(4) See Section 10.1 for definition of "Lot Coverage."
(5) Higher lot coverage may be allowed under conditional use for existing small lots and multi-family housing provided they are serviced by town sewer and water. See Section 3.3
(6) A minimum setback from any property line of 50 feet shall be provided around the perimeter of the district. The Development Review Board may require a larger yard and/or screening to reduce potential impacts on surrounding uses and roads as a part of site plan review.
(7) I-3 district dimensional standards (except lot coverage) are to be determined (TBD) by the DRB during development review. See purpose statement for I-3 district, section 3.13.

Section 2.4 AREA AND DIMENSIONAL REQUIREMENTS

In each district the minimum size and dimension of lots, structure setbacks, and the maximum percentage lot coverage shall be as shown on Table 1.

2.4.1 Accessory structures, which exceed six hundred (600) square feet in floor area and are greater than twenty (20) feet in height, shall meet the setback requirements for principal structures unless conditional use approval is received from the Development Review Board. In determining the appropriate setbacks the Board shall consider the standards outlined in Section 4.2.

2.4.2 **Village Growth Area Density & Build Out:** Residential base densities for the Village Growth Area zoning districts are shown below. As the Town's sole growth area, projects are encouraged to build to the base density, and preferably higher - to the maximum allowed density by taking advantage of the various density bonuses described in sections 2.9 and 5.21. Projects that trigger or utilize the inclusionary zoning provision in section 5.21 shall not exceed a residential density bonus of 120% of the base density. For all other projects, the residential density bonus shall not exceed 100% of the base density. For example, a 10-acre parcel in the Village zoning district (with no stream setback area) would have a residential base density of 40 units. If this project utilized the incentive/bonus provisions of section 2.9 to the maximum (e.g., small dwelling size, green certification, renewable energy, public spaces), it would acquire a 100% density bonus resulting in a build of 80 units. However, a project of that size also triggers the inclusionary zoning provision that requires 10% of the base density units to be affordable in return for a 20% density bonus. Therefore, the total density bonus for this project would be 120%, which equals a build out of 88 units (4 of which would have to be affordable). Note that non-residential densities are not formally defined and are instead determined by dimensional standards, height limits, parking requirements, and site planning standards.

Zone	Base Density
Village	4 units/acre
Village NE & NW	3 units/acre
Residential 1 & 2	2 units/acre

2.4.3 **Village Growth Area Density Calculation:** To maximize Village Growth Area development density, roads and shared right of way areas shall count toward the total lot area ONLY with respect to density calculations (unlike in rural districts, see "lot area" definition). However, to acknowledge truly unbuildable stream setback areas, portions of a parcel within the stream setback shall not count toward the total lot area ONLY with respect to density calculations. The standard "lot area" definition (which excludes only roads and shared right of ways) still applies to other dimensional determinations (e.g., lot size, lot coverage, etc.) in the Village Growth Area.

2.4.4 **Village Growth Area Density Transfer:** Base densities and density bonuses have been

(3) Farm accessory structures exceeding eighty (80) feet,
(4) Industrial or commercial accessory structures exceeding thirty-five (35) feet, or
(5) Church spires, belfries, monuments or similar institutional structures.
(6) Fences up to ten (10) feet in height.

2.7.3 Small wind energy systems that conform to section 5.24, are permitted if less than 150' in height.

Section 2.8 OTHER ORDINANCES

The fact that a proposed land use is in compliance with the area, density, dimensional requirements, and other provisions of this Regulation shall not be construed as prohibiting limitations pursuant to site plan approval (Section 4.3 of this Regulation), pursuant to subdivision regulations, or pursuant to any other ordinances or regulations.

Section 2.9 VILLAGE GROWTH AREA DENSITY BONUS/INCENTIVE OPTIONS

PURPOSE: The purpose of this section is to provide density incentives to developers of residential, non-residential, and mixed-use lands in the Village Growth Area zoning districts, in exchange for providing public benefits that help achieve community goals expressed in the Town Plan – e.g., affordable and reasonably-priced housing*, energy conservation, important public spaces and infrastructure, use of renewable energy resources, and well designed, high density mixed use development. This is accomplished through these provisions by:

- Defining, in quantified terms, the benefits that can be used to earn density incentives;
- Providing rules and formulas for computing density incentives for each benefit;
- Providing a review process to allow evaluation of proposed public benefits and potential allowances, and to give the public opportunities to review and comment.

*NOTE - Density bonuses for perpetually affordable housing are included in section 5.21 (Inclusionary Zoning section). Affordable housing bonuses can be added to any bonuses achieved via this section; however, the total residential density bonus shall not exceed 120% of the base density for the district per section 2.4.2.

2.9.1 **Residential Density Bonus Incentives:** Residential density bonus incentives vary by zoning district and are based on a sliding scale formula. Greater bonuses are available to projects that best address the public benefit areas described below. Incentives accrue both to projects that address a single benefit extensively or multiple benefits. Density bonuses shown below represent the percent above the base residential density for the district. See below for guidelines on calculating the total incentive number.

Total Incentive #	% Density Bonus by District					
	VG	VG-NW	VG-NE	C	R-1	R-2
1	50	n/a	n/a	n/a	n/a	n/a
2	75	50	50	50	50	50
3+	100	100	100	75	100	100

2.9.2 **Residential Incentive Formula & Public Benefits:**

(1) Dwelling Unit Size – Smaller dwelling units help to: create more affordable and reasonably priced housing; allow for greater clustering and multi-family dwellings that make more efficient use of available space; require less energy for heating, cooling, electricity. To count toward the incentive for dwelling size, the livable floor area of the unit in question shall be no larger than:

(a) Single family units 1500 sq. ft

(b) 2-family & multi-family units 1200 sq. ft per unit

(2) Green Home Certification – Green certified homes typically have a lesser overall environmental impact than conventional homes, including: greater energy and water efficiency, reduced site impacts, environmentally preferable material choices, improved interior environment, and reduced construction waste. Green home certification programs eligible under this provision shall be regionally-based (i.e., for northern New England) and require third party review and certification (e.g., VT Builds Greener, LEED for Homes, etc.).

(3) Renewable Energy Technology - Substantial use of renewable energy technology (e.g., solar photovoltaic, solar hot water, wind, geothermal, biomass, etc.) helps to reduce Hinesburg's overall demand for electricity and non-renewable fossil fuels.

	Incentive #		
% of Units Providing Benefit*	Dwelling Size	Green Home Cert.	Renewable Energy
25%-49%	0.5	1	1
50%-74%	1	1.5	2
75%+	1.5	2	3

* Dwelling Size & Green Home Certification - percentages listed above refer to total number of dwelling units, including bonus units. Renewable Energy – percentage listed above based on the % of the overall project's projected ongoing/long-term energy needs that are provided by renewables - i.e., total energy usage including electricity, HVAC, etc.

(4) Important Public Spaces & Public Infrastructure – New development in the growth area will typically provide some amount of public infrastructure – i.e., sidewalks, roads, stormwater systems, water/wastewater lines, outdoor gathering areas, etc. Density incentives should therefore be reserved for developments that provide particularly important and significant public spaces and/or infrastructure. Since community needs and priorities vary over time, the incentive level/number (on a scale of 1-3) for a particular project shall be determined by DRB in consultation with the

Selectboard. Examples of project elements that might qualify include, but are not limited to: community/multigenerational center; town green; bandshell, amphitheater, or performance venue; farmers market area; recreation fields (preferably full size); community garden area, public buildings, public safety apparatus/equipment.

2.9.3 **Non-Residential Density Bonus Incentives:** Non-residential (commercial, industrial, etc.) incentives are handled differently because density is regulated by site planning constraints (lot coverage, maximum height, dimensional standards, parking, site plan standards, etc.). Incentives are still based on a sliding scale formula. Greater incentives are available to projects that best address the public benefit areas described below. Incentives accrue both to projects that address a single benefit extensively or multiple benefits.

	Benefit/Incentive				
Total Incentive #	Maximum lot coverage*			Maximum Building height	Required parking
	VG	I-3 & I-4	Other Districts		
1	+5%	n/a	+10%	+5’	-10%
2	+10%	+5%	+15%	+7’	-20%
3	+15%	+10%	+20%	+10’	-25%

* Lot Coverage varies by growth area zoning district due to higher starting allowances for the Village (75%) and Industrial 3&4 (80%) districts.

2.9.4 **Non-Residential Incentive Formula & Public Benefits:**

(1) Multi-story Mixed-use Building(s) – Buildings with compatible non-residential & residential uses are typical of a village setting and help assure a vibrant village atmosphere during business hours and at other times (e.g., evenings, weekends). Furthermore, mixed-use buildings allow for greater clustering that makes more efficient use of available space, and tends to create more reasonably-priced residential units.

Percent of building area in residential use	Incentive number
20%-30%	0.5
31%-40%	1
41%+	1.5

(2) LEED Certification – LEED certified buildings are energy efficient and typically have a lesser overall environmental impact (site impacts, construction waste, etc.) than conventional development.

Certification level	Incentive number
Certified	1
Silver	2
Gold or above	3

(3) Renewable Energy Technology - Substantial use of renewable energy technology (e.g., solar photovoltaic, solar hot water, wind, geothermal, biomass, etc.) helps to reduce Hinesburg’s overall demand for electricity and non-renewable fossil fuels.

Overall projected ongoing/long-term energy needs provided by renewables	Incentive number
25%-49%	1
50%-74%	2
75%+	3

(4) Important Public Spaces & Public Infrastructure – New development in the growth area will typically provide some amount of public infrastructure – i.e., sidewalks, roads, stormwater systems, water/wastewater lines, outdoor gathering areas, etc. Density incentives should therefore be reserved for developments that provide particularly important and significant public spaces and/or infrastructure. Since community needs and priorities vary over time, the incentive level/number (on a scale of 1-3) for a particular project shall be determined by DRB in consultation with the Selectboard. Examples of project elements that might qualify include, but are not limited to: community/multigenerational center; town green; bandshell, amphitheater, or performance venue; farmers market area; recreation fields (preferably full size); community garden area, public buildings, public safety apparatus/equipment.

Section 2.10 RURAL AREA DEVELOPMENT DENSITY & MAXIMUM BUILD OUT

PURPOSE: The rural area development density options below serve two mutually compatible goals:

- Protect and enhance Hinesburg's natural features, cultural features (e.g., working landscape, dirt roads, trails, rural recreation, etc.) and its rural, small-town character.
- Provide landowners with flexibility and multiple options in the creation of new lots.

The very first goal & objective of the Town Plan (section 1.5) is to "guide development into locations that reinforce the rural pattern of compact settlements surrounded by open lands." In the face of development pressure as part of the greater Burlington metropolitan area, the standards below are intended to clarify what development densities are consistent with the community's goals and objectives. This should increase predictability for all parties and focus the review process on the best possible design for the development. When creating new lots, landowners must have the flexibility to design a subdivision or PUD that fits the landscape in question. Frequently this means clustering development on small lots to minimize impact on important resources and to reduce the cost of new infrastructure (roads, utility lines, etc.). However, a variety of lot sizes, including large lots with mixed residential and agricultural or forestry uses, can also be appropriate depending on the parcel, the intended use, and the resource areas in question. Combined with rural area design standards (covered elsewhere in the Zoning and Subdivision Regulations), these provisions will help landowners interested in doing low density development while protecting Hinesburg's rural character.

2.10.1 **Minimum Lot Size:** The minimum lot size for the Agricultural (AG) and Rural Residential 2 (RR2) Districts shall be 0.5 acres.

2.10.2 **Determination of Allowable Density:** Within the AG and RR2 Districts, the maximum allowable development density shall be based upon the type and condition of the road providing access to the parcel as outlined below. Densities may be further increased, and area and dimensional standards reduced, by the Development Review Board only for Planned