



Town of Hinesburg
Planning & Zoning Department
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MEMORANDUM

TO: Selectboard & Town Administrator
FROM: Alex Weinhausen, Director of Planning & Zoning
DATE: February 22, 2018
RE: Planning Commission Proposal – Zoning and Subdivision Revisions, Housekeeping Changes

At their February 14, 2018 meeting, the Planning Commission (PC) voted to forward a zoning regulation and subdivision regulation revision proposal to the Selectboard. The purpose is to make a wide variety of revisions based on suggestions for clarification and improvement over the last 8-10 years. The Planning and Zoning Office keeps a list of suggested changes to the regulations. These suggestions come from a variety of sources – e.g., Development Review Board, Zoning Administrator or other staff, development applicants, landowners, etc. Many of these suggested changes are minor clarifications; however, some represent significantly different regulations or new policy. We typically refer to this collection of regulation revisions as “housekeeping changes”.

Attached is a 7-page summary that briefly explains each of the changes. Also attached are “track changes” versions of the regulations showing all the changes. I’m working with Aaron Kimball to get this material up on the Town website - <http://www.hinesburg.org/regulations.html>.

I’d like to attend an upcoming Selectboard meeting to briefly explain the proposal. Now that you have the PC proposal, our typical protocol for Select Board review is outlined below. An alternative process would be to simply warn your required public hearing right away (i.e., an April meeting), and discuss the need for any additional revisions in the context of that public hearing. Assuming the Planning Commission’s proposal is sound, this would make the adoption process more efficient and timely. If revisions are deemed necessary at the first public hearing, those changes can be made, and a second/final public hearing held prior to adoption.

1. Review the material and decide if you want to make any further changes. The Planning Commission discussed this over many meetings, and received and made revisions based on comments at their December public hearing.
2. Make any changes and then schedule a public hearing.
 - a. Public notice/warning must be 15 days prior to a hearing.
 - b. There are special warning requirements (VSA Title 24, Chapter 117, Section 4444).
 - c. Any changes to the proposal must be filed with the Town Clerk and PC.
3. Hold the public hearing.
4. Decide if further changes are needed.
 - a. If you make ANY further changes (except for grammar, punctuation, numbering, etc.), then you must warn and notice another public hearing.

- b. If you make no changes, then you can proceed with adoption.
5. Adopt the regulation revisions*. You can do this at the same meeting as the public hearing if there are no additional changes. You simply need to close the hearing first.

*** Note – if the revisions are not approved by 12/13/2018, they are considered disapproved.**

Normally, the Selectboard takes action by voting on regulation revisions. However, you can defer to the voters, and hold a town-wide vote (via Australian ballot) on the proposal instead of a simple Selectboard vote. If the Selectboard does take action to adopt changes, citizens do have the right to petition for a popular vote on the proposed changes. A petition by at least five percent of the voters, filed within 20 days of Selectboard adoption can force a popular vote on the regulation revisions – via Australian ballot.

If the Selectboard feels there are problems with the proposal, you can choose to take no action or vote to reject the proposal (after a public hearing), and return it to the Planning Commission with guidance on the issues that need further work.