

ARTICLE 2. ZONING DISTRICTS

Section 2.1 Establishment of Zoning Districts & Map

(A) The Town of Hardwick is hereby divided into the following zoning districts as described in the accompanying tables (Tables 2.1 - 2.8) and shown on the official zoning map and associated overlays:

- Central Business (CB) District
- Village Neighborhood (VN) District
- Highway Mixed-Use (HM) District
- Compact Residential (CR) District
- Industrial (I) District
- Rural Residential (RR) District
- Forest Reserve (FR) District
- Flood Hazard Overlay (FHO) District

(B) The location and boundaries of each zoning district are depicted on the official “Town of Hardwick Zoning Map” and the most current National Flood Insurance Program maps, which are adopted by reference and declared to be part of these bylaws. The official zoning map and associated overlays may only be altered by amendment to these bylaws in accordance with Section 1.4 and the Act [§§4441,4442].

(C) The official zoning map and overlays shall be located in the Hardwick Town Office, and shall be identified by the signatures of the Selectboard, as attested to by the Town Clerk. These maps shall be the final authority as to the zoning status of any lands or waters in the town.

Section 2.2 Zoning District Boundary Interpretation

(A) Where uncertainty exists as to the location of district boundaries shown on the official zoning map and overlays, the following rules shall apply:

- (1) Boundaries indicated as following roads, transportation or utility rights-of-way shall be interpreted to follow the centerlines of such features.
- (2) Boundaries indicated as following rivers or streams shall be interpreted to follow the channel centerline and shall move with the centerline of such features.
- (3) Boundaries indicated as following shorelines shall be interpreted as the normal mean water level. In the event of change in the shoreline the boundary shall move with the shoreline.
- (4) Boundaries indicated as following lot lines shall be interpreted to follow the delineated property boundary.
- (5) Boundaries indicated as following contour lines shall be interpreted to follow a constant, specified elevation as measured from mean sea level or other accepted reference datum.
- (6) Boundaries indicated as following compass headings shall be interpreted to follow such headings.
- (7) Boundaries indicated as parallel or perpendicular to, or extensions of the above features, shall be so interpreted on the ground.

- (8) Distances not specifically indicated shall be determined by the scale on the official zoning map.
- (B) The abandonment or relocation of a right-of-way or roadway, or the change in a line or feature which references a district boundary line, after the effective date of these bylaws, shall not affect the location of the district boundary line except with regard to shorelines, streams and rivers as specified above.
- (C) Where available (i.e., in Zones 1- A30, AE and AH), the base flood elevations and floodway limits provided by the National Flood Insurance Program (NFIP) in the Flood Insurance Study and accompanying maps shall be used to administer and enforce the flood hazard area overlay district provisions of these bylaws. In areas where base flood elevations and floodway limits have not been provided by the NFIP (i.e., Zone A), base flood elevations and floodway information available from state or federal agencies or other sources shall be obtained and reasonably used to administer and enforce flood hazard area overlay provisions.
- (D) When the Zoning Administrator cannot definitely determine the location of a district boundary, the Planning Commission and/or appropriate state or federal official may be consulted prior to issuing a determination. A determination by the Zoning Administrator regarding the location of a district boundary may be appealed to the Board of Adjustment under Section 7.3.
- (E) Where a district boundary divides a lot in single ownership as of the effective date of these bylaws, or any amendment thereto, the Board of Adjustment may permit, subject to conditional use review under Section 5.2, the extension of district standards for either portion of the lot up to 30 feet beyond the district line into the remaining portion of the lot.
- (F) Where a lot is divided by a town boundary, the standards of these bylaws shall be applied to that portion of the lot located in the Town of Hardwick in the same manner as if the entire lot were located in this town.

Section 2.3 Application of District Standards

- (A) All uses and structures, unless specifically exempted under Section 7.2, must comply with all prescribed standards for the district in which they are located, as set forth in Tables 2.1-2.8 and as defined in Section 8.2, unless otherwise specified in these bylaws. The standards for each district shall apply uniformly to each class of use or structure, unless otherwise specified. Nonconforming uses and nonconforming structures in lawful existence as of the effective date of these bylaws shall be regulated in accordance with Section 3.9.
- (B) Overlay district standards shall be applied concurrently with the standards for underlying zoning districts. Where overlay districts impose more restrictive standards on the use of land or a structure, the standards of the overlay district shall apply.
- (C) Uses for each district are classified as "**permitted uses**" to be reviewed by the Zoning Administrator in accordance with Section 7.1, or as "**conditional uses**" to be reviewed by the Board of Adjustment in accordance with Section 5.2. Both permitted and conditional uses are subject to applicable district requirements and general standards set forth in Article 3. Variances from the provisions of these bylaws may be considered only on appeal to the Board of Adjustment, in accordance with Sections 7.3 and 7.4.
- (D) Within specified zoning districts, the lot size and/or density requirements may vary depending on the

availability of municipal sewer and/or water. For this purpose, the following lot classifications are established:

- Class 1 – Served by both municipal water and sewer.
- Class 2 – Served by either municipal water OR sewer, but not both.
- Class 3 – Not served by municipal water or sewer.

(E) All uses not specifically allowed under, or exempted from, the provisions of these bylaws, are prohibited.

Section 2.4 Zoning District Standards

The following Tables 2.1-2.8 set forth the stated purpose, allowed uses and specific standards for each zoning district. Additional district standards pertaining to conditional uses may be found under Section 5.2, and for planned residential developments under Section 5.4. Standards applicable to specific uses also may be set forth in Article 4.