

Memorandum

To: Hardwick Planning Commission
From: Heather Carrington, CCDS
Date: June 8, 2023
Re: Hardwick Bylaw Modernization

Purpose

The purpose of this memo is to provide an overview of topics on the agenda for the June 13th, 2023 meeting of the Hardwick Planning Commission. The consultant will be in attendance to:

- present slight revisions to the proposed work plan for the coming months, and
- facilitate a discussion comparing the Hardwick Zoning Bylaw regulations for the Highway Mixed Use District with the state recommendations contained in the Zoning for Great Neighborhoods publication.

Review and Approve Amended Work Plan

The initial work plan as currently approved specified that two public engagement meetings would be held over the summer months. At the recommendation of the zoning administrator and with the agreement of the planning commission chairperson, the work plan has been amended to reschedule the public engagement meetings for fall. The ZA suggested that the fall months would be a more likely time for the public to participate in meetings. The meetings will be planned and facilitated by the consultant and zoning administrator. The planning commission decided that their participation in the meetings might inhibit the public's participation, thus the PC will not participate in these meetings.

PC Action: Approve revised 6-month work plan as amended.

Preferred Format for Zoning Amendment Recommendations

The consultant will gather planning commission perspectives on their preferred format(s) for receiving recommendations to best facilitate discussion and decision making.

Highway Mixed Use District Regulations Comparison with Zoning for Great Neighborhoods (Z4GN)

The Planning Commission packet contains a table comparing the recommended bylaw reforms in the Z4GN document with the existing Hardwick regulations for the Highway Mixed Use District. Each of the recommendations under the six major topics of reform are compared and areas that are not in alignment with the recommendations are highlighted. Notes with recommendations and topics for further discussion are included in the final column of the spreadsheet. The consultant will provide an overview of the findings during the discussion.

The following components of the Highway Mixed Use District regulations are opportunities for reform to better align with the Z4GN publication:

Dimensional Requirements:

1. Match minimum lot size to local pattern

The minimum lot size in the highway mixed use district is 20,000 square feet. In much of the district this aligns with the existing lot sizes. East Hardwick's highway mixed use district is entirely in compliance with the required lot size. However, there are existing non-conformities both along Route 14 south of the village and a significant number of non-conformities along the Wolcott Street corridor. 31% of the total parcels located within the district along Wolcott Street do not meet the minimum lot size requirement.

The minimum frontage requirements are similarly misaligned along Wolcott Street. The district requires 100 feet of linear frontage. While East Hardwick's highway mixed use district falls entirely within the requirements and the Route 14 corridor has minimal non-conformities (5% of parcels), 26% of the Wolcott Street parcels are non-conforming.

The parcels that are out of compliance on this corridor are generally clustered closer to the downtown core. It may benefit the community to consider shifting the boundary between the central business district and the highway mixed use district to better align with existing conditions.

2. *Remove Density Caps*

At present, the zoning regulations require a minimum of 5,000 sf of lot area per unit on Class 1 lots. Class 1 lots are served by both municipal water and sewer and would be some of the preferred locations for constructing new housing in line with smart growth principles and at a lower financial and environmental cost than developing in areas without preexisting infrastructure. Complete removal of the density caps is not necessary to improve the likelihood of further housing development. Instead, the planning commission could consider reducing the required minimum square footage per unit particularly in the Class 1 lots. An average rental unit in Vermont is +/- 1,200 square feet. Four average rental units could be supported by 5,000 square feet.

3. *Remove Requirements that Forbid a Second Building on Lot*

The bylaws allow some limited flexibility on second buildings on lots. The regulations state in Section 3.8 that:

"Zoning Administrator may permit two single family dwellings on a single parcel under Section 7.1 provided:

- (1) the parcel meets all applicable lot size, density and dimensional standards for the district in which the parcel is located;*
- (2) the dwellings are set back from one another a minimum of twice the side yard setback distance for the district in which they are located; and*
- (3) the Zoning Administrator determines that if the parcel were subdivided into two parcels each would meet all requirements for a conforming use and complying structure under these bylaws."*

4. *Reexamine non-conforming provisions*

A significant number of parcels qualify as preexisting non-conforming along Wolcott Street. This generally indicates that changes to zoning regulations are needed to better reflect the historic settlement patterns in the areas of non-conformance.

Parking:

5. *Reduce the number of on-site parking spaces required.*

As discussed during the May planning commission meeting, the minimum parking requirements for residential units do not align with the Zoning for Great Neighborhoods recommendation of one on-site space per dwelling. The current bylaws exceed that number and require different minimums per unit for different housing types. There is an unconscious bias in arbitrarily assigning different parking needs based on housing type. In order to align with the Z4GN, the recommendation is to require no more than one parking space per housing unit. At a minimum, the parking space requirement per residential unit should be consistent across various housing typologies.

Allowable Uses:

6. *Eliminate unnecessary use restrictions on housing.*

The highway mixed use district lists a multi-family dwelling as a conditional use. However, the district is a seemingly ideal location for multi-family dwellings due to the larger lot sizes many of which are served by existing municipal water and sewer infrastructure. By making these “conditional use” the town effectively increases the time and expense required to construct new multi-family housing in the district, thus creating an impediment to housing affordability. Multi-family housing could be made an allowable use in the district within preferred parameters. For example, the regulations could specify a “not to exceed” number of units allowable by-right or a maximum building footprint.

7. *Do Not Require Unnecessary Subdivision of Land*

We will examine this topic fully during the October planning commission discussion of the development review process as a whole. Based on the current dimensional requirements and allowable uses, this question is relevant to the highway mixed use district parcels. The Z4GN publication gives the following guidance:

“Home development can take place with various ownership structures, including detached homes within a condominium association. Municipalities do not need to require that the original tract be subdivided into a separate lot for each home or require PUD approval for development with commonly owned land. Town regulations should ensure that standards that regulate the subdivision of land are not inadvertently applied where they are not relevant or needed.”

Street Standards:

8. *Implement complete streets standards.*

The highway mixed use districts are located along state highways and will require coordination with VTRANS. While implementing complete streets standards is a desirable goal, it should be approached incrementally in Hardwick. The priority for complete streets standards should be focused on the central business district and E. Hardwick village center first, rather than the highway mixed use district. Municipal infrastructure can help to catalyze housing development, so this should be revisited in the future, likely starting with areas already served by municipal sewer and water. Ultimately, the long-term approach to complete streets could involve multiple phases and actions including designating a neighborhood development area through the Vermont designation program and potentially utilizing a tax increment finance district to defray the cost of new infrastructure for the tax base.

9. *Provide connections where possible*

Due to the linear nature and large parcel sizes of the highway mixed use district, it is important to consider future connectivity. Nationally, entire neighborhoods are comprised of a series of PUDs with disconnected cul-de-sac access. This is not reflective of Vermont's historical settlement patterns and is indicative of sprawl. The Z4GN publication recommends:

“Development regulations can require new streets to connect to existing streets, or that stubs be constructed to the parcel boundary to allow future connections. Vehicular connectivity is highly desirable, but where impossible, it is still critically important to provide pedestrian or bicycle paths to adjacent neighborhood services and employment where feasible.”

ADUs:

Zoning meets guiding recommendations. There is room for further pro-active improvement if desired.

Development Review Process:

The recommended areas for improvement pertinent to the highway mixed use district are listed below, with the associated guidance from *Zoning for Great Neighborhoods*. The development review process for all districts will be discussed at the October planning commission meeting as set forth in the 6-month work plan.

10. *Reduce requirements for conditional-use approval and site plan review.*

“Expanded housing choices are often inadvertently discouraged by complicated review processes. Excessive requirements often exist for even the smallest increments of new housing, such as conditional-use approval or discretionary site plan reviews, processes that were originally intended to inhibit potentially undesirable projects. More uses should be allowed “by right” (without subjective review processes); examples include additional housing types in walkable neighborhoods and desirable amenities in town centers, such as multi-family housing, restaurants, and shops.” (Z4GN)

11. *Simplify application requirements for small-scale development.*

*“Regulations should eliminate unnecessary application requirements. For instance, an application to add an apartment or accessory dwelling on an existing lot should not require the same detailed engineering drawings as a new commercial building with a paved parking lot.”
(Z4GN)*

12. *Where practical, make staff responsible for site plan review.*

*“Site plan review is generally a technical matter, resulting in an administrative decision, within the allowances of 24 V.S.A. 4464 (c). If a qualified staff member is available to conduct a site plan review, the review can be completed more quickly and an applicant can get clear direction about how deficiencies can be remedied. Assigning this responsibility to staff reduces the chances that subjective opinions will influence an administrative review process.”
(Z4GN)*