

**Planning Commission Reporting Form  
for Municipal Bylaw Amendments  
8/10/2012**

**Proposed Revisions to Hinesburg's Zoning Regulations and Subdivision Regulations –  
Rural Area Regulation Revisions  
for September 12, 2012 Planning Commission 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:

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***(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 Town Hall on Wednesday, September 12, 2012, at 7:30 pm to receive public comment on proposed changes to:

1. Town Plan - last revised May 16, 2011
2. Zoning Regulations – last revised October 17, 2011
3. Subdivision Regulations – last revised May 16, 2011

The purpose of these changes is to better ensure that Hinesburg retains its rural character consistent with the goals of the Town Plan. The changes have three primary objectives. First, to provide rural area landowners with more land use options by expanding the types of uses allowed in the Agricultural and Rural Residential 2 zoning districts. Second, to clarify and improve rural area development design standards to make sure important natural resources are better defined by the Town, and considered early in the design process. Third, to define how much residential development is allowed via an objective formula, and to allow for smaller lot sizes to increase flexibility when creating new subdivisions. Most of the changes relate to new and revised language in the Zoning Regulations and Subdivision Regulations. Revisions are also being made to the wildlife resources and scenic resources sections of the Town Plan, including the addition of new maps to better define the location of these resources. Please see the revision proposal for a complete list of changes. The geographic area affected is primarily the Agricultural zoning district (generally west of Route 116) and the Rural Residential 2 zoning district (generally east of Richmond Road, North Road, and Route 116); however, some general changes may affect all of Hinesburg.

Copies of the proposed 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 Town Hall, located at 10632 Route 116. The P&Z Office is open 8am to 4pm Monday-Friday. For information please contact Alex Weinhagen (Town Planner) at [hinesburgplanning@gmavt.net](mailto:hinesburgplanning@gmavt.net) or 482-2281 ext 225.

***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 regulation changes are driven directly from the goals and recommendations of the rural regions land use section of the Town Plan (section 3.4). These changes are the culmination of over a decade of conversation and work to improve and clarify land use regulations in the most rural parts of Hinesburg. Among others, these changes will further the following specific goals of the 2011 Town Plan:

- **Section 3.4.1a** – Incorporate practices for area-based zoning, transfer-of-development rights and clustering into Hinesburg’s zoning and subdivision regulations to encourage residential clustering, protection for access to and utilization of natural resources, protection of rural vistas, VT wildlife management areas, and wildlife corridors.
- **Section 3.4.1b** - Create a clearer system for determining allowed development density in the Zoning and Subdivision Regulations. An improved system should give landowners more predictability in the review process, while helping retain natural resources, ecological systems, and important farm and forest lands as the rural areas become more developed.
- **Section 3.4.1c** - Focus rural area development review on resource protection first, with development designed to integrate into and benefit from resource areas.
- **Section 3.4.1d** - Clearly distinguish between allowed development density and minimum lot size. Do away with outdated minimum lot size standards that hamper innovative subdivision design and fragment the rural landscape.

The proposed changes will have little to no affect on the availability of affordable housing; however, the revisions will allow for the creation of smaller rural area parcels (as small as 0.5 acres), which may facilitate the sale of smaller, more affordable building lots.

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

The proposed changes will expand the types of allowed uses in Hinesburg’s rural areas in order to help ensure the future of the working agricultural and forest landscape. Examining and recognizing new and innovative land uses is specifically called for in section 3.4.3e and 3.4.3f of the Town Plan. The proposed changes help implement these recommendations, but in a manner that also considers the unique site constraints of each parcel, as well as the potential impacts on surrounding properties. The proposed changes will for the first time establish allowed development densities in the most rural portions of Hinesburg. For far too long, the development potential of any rural property has been a negotiation forced to play out during the development review process. Some confused a district’s minimum lot size requirement with a defacto allowed development density – i.e., a 100 acre farm in a 2-acre zoning district equaled the potential for 50 dwelling units. Others felt that the build out of a parcel should simply be a mirror of the surrounding area, even if that area had little to no development. The proposed system allows the land to speak for itself by factoring in site specific constraints, and then applying consistent development densities tied to public road quality/capacity. The resulting development densities will allow for appropriate low density residential development, will be low relative to Hinesburg’s village growth area, and will help retain Hinesburg’s important natural resources and rural character.

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

Not applicable, except in so far as the revisions differentiate development densities somewhat based on the quality of access via the public road system. The intention of making this distinction is to minimize future road improvements that would increase property taxes town-wide, and to help maintain the multi-use nature of Hinesburg’s rural roads (transportation and recreation), which constitute some of Hinesburg’s most important community facilities.