

Jolina Court Interim Zoning District

Original Adopted by Selectboard following a public hearing on May 5, 2014.

Proposed Amendment for September 28, 2015

I. Area & Rationale

These interim zoning regulations shall apply to three parcels on Jolina Court (the Jolina Court Interim Zoning District), the 5.84-acre parcel (JC0074), the 0.16-acre (BR0125) parcel and the 0.10 acre parcel (JC0013). These parcels were in the Village Commercial zoning district.

The Richmond Selectboard hereby adopts the following interim zoning for the Jolina Court Interim Zoning District , pursuant to VSA Title 24, Chapter 117, Section 4415 (Interim Bylaws). The Richmond Selectboard shall review applications under this interim zoning.

Interim zoning for this area is necessary to provide for orderly physical and economic growth, given that the Casing property, the 5.84-acre parcel (JC0074), was the main driver of water and sewer infrastructure for the village water system and has sat vacant for over 15 years, and given that a nonprofit has partnered with the owner to facilitate environmental cleanup and a development plan that is an essential component of that project. The Richmond Selectboard has formed a special steering committee (Committee to Examine Zoning on Jolina Court/Interim Zoning Committee) to conduct studies on redevelopment options and more permanent zoning solutions for this portion of Richmond's village area. During the course of its work, the steering committee has heard from interested local parties as well as possible site developers. The steering committee has developed a vision/purpose statement for this area, Interim Zoning, and is currently working with the Planning Commission to develop permanent zoning based on this vision and community feedback.

II. Purpose

The purpose of the Jolina Court Interim Zoning District (IZD) is to provide a location within the existing village core area for employment, light industry, commercial uses, community gathering space, housing, and other compatible uses that bring value to the community and maintain Richmond's unique sense of place. There are 2 primary goals for the IZD:

1. Help restore and improve the economic vitality of Richmond's state-designated village center by attracting desirable new businesses to the site, restoring jobs and water revenue.
2. Consistent with Richmond's historic connections to its working landscape, re-envision the overall site's potential to enhance Richmond to better attract residents and visitors to our village hub for community and commercial activities.

Any development in this district shall enhance the overall village growth area, and shall be compatible with the surrounding mix of residential, non-residential, and municipal uses. A key function of this district remains employment and economic development; however, the former commercial zoning

designation has changed, and a mixed-use development plan is now allowable to ensure that other important and compatible uses are included. Any redevelopment proposal shall fit into the vision for Richmond’s larger village growth area as described in section III.

III. Special Standards

Multiple uses of the property in the Interim Zoning District are allowed, and development densities should be maximized to the extent practical in order to better realize Richmond’s overall “smart growth” strategy for the village-designated area.

Development shall be proposed and reviewed by the Selectboard as a Planned Unit Development (PUD). While phasing, subdivision and other innovative ownership arrangements are possible, a master plan for the overall property will ensure orderly redevelopment. The master plan may show future/conceptual components or phases, shall be a well-researched, detailed, and unified treatment of the entire property. The master plan shall at minimum include details on existing and future infrastructure (e.g., roads, sidewalks, water, sewer, gas, and other utilities) as well as shared facilities, shared parking, necessary cross-lot/building easements for both the subject property and the area immediately surrounding the development. The master plan shall address both short and long term traffic impacts and needs (vehicular, pedestrian, bicycle) based on proposed uses and future phases to the extent reasonable (i.e., some future forecasting expected). The Selectboard shall apply the process in Section 5.12 of the Richmond Zoning Regulations, substituting (1) the Selectboard for the DRB, and (10) Conditional Use Review under this Interim Zoning regulation for review under zoning regulation 5.6.

Additionally, all land development shall be reviewed as a conditional use under 24 V.S.A. 4415 (d) or (e). The Selectboard shall review and issue a final decision after the application is presented at a Selectboard hearing.

IV. Special Conditions and Development Standards

In addition to the standards in 24 V.S.A. Section 4415 (d) and (e) the following shall apply. These standards shall be the main requirement for all development of the Jolina Court Interim Zoning District. Existing zoning regulations incorporated by reference into these interim zoning regulations may be altered or modified as explained below. In the case where there is a conflict, the standards here will apply.

Developable Area:

A Jolina Court Interim Zoning District totals 6.10 +/- acres. Areas of a lot shall be deemed incapable of supporting land development are listed with section 2.5.2 of the Richmond Zoning Regulations. Therefore it has been determined that the developable area of the Interim Zoning District is 3.09 +/- acres (2.83 acres + 0.16 acres + 0.10 acres.)

B Residential Density:

Maximum Residential Density = 5 **15** units per acre

Residential Density Bonus:

Residential densities may be increased to 8 units per acre provided that at least 30% of the units are to be used for age restricted housing. Age restricted housing is defined as single family or multi family dwelling which is occupied by persons who are age 62 or older.

C Setbacks:

1. Interior Parcel (JC0074):

Front Yard Set Back: All parcels fronting on Jolina Court, which exists currently as an unsurveyed private access, have no minimum front yard setback.

Side Yard Set Back and Rear Yard Set Back: (See attached copy of survey with letters depicting sides.)

- A, B: Principal and Accessory Structures: 5' (Adjoiner: RR ROW)
- C, D1, D2: Principal and Accessory Structures: 10' (Adjoiners: Peet & TNC)
- E1, E2, F, G: Principal and Accessory Structures: 20' (Due to Residential / Town Center use; Adjoiner: Dwire, Town Center and eastern side to Town Cemetery)
- H: Principal and Accessory Structures: 10' (Adjoiner: northeastern side of Town Cemetery)
- I.: Principal and Accessory Structures: 5' (Adjoiner: Northern side of Town Cemetery)

2. Parcels with Frontage on Bridge Street (BR0125 and JC0013)

Front Yard Set Back: Principal and Accessory Structures have a 15 feet minimum.

Side Yard Set Back and Rear Yard Set Back: Principal and Accessory Structures have a 5 foot minimum.

D Dimensional Standards:

- Minimum Lot Size: ¼ Acre
- Minimum Lot Frontage: N/A
- Minimum Lot Depth: N/A
- Maximum Lot Coverage: 80% of developable area

E Waivers to the above dimensional standards are possible during PUD review.

Maximum building height: one building may be 38 feet maximum height from ground to eaves. Additional buildings may not exceed 35 feet in height. Existing section 6.6 Taller Structures will continue to apply to development under these interim zoning regulations. There shall be no deviation from this standard unless Developer willing to compensate 100% the Town any cost associated with any fire fighting equipment or structures to house equipment to fight fires with the development that is being proposed per ISO standards so there is no cost what so ever to the tax payers.

F Parking and Loading:

1. Location – all required parking spaces shall be provided on the same lot as their related use.
2. Loading Space Size – all loading spaces should be sufficient in size to allow necessary movement without encroaching upon public right of way, parking spaces or internal parking lot circulation recommended size 15 feet wide by 25 feet in length.
3. Loading spaces may service more than one business.
4. Passenger vehicle spaces should be sufficient in size to allow necessary movement in and around the site, following accepted sizing for perpendicular, angled or parallel.
5. Surface - all surfaces outside of the Flood Hazard Overlay District shall be paved.
6. Parking areas may be permitted within the Flood Hazard Overlay District. There shall be no parking areas within the mapped Floodway.
7. Drainage- All parking areas and associated roadways should be designed and constructed with Detention devices.
8. All parking spaces will have a recommended width of nine feet and length of eighteen feet.
9. Parking for Persons with Disabilities- All parking areas shall provide for persons with disabilities required by Title 21 V.S.A Section 275.
10. Setbacks- All parking areas shall meet the setback standards identified within these interim zoning regulations.
11. Pedestrian access- Designs of parking lot shall incorporate measures to minimize safety hazards to pedestrians.
12. Bicycle access- Parking lots should be designed to accommodate bicycle access.
13. Striping- Surfaced parking shall be striped.
14. Traffic control signs- signs necessary to direct traffic flow shall be used.

15. Lighting – see lighting requirements.

16. Fire lanes- fire lanes shall be provided as required and receive a recommendation by fire chief.

Parking Pattern	Minimum one way aisle width	Minimum two aisle way width
90% perpendicular	20 ft.	25 ft.
60% angle	18 ft.	25 ft.
45% angle	16 ft.	25 ft.
30% angle	14 ft.	25 ft.
Parallel	12 ft	20 ft.

G Noise:

The existing noise regulations included in the Richmond Zoning Regulations Section 4.10 Noise shall apply, with the following modifications:

Section 4.10.1 shall apply to both Residential and all non-Residential uses.

Section 4.10.2 shall be deleted for the purpose of Interim Zoning.

Live performances and outside activities associated with non-Residential uses shall be prohibited between the hours of 10:00 PM and 7:00 AM.

H Exterior Lighting:

The existing Exterior Lighting regulations included in the Richmond Zoning Regulations Section 4.11 Exterior Lighting shall apply, with the following modifications:

4.11.6 Lighting of Gasoline Station Aprons and Canopies shall be deleted for the purpose of Interim Zoning.

I Performance Standards:

The existing Performance Standards regulations included in the Richmond Zoning Regulations Section 5.6.3 Performance Standards shall apply, with the following modifications:

Sections 5.6.3(a) Sounds and 5.6.3(b) Exterior Lighting shall not apply and instead the regulations listed in this interim zoning measure shall apply.

5.6.3(d) Odors shall not apply for the purposes of interim zoning.

J Flood Hazard Overlay District:

Land development within the Flood Hazard Overlay District must meet the provisions of Section 6.8 of the Richmond Zoning Regulations.

K Shoreline Protection Overlay District:

Land within 50 ft. of a shoreline must meet the provisions of 6.7 Shoreline Protection Overlay District of the Richmond Zoning Regulations.

V Uses:

A All land development shall be reviewed by the Selectboard as a Planned Units Development and as conditional use. Furthermore, uses other than those listed below may be authorized by the Selectboard pursuant to VSA Title 24, Chapter 117, Section 4415d.

Development shall be proposed and reviewed as a Planned Unit Development (PUD). While phasing, subdivision and other innovative ownership arrangements are possible, a master plan for the overall property will ensure orderly redevelopment and include thoughtful provisions of public and private infrastructure, such as roads, sidewalks, utilities, water and sewer, and shared facilities, such as parking, alternative transportation routes, and public areas.

B Mixed use development is an allowable use. All mixed use proposals shall include uses which are compatible. All mixed use projects shall provide at a minimum 50% non-residential gross floor area per the total residential gross floor area a residential to commercial floor area ratio of 40% residential to 60% commercial. In the case of a multi-structure development, this ration shall be calculated for the development site as a whole rather than for each structure individually.

Any development proposal which is 100% residential will be prohibited.

C Conditional uses may include such things as:

- Arts/Crafts Studio
- Bank
- Brewery, Pub, and/or Tavern
- Catering Service
- Commercial Light Industrial, particularly bringing value to local and regional agriculture
- Cooperative Work Space
- Educational Facility
- Food Processing Establishment
- Hotel , Inn or Guest House
- Light manufacturing
- Medical Offices
- Museum
- Business Offices
- Personal Services
- Pharmacy
- Recreational facility, outdoor or indoor
- Religious Use
- Residential
- Residential dwelling on 2nd and 3rd story of commercial structures

- Research laboratory
- Restaurant
- Retail shops, stores, and service establishments
- Retirement Housing
- State and community facilities
- Theater
- Wholesale Trade

The Selectboard may, upon application, authorize the issuance of permits for other uses, not otherwise described above in the Interim Zoning upon a finding that the proposed use is consistent with the health, safety, and welfare of the municipality and the standards contained in the Interim Zoning.

In making a determination under these Interim Zoning Regulations, the Selectboard shall consider the proposed use with respect to all of the following:

The capacity of existing or planned community facilities, services or lands;

The existing patterns of uses of development in the area;

Compatibility with the surrounding mix of residential, non-residential, and municipal uses;

Environmental limitations of the site or area and significant natural resource areas and sites;

Municipal plans and other municipal bylaws, ordinance, or regulations in effect.

D Additional recommendations and considerations:

The Selectboard shall determine that adequate parking is provided, and may apply the following standards:

Recommended number of off-street parking spaces

<u>Land use\ Building type</u>	<u>Recommended parking spaces</u>
Bank	2 per 1000 sq. ft.
Bank with drive up	1.5 per 1000 sq. ft.
Bowling alley	2 per lane
Church/Synagogue/Conference area	.25 per seat or 15 linear inches of bench
Cleaners	1 per 1000 sq.ft.
Eating and drinking establishment	15 per 1000 sq. ft.
Drive-through Facility	2 per window
Fast food restaurant	10 per 1000 sq. ft.
Furniture store	2 per 1000 sq. ft.
Hardware store	2 per 1000 sq. ft.
Hospital/clinic	1 per bed
Hotel or motel	1 per room

Industrial park	1 per 1000 sq. ft.
Laundromat	4 per sq. ft.
Museum	3 per 1000 sq. ft.
Nursing Home	.25 per sq. ft.
Personal Service	2 per sq. ft.
Professional office	3 per 1000 sq. ft.
Retail Sales	2 per 1000 sq. ft.
Senior Citizen Center	6 per 1000 sq. ft.
Shopping Center	3 per 1000 sq. ft. + 8 spaces/ 1000 sq. ft. food service. Off- site employee parking may allow 15% reduction
Sports club\ health spa	4 per 1000 sq. ft.
Warehouse	.25 per 1000 sq. ft.
Bed and Breakfast	1 per sleeping room + 2 per dwelling
Boarding house	1 per sleeping room
Child care home	2 per dwelling + 1 per nonresident employee
Retirement Community	.5 per dwelling unit or other sleeping room
Home occupation	2 per dwelling unit + 1 per nonresident employee
Multi-family (3 or more units)	2 per dwelling + 1 guest space per each 10 units
Single family, two family or triplex	2 per unit

Development plans shall attempt to provide creative alternatives to traditional car ownership, including pedestrian and bicycle paths and Zipcar or Car Sharing stations.

E Energy Efficiency

It is recommended, but not required, that all new residential dwellings (including modular homes but not accessory apartments) be designed and built to meet the most up-to-date version of Efficiency Vermont's "Energy Code Plus" standard (or equivalent as the program evolves or is re-named), with the exception of those dwelling types that meet the Vermont Residential Building Energy Standard (RBES) exemptions (e.g., mobile homes, owner/builder special provision, etc.). Even with such exceptions, all construction projects are encouraged to build to energy standards that exceed the statewide minimum, such as Energy Code Plus and Energy Star.

VII Zoning Permit Requirements

Within six (6) months after Selectboard Conditional Use Approval under these Interim Zoning Regulations, the holder of the approval shall apply for a zoning permit under Section 5.2 of the Interim Zoning Regulations, or the Selectboard approval shall be deemed void. Richmond Zoning Regulations Section 5.3 shall apply following issuance of the zoning permit.