



Town of Hinesburg
Planning & Zoning Department
10632 Route 116, Hinesburg, VT 05461
802-482-2281 (ph) 802-482-5404 (fax)
www.hinesburg.org

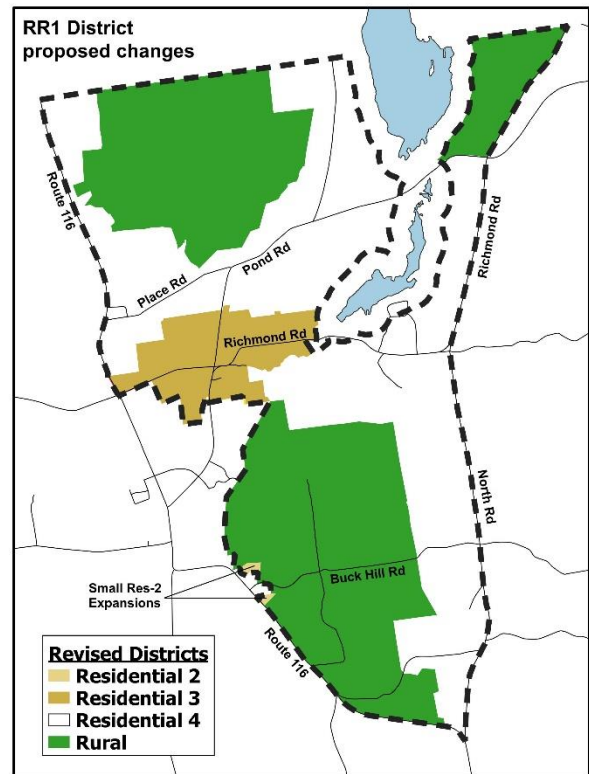
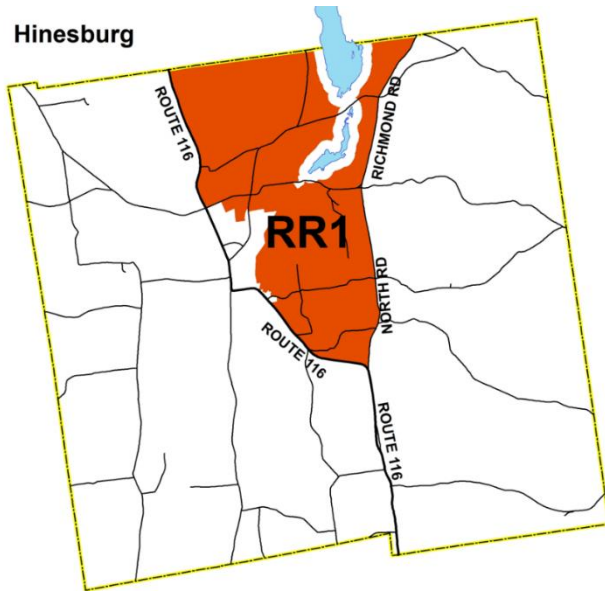
MEMORANDUM

TO: Select Board & Town Manager
FROM: Alex Weinhagen, Director of Planning & Zoning
DATE: January 9, 2024
RE: Regulation Revisions – Rural Residential 1 District

At their December 13, 2023 meeting, the Planning Commission (PC) voted to forward a regulation revision proposal to the Select Board. Changes are proposed to both the Zoning Regulations and the Subdivision regulations. See attached track change documents (2) and supporting zoning regulation maps (3). The purpose is to divide and rezone the existing Rural Residential 1 (RR1) zoning district into new and surrounding zoning districts to better reflect different land forms, patterns of development, and land use priorities. The geographic area affected is principally the RR1 district, but some changes will have a townwide effect. The Planning Commission concluded several months of public hearings on September 13, 2023. The proposal was revised based on feedback received.

Lists of specific changes are included at the beginning of the Zoning Regulation document and the Subdivision document. See those documents for a summary of the substantive changes by section, and the proposed changes in a track changes format. The core of the proposal is dividing the RR1 district into three zoning districts – each with different priorities and development potential.

- **Residential 3 (Res-3)** - Prioritize housing diversity to address Town and State housing goals within the Town’s municipal water and wastewater service area.
Development potential one acre per home – e.g., a 24-acre parcel could have up to 24 homes.
- **Residential 4 (Res-4)** - Prioritize residential development that identifies natural and cultural resources, providing a transition between the more rural areas and more densely developed areas.
Development potential – three acres per home – e.g., a 24-acre parcel could have up to eight homes.
- **Rural (Rur)** - Prioritize ecosystem services and limiting impacts on the natural landscape while retaining development potential that aligns with the adjacent rural zoning districts. Essentially, make these portions of the RR1 district part of the existing Rural Residential 2 district, and change the name to the “Rural” zoning district. Create consistent zoning expectations and regulations among Hinesburg’s rural zoning districts – i.e., Agricultural district and Rural district.
Development potential – 10/12/15 acres per home based on quality of public road providing access. Same system used in the two existing rural districts (AG & RR2) - e.g., a 24-acre parcel served by a paved or gravel road could have up to two homes. Maintain the same subdivision allowance for existing properties, such that any existing lot of 12 acres or more has an opportunity to create one new building lot, even if they are under the size needed to meet the 10/12/15 acres per home standard.



Background

The RR1 zoning district is a central portion of Hinesburg, bounded by Route 116 on the west and Richmond Road and North Road on the east, excluding the village growth area. The district includes very densely settled areas along the Richmond Road that are served by municipal water and/or sewer (e.g., Birchwood Drive neighborhood, Sunset Villa mobile home park). It also includes lightly settled areas constrained by steep slopes and sensitive natural resources – e.g., Mt. Pritchard area (near St. George border) and Lavigne Hill Road area.

The RR1 zoning district is characterized by a diversity of settlement patterns and natural resources. However, the current zoning takes a one size fits all approach for the district. Action item 3.4.1 of the Town Plan recommends that we, “Assess and revise the zoning for the rural portions of the Rural Residential 1 zoning district to reinforce the rural character of these areas – particularly the northern and southern portions of the district.”

Beyond the direction in the Town Plan, numerous considerations informed the Planning Commission’s proposal. It began with Planning Commission discussion in 2021, which led to community outreach and input in early 2022, and was followed up with site visits and regulation drafting. Public hearings began in June 2023 and continued through September 2023. Additional revisions were made through the fall of 2023, based on the public hearing feedback. Some factors considered include:

- Oral and written public comment from residents and landowners
- Feedback from the Hinesburg Conservation Commission
- Multiple field visits to properties in 2021 and 2022
- Purpose statements of other zoning districts (particularly AG and RR2)
- Regulation consistency across the town
- Impacts on municipal services
- Built environment - both historical development patterns and future development vision
- Natural features (e.g., slope, waterways, etc.)
- Existing parcel sizes, features, locations
- Climate change impacts, mitigation, and adaptation

- Ecosystem services as well as forest and wildlife habitat connectivity

Select Board Review Protocol

1. Review the material and decide if you want to make any further changes.
2. Make any changes and then schedule a public hearing.
 - a. Public notice/warning must be 15 days prior to a hearing.
 - b. There are special warning requirements (VSA Title 24, Chapter 117, Section 4444).
 - c. Any changes to the proposal must be filed with the Town Clerk and PC.
3. Hold the public hearing.
4. Decide if further changes are needed.
 - a. If you make ANY further changes (except for grammar, punctuation, numbering, etc.), then you must warn and notice another public hearing.
 - b. If you make no changes, then you can proceed with adoption.
5. Adopt the revisions*. You can do this at the same meeting as the public hearing if there are no additional changes. You simply need to close the hearing first.

*** Note – if the revisions are not approved by September 13, 2024 (one year from the PC public hearing), they are considered disapproved.**

The Select Board takes action by voting on regulation revisions. If the Select Board adopts regulation revisions, citizens do have the right to petition for a popular vote on the proposed changes. A petition by at least five percent of the voters, filed within 20 days of Select Board adoption can force a popular vote on the regulation revisions – via Australian ballot.

If the Select Board feels there are problems with the proposal, you can choose to take no action or vote to reject the proposal (after a public hearing), and return it to the Planning Commission with guidance on the issues that need further work.