

Residential Zoning Project (RZP)

31 October 2012

The problem:

The Hanover Zoning Ordinance has served us well. But it has absorbed 209 separate amendments since its adoption in 1976 and is now in need of overhaul to address internal inconsistencies, scattered provisions, conformity to state law, ambiguity of expression. The amendments, and our form of zoning, have had the result of making many residential properties nonconforming, imposing burdens on owners of those properties who wish to make reasonable changes to them.

The Hanover Master Plan was adopted in 2003 with these seven core principles:

1. Protect and preserve our natural resources.
2. Respect, protect and strengthen the distinctive qualities of the urban and rural parts of Hanover.
3. Actively manage future growth.
4. Encourage affordable and diverse housing and development where served by existing municipal infrastructure.
5. Expand opportunities for, and accessibility to, outdoor recreation.
6. Reduce excessive reliance on automobile transportation and its adverse impacts.
7. Preserve a healthy balance between community and campus so that neither dominates nor has an adverse impact on the other.

The Zoning Ordinance has yet to be systematically reviewed to assure that it addresses these core principles.

The Project to date:

Over three years ago, the Planning Board created a Residential Project Group, three to five Planning Board members and three staff members, to look into revising the Zoning Ordinance. Three town-wide meetings were convened in the Ray School to ask residents what they appreciate about Hanover and what they would change. Notes of these meetings are available; they unequivocally express residents' wish to retain the character of their neighborhoods.

The Residential Project Group began a series of meetings (98) that grew into weekly sessions and often took the form of visits (13) to our neighborhoods. A question always before the group was: is there a better way to draft the Zoning Ordinance and direct its inevitable growth so as to preserve what we most appreciate about our town? That question led us to studies and conjectures about a wide array of potential changes in the town, touching on many issues of planning policy. Our deliberations are recorded in the minutes of the meetings, which have been summarized in a long "compendium." Both the minutes of the meetings and that summary of our deliberations are available on the website. Neither represents the group's final conclusions, for these have yet to be made

and, indeed, require much more input from Hanover's residents.

Because the drafting of a document that has legal consequences requires both specific expertise and a significant investment of time, the Town has contracted with consultants Vanasse, Hangen, Brustlin (VHB), a highly rated firm with wide experience in town planning and ordinance drafting. Of the four VHB consultants assigned to the Hanover RZP--Ralph Wilmer, Bob Ballou, Gordon Leedy, and Geoffrey Morrison-Logan--one, Bob Ballou, is a long time Hanover resident.

The Planning Board convened and the VHB conducted an initial town-wide meeting at the Ray School on 13 October. The meeting was attended by over 100 Hanover residents, and the Planning Board learned valuable lessons. Our "work-in-progress" compendium was accorded a finality and authority it was never intended to have. We concluded that any attempt to conform our Zoning Ordinance to the 2003 Master Plan by addressing density distributions should await an updating of that Plan to include new census data and reflect new community attitude surveys.

The Plan: Zoning Ordinance Revision

The Planning Board will proceed to revise the Zoning Ordinance, but the revision will be confined to address the problems identified more than three years ago: first, the need for clarity of expression, internal consistency, improved organization, and conformity to law and, second, the need for a form of zoning that will reduce the number of residential properties that are legally nonconforming at the same time they are consistent with the character of their neighborhoods.

1. To address the first concern: VHB will examine our present Zoning Ordinance and proposed revisions of Articles III through XI. They may consult the (2006?) work product of Burnt Rock and the reorganization of the Ordinance prepared by Erica XX, Esq. during an internship.
2. The proposed first draft (in whole or in portions thereof) will be presented to the full Planning Board, at workshop meetings during the period XXXX, and the Planning Board will be encouraged to focus on policy issues and any substantive changes that may be necessitated by the revisions.
3. As precursor to the revision of Article II, *Establishment of Districts and District Regulations*, the Planning Board will:
 - a. Develop a discussion guide to be used at neighborhood meetings. The guide will include indicia for the definition of a neighborhood's bounds, a matrix of lot and building dimensions, sample qualities by which a neighborhood's character is expressed, processes for notification of neighbors and the conduct of the meeting.
 - b. Identify one or two well defined neighborhoods, assign a meeting place, publicize

and convene meetings local to each.

- c. Proceed to identify and describe other neighborhoods, meet in each as many times as may be indicated and required, until the whole Town is covered.
4. When neighborhoods are defined and described, the Planning Board will turn over its findings to VHB the drafting of a new Article II. VHB will present the draft to the Planning Board at a workshop meeting.
5. A draft of the entire Zoning Ordinance approved by the Planning Board will be presented at a town-wide meeting. Thereafter, public meetings on a proposed warrant will be scheduled and convened in accordance with law. If possible and feasible, the revised Zoning Ordinance will be submitted to Town Meeting in May 2014.
6. Throughout this process, the Planning Board will post on the Town website all public records pertaining to the RZP and originated by the Planning Board, a regularly updated FAQ, and regular reports on the progress of the project. The Planning Board will utilize the Hanover Digest and other list services and means of social networking as may be available and useful for dissemination of information about the project.

Post Zoning Ordinance Revision

The Planning Board will undertake an update of the 2003 Master Plan that will include study, by staff and Planning Board members, of the entire text; integration of most recent census data; and the results of community attitude surveys.

When a revised Master Plan is adopted, the Planning Board will consider revisiting the (newly revised) Zoning Ordinance to conform it to the Master Plan, especially with regard to the seven core issues identified and approved in 2003.