



To: Fairfield Planning Commission  
From: Emily Klofft, Regional Planner  
Date: August 19, 2024  
Subject: Discussion of Subdivision Regulations- Density Standards

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Based on the discussion of the July 15<sup>th</sup> Planning Commission meeting, NRPC has identified four preliminary areas of discussion surrounding the town's subdivision regulations. These areas are subject to change as determined by the Planning Commission.

1. Determining Base Density of Subdivisions
2. Adding Additional Zoning Districts
3. Resource Protection Standards
4. Site Layout & Road Standards
5. Planned Unit Developments

NRPC plans to address each of these areas at upcoming Planning Commission meetings. This month, NRPC will provide information on and examples of density standards. If anyone would like to take a deeper dive, we are also referencing two white papers from the Vermont Planning Implementation Manual: [Subdivision Regulations](#) and [Open Space and Resource Protection Regulations](#).

### **Tools for Determining Base Density of Subdivisions**

#### **Minimum Lot Size**

The most common and simplest way that Vermont communities use to determine base density in a subdivision is through setting a minimum lot size. Municipalities set various lot sizes to achieve a maximum potential density. For example, a 50-acre parcel with a 1-acre minimum lot size could potentially, depending on site conditions and other review standards, be subdivided into up to 50, 1 acre lots. While a 50-acre parcel with a 10-acre minimum lot size could potentially be subdivided in up to 5, 10-acre lots. It is worth pointing out that this method does not typically include a minimum potential density. Usually, the development happens in a piecemeal fashion of a few lots at a time over many years, with lots rarely "built out" (subdivided to maximum capacity).

Fairfield currently implements this method of determining subdivision density and includes the following language with 1-acre minimum lot size in all districts except the Village:

*The maximum allowed number of lots for a particular subdivision is calculated by dividing the total land area by the minimum lot size for the district.*

Large lot zoning is a tool used by communities to achieve a range of goals from a low-density development pattern, to maintaining rural character and/or a viable working landscape. However, it is important for communities to consider unintentional consequences of large lot zoning, which may work against underlying plan goals to preserve working land areas. The minimum required acreage for the current use program is 25-27 acres (27 acres with homestead). This is recognized as the minimum acreage needed to limit parcelization and fragmentation of resource and working lands. Lot sizes less than 25 acres may achieve a low density of development and maintain open space but may not successfully preserve viable farm and forestland. Fragmentation and parcelization of forests and agricultural fields can have negative impacts on many of the ecological and economic benefits of intact forests and meadows, including native fish and wildlife habitat, forest health, water quality, outdoor recreation, and forest management (Planning: A Key Step Towards Protecting Forest and Wildlife Resources, Act 171 Guidance; VT Agency of Natural Resources, 2018).

#### *Examples*

- West Haven’s Agricultural District is designed to protect agricultural soils and farmland and has a minimum lot size of 25 acres.
- Putney Conservation District includes large, essentially undeveloped areas including substantial agricultural lands and has a minimum lot size of 27 acres for single unit houses and duplexes.

#### **Removing Undevelopable Land in Density Calculation**

Removing undevelopable or sensitive resource lands from the density calculation is a tool that is used to limit overall potential density in a subdivision, particularly in areas where buildable land is constrained. Regulations typically instruct landowners to calculate the “developable acreage” by subtracting the acreage of specified resources, such as steep slopes and wetlands, from a parcel’s total acreage. The maximum potential number of lots is then calculated by dividing developable acreage by the minimum lot size. This method is not as widely used as others because developable acreage can be cumbersome to calculate.

Fairfield’s current subdivision regulations do not exclude undevelopable land from the calculation of maximum number of lots allowed.

#### *Examples*

- Norwich determines density based on a calculation of developable area, which subtracts slopes of greater than 15%, wetlands and streams and setbacks from wetlands and streams and floodplain.

#### **Requiring a Building/Development Envelope**

Many communities require the designation of building or development envelopes as part of subdivision review to ensure that development avoids sensitive resources and impacts to

working lands. Some communities also set a maximum building/development envelope to reduce potential sprawl of development on larger lots.

The town of Fairfield currently requires building envelopes for subdivisions with Conservation Resources (farmland, statewide and prime agricultural soils, steep slopes). Building envelopes must limit any undue adverse effects on areas with Conservation Resource Areas. No specific minimum or maximum building envelope is required. For lots with farmland and agricultural soils building envelopes must be placed on pasture edges or the least fertile soils available. Land from 15-25% slope must be excluded from the building envelope unless an erosion control plan is approved by the town. Building envelopes can also be required when a subdivision is required to submit a master plan.

#### *Examples*

- Fairfax requires each lot to have a development envelope of 1 acre in its rural district and excludes land in the road right-of-way in the minimum lot size.
- Bolton and Middlebury (and many others) require the designation of building envelopes to limit the location of structures, parking areas, and associated site improvements to one or more portions of a lot. Middlebury requires this in all zones, Bolton only in the Forest and Conservation Districts and requires that specific development constraints be excluded from building envelopes.
- St. George has a maximum development envelope of 2 acres for all lots over 5 acres.

#### **Separating Lot Size from Density**

There are a few different methods that allow for smaller lots while still limiting overall potential density in a subdivision, also known as separating lot size from density. This is attractive to some communities because it allows, for example, a landowner to subdivide an acre of land for a family member, while still limiting overall density. Also, this approach causes less parcelization and fragmentation to forest and other resources lands than larger lot zoning does.

Fixed area zoning determines density based on a specific lot size, such as 1 residential unit per 20 acres. Alternatively, a sliding scale can be used to assign a specified number of residential units for a range of lot sizes. Both of these methods require that any remaining development potential from the parent parcel be recorded in the land records, which could be cumbersome for some communities.

#### *Examples*

- St. George allows for a density of 1 unit/10 acres in its rural development district with a minimum 2-acre lot size. Lot sizes of over 5 acres may only develop 2 acres of the site.
- Westford has three rural districts: R3, R5 and R10. These districts have an allowed density of 1 unit/3 acres, 1 unit/5 acres and 1 unit/1 acres respectively, with a minimum lot size of .5 acres for residential lots. Non-residential lots must be 3, 5 or 10 acres according to the district.
- Hinesburg defines a minimum lot size of .5 acres in the Agricultural District and a maximum density based on road type:

- Access to VT Route 116 or class 2 Town highway, excluding Silver Street: 1 dwelling unit per 10 acres of lot area.
- Access to class 3 Town highway, or Silver Street: 1 dwelling unit per 12 acres of lot area.
- Access to class 4 Town highway: 1 dwelling unit per 15 acres of lot area
- Middlebury defines a specified number of home sites allowed for a range of lot sizes in the Agricultural/Rural District, starting with 1 home for 0-3.9 acres, 2 homes for 4-24.9 acres, and going up from there.