

## **Energy Efficiency Interim Zoning**

Adopted by the Hinesburg Selectboard on 12/19/2011

### **Area & Rationale:**

These interim zoning regulations shall apply town-wide, and shall temporarily supersede the Energy Star requirement for new residential structures in section 5.23.2 #1 of the Hinesburg Zoning Regulations.

The Hinesburg Selectboard hereby adopts the following interim zoning pursuant to VSA Title 24, Chapter 117, Section 4415 (Interim Bylaws). The Zoning Administrator and Development Review Board shall continue to review applications under this interim zoning. This interim zoning measure is necessary to provide for orderly physical and economic growth given recent changes to the Vermont Residential Building Energy Standards (RBES), and impending changes to the Energy Star program. Since May of 2009, section 5.23.2 #1 of the Zoning Regulations has required new residential structures to meet the Energy Star home standard. As of January 1, 2012, the Energy Star home program will transition to more stringent energy efficiency standards – from version 2.0 to version 3.0. Meanwhile, the minimum statewide energy efficiency standards (RBES) have recently been upgraded, and are nearly equivalent to the version 2.0 Energy Star standards.

The Planning Commission discussed these increasing energy efficiency standards, and received substantial testimony that the version 3.0 Energy Star standards may be too high of a bar to use as a mandatory requirement for all new home construction. The Planning Commission is currently conducting studies on zoning revisions to address this issue and re-calibrate the Town's energy efficiency standard for new homes. The Planning Commission recommended that the Selectboard adopt interim zoning since there is not time to complete this work ahead of the January 1, 2012 change in the Energy Star standard.

### **Current Zoning provision – Section 5.23.2 #1:**

New residential structures (including modular homes) shall be designed and built to be Energy Star qualified by the Vermont Energy Star Homes program. Mobile homes are exempted from this standard because it is currently extremely difficult, if not impossible, to find Energy Star rated mobile homes.

### **Interim Zoning provision - Section 5.23.2 #1:**

New residential dwellings (including modular homes) shall be designed and built to meet the current Vermont Residential Building Energy Standards (RBES), with the exception of those dwelling types that meet the RBES exemptions (e.g., mobile homes). The required RBES certificate shall be filed with the Town Clerk prior to issuance of a certificate of occupancy for the new dwelling by the Zoning Administrator. New dwellings permitted prior the enactment of this interim zoning measure shall comply with the version of RBES in place at the time the permit was issued. In other words, RBES edition 3.0 for new dwellings permitted on or after October 1, 2011, and RBES edition 2.0 for new dwellings permitted before October 1, 2011.