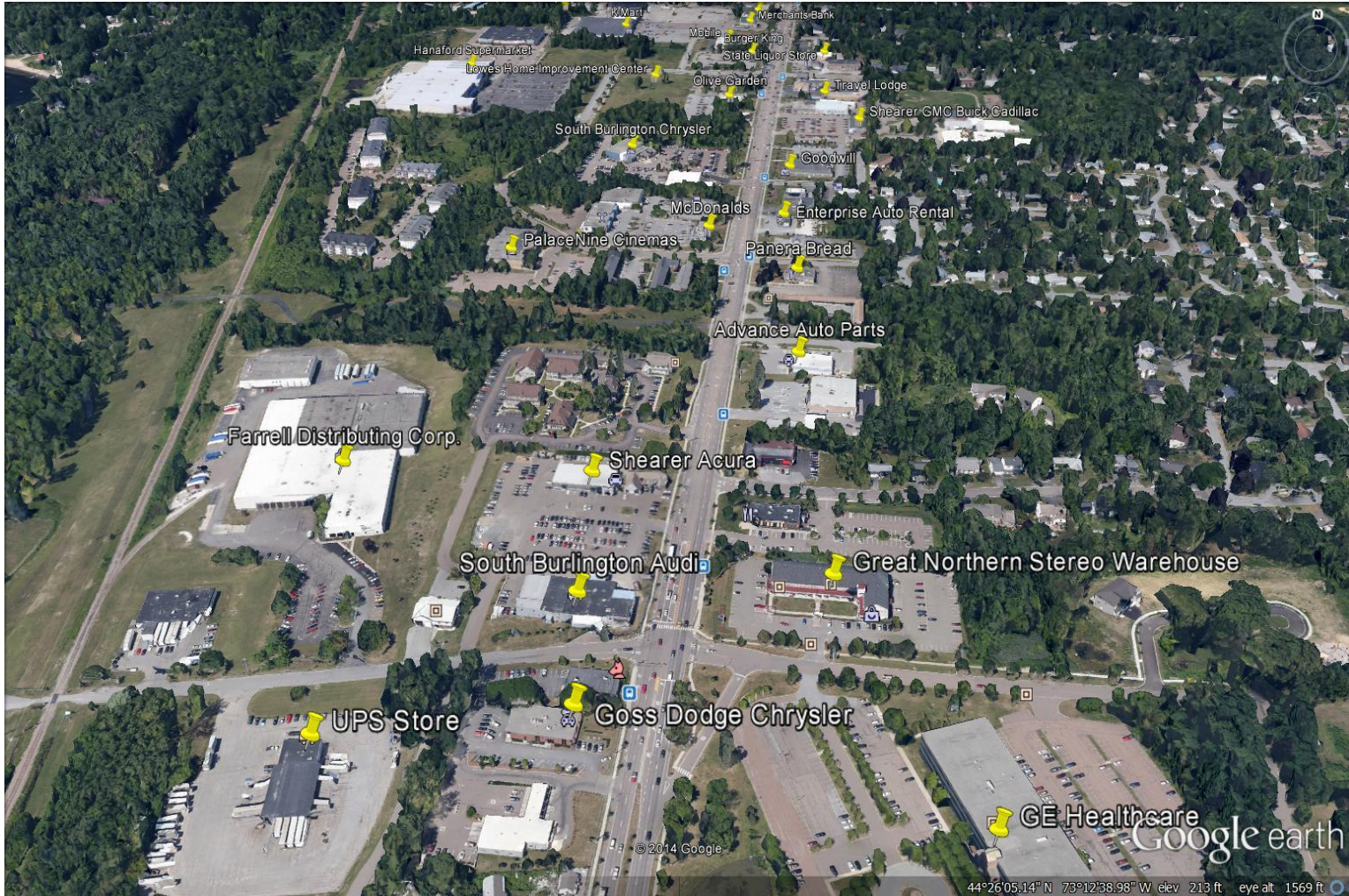
Shelburne Road in South Burlington



Automobile Dealerships Shelburne Road



Middle of Shelburne Road



Northern Shelburne Road



Western View of Shelburne Road

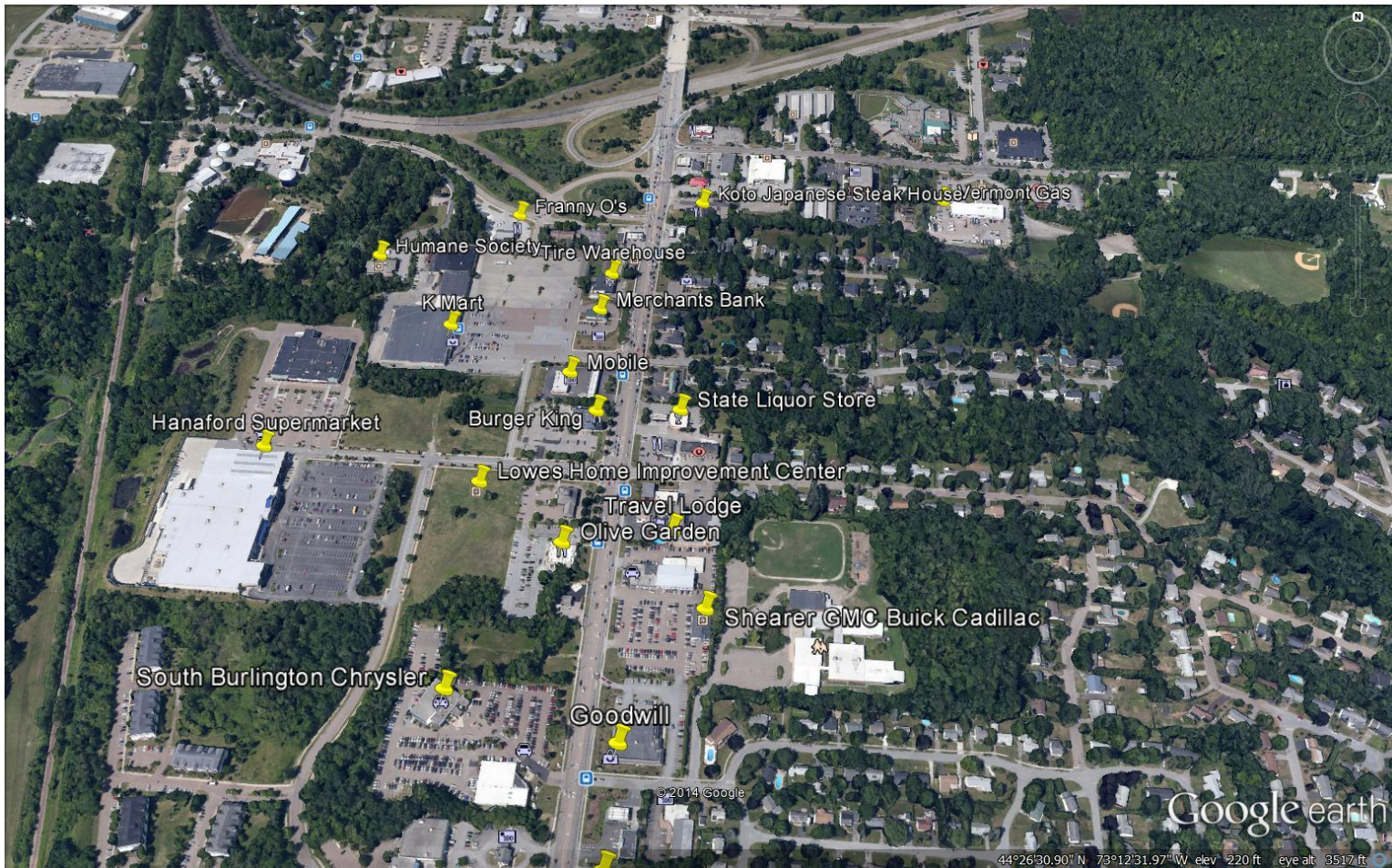


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Google earth

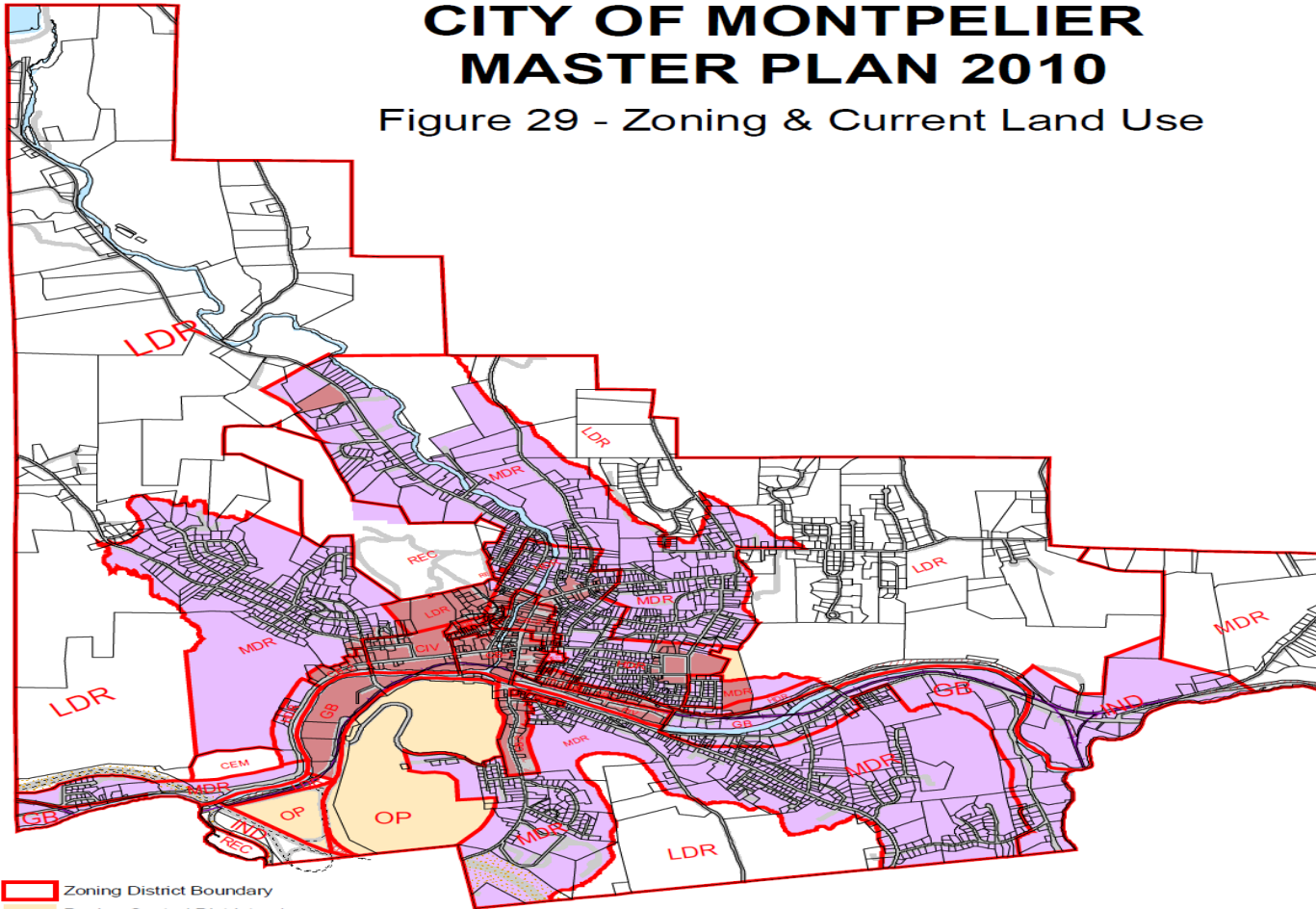
44°26'19.76" N 73°12'09.91" W elev 267 ft eye alt 1809 ft

Northern Shelburne Road



CITY OF MONTPELIER MASTER PLAN 2010

Figure 29 - Zoning & Current Land Use



- Zoning District Boundary
- Design Control District only
- DCD and Growth District
- Growth District only
- Parcel Boundary
- railroad
- Railroad Right-of-Way
- State Road ROW
- I-89 Interchange
- Rivers-Lakes

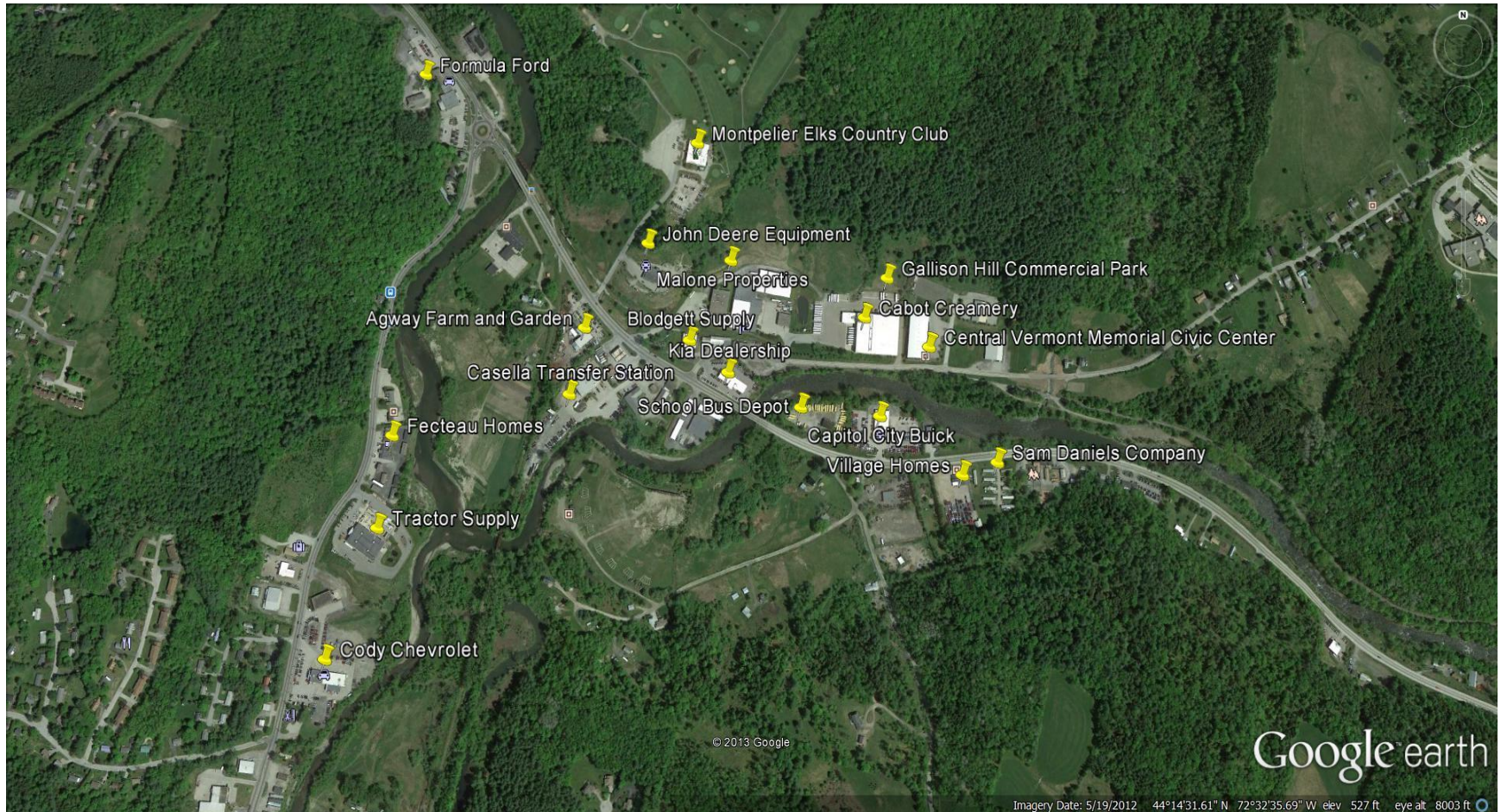
| | ADDITIONS | ADOPTION DATE | EFFECTIVE DATE |
|--------------------------------|---|---------------|----------------|
| CB-I Central Business I | Boundary Change (Greenwood Ter.) | 6-14-1995 | 7-05-1995 |
| CB-II Central Business II | Boundary Change (Berlin and Northfield Sts.) | 6-12-1996 | 7-03-1996 |
| CIV Civic | Boundary Change (46 East State Street) | 11-12-1997 | 12-03-1997 |
| OP Office Park | Boundary Mapping Correction (Putnam St) | | 2-10-1998 |
| RIV Riverfront | District Creation (Riverfront District) | 1-10-2001 | 1-31-2001 |
| GB General Business | Interim Restricted Development District | 8-06-2003 | 8-06-2003 |
| IND Industrial | Boundary Change (GB to CBII & Design Control) | 9-24-2003 | 10-15-2003 |
| LDR Low Density Residential | | | |
| MDR Medium Density Residential | | | |
| HDR High Density Residential | | | |
| REC Recreation | | | |
| CEM Cemetery | | | |



Prepared by:
City of Montpelier GIS
Dept. of Planning & Community Development
Master Plan 2010

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DETERMINATION OF LEGAL TITLE
OR AS A CONSTRUCTION DRAWING

Montpelier General Business and Industrial Districts



Malone Commercial Park



Western View of Malone Commercial Park

