

Planning Commission Reporting Form for Municipal Bylaw Amendments 5/11/2010

Proposed Revisions to Hinesburg's Zoning & Subdivision Regulations for May 26, 2010 PC Public Hearing

This report is in accordance with 24 V.S.A. §4441 (c) which states:

When considering an amendment to a bylaw, the planning commission shall prepare and approve a written report on the proposal. The report shall provide:

(A) Brief explanation of the proposed bylaw, amendment, or repeal andinclude a statement of purpose as required for notice under section §4444 of this title,

The Hinesburg Planning Commission will hold a public hearing at Hinesburg Town Hall on Wednesday, May 26, 2010, at 7:30 p.m. to receive public comment on proposed changes to the Zoning Regulations, adopted November 7, 1972, as amended October 12, 2009; and changes to the Subdivision Regulations, adopted September 4, 1979, as amended October 12, 2009. The purpose of these changes is to make necessary revisions to the comprehensive village growth area regulations that were passed in May of 2009, as well as other minor housekeeping changes. A variety of substantive and technical changes are proposed including adjustments of zoning district lines, master plan requirements, a definition of mixed use development, maximum density calculation adjustments for affordable housing, reworked energy & green building standards that focus on efficiency vs. simply renewable technology use, etc. Housekeeping changes include correcting State statute references, deleting outdated text/provisions, minor wordsmithing, etc. Please see the list below and the actual revision proposal for a complete accounting of changes. The geographic area affected is primarily the village growth area; however, some changes will affect all of Hinesburg.

Copies of the proposed changes, as well as a report on how the proposed changes comply with the Town Plan, are available for review on the Town web site (www.hinesburg.org) and at the Town Offices located on the corner of Route 116 and the Charlotte Road in Hinesburg, Vermont. The Town Offices are open 8am to 4pm Mon., Tues., Thurs. and Fri., and 10:00 am to 6:00 pm Wednesday. For information please contact the Town Planning/Zoning Office, 482-3619.

Revisions to the Zoning Regulations are as follows – in order, by section:

- 1.4 – Purpose and statutory authority added
- 2.4.2 – Allowance for higher maximum density for projects required to provide affordable dwelling units via inclusionary zoning provisions – hold harmless provision
- 2.7.2 – Allow for industrial buildings up to 45' in height in the Village NE zoning district. Restores a provision from earlier Industrial 5 district that was inadvertently removed when village growth area zoning was adopted in 2009.
- 3.1 – Add a master plan requirement for projects on parcels over 1 acre in the village growth area.

- 3.7.1 – Minor expansion of Village NE district to include the Stirewalt parcel
- 3.7.8 – Added a new conditional use in the Village NE district to allow for educational facilities and museums related to the purpose of the district (renewable energy, efficiency, etc.)
- 3.8.4 – Commercial district uses - modified conditions for residential dwellings; added new uses (farm stand, farm market, etc.) that were inadvertently not added in last revision
- 3.9.5 & 3.10.5 – Residential 1 & 2 districts – prohibit larger home occupations and cottage industries (regular home occupations still allowed)
- 3.10.1 – Minor expansion of Residential 2 district to include more Route 116 frontage to the south.
- 4.1.6 #5 & 4.1.11 – Require submission of State wastewater and water supply permit for zoning permit applications.
- 4.3.8 – Add the waiver option language used in other parts of the regulation to the landscaping plan & standards section – more flexibility needed based on experience
- 4.5.6 #2d– Bolster PUD general standards to ensure appropriate provisions for wildlife habitat
- 4.5.6 #11 – Modify required periphery setbacks for PUDs to allow for smaller front yard setbacks (i.e., along roads).
- 5.4.2 – Tighten up regulations of signs on gas station canopy signs.
- 5.15 – Eliminate reference to outdated camp conversion septic policy, which has been superseded by State wastewater rules.
- 5.16 – Eliminate forest clear cutting regulation – unused and not appropriate for zoning.
- 5.22.5 – Clarification on calculation of density bonus under inclusionary zoning provision – how to deal with rounding in calculation.
- 5.23 – Clarification on commercial/industrial design standards and village area design standards – when each is used, and which one rules.
- 5.24.2 – Energy standards for new, large commercial buildings – Replaces existing renewable energy use requirement with commercial building energy standards that focus on building envelope, HVAC, and interior lighting.
- 9.1.1 #3 – Eliminate 1-year waiting requirement regarding requests for zoning changes after a proposed amendment has been voted down.
- 10.1 Definitions Section:
 - Added definition for “Community Theater”
 - Deleted minimum size requirement for a “Dwelling Unit”
 - Added definition for “Master Plan”
 - Added definition for “Mixed Use”
- Housekeeping changes in various sections (generally State statute reference corrections, minor wordsmithing, etc.) – 3.2.2, 3.3.2, 3.4.2, 3.5.4, 3.5.5, 3.5.6, 3.7.5, 3.8.4, 3.8.5,

3.9.4, 3.10.4, 3.13.3, 3.15.2, 4.1.7, 4.2.6, 4.3.2, 4.3.4 #9, 4.4.5, 4.5.1, 4.5.2, 4.6, 4.7, 5.6.1, 5.6.5, 5.6.6, 5.6.7, 5.9.3, 5.14, 5.20, 5.22, 5.25.1, 7.1, 7.5, 7.6, 8.1, 8.2, 8.3, 8.4, 8.5, 9.1, 9.3, 10.1

- Zoning District Maps – minor expansions to the Village NE and Residential 2 districts:
 - Hinesburg Zoning Districts map
 - Hinesburg Village Growth Area Zoning Districts map

Revisions to the Subdivision Regulations are as follows – in order, by section:

- 3.1.2 – Add a master plan requirement for projects on parcels over 1 acre in the village growth area. Submitted at sketch plan review.
- 6.5 – Add the waiver option language used in other parts of the regulation to the landscaping plan & standards section – more flexibility needed based on experience.
- 9 (Definitions) - Added definition for “Master Plan”.

Findings regarding how the proposal:

1. Conforms with or furthers the goals and policies contained in the municipal plan, including the effect of the proposal on the availability of safe and affordable housing:

The proposed changes conform with the goals and policies of the 2005 Town Plan, and represent minor adjustments and refinements of the comprehensive village growth area regulation revisions adopted in May of 2009. Many of the changes stem from suggestions and public feedback at the Selectboard’s April 6, 2009 public hearing on last year’s village growth area regulation revisions. The proposal will actually make the creation of affordable housing easier through additional density bonus incentives that are made clear in section 2.4.2 of the Zoning Regulations.

2. Is compatible with the proposed future land uses and densities of the municipal plan:

The proposed changes are compatible with the proposed future land uses and densities of the existing (2005) and proposed (under PC review; public hearing also on 5/26/10) Town Plan. The changes are largely focused on refining provisions for development in the area identified in the Town Plan as Hinesburg’s sole growth center. The minor changes in zoning district lines and maximum allowed density are consistent with what is anticipated and called for in the Town Plan – especially sections 3.2 & 3.3.

3. Carries out, as applicable, any specific proposals for any planned community facilities.”

Not applicable. Planned community facilities are best shown on the Town’s Official Map.