

The Towns of West Rutland and Rutland  
And  
Rutland Regional Planning Commission  
**Smart Growth Connection Plan**

**Existing Conditions**



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The report is formatted for double sided printing; blank pages are intentional.

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## **I. INTRODUCTION**

### **A. OVERVIEW**

The Towns of West Rutland and Rutland, as noted in their Request for Proposals (RFP), have secured funding for a study that will:

... integrate land use and transportation along a major regional and local road, addressing safety and multi-modal travel, by connecting and strengthening activity centers. This integrated transportation plan will provide for increased mobility for all users as well as encourage well-planned and sustainable growth along this area. This smart growth connection plan will identify short and long term goals related to transportation improvements, streetscape enhancements, redevelopment scenarios and business development opportunities.

In addition to the transportation and future land use recommendations, the Towns have expressed a strong interest in “connecting and strengthening activity centers.” In particular, the RFP noted that the overall study would include,

Market Analyses that will provide a detailed market snapshot of the current market conditions in each activity center (West Rutland and Rutland Town), identify gaps, retail leakage and opportunities for new development, retail and office opportunities and provide the overall market condition for each activity center and the entire study area.

To assist with the completion of the plan, the Towns, through a Smart Growth Connections Plan Steering Committee, hired a consultant team including Broadreach Planning & Design, Stantec Consulting Services, Brovitz Community Planning & Design, Doug Kennedy Advisors, and T. J. Boyle Associates (the BRPD Team) to assist them in developing the plan.

In preparing the Smart Growth Connection Plan, the Steering Committee and the BRPD Team defined the limits of the Study Area. **Figure A-1** shows the general location of the Study Area within west central Vermont. **Figure A-2** shows the more specific limits of the Study Area. **Figure A-3** provides an aerial photo of the Study Area

The Study Area is generally centered on the US Business Route 4 and the Vermont Route 4A corridor. US Business Route 4 extends from Rutland City into Rutland Town and runs west into West Rutland. It ends at the US Route 4 access interchange. From that point west, the road is designated as Vermont Route 4A. US Route 4 is the designation of the freeway that runs east and west to the south of US Business Route 4 and Vermont Route 4A.

The Study Area incorporates portions of both Rutland Town and West Rutland Village. Overall, there are 674 properties comprising 1,436 acres in the Study Area, of which 514 properties and 1,021 acres are located in West Rutland and 160 properties and 417 acres are located within Rutland Town.

For the purposes of this study, the BRPD Team divided the Study Area into seven different sections, based on their general land use characteristics. **Figure A-2** also shows the different sections within the Study Area. The seven different sections are based on similar land use characteristics within the two village areas in the Study Area and the US Business Route 4 Corridor that connects them (Vermont Route 4A is included in the West Rutland portion of the Study Area.) **Table A-1** provides a summary of the different characteristics.

- Center Rutland is a minor concentration of highway-oriented commercial uses surrounded by several residential concentrations, located in Rutland Town in the eastern portions of the Study Area. Center Rutland is covered by Sections 1 and 2 shown on **Figure A-2**.
- West Rutland, as used for this project, is on the western end of the Study Area and includes the traditional West Rutland village area's residential, office, retail, industrial and institutional uses as well as the Westway Mall and surrounding businesses. West Rutland Village is located within Sections 4, 5 and 6 shown on **Figure A-2**.



- Much of US Business Route 4 is a four-lane highway corridor serving as a direct link between Center Rutland and West Rutland. The vehicular traffic tends to be oriented toward commuting, but also with local area trips and trips to destinations along the corridor. The corridor specific sections are located within Sections 2 and 3 on in **Figure A-2**.

**Table A-1: Study Area Sections**

Section	Parcels	Acres	General Character
Center Rutland	41	50.35	Activity center with mixed use and evolving strip commercial development
Rutland Town BR 4 Corridor	120	370.1	Auto-oriented strip development with some residential use
West Rutland Town BR 4 Corridor	33	436.3	Auto-oriented strip development with some residential use
W. Rutland Pleasant Street Neighborhood	132	125.5	Single family neighborhood with civic uses
West Rutland Village BR 4 Interchange	66	114.1	Strip development area with industrial park
West Rutland Village Core	253	138.5	Activity center with traditional pattern and mixed uses
West Rutland Rural Area	29	202.8	Rural residential and older industrial buildings

The BR 4/VT 4A road itself is not homogeneous along its entire length within the Study Area. The BRPD Team labeled the different portions of the road, grouped by similar characteristics, as *segments*. The divisions between the *segments* of the BR 4/VT 4A roadway do not always line up with the division between the *sections* of the Study Area.

**B. VISION**

Both West Rutland Village and Center Rutland are culturally and economically strong and energetic centers for their respective communities. The US Business Route 4 Corridor connecting them also supports a vibrant mix of land uses that complement the two centers, while serving as interesting and inviting places on their own. Together, the three areas provide stimulating places to live, work, and play.

## **C. REPORT ORGANIZATION**

This report examines five aspects of the existing conditions in the Study Area:

- The transportation system,
- The natural and cultural resources,
- The existing land uses,
- The economic conditions of the Study Area, and
- Land use regulations, plans, guidelines and policies.

After this introduction, there is a review of relevant regulations, plans, guidelines and policies. After this, the BRPD Team organized the description of existing conditions in the Study Area according to the seven different sections, after which they located a few general descriptions of and the economic and market information for the entire Study Area. The report ends with a look at possible evaluation criteria for alternatives to be developed during Task 2 of this project.

The BRPD Team prepared several figures to help explain the existing conditions in the Study Area. They are referenced in the text and are included at the end of the text. They are formatted for printing on 11 x 17 inch paper. In addition to the introductory images, the figures present the information in two ways:

- One set of figures shows the important information by Study Area section, and
- The second set of figures presents similar information for the entire Study Area on one figure (such as all of the natural resources or utilities).

A third type of figure shows the opportunities, constraints and other issues for the Study Area.

## II. PLANS, POLICIES & REGULATIONS

### A. OVERVIEW

**Figure A-9** shows the existing land uses as determined by the Towns. **Figure A-10** shows the future land uses as envisioned by the Towns in their Town Plans. **Figure A-11** shows the existing zoning for the Town of West Rutland and the proposed zoning for the Town of Rutland. **Figure A-12** shows the location of different types of building uses as well as other cultural resources.

### B. TOWN PLANS

#### 1. INTRODUCTION

Both Rutland and West Rutland have updated their Town Plans in the past few years, and both focus on the Business Route 4 Corridor as an opportunity for community and economic development. The Town Plans generally provide a vision and guidance for growth and change in the communities. The plans also focus on protecting public health, safety and welfare, and assets of citizens, businesses, and officials living and working within the communities.

Town Plans serve as a basis for making land use choices and for implementing community development programs. They also provide a foundation for the implementation of land use and development regulations such as zoning, subdivision, and flood hazard regulations; as well as capital improvement programs, health regulations, and regulatory proceedings such as Act 250.

#### 2. TOWN OF WEST RUTLAND TOWN PLAN

##### a. Overview

West Rutland adopted its current Town Plan on November 13, 2012. This update is intended to guide the growth and development of the Town with the stated

goal of preserving and protecting the Town's assets while providing a future vision for all citizens, businesses, and officials living and working within the town. The Town Plan is intended to be implemented through:

- Changing and adopting zoning and subdivision regulations and other land use controls,
- Inclusion in the capital improvements budget as part of the Town's financial planning process,
- Cooperation with other government agencies, and
- Further studies.

b. Future Land Use Plan:

The Town Plan designates eight Future Land Use Districts, of which seven appear in the Study Area:

- Village District,
- Industrial District,
- Commercial District,
- Residential District I - Neighborhood Residential District,
- Residential District II - Farming/Agricultural and Rural Residential District,
- Conservation District I, and
- Conservation District II.

The Future Land Uses generally guide growth and development in West Rutland under a variety of existing and future residential, commercial, agricultural, and recreational opportunities while considering key community characteristics such as environmental constraints, existing land uses, preferred development patterns, and the historic village center. The Future Land Use Plan informs future changes to development regulations such as the zoning bylaws and subdivision regulations.

The West Rutland Future Land Use Map addresses the BR 4 Study Area as follows.

*Village Future Land Use (FLU) District.* This FLU District includes Section 5 (BR 4 Interchange) and Section 6 (West Rutland Village Core) which is the social, civic and cultural center of the community and has a traditional pattern of densely settled, mixed use, residential, commercial, and civic buildings and spaces. This

area also includes a very high concentration of historic structures including the Marble Street Historic District, which is listed in the National Register of Historic Places. This Historic District is overlaid by the West Rutland Designated Village Center, which is part of a State of Vermont program that provides special grants and other incentives to improve the area. **Figures A-5 A-6 and A-15** show the delineation of the Designated Village Center.

The West Rutland Land Use Plan strives to maintain the economic vitality and compatible mix of residential and commercial uses at the center of the community as well as preserve the historic integrity of the village. Therefore, the following land uses are encouraged within the confines of the village district:

- A variety of medium- to high-density residential uses;
- Local, small-scale retail, offices, professional services, and institutions compatible with residential uses; and
- Public, cultural and civic uses, such as post office, town offices, churches, library, historical society, theaters, and art spaces/galleries.

The Village FLU District also includes the area along VT 4A/Main Street between the US 4 Connector intersection and Route 133 intersection which contains predominately auto-oriented commercial uses with a strip development pattern anchored by the Westway Plaza.

The key future land use, development and design parameters in the Village District are as follows:

- Enhance access and connectivity with pedestrian and bicycle facilities and well as transportation improvements;
- Preserve village neighborhoods and streetscapes;
- Discourage extensive auto-related uses and large-scale, intensive, commercial and industrial uses;
- Prioritize preservation and adaptive reuse of the existing historic structures; and
- Provide design standards for architecture and streetscapes to ensure that new development complements existing historic context and character.

*Industrial FLU District.* West Rutland has a limited amount of land suitable for industrial purposes, yet industrial development is desirable in order to expand

the Town's economic base. There are two distinct industrial districts in West Rutland:

- Marble Street, partially in Section 7 - The largest industrial land area is located mostly in the vicinity of the previous marble operations along the northern length of Marble Street beginning near Thrall Avenue and extending to where the name changes to True Blue Road. Currently, there are some operations within this district, including The Carving Studio and Gawet Marble & Granite; the remains of the marble operations, vacant buildings, machinery, and quarries provide a suitable location for future industrial redevelopment. Municipal sewer extension to this area has increased development potential. Limited commercial uses would be considered appropriate by the Town in the Industrial District.
- West Rutland Industrial Park (WRIP) in Section 3 – This park, located on Sheldon Avenue, was developed in the late 1970's to attract more light industrial operations to town. Currently, there are four companies conducting businesses within the park with other sites available for development. Improved buffers are needed between WRIP and adjacent residential neighborhoods. The Town is focused on minimizing visual and other potential adverse impacts from industrial uses, such as noise, vibration, dust, and odor. With more demands recently on the commercial district and lack of available commercial land, the Town has allowed commercial uses into the Industrial District.

*Commercial FLU District.* This FLU District recognizes that the BR 4 corridor has developed as a linear commercial area, with the exception of a small pocket of rural properties remaining in the vicinity of Pleasant Street. This Town Plan proposes to maintain the commercial character of this area, and extend the Commercial District the length of BR 4 between the village, the Rutland Town Line, and the portions of the Jagazinski Farm in active farming on the north side of BR 4. The Town Plan supports the current plans to extend public water and sewer service to the Commercial District to increase development potential. This Commercial District is considered the appropriate location for local and regionally oriented businesses and services that require good automobile accessibility.

The Town Plan prioritizes development projects which enhance the cohesiveness of the BR 4 corridor and its role as a major “gateway” to West Rutland at both the interchange at US 4 and at the border with Rutland Town. The Commercial FLU District discussion acknowledges that most of the parcels along the corridor are highly visible and consideration should be given to site development and design standards. Access management is also important, and curb cuts and secondary streets should be designed to insure that BR 4 continues to serve as an important transportation link with neighboring communities.

*Residential FLU District I - Neighborhood Residential District.* This FLU district includes all of Section 4 in the Study Area and is centered on Pleasant Street. This FLU District recommends that this area be served by municipal water and sewer, and that medium-density residential development is suitable for the area. It also encourages more neighborhood amenities and enhancements such as sidewalks and pocket parks.

*Residential FLU District II - Farming/Agricultural and Rural Residential District.* Portions of this FLU district are located in Section 3 of the Study Area, mostly north of the corridor with the exception of the land fronting the highway between Pleasant Street to the west and Old Boardman Hill Road to the east. This FLU district recommends low-density residential development, farming, forestry, recreation and other rural land uses for this area. Growth should be managed and consistent with the rural character of the area, and the conservation of open spaces and natural resources is a high priority. Additionally, the protection and support of the remaining farms are important components of this FLU district. Future land uses compatible with agricultural operations are encouraged.

*Conservation Districts (I and II):* Conservation areas are highly sensitive to development and generally characterized by significant natural resources such as dense forests, steep hills often with shallow soils, wetland areas and stream banks, among others, or areas of scenic, cultural or historical significance. Conservation Districts in the Study Area are located in most of Section 7 along the Castleton River and the upper reaches of Section 3, which include the Town’s “Ridgeline Overlay” district intended to protect the scenic vistas. In general, buildings are required to be sited below ridgelines and below any sight lines to the ridgeline, so that they do not intrude upon the skyline and vistas. New development is encouraged to blend into the natural landscape. There are two Conservation Districts:

- Conservation District I - This FLU serves as a buffer zone between the most restrictive of the land use areas and the other districts. Development above the 800-foot contour should be designed to blend and harmonize with the landscape. Natural features should be conserved, development clustered in more appropriate areas, roads should follow natural contour, and shared driveways are encouraged.
- Conservation District II - This FLU district is the most restrictive district containing lands on which development would have a very detrimental effect. These include lands above the 1,000-foot contour, lands that are very steep, and lands that are in the floodplain. These areas are suitable for low-impact recreational uses, such as nature and hiking trails.

### 3. TOWN OF RUTLAND TOWN PLAN

The Town of Rutland adopted its current Town Plan in 2014. The Community Profile portion of the Town Plan indicates that the Town and City of Rutland have worked well together in managing the BR 4 corridor uses and compatible gateways. It recommends that better coordination with West Rutland be established to manage growth and change along the BR 4 corridor.

In the Land Use chapter, the Town Plan establishes ten Land Use Districts based on a combination of existing development patterns, community goals for future growth and development, and suitability of Rutland for different kinds of development. These districts include the following:

- R40A – Neighborhood Residential
- R40B – Planned Residential
- R40C – Residential/Commercial
- AH – Affordable Housing
- AGR40 – Agricultural
- RR10 – Rural Residential
- CNS – Conservation
- C – Commercial
- IC – Industrial/Commercial
- MGU – Municipal/Government/Utility



While these Land Use Districts are not zoning districts, they function as such for the purposes of Act 250 and Section 248 review processes. The Plan specifically states that “in the absence of zoning” the uses and density provisions described in the Land Use chapter shall apply to new development under these review procedures. Five of the Land Use Districts are located within the limits of the Study Area. **Table A-2** describes their purpose and requirements.

**Table A-2: Rutland Town Plan Land Use District Purposes and Requirements**

<b>Rutland Town Plan Land Use Districts</b>					
<b>District</b>	<b>Description</b>	<b>Purpose</b>	<b>Permitted Uses</b>	<b>Dev. Density</b>	<b>Section</b>
C: Commercial	Land suitable for commercial uses	Provide variety of retail and other comm. uses to meet needs of local and regional residents; enhanced with landscaping and screening; compatible scale with adjacent structures	Commercial uses and all uses permitted in R Districts	40,000 SF. minimum lot size	1,2
I/C: Industrial/ Commercial	Existing Ind. and Comm. uses with sewer and access highways and/or rail service	Accommodate expanding retail and industrial sectors; employment opportunities in C, I, R&D, and warehousing	Ind. and Comm. uses including LI, distribution, and all uses permitted in R Districts	40,000 SF. minimum lot size with sewer; 80,000 s.f.without	1
MGU: Municipal/ Government/ Utility	Land uses or planned for gov. purposes	To accommodate essential public facilities, services and utility related uses	Muni/gov. uses and utility related uses	Not identified	1
R40A: Neighborhood Residential	Existing settlement areas suitable for modest res. density	Maintain traditional social and physical character	SF, 2F, ADUs, and HO	1 Dwelling Unit+1 Accessory Dwelling Unit per 40,000 s.f.	2
R40C: Residential/ Commercial	Area with Residential and Light Commercial uses	Allow for mixed-use, Single-Family and Two-Family Residential, Recreation and Commercial	Same as R40A	2 Dwelling Unit +1 Accessory Dwelling Unit or Commercial Use per 40,000 SF.	2

## C. ZONING REGULATIONS

### 1. TOWN OF WEST RUTLAND ZONING

#### a. Regular Zoning Districts

The primary regulations for development in West Rutland are the zoning regulations augmented by the subdivision regulations and flood hazard regulations.

The Town of West Rutland Zoning Regulation establishes 11 base zoning districts and three overlay zoning districts. Nine of these districts are included in the Study Area:

- Commercial (C)
- Conservation 2 (C2)
- Industrial (I)
- Residential 1 (R1)
- Residential 2 (R2)
- Residential 2A (R2A)
- Village Commercial 1 (VC1)
- Village Commercial 2 (VC2)
- Village Residential (VR)

The three village zoning districts are intended to support civic and cultural activities of the community in a traditional pattern of densely settled, mixed-use, residential and commercial structures. Their stated purpose is to maintain the economic vitality and compatible mix of residential and commercial uses at the center while preserving the historic integrity of the village.

- Village Residential (VR) - This zoning district includes the neighborhoods in Section 6 along Clarendon Avenue (Rt 133) and on the south side of Main Street. It also includes the neighborhoods on the north side of Main Street between Campbell Road and Barnes Road. Permitted uses include single-, two-, and multi-family residential dwellings; accessory dwelling units (ADUs); bed and breakfasts; religious uses; day care and family child

care; funeral homes; home occupations; public parks; schools; and windmills.

- Village Commercial 1 (VC1) – This zoning district includes the core area of West Rutland village along Main Street and Marble Street in Section 6. The VC1 district permits all uses allowed in the VR district as well as auto repair, artists' studios, brew pubs, various retail stores, medical clinics, community care facilities, convenience stores without gas stations, inns, cottage industries, garden centers, laundromats, municipal facilities, office buildings, pharmacies, general professional and personal services, restaurants, theaters, transportation terminals, and woodworking shops.
- Village Commercial 2 (VC2) – This zoning district covers the properties fronting on both sides of Main Street in Section 5 from the US 4 Connector intersection to the VT 133 intersection. This includes larger highway-oriented commercial properties in this area such as Westway Plaza, Stewart's Convenience Store, Rite Aid, Bailey Motors and the Jiffy/Subway gas station. The VC2 district permits all uses allowed in the VC1 district as well as appliance sales, car washes, auto parts stores, service stations, banks, drive thru establishments, residential dwellings (only Multi Family/Mixed Use), gas stations, malls, trailer sales, tree maintenance service, and welding shops.

The remaining nine zoning districts cover other portions of the Study Area.

- Commercial District (C) – This zoning district covers both the north and south sides of the BR 4 corridor in Section 3 from the Rutland Town Line to the power line easement just west of Poultney Pools (Parcel Lot Number 000442). The stated purpose is to maintain and extend the commercial character of the corridor. The C district permits all uses allowed in VC2 as well as auto body shops, auto storage, beer and wine distributors, building material sales, concrete product sales, convenience store/gas stations, electrical wholesale, kennels, recycling stations, solid waste drop off centers, telecommunication facilities, truck repair, and veterinary hospitals.
- Industrial (I) – This zoning district covers the area in Sections 4 and 5 along the C&P Rail corridor from Main Street to Barnes Road, and along the east side of Marble Street from Crescent Street to about ½ mile north of Water

Street. The Marble Street area includes a series of remaining marble operations, vacant buildings, machinery, and quarries, some of which provide suitable location for industrial redevelopment. The stated purpose of the Industrial District is to allow for industrial and commercial development in order to expand the Town's economic base. The I district permits all uses allowed in the C district as well as wholesale sales, brewery/winery, contractor yards, dairy processing, resource extraction, lumber yards, nature preserves, trucking, warehouses, well-drilling contractors, and wood manufacturers.

- Residential 1 (R1) – This zoning district covers lots fronting on the Pleasant Street corridor in Section 4 from the intersection of Sheldon Avenue to Durgy Hill Road. These are medium-density residential neighborhoods that surround the village, most of which are served by municipal water and sewer. The stated purpose is to provide medium-density residential development including subdivisions, multi-family structures, condo/townhouse units and single-family homes. Uses permitted in the R1 zone include single- and two-family residential dwellings, multi-family dwellings, accessory dwelling units, bed and breakfasts, religious uses, cemeteries, community care facilities, day care, convenience stores, country inns, family child care, home occupations, nursing homes, public parks, schools, and windmills.
  
- Residential 2 and 2A (R2) (R2A) – The R2 zoning district (Rural Residential) covers four lots along BR 4 and the intersection with Pleasant Street in Section 3 as well as the residential streets east of Pleasant Street in Section 4 including Pleasant Heights and Valley View Lane. The R2A zoning district covers the BR 4 corridor in Section 3 on both sides of the highway from the power line easement to the area around Robert Lane on the north side and the US 4 Connector intersection on the south side. This is identified as the "Farming/Agricultural" district and includes rural areas outside the village, with lower-density residential use and mixed agricultural uses in certain designated areas. The stated purpose is to provide land area for low-density residential development, farming, forestry, greenhouses, recreation and other rural land uses. The R2 district permits all uses in the R1 district (except multi-family residential) as well as campgrounds, forestry, golf courses, and restaurants. The R2A district permits all uses allowed in the R2 district as well as agriculture, lodges &

clubs, garden centers, kennels, landscaping contractors, lumber yards, summer camps,, telecommunication facilities, and veterinary hospitals.

- Conservation 2 (C2) – This zoning district covers the lands in Section 7 between Main Street, Whipple Hollow Road, and Marble Street north of the village core and along the Clarendon River. Much of this land is wetland and is also covered by the Flood Hazard Overlay District. This is the most restrictive of the zoning districts and only permits low-impact recreational uses, such as nature and hiking trails and very limited residential development, farming, forestry, and other recreation uses.

**Table A-4** on page 16 shows the dimensional standards for each of the zoning districts.

These are generally consistent with the overall characteristics and purpose of the zoning districts. However, the setback and coverage standards in the VC1 and VC2 areas do not allow for new development that is consistent with the traditional development patterns where buildings are placed close to each other and to the sidewalk, providing street enclosure and support for the pedestrian environment. Using the minimum lot size of 6,600 SF, minimum frontage of 60 feet, and minimum front, side, and rear setbacks of 25 feet, the resulting building envelop is only 10 feet x 60 feet. This would require a larger lot size or a variance.

**Table A-4: West Rutland Zoning Dimensional Requirements**

District	Min. Lot Size (sf)	Setbacks (ft)			Min. Lot Depth (ft)	Min. Lot Frontage (ft)	Max Building Height (ft)	Max Total Coverage (%)	Max Bldg. Coverage (%)
		Front	Side	Rear					
Village Residential	10,000 sf	25	15	15	120	70	35	35%	25%
Village Commercial 1	6,600 sf	25	25	25	110	60	35	75%	50%
Village Commercial 2	6,600 sf	25	25	25	110	60	35	75%	50%
Industrial	20,000 sf 30,000 sf w/o town S/W	50	none	none	100	100	40	50%	50%
Commercial	6,600 sf; 30,000 sf w/o town s/w	25	25	25	110	60	35	75%	50%
Residential 1	20,000 sf; 30,000 sf w/o town S/W	25	15	15	120	70	35	35%	25%
Residential 2	30,000 sf; 50,000 sf w/o town S/W	40	25	30	200	100	35	20%	10%
Residential 2A	2 Acres	40	25	25	140	90	35	15%	
Conservation 1	2 Acres	40	25	25	140	100	35	15%	
Conservation 2	10 Acres; 2 Acres Boardman Hill Area	50	50	50		500	35	10%	

b. Flood Hazard Overlay District

In addition to the nine relevant zoning districts, the Flood Hazard Overlay District (FHOD) also covers portions of the Study Area that are prone to flooding. This includes lands in the Special Flood Hazard Areas on the most current flood insurance studies and maps published by the Department of Homeland Security and Federal Emergency Management Agency. **Figure A-13** shows the general limits of

the areas. The stated purpose of FHOD is to promote the public health, safety, and welfare; to control development of lands in areas of special flood hazard; and to minimize losses due to floods.

c. Parking Requirements

The Zoning Regulations include parking and loading standards for different types of uses. Some key issues that may deter development, limit economic potential or detract from the quality of site planning are as follows:

- Required Spaces by Use - Two spaces for dwellings may be more than needed for the village center. One space per 250 square feet may be too high for general office uses and banks, and too low for medical offices.
- Dimensions - Parking space size is fairly high at nine feet by twenty feet.
- Parking in Front - Parking is not allowed in the front setback in Residential Districts but not excluded from Commercial Districts. This creates an unfriendly pedestrian environment and is a particular concern in the Village District.
- Parking Setback - Lot line setbacks for parking areas in all Commercial Districts shall be 15 feet from front lot line and 5 feet from side lot lines. This allows for parking in front of the building and does not facilitate shared parking between adjacent properties.
- Screening - Sufficient screening is required for parking areas of five or more spaces that are in or abut Residential Districts.
- Location - Parking space must be located on the same lot as the principal use except as otherwise provided. This requirement discourages shared parking and access.
- Combined - Parking spaces for separate uses may be combined in one parking lot. This does not consider difference in peak hour demand between different uses that may allow for shared parking and the overall reduction in the number of spaces.
- Low Impact Development - Parking areas and access drives for business or multi-family buildings must be paved but porous surfaces may be approved where desirable to control water runoff problems.
- Parking Off-Sets - Commercial uses along Marble Street may count each 20 feet of unrestricted road frontage where on-street parking is allowed as one space towards required off-street parking spaces.

Required off-street parking for commercial uses along Marble Street may also be off-site with the Planning Commission's approval. This flexibility is critical to the village center where off-street parking is difficult to provide in each lot and unnecessary with the mixed uses and variation in peak demand hours.

## 2. TOWN OF RUTLAND PROPOSED ZONING REGULATIONS

Rutland Town has prepared draft zoning regulations but has not yet enacted them. These proposed zoning regulations are directly consistent with the Future Land Use District development standards in the Town Plan that are applicable to Act 250 and Section 248 review. The draft zoning regulations include five districts with specific use and dimensional standards within the Study Area:

- Commercial,
- Industrial/Commercial,
- Municipal/Government/Utility,
- Residential 40A,
- Residential 40C, and
- Residential 2A.

## D. FLOOD HAZARD AREA REGULATIONS

### 1. WEST RUTLAND FLOOD HAZARD AREA REGULATIONS

The West Rutland Flood Hazard Area Regulations were adopted in 2008 with the purpose of:

- Minimizing and preventing -
  - the loss of life and property,
  - the disruption of commerce,
  - the impairment of the tax base, and
  - the extraordinary public expenditures and demands on public services that result from flooding and other flood related hazards;



- Ensuring that the design and construction of development in flood and other hazard areas are accomplished in a manner that minimizes or eliminates the potential for flood and loss or damage to life and property;
- Managing all flood hazard areas designated pursuant to 10 V.S.A. § 753; and
- Making the state, municipalities, and individuals eligible for federal flood insurance and other federal disaster recovery and hazard mitigation funds as may be available.

These regulations apply in the Special Flood Hazard Areas in and on the most current flood insurance studies and maps published by the Department of Homeland Security, Federal Emergency Management Agency, National Flood Insurance Program, as provided by the Secretary of the Agency of Natural Resources pursuant to 10 V.S.A. Chapter 32 § 753. **Figure A-13** shows the general limits of the areas.

Permits are required for all proposed fill, construction or other development, including new or substantially improved structures; the placement of manufactured homes or recreational vehicles; and storage of chemicals, explosives, flammable liquids, or other hazardous or toxic materials. Permitted development by the administrative officer is allowed for the following activities that meet the development standards in Article VI of the regulations and are located outside the floodway:

- Non-substantial improvements to existing structures that do not involve fill and do not decrease structure setbacks from any stream;
- At-grade parking areas;
- Small accessory structures such as fences, sheds, or utilities; or
- Utilities that do not involve fill and that meet the requirements of FEMA Guidance 348 Protecting Building Utilities From Flood Damage

Conditional use approval is required by the Board of Adjustment for:

- Development that takes place in the underlying zoning districts that is not excluded by Section V. B. and D including new or substantial improvement, elevation, or flood-proofing of existing structures;

- Improvements to existing roads or drainage;
- Grading, excavation, or the creation of a pond; or
- Bridges, culverts, public utilities, stabilization projects, or public projects which are functionally dependent on stream access or stream crossing,

These activities must also meet the development standards in Section VI of the regulations.

The following are exempt from the flood hazard area regulations:

- The removal of a structure or building in whole or in part;
- Maintenance of existing roads and drainage;
- Forestry activities conducted in accordance with Vermont Department of Forest and Parks Acceptable Management Practices; and
- Agricultural activities conducted in accordance with Vermont Department of Agriculture Accepted Agricultural Practices.

Article VI of the regulations, the Development Standards, addresses activity in the Floodway Areas and Special Flood Hazard Area. Within the Floodway Area, development or other encroachment is prohibited unless it has been demonstrated through hydrologic and hydraulic analyses that the proposed development will result in no increase in flood levels during the occurrence of the base flood. Junkyards, on-site wastewater disposal systems, and storage facilities for floatable materials, chemicals, explosives, flammable liquids, or other hazardous or toxic materials, are prohibited within the floodway.

Within all Special Flood Hazard Areas, development must be reasonably safe from flooding and:

- Designed (or modified) and adequately anchored to prevent flotation, collapse, or lateral movement of the structure during the occurrence of the base flood;
- Constructed with materials resistant to flood damage;
- Constructed by methods and practices that minimize flood damage; and
- Constructed with electrical, heating, ventilation, plumbing and air conditioning equipment and other service facilities that are designed and/or located so as to prevent water from entering or accumulating within the components during conditions of flooding.

Article VI also includes special provisions for residential development, non-residential development, subdivisions, enclosed areas below the lowest floor area, recreational vehicles, water and sewer systems, on-site wastewater disposal systems, and watercourse carrying capacity. It allows the West Rutland Development Review Board to approve the repair, relocation, replacement, or enlargement of a non-conforming structure within a regulated flood hazard area, subject to compliance with the development standards in Article VI of the regulations.

## 2. RUTLAND TOWN FLOOD HAZARD AREA REGULATIONS

The Rutland Town Flood Hazard Area Regulations (Chapter 135) were adopted in 1987 to prevent increases in flooding caused by uncontrolled land in flood hazard areas and to protect public safety and individuals from buying land unsuitable for their intended purpose. These regulations apply to all development located in areas identified as special flood hazard areas on the 1978 National Insurance Program maps.

Permitted uses include open space uses such as agriculture, recreation, and residential open space that don't require the erection of structures or storage of material, result in on-site or public sewerage, or change the flood level within the floodway. All other uses require a conditional use permit and specific standards for flood-proofing.

## E. SUBDIVISION REGULATIONS

### 1. WEST RUTLAND

West Rutland's subdivision regulations were adopted in 2005. They include general provisions, application and approval procedures, submission requirements, general requirements and design standards. These regulations also include planning standards that address the character of land, energy conservation, reserve strips, lot layout, and preservation of existing features on site. The road design standards refer to the Town's Local Roads Policy, which does not include a specific design standard for road width. Curbs and sidewalks on at least one side of the street are required in the R1, R2, R2A, C, I, and C2 zoning districts. Pedestrian facilities can be required for subdivisions in other

zoning districts if deemed necessary by the Development Review Board. Subdivisions are required to set aside land for park or recreational purposes equal to 15 percent of the total land area of the development. While there are no specific Low Impact Development standards, the site preservation design standards address requirements for natural land cover, shade trees, erosion and sediment control, and excavation and grading.

## 2. RUTLAND TOWN

The Town of Rutland adopted its current Subdivision Regulations in 1980. They include general provisions, application and approval procedures, submission requirements, general requirements and design standards. These regulations are fairly typical for small municipal jurisdictions in terms of general provisions and review procedures for property subdivisions. The street design standards are consistent with rural communities with a 50-foot right-of-way, paving area of 20 to 24 feet, maximum grade of 10 percent, and curb radius of 80 to 100 feet. Pedestrian facilities such as sidewalks and trails are not required but can be requested by the Planning Commission. In larger subdivisions where recreational land and facilities are required, they must include 15 percent of the total land area of the development. There are no provisions for Low Impact Development techniques for managing on-site stormwater volume or quality.

## F. VERMONT SMART GROWTH PRINCIPLES

The State of Vermont has identified ten smart growth principles, which relate to how communities should plan for their future and reinforce those plans through public policy and community engagement. West Rutland and Rutland Town have set a goal for this project of integrating these principles into the final recommendations. The ten principles are:

1. Plan development so as to maintain the historic settlement pattern of compact village and urban centers separated by rural countryside.
2. Promote the health and vitality of communities through economic and residential growth that is targeted to compact, mixed use centers, including resort centers, at a scale convenient and accessible for pedestrians and appropriate for the community.

3. Enable choice in the mode of transportation available and insure that transportation options are integrated and consistent with land use objectives.
4. Protect and preserve environmental quality and important natural and historic features of Vermont, including natural areas, water resources, air quality, scenic resources, and historic sites and districts.
5. Provide the public with access to formal and informal open spaces, including parks, playgrounds, public greens, water bodies, forests and mountains.
6. Encourage and strengthen agricultural and forest enterprises and minimize conflicts of development with these businesses.
7. Provide for housing that meets the needs of a diversity of social and income groups in each Vermont community, but especially in communities that are most rapidly growing.
8. Support a diversity of viable business enterprises in downtowns and villages, including locally-owned businesses, and a diversity of agricultural and forestry enterprises in the countryside.
9. Balance growth with the availability of economic and efficient public utilities and services and through the investment of public funds consistent with these principles.
10. Accomplish goals and strategies for smart growth through coalitions with stakeholders and engagement of the public.

**Attachment 1** includes a full description of these principles.

Both Rutland Town and West Rutland generally recognize the Vermont Smart Growth Principles in their Town Plan designations and descriptions of Future Land Use Districts, which encourages economic and residential growth in appropriate areas while protecting natural resources.

West Rutland specifically refers to the community's cross section from traditional village centers and neighborhoods to rural residential and agriculture areas. This principle is further reflected in the zoning regulations with preferred uses and dimensional standards that generally reflect the prevailing settlement pattern. However, some of the setback standards and parking requirements in the village zoning districts would create difficulty in reinforcing the traditional patterns of development. West Rutland has zoned the land along the BR 4/VT 4A corridor as Rural-Agricultural from the town line to the US 4 Connector. This limits in a positive way the amount and type of commercial development that can be developed along the highway.

The Rutland Town Plan also suggests commercial development along the BR 4 corridor to the town line. Their regulations include a 40,000 square foot minimum lot size in all Future Lane Use Districts, even though some areas within the Study Area will be served by public sewer and water.

## **V. EVALUATION CRITERIA**

### **A. INTRODUCTION**

In order to provide an objective way to evaluate the alternatives that will be generated in the second task of this project, the Steering Committee has developed a set of evaluation criteria based on the opportunities, constraints, issues, market conditions, and smart growth principles presented in this Existing Conditions analysis. It is thought that the development of the evaluation criteria before the formulation of the alternatives will help to keep the evaluation as objective and fact-based as possible.

The BRPD Team helped develop the evaluation criteria, using for guidance:

- The Rutland Town and West Rutland Town Plans;
- The Vermont Smart Growth Principles;
- The identified opportunities, constraints and issues;
- The Towns' Flood Hazard Area Regulations; and
- State regulations and standards.

They specifically did not look at the zoning or subdivision regulations, but will use them to evaluate the alternatives for compliance. This will help identify situations where the Towns may want to refine their zoning or subdivision regulations if it is found that a desirable alternative would not be possible under the current regulations.

Once the alternatives are developed, additional evaluation criteria may become necessary or obvious, but they will be added to this set of criteria rather than be a replacement.

### **B. EVALUATION CRITERIA**

#### **1. TRANSPORTATION CRITERIA**

Does the alternative:

- Address identified access issues?
- Maximize the use of the existing road cross section?

- Provide for each mode of travel that would regularly use the roadway?
- Expand bicycling opportunities?
- Create a more complete bicycling network?
- Expand walking opportunities?
- Create a more complete walking network?
- Add needed crosswalks?
- Fill sidewalk gaps?
- Minimize conflicts between different modes of transportation?
- Maximize the use of existing width on bridges?
- Create a more complete transportation circulation network?
- Address issues that help create high crash locations?
- Provide transportation choices that are appropriate to the existing or proposed land uses?
- Promote and/or expand transit options?
- Increase the aesthetics of the BR 4/VT 4A corridor and Study Area with tree planting and/or other modifications?

## 2. LAND USE/ECONOMIC AND MARKET CRITERIA

Does the alternative:

- Adequately address flood plain impacts on future development?
- Adequately accommodate topographical and other natural resource constraints?
- Minimize negative impacts on existing natural resources?
- Maximize redevelopment potential?
- Address existing identified positive gaps in the local retail market?
- Maximize opportunities created by the expanded sewer and water service?
- Minimize negative impacts to existing utility services?
- Minimize competitive economic impacts to the existing development centers at each end of the Study Area?
- Maintain existing historic settlement patterns of West Rutland and Center Rutland village centers surrounded by agricultural land and other open spaces?
- Maximize distant views of the surrounding hills?
- Provide additional housing of the types that economic analysis shows is most needed?
- Contribute to the continued growth and prosperity of West Rutland village and Center Rutland?



- Meet the existing and projected need/demand for open space and recreational areas?
- Encourage and support a healthy mix of business types in the two village areas and, as appropriate, along the corridor connecting them?
- Meet existing provisions of the Rutland Town and/or West Rutland Town Plans? (If not, what edits to these Plans would be necessary?)
- Comply with provisions of the existing West Rutland or proposed Town of Rutland zoning regulations? (If not, what changes to either set of regulations would be needed?)
- Have the support of the existing land and business owners?
- Stimulate additional economic growth?
- Have the potential to create jobs?
- Capitalize on and market to pass-through tourists?

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## **VII. ISSUES, OBSTACLES & OPPORTUNITIES**

### **A. OVERVIEW**

The previous pages describe in as much detail as possible the existing conditions of the US Business Route 4 /Vermont Route 4A (BR 4/VT 4A ) corridor from the Town of Rutland/City of Rutland boundary west to the intersection with Whipple Hollow Road on the northwest side of West Rutland village center. From this information, the Study Team has made several conclusions about the issues, the opportunities and the challenges in the Study Area. These pages summarize these conclusions. After some general conclusions about the entire Study Area, they are organized by the seven sections and the economic market analysis.

### **B. STUDY AREA CONCLUSION.**

- The town plan for each town sets out concepts that support the goals of this project and embrace the Vermont Smart Growth Principles.
- The West Rutland zoning districts generally support the creation of the types of development envisioned in the West Rutland Town Plan, but there are some specific regulations, especially in the Village Districts, that need some adjustments to actually allow compact development similar to what is in the Village now.
- Much of the land in the Study Area falls within the flood hazard zone of the streams and rivers that flow through the area. The Flood Hazard Area Regulations in each town severely limit the types of new development that can happen on this land.
- The Town of West Rutland is in the process of extending sewer and water service to the properties along the BR 4/VT 4A corridor, including properties in the Town of Rutland.
- There is existing transit service along the BR 4/VT 4A corridor but it is obvious nor are there established stops along the road; the bus is flagged as needed by riders.

- There are few, if any, land uses, business, known attractions or other activities that can interest tourist in visiting the BR 4/VT 4A corridor.

### **C. SECTION 1: CENTER RUTLAND**

- There is a wide access point in front of the professional office building that could be reduced to create a shorter pedestrian crossing distance and define more clearly where vehicles will be entering and exiting.
- There are good sidewalks on both sides of BR 4 in Center Rutland.
- There are no crosswalks along BR 4 in Section 1.
- There are no designated bicycling facilities.
- There is no walking facility leading to Dewey's Field.
- There are wide radii on the corners of East Proctor Road as it intersects BR 4.
- There is no crosswalk on East Proctor Road at the intersection with BR 4.
- There is an interesting Railroad Museum at the intersection of the two rail lines south of BR 4.
- There is no signage for or walking connection to the Railroad Museum on BR 4.
- The western end of Section 1 has good village character created by the placement and design of buildings combined with existing street trees and other vegetation.
- The eastern end of Section 1 is not distinguishable from the adjacent City of Rutland.
- There is redevelopment potential on at least two of the properties fronting on the south side of BR 4 as well as on some of the property further south near the railroad.
- The railroad bridge at the western edge of Section 1 over BR 4 has the potential to be a good gateway into Center Rutland from the west.

### **D. SECTION 2: RUTLAND TOWN BUSINESS ROUTE 4 CORRIDOR**

- Section 2 has good fire protection because of the presence of the fire station on BR 4.

- BR 4 is quite wide, especially for the amount of vehicular traffic it carries, and has the potential to be used more judiciously to serve more modes of travel.
- The existing wide paved shoulders are good for experienced bicyclists.
- There are no dedicated walking or bicycling facilities other than the sidewalk on the south side of BR 4 running east from the intersection with Old Falls Road.
- There are many wide access points that provide no guidance for motorists as to where they should enter or exit a site.
- There are several apparently abandoned buildings along BR 4; the property around them is being used for the storage of trucks and machinery.
- Most properties have had limited maintenance for that last few years that results in a "worn down" look along the western portion of BR 4 in this Section.
- There is one parcel where a former building has been torn down and the site is now vacant, but most of the site lies within a flood plain.
- There are very few trees along or near the roadway.
- There may be development potential on the parcel south of Flory Heights, but there appears to be little other redevelopment potential in the rest of the land along BR 4 due to the limitations of the flood plain.
- The combination of abandoned buildings, little vegetation, and delayed maintenance on numerous buildings give the western portion of BR 4 in this section an uninviting appearance.
- There is excess vehicular capacity at the signalized intersection with VT 3, although there have been several crashes at the intersection in the past few years.
- An old railroad right-of-way, including an old bridge over Otter Creek, could provide a location for a railtrail.
- There are good views of the falls on Otter Creek from BR 4 as well as Old Falls Road and Simons Street.

#### **E. SECTION 3: WEST RUTLAND BUSINESS ROUTE 4 CORRIDOR**

- BR 4 is quite wide, especially for the amount of vehicular traffic it carries, and has the potential to be used more judiciously to serve more modes of travel.
- The existing wide paved shoulders are good for experienced bicyclists.

- There are no dedicated walking or bicycling facilities.
- There are many wide access points that provide no guidance for motorists as to where they should enter or exit a site.
- The railroad and river limit redevelopment possibilities.
- There are still active agricultural uses north of BR 4 that might be worth preserving.
- Steep slopes on the north side of the road limit access to parcels to the north of BR 4.
- There is a lack of street trees or vegetation along the eastern portion of the highway other than on the Wick Paving property.
- Most properties have had limited maintenance for that last few years that results in a "worn down" look along the eastern portion of BR 4 in this Section.
- There are good views to the west and south of the nearby hills.
- There is a sidewalk gap at the end of Pleasant Street as it reaches BR 4.
- The marble retaining wall on the north side of BR 4 several hundred feet east of Pleasant Street highlights the local history of the area and creates a noticeable image along the road.
- The combination of little vegetation, wide open access points and delayed maintenance on several buildings gives the western portion of BR 4 in this section an uninviting appearance.

#### **F. SECTION 4: WEST RUTLAND VILLAGE PLEASANT STREET NEIGHBORHOOD**

- Well established, pleasant neighborhoods, with numerous residences and street trees, dominate this Section.
- There is a good sidewalk on Pleasant Street, linking to another on Crescent Street, although the sidewalk at the southern end of Pleasant Street does not seem to get much use based the amount of vegetation growing in the cracks.
- There are no designated bicycling facilities although the development of a shared use path through the area is being examined.
- There are sidewalk gaps on Pleasant Heights, Harrison Avenue, Slason Street and Sheldon Avenue.

## **G. SECTION 5: WEST RUTLAND BUSINESS/US 4 CONNECTOR**

- There are delays for vehicles trying to turn west from Pleasant Street onto BR 4, especially in the morning peak hours.
- There is no crosswalk on Pleasant Street.
- There is excess vehicular capacity at the signalized jug-handle and US 4 Connector intersection.
- A portion of the designated West Rutland Village Center is in this Section.
- The land within the Designated Village Center in this Section appears to have additional development potential.
- There is only one crosswalk on BR 4 and no crosswalks on VT 4A.
- There are bicycle lanes on Clarendon Avenue but no other bicycle facilities in this Section.
- VT 4A between the US 4 Connector intersection and the entrance to Westway Mall has had a large number of crashes in the last few years.
- There are good sidewalks along both sides of VT 4A and the north side of BR 4.
- There is some redevelopment potential on the property to the east of the properties fronting on Marble Street (which is currently outside of the Designated Village Center but could potentially be added), on the parcel on the corner of VT 4A and Proctor Road, and in the parking lot of the Westway Mall, .
- There is active farming on the land south of the Westway Mall development, although it is also an area that could be developed to help grow the village.
- The Clarendon Avenue (VT 133) intersection has adequate capacity but left turning vehicles from VT 133 sometimes experience delays in the morning and afternoon peak hours.
- There are several wide or multiple access points on VT 4A that create confusion for motorists entering or existing the site.
- The railroad crossing or the US 4 Connector intersection could potentially serve as a gateway into the West Rutland village area.

## **H. SECTION 6: WEST RUTLAND VILLAGE CORE**

- The West Rutland village appears to be a compact, well developed, historic village center with good, mostly attractive building stock placed close to

the road, a well developed sidewalk system and street trees on many of the streets.

- The core of the village is a Designated Village Center.
- The area on the southeast corner of Marble Street and Thrall Avenue could potentially be redeveloped, especially the parking lot on the corner.
- Vehicles at the VT 4A intersection with Marble and Chapel Streets, which is controlled by four way STOP signs and a flashing red light, might experience minor delays at peak traffic hours.
- There are bicycle routes leading to the school from the east and south.
- The school is located in the village center.
- There are a few parcels with wide access points that create confusion for vehicles entering and exiting them and make long crossing points for walkers.
- There are numerous crashes at the Ross Street intersection.
- The parcel on the northern corner of Ross Street and VT 4A is vacant and ready for redevelopment.
- There are utility poles in the sidewalks or at the edge of the road on the northeast side of VT 4A between Clarendon Avenue and Marble Street.
- The Carving Studio lies just to the north of this Section, bringing numerous visitors through the village from US 4.
- The numerous two story commercial buildings on Marble Street.

#### **I. SECTION 7: WEST RUTLAND VERMONT ROUTE 4A VILLAGE EDGE**

- Section 7 is the most rural section.
- The Castleton River and West Rutland Marsh cover much of this Section.
- There is very limited redevelopment potential.
- There are no bicycling or walking facilities for transportation.

#### **J. MARKET ANALYSIS**

- There is finally some limited job growth in the region after several years of declines.
- Housing costs in the area are below the state average, but they are slowly beginning to rise.



- The number of households in the area is rising but the average size of households is declining.
- Over 60 percent of households now have just one or two people in them.
- The average age of the population of the area, the region and the state is ageing.
- The age group over 65 and the age group between 25 and 34 are projected to increase in the area.
- There is a minimal capture of tourist spending in the Study Area.
- There is the potential for one or maybe more lawn and garden equipment and service store, a food and beverage store, a destination clothing store, a used merchandise store and restaurants/bars.
- There is an unmet demand for smaller housing in areas where walking to destinations is easy.

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