

# Planning Commission Reporting Form for Municipal Bylaw Amendments 2/22/2019

## Proposed Revisions to Hinesburg's Official Map and Zoning Regulations Planning Commission draft proposal – March 27, 2019 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 and ....include a statement of purpose as required for notice under section §4444 of this title,**

The Hinesburg Planning Commission will hold a public hearing at the Town Hall on March 27, 2019 at 7pm to receive public comment on proposed changes to the Official Map (adopted May 4, 2009) and to the Zoning Regulations (last revised July 12, 2018). The purpose of the Official Map changes is to update the type and location of planned future community facilities, and to better describe these facilities. The geographic area affected by the Official Map is the village growth area and the Richmond Road corridor. The purpose of the Zoning Regulation changes is to require that larger development projects create public open spaces, and to provide guidance on the design of such spaces. The geographic area affected by the Zoning Regulation changes is the village growth area.

Copies of the proposed changes, a summary of the changes, as well as a report on how the proposed changes comply with State Statute and the Town Plan, are available on the Town web site ([www.hinesburg.org](http://www.hinesburg.org)) and at the Planning & Zoning Office at the Town Office located at 10632 Route 116. The Planning & Zoning Office is open 9am to 4pm Monday through Friday. For information please contact the Planning & Zoning Office, 482-2281 ext 225. A list of the affected section headings follows, as required pursuant to Title 24, Chapter 117 V.S.A Section 4444 (b).

Official Map:

- Two maps (sheet 1 & 2) and a five-page community facility descriptions document

Zoning Regulations Sections:

- 5.22 - Village Area Design Standards
- 10.1 - Definitions

### Background

The Official Map is a planning and regulatory tool that shows the locations of possible future community facilities - e.g., sidewalks, parks, roads, etc. The map has the power of a zoning regulation. It ensures critical locations are not lost to the Town as property is developed, but it also ensures that landowners can proceed with development of these locations if the Town fails to act in a timely manner.

First adopted in 2009, the Official Map is in need of revisions. Many community facilities have been built since 2009 – e.g., sidewalks, Bissonette Recreation Area, etc. The plans for other community facilities have changed, and several new community facilities are also envisioned. Based on our experience over the last 10 years, the Planning Commission would also like to add more specificity to the map – i.e., be clearer about what each facility is envisioned to be.

How does the Official Map work? The most common use is in development review. If the landowner or developer can demonstrate that the proposed development will leave room for the planned community facility, the development may be approved per the normal review process. Minor revisions to the Official Map can be made as part of the development review process. However, if the proposed development does not accommodate the planned community facility (for example, proposing buildings that block a future road corridor), the application must be denied. The Town then has 120 days from the date of the denial to institute proceedings to acquire the property for fair market value. If the Town does not take action within that time, the application must be reviewed again with no regard to official map designation.

Preserving space for future community facilities is what the Official Map does. What it doesn't do is ensure that new development actually creates any public facilities or amenities. That's where the proposed Zoning Regulations come in. The Planning Commission is proposing design standards for larger developments to ensure that: a) some public open space is actually built as part of the project; b) that this public open space is accessible, well designed, and functional. What we seek to avoid are development plans that treat open space as an afterthought, shunted to the periphery of a project or located in highly constrained areas (e.g., wetlands, floodplains, etc.). Just like we have design standards for lot layout, road networks, parking lots, and building placement, we also want to provide clarity on public open spaces. The proposed design standards address: minimum size, accessibility, necessary features and amenities.

In a 2014 community survey, we asked, "Is Hinesburg prepared for the challenges it will face in the next 5-10 years?" 48% said no, and only 13% said yes (432 respondents). As a result, one of the top priority action items in the Town Plan is to create more specific development design standards to more clearly articulate community expectations. Both the Official Map revisions and the Zoning Regulation revisions set out to do just that.

---

***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 specifically addresses two "top priority" action items in the Town Plan:

- Action item 3.1.2 - Continue to refine and adjust Hinesburg's land use regulations, Official Map, capital budget and plan, impact fees, and other municipal tools to implement the Village Growth Area vision while being sensitive to municipal and green infrastructure limitations.
- Action item 3.3.1 - Create more specific development design standards (site, building, greenspaces) to more clearly articulate the community's expectations.

The proposal will not directly impact the availability of affordable housing, but will help make such housing safer and more desirable by ensuring there are adequate community facilities and public open spaces in the village growth area – where affordable housing is encouraged (via density allowances and incentives), required (via inclusionary zoning), and more likely given municipal infrastructure.

---

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

The proposal is compatible with the proposed future land uses and development densities indicated in the Town Plan. Chapter three of the plan highlights the substantial development potential and interest in the village growth area. It also recommends reconsideration of the future land use pattern and regulations to ensure that new development addresses community concerns and infrastructure limitations. This chapter makes the case for more specific development design standards, and for proper planning of future community facilities and infrastructure to ensure well-planned and measured growth.

---

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

The Official Map revisions address proposals for planned community facilities directly. The Official Map codifies the community’s plan for future facilities and infrastructure, while allowing the Town to make decisions about actual implementation when appropriate and necessary.