

## Memorandum

**To:** Hardwick Planning Commission, Vermont Department of Housing and Community Development (DHCD), Northeast Vermont Development Association (NVDA), Towns of Wolcott, Walden, Woodbury, Elmore, Stannard, and Cabot

**From:** Heather Carrington, CCDS

**Date:** May 14, 2024

**Re:** Hardwick Bylaw Modernization – Report on Proposed Amendments to the Town of Hardwick Unified Development Bylaws

### Purpose

This report provides information related to proposed amendments to the Town of Hardwick Unified Development Bylaws as discussed by the Planning Commission at multiple public meetings. A formal public hearing is scheduled for the June 11, 2024 Planning Commission meeting; and will be discussed by the Hardwick Selectboard in September and October including formal public hearings. The amendments specifically impact the following parts of these bylaws:

- Table 2.1 – Central Business District (CB)
- Table 2.2 – Village Neighborhood (VN) District
- Table 2.3 – Highway Mixed-Use (HM) District
- Table 2.4 – Compact Residential (CR) District
- Table 2.5. – Industrial (I) District
- Table 2.6 – Rural Residential (RR) District
- Table 2.7 – Forest Reserve (FR) District
- Tables 2.8 – Flood Hazard Overlay (FHO) District
- Section 3.6 – Existing Small Lots
- Section 3.7 – Height Requirements
- Table 3.1 – Minimum Off-Street Parking Requirements
- Section 4.13 – Mobile Home Parks
- Table 4.1 – Protected Public Uses
- Section 5.3 – Flood Hazard Review
- Section 8.2 – Definitions
- Town of Hardwick Zoning Map

### Background

Since the last comprehensive update to the Town's Unified Development Bylaws in 2019, the Town has been engaged in bylaw modernization efforts utilizing a 2023 Vermont Bylaw Modernization grant. The funding is intended to address the State's housing shortage by removing zoning barriers to new housing development. The Planning Commission has been working with a consultant in reviewing the document and proposing amendments to support additional housing. The amendments currently under consideration help to bring the bylaws into compliance with the Vermont Housing Opportunities Made for Everyone (HOME) Act, signed into law on June 5<sup>th</sup>, 2023. In addition, the amendments align with the recommendations made in the Vermont Department of

Housing and Community Development publication *Enabling Better Places: A Zoning Guide for Vermont Neighborhoods*.

Following the widespread flooding in July 2023, the Planning Commission also initiated consideration of bylaw amendments to mitigate flood risk in Hardwick. The amendments currently under consideration help improve and clarify the interpretation of the regulations, while also recommending amendments to better align with Town priorities.

These amendments seek to create more housing-related allowable uses and reduce minimum required dimensional standards in zoning districts served by municipal water and sewer infrastructure; align minimum off-street parking requirements to the statutory requirements of the Vermont HOME Act (Act 047); improve community flood resiliency; create clarity in multiple sections; and add or clarify definitions.

### **Purpose of Amendments**

These amendments are being proposed to provide additional housing development options in areas served by municipal water and sewer infrastructure in compliance with the Vermont HOME Act. Additional changes are being included to provide for a more flood-resilient community. Other amendments are being included based on changes and impacts to the multiple sections that were reviewed.

### **Proposed Amendments**

Included with this memorandum are the proposed amendments to the Town of Hardwick Unified Development Bylaws. Proposed additional text resulting from the Bylaw Modernization project is shown in red and underlined. Proposed additional text resulting from Planning Commission review with the Hardwick Zoning Administrator outside the purview of the Bylaw Modernization grant project is shown in blue and underlined. Text that appears with a strikethrough is proposed to be deleted.

The proposed amendments also include a revision to the Town of Hardwick Zoning Map making a zoning boundary adjustment affecting six parcels (see attached maps). The proposed adjustment will extend the Village Neighborhood District to include parcels previously contained in the Compact Residential District. The adjustment is necessary to align with the Urban Compact of Hardwick (2015) boundary which defines the parcels served by water and sewer by reference in the bylaw definitions. The boundary adjustment impacts the following parcels:

- 09032.00010
- 09032.00000
- 09031.00000
- 09029.00030
- 09030.00010
- 09029.00020

### **Consistency with the Hardwick Municipal Plan (2019)**

The following information is provided to address the requirements of 24 V.S.A. § 4441 regarding consistency of the proposed amendments to the Town of Hardwick Municipal Plan, adopted in

November 2019. Specifically, statute requires municipalities to consider three parts when reviewing proposals for new or amended bylaws. These considerations include:

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 Town updated the Municipal Plan in 2019. The Municipal Plan contains individual chapters that discuss housing and flood resilience. The Municipal Plan strives to establish housing options to allow families or households to grow and expand within the Town. The Town plan specifies the goal “For Hardwick to have safe and affordable housing available in a variety of types for all incomes, ages, and for those with special needs.” By establishing updated allowable uses and dimensional standards (Tables 2.1, 2.2, 2.3, 2.4), these amendments remove barriers to development of additional housing and may result in the ability for more affordable housing to be constructed. Reductions in required off-street parking for housing also contribute to housing affordability, furthering the stated goal of the Housing Chapter of the Municipal Plan. The additional allowable housing uses provided by the amendments also promote the Town Plan housing policy stating that “Multifamily housing is encouraged in our village centers.” Further amendments are included to clarify how and where development, including housing, can be established.

Amendments to Section 5.3 Flood Hazard Review and Table 2.8 Flood Hazard Area Overlay (FHO) District also address goals in the Municipal Plan. Specifically, the Plan states the goal “to encourage a flood-resilient community.” The amendments to these sections promote flood resilience.

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

The proposed amendments maintain future land uses and planned densities as outlined in the Town’s Municipal Plan. While the changes support the creation of additional dwelling units, the location of this development would be consistent with the proposed future land uses described in the plan including areas planned for higher density development. All four districts under consideration for addition of multi-family dwellings as allowable uses are designated areas for moderate to high residential density in the Municipal Plan.

Changes to the Flood Hazard Area Overlay District will better align the bylaws to further the Municipal Plan policy stating that “New development in identified flood hazard, fluvial erosion, and river corridor protection areas should be avoided.” Proposed amendments to the Flood Hazard Review section of the bylaws strengthen the review process to mitigate flood risk in keeping with the Municipal Plan.

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

No specific proposals for community facilities are planned that would be impacted by the proposed amendments. Specifically, the proposed amendments are included to align with Vermont statutory requirements, provide clarity or strengthen community flood resiliency. These amendments will not conflict with any future planned community facilities. Developments that may be established due to these proposed changes will support existing community facilities.