

Town of Hardwick
Unified Development Bylaws
Update and Amendments
Public Hearing to be held by the Select Board
On Thursday, September 5, 2024
At 5 pm – Hybrid Hearing with in-person and virtual options

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.

Historical Perspective:

Since the last comprehensive update to the Town's Unified Development Bylaws in 2017, 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 Carrington Community Development Services in reviewing the Unified Development Bylaws 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, 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.

The Housing amendments seek to:

1. create more housing-related allowable (permitted) uses
2. reduce minimum required dimensional standards in zoning districts served by municipal water and sewer infrastructure
3. align minimum off-street parking requirements to the statutory requirements of the Vermont HOME Act (Act 047)
4. revise the regulations associated with Mobile Home Parks to align the rules with Fair Housing practices
5. include Emergency Shelters in the Protected Public Uses as per the HOME Act
6. create clarity in multiple sections
7. add or clarify definitions.

The proposed amendments also include a revision to the Town of Hardwick Zoning Map making a zoning boundary adjustment which affects eleven parcels. The adjustment would 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 • 23081-00000 • 23081-00010 • 23081-00050 • 24079-00000 • 24080-00000

Flood Hazard Area Overlay – proposed changes to the regulations:

FEMA is in the final stages of a multi-year map update for Hardwick and the State of Vermont. In order to remain in the National Flood Insurance Program (NFIP), Hardwick will be required to have updated floodplain bylaws adopted before the new maps become official.

The Hardwick Planning Commission and the Floodplain Administrator combined the known impacts of the flooding in July and December and the required language from FEMA to generate amendments to assist with future flood impacts in Hardwick.

The suggested bylaws would be compliant with the Vermont Floodplain Management regulations.

- Adding Bridges and Culverts to the permitted uses (currently conditional use)
- Adding Channel Management to the permitted uses (currently conditional use)
- Adding Footbridges to permitted uses (currently conditional use)
- Adding River and Floodplain projects to permitted and conditional use (in floodway) (currently no mention)
- Adding primary access fill to conditional use (currently not allowed)
- Prohibit all new residential or non-residential structures, including small Accessory Structures, in the Floodway. (Currently, Hardwick prohibits Accessory Structures in the floodway)
- Prohibit Natural Burial Grounds and cemeteries from the Floodplain (no mention currently)
- Add the word "Facility" to Storage in the prohibited uses
- Exempting interior improvement and repairs to existing buildings under \$500 (no exemption currently)
- Exempting maintenance on roads, bridges, and storm water drainage. (Only mentions roads in the current rules)
- Exempting routine maintenance to an existing building
- Exempting stream bank stabilization and abutment work



New or substantially improved structures must be elevated to or above the Design Flood Elevation (2 feet above base flood elevation). The current rules have an elevation at Base Flood Elevation but, with current flooding patterns, a higher standard is needed.

For Critical Facilities (fire stations, wastewater treatment facilities, etc.) to be substantially improved, they must have the lowest floor (including the basement) elevated or dry-flood proofed at least one foot above the elevation of the 0.2% annual flood height (500 year Floodplain) or three feet above base flood elevation, whichever is higher. (New critical facilities are prohibited from the Floodplain).

For more information or a complete copy of the proposed bylaw changes, please contact Kristen Leahy, Zoning and Floodplain Administrator at (802) 472-1686 or zoning.administrator@hardwickvt.gov. More information can also be found on the Hardwick Vermont website on the Zoning page. A paper copy is also available for review in the Hardwick Town Clerk's office.