

Planning Commission Reporting Form for Municipal Bylaw Amendments 3/11/2021

Proposed Revisions to Hinesburg's Zoning Regulations Contractor Yards & Vehicle Repair Services *for Planning Commission draft proposal – April 14, 2021 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 on April 14, 2021 at 7pm to receive public comment on proposed changes to the Zoning Regulations. Due to covid-19 and the closure of the Town Office, this public hearing will be held remotely via Zoom – meeting id 850 5578 1467; meeting password 123456; meeting connection link <https://us02web.zoom.us/j/85055781467>; dial-in phone number 1-646-558-8656.

The purpose is to revise regulations for home occupation contractor yards and home occupation vehicle repair services. The geographic area affected is town-wide.

Copies of the proposed revisions and this report are available online - <https://www.dropbox.com/sh/5utaw46lpfmhpyk/AACnHCa4WVh7FSOc7Uc0hdo8a?dl=0>. Additional information can be found on the Town web site (www.hinesburg.org), and by contacting Alex Weinhagen (Director of Planning & Zoning) at aweinhagen@hinesburg.org or 482-4209. A list of the affected section headings follows, as required pursuant to Title 24, Chapter 117 V.S.A. Section 4444 (b).

Zoning Regulation Sections:

5.1 - Home Occupations

5.3 - Contractors' Yards; Home Occup Vehicle Repair Services

10.1 - Definitions

Background

A home occupation contractor yard is a special type of home business addressed in section 5.3 of the Zoning Regulations – specifically, “Property used for storage of heavy equipment and construction materials for use in off-site construction... including but not limited to trucks, excavators, graders, and cranes, and trailers for the same...” Think landscaping, excavating, and construction businesses. These businesses are extremely important to Hinesburg’s rural economy. They also have the potential to pose issues for neighbors and the environment due to the heavy equipment and materials involved – e.g., back up beepers, diesel exhaust, piles of stone/dirt, etc.

Action item 4.3.5 of the 2017 Town Plan (page 41) directs the Planning Commission to, “Review zoning regulations for contractor yards with a goal of developing performance standards that would allow the separation distances to be reduced to facilitate the review/approval of new yards that are compatible with the surroundings.” Over the years, the Town has heard from landowners interested in relocating an existing contractor yard or starting a new one. The existing zoning regulations include minimum separation distances from property lines and adjacent homes makes this very difficult.

The proposed changes strive to make new home occupation contractor yards more possible, while still ensuring a public review process with adequate standards to respect the use of neighboring residential properties. The proposal identifies 14 sections:

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| 1. Conditional use approval requirement | 8. Business appearance |
| 2. Definition & applicability – including a small-scale exception | 9. Hours of operation |
| 3. Allowed locations & setbacks | 10. Hazardous material storage |
| 4. Screening | 11. Containment of outside materials |
| 5. Maximum amount of equipment | 12. Pre-existing and “grandfathered yards” – not subject to these standards |
| 6. Employee parking | 13. Transferability to a new owner |
| 7. Maximum size of structures | 14. Performance standards |

The changes also revise the review standards for home occupation vehicle repair services, so that they are not addressed in the contractor yard section (section 5.3), but simply as conditional use home occupations via a new section (5.1.8). A definition of vehicle repair service is proposed, along with seven standards that address allowable locations, limits on building size and outdoor storage, as well as screening requirements.

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 proposal is directly tied to implementation of Town Plan action item 4.3.5 (page 41). The proposal will have no effect on the availability of safe and affordable housing.

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

The proposed changes will have no substantial effect on future land uses and development densities.

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

Not applicable.