

### 3.9 Jolina Court District (JC)

**Purpose:** The purpose is to support employment, light industry, commercial enterprises, community gathering spaces, dense and affordable housing, and other compatible uses that bring value to the community and maintain Richmond's unique sense of place. It will also support the traditional village mixed use patterns with street level commercial uses and upper floor residential uses. There are 3 primary goals for this district:

Help improve the economic vitality of Richmond by attracting desirable new businesses to the site, creating jobs, and increasing municipal water and wastewater utility use.

Attract residents and visitors to our village center for community and commercial activities.

Increase the housing density, affordability, and diversity in order to support a vibrant and diverse population of Richmond residents.

Any development in this district shall enhance the overall village area and shall be compatible with the surrounding mix of residential, non-residential, and municipal uses. Any development proposal shall fit into the vision for Richmond as described in the Richmond Town Plan.

**3.9.1 Allowable Uses on any floor Upon Issuance of Zoning Permit** -The following uses shall be allowed on any floor in buildings located within the Jolina Court District upon issuance of a Zoning Permit by the Administrative Officer. More than one use per lot is allowed in this district.

- a) Accessory uses
- b) Artists/Crafts studio
- c) Cooperative Work Space
- d) Home Occupation as in Section 5.11
- e) Office, Business
- f) Office, Professional
- g) Office, Medical

**3.9.2 Allowable Uses on the Main Floor Upon Issuance of Zoning Permit**– The following uses shall be only allowed on the main floor in buildings located within the Jolina Court District upon issuance of a Zoning Permit by the Administrative Officer. More than one use per lot is allowed in this district.

- a) Museum
- b) Personal Services

**3.9.3 Allowable Uses On Any Floor Upon Issuance of Site Plan Approval**- The following uses shall be allowed on any floor in buildings located within the Jolina Court District upon issuance of site plan approval by the DRB. More than one use per lot is allowed in this district.

- a) Bed and Breakfast
- b) Hotel
- c) Inn or guest house

**3.9.4 Allowable Uses Only On the Main Floor Upon Issuance of Site Plan Approval**- The following uses shall be only allowed on the main floor in buildings located within the Jolina Court District upon issuance of site plan approval by the DRB. More than one use per lot is allowed in this district.

- a) Bank
- b) Childcare Facility – center based
- c) Fitness Facility
- d) Laundromat
- e) Retail business

**3.9.5 Allowable Uses on Any Floor Except the Main Floor Upon Issuance of Conditional Use Approval-**The following uses shall be allowed on any floor except the Main Floor in buildings located within the Jolina Court District after issuance of conditional use approval by the DRB. More than one use per lot is allowed in this district.

- a) Planned Unit Development
  - i) as provided in Section 5.12, if no subdivision of land is proposed (see Section 5.12.1).
  - ii) Residential Dwelling Units as part of a Mixed Use Planned Unit Development.

**3.9.6 Allowable Uses Only on the Main Floor Upon Issuance of Conditional Use Approval-** The following uses shall be allowed only on the main floor in buildings located within the Jolina Court District upon issuance of site plan approval by the DRB. More than one use per lot is allowed in this district.

- a) Accessory Structures
- b) Brewery
- c) Catering Service
- d) Commercial Multi-Use
- e) Educational Facility as provided in Section 5.10.4
- f) Food Processing Establishment
- g) Funeral Parlor
- h) Light Manufacturing
- i) Health Care Services
- j) Hospital
- k) Pharmacy
- l) Pub
- m) Recreational facility, indoor or outdoor, facility or park
- n) Religious facility as in Section 5.10.4
- o) Research laboratory
- p) Restaurant
- q) State- or community-owned and operated institutions and facilities as in Section 5.10.4
- r) Tavern
- s) Theater
- t) Wholesale trade

### 3.9.7 Residential Density and Requirements

- a) Each residential dwelling unit shall require 1/15 acre of developable land located on the same lot as the unit. This equals a residential density of 15 units per developable acre. Developable land excludes those lands that are outlined in section 2.5.2. The maximum number of units that may be permitted shall be

calculated by multiplying the residential density by the total developable acreage of the lot. When this calculation results in a number with a fractional component, the fraction will be rounded according to conventional rounding rules as follows, in which X is a whole number:

X.0 – X.49 units shall be rounded DOWN to X units

X.5 – X.99 units shall be rounded UP to X+1 units

Examples: 15 units/acre x 1.22 developable acres = 18.30 units rounds down to 18 units

15 units/acre x 2.97 developable acres = 44.55 units rounds up to 45 units

- b) Residential dwelling units may only be approved as part of a mixed-use Planned Unit Development. All residential dwelling units are required to meet Vermont Fire and Building Safety Code

**3.9.8 Dimensional Requirement for Lots in the JC District**-No Zoning Permit may be issued for Land Development in the J/C District unless the lot proposed for such Land Development meets the following dimensional requirements:

- a) Lot Area**- No lot shall be less than one-fourth (1/4) or 0.25 acre. The purchase of additional land by the owner of a lot from an adjacent lot owner will be permitted, provided such purchase does not create a lot of less than the minimum area required in the Zoning District on the part of the seller.
- b) Lot Dimensions**-Each lot must contain a point from which a circle with a radius of twenty-five (25) feet can be inscribed within the boundary of the lot.
- c) Lot Frontage**-No lot having frontage on a public or private road shall have less than seventy-five (75) feet of continuous uninterrupted length of said frontage or the lot must have access to a public or private road with approval by the DRB pursuant to Sections 4.2 and 4.3.
- d) Lot Coverage**- The total ground area covered by all structures, parking areas, walkways, driveway and areas covered by impervious materials shall not exceed eighty percent (80%) of the total ground area of the lot.

**3.9.9 Dimensional Limitations for Structures on Lots in the JC District**

- a) Height of Buildings and Structures** -- shall be as in Section 4.12 of these regulations. *[section 4.12 is under development]*
- b) Front Yard Setback**- A principal structure shall be set back at least ten (10) feet from the front lot line. An accessory structure shall be set back at least five (5) feet from the front lot line.
- c) Side Yard Setback**-A principal structure shall be set back at least ten (10) feet from each side lot line. An accessory structure shall be set back at least five (5) feet from each side lot line.
- d) Rear Yard Setback**-A principal structure shall be set back at least ten (10) feet from the rear lot line. An accessory structure shall be set back at least five (5) feet from the rear lot line.

**e) Footprints of Principal Structures-** No principle structure shall have a footprint area that exceeds 10,000 square feet.

**3.9.10 Other Requirements Applicable to Lots in the JC District-** No Zoning Permit may be issued for Land Development in the J/C District unless the Land Development meets the following requirements:

**a) Parking Requirements-** Parking Supply-In this district, the residential parking requirement shall be based on the number of bedrooms per dwelling unit. The spaces required shall only serve to calculate overall supply and shall not be assigned to specific dwellings.

Bedrooms	Efficiency (0)	1 Bedroom	2 Bedroom	3 Bedroom	4 Bedroom
Spaces Required	1	1.5	2	2.5	3

Spaces shall increase by 0.5 spaces per additional bedroom.

All other parking supply requirements shall follow the requirements as set forth in section 6.1.

Bicycle parking racks shall be required within the parking areas, and lots shall be required to provide safe and convenient bicycle access as per section 6.1.6

**b) Loading Space Requirements** – Off-Road or Highway loading requirements shall be regulated as provided in Section 6.1.

**c) Signs** – Signs shall be regulated as provided in Section 5.7.

**d) Traffic Impact** – The purpose of this requirement is to foster the general welfare of the public through the minimization of traffic congestion, air pollution, and the risk of motor vehicle and pedestrian accidents.

- a) A transportation impact study shall be required for uses which generates more than 70 vehicle trip ends on adjacent roads during the P.M. peak hour for the first 40,000 square feet of lot area or fraction thereof, plus 1 vehicle trip end for each additional 1,000 square feet of lot area. In making the determination of traffic impact, the Administrative Officer or DRB shall utilize “Trip generation – Tenth Edition”, Institute of Traffic Engineers (ITE), or its equivalent, or any subsequent and most recent publication thereof, and may use estimates from other sources, including local traffic counts, if the above publication does not contain data for a specific use or if a use contains unique characteristics that cause it to differ from national traffic estimates.
- b) For establishments that generate more than 70 vehicle trip ends during the P.M. peak hour, the Development Review Board shall review the level of service of adjacent roads. Based on its review as well as consultation with the Road Foreman, the DRB may put forth permit conditions to mitigate adverse traffic impacts. Permit conditions may include:
  - a. Site improvements to improve access management, such as the creation of secondary access points, the reduction of the width of curb cuts, or the like;

- b. Improvements to internal circulation, including the creation of narrower roadway widths, pedestrian pathways, and the like;
- c. Improvements with connections with adjacent properties, such as the creation of additional vehicle or pedestrian access points, the installation of signage, adjustments to intersections to reduce pedestrian crossing distances and to slow traffic, and the like;

**e) Access** – Access shall be regulated as provided in Sections 4.1 through 4.4.

**f) Sidewalks**- Sidewalks that connect all buildings on Jolina Court with the sidewalks on Bridge Street shall be required. They may be connected individually or in series. The purpose of this is to ensure walkability of any new development and ensure connection to the downtown area.

**g) Compatibility**- The purpose of this requirement is to allow the Development Review Board to review and approve the visual aspects of new construction or new or remodeled exteriors. The goal of this requirement is to ensure public ability to review the visual rendering, and the opportunity to provide input. A visual rendering of any new construction or remodeled exterior shall be required as part of a site plan and/or conditional use application. Any changes to the façade, size, or scale of new construction or a remodeled exterior shall require a new visual rendering that portrays the proposed changes and shall require an amendment to the Development Review Board’s original site plan and/or conditional use approval which contains the most recent iteration of the visual rendering. Publicly displayed visual renderings must be in accordance with section 5.3.3 (b). The following shall be considered when reviewing the application:

- a) Compatibility of size, scale, color, materials, and character of the district, and construction utilizing materials similar or the same to the existing buildings of the district, shall be required for all new construction and all new or remodeled exterior facades. Applicants shall be required to demonstrate compatibility through examples, research, architectural consultation, or other means. This compatibility requirement shall not prohibit artistic expression, ability to landscape, commercial viability, creativity, or individuality.
- b) Design features that provide all structures with an attractive and human-scale appearance when viewed from a public or private road or by neighboring properties shall be required. These features shall include the following:
  - i. Building façades of 50 feet or more shall be broken down into a series of smaller facades that incorporate changes in color, texture or materials; architectural projections or recesses; varying setbacks or roof treatments, or other structural or decorative variations.
  - ii. Primary building facades of any length shall include windows and doors.
  - iii. All sides of buildings must have windows
  - iv. Accessory structures shall also satisfy compatibility criteria as described above.
- c) Landscaping, screening and green space shall be required to achieve the following goals:
  - i. Provide a vegetated buffer of ten feet between undeveloped and developed portions of the parcel to protect environmental quality and natural features. This vegetative buffer may include but is not limited to grass, shrubs, trees, and flower beds.

- ii. Provide for stormwater infiltration and management and to protect water quality and limit soil erosion.
- iii. Provide screening of development to increase privacy, reduce noise and glare, contribute to the attractiveness and scenic qualities of travel corridors, and to otherwise lessen the visual impact of the development to neighboring properties.
- iv. Provide for preserving existing vegetation of statewide interest or critical wildlife habitat.
- v. Provision shall be made for the care and maintenance of plantings, including the removal and replacement of dead or diseased shrubs or trees.

**h) Fire Protection-** Any building using engineered lumber shall have the appropriate placard as deemed necessary by ISO standards. This placard shall be placed at the primary ingress/egress of the main floor of said building.

**i) Additional Possible Conditions** - The following site standards also may be required as a condition of Development Review Board approval

- Greater setback or screening requirements along the perimeter of the property
- Adequate pedestrian facilities
- Demonstration of the ability to properly develop, operate, and maintain development roads, utilities, driveways, parking, sidewalks, landscaping, and other conditions or standards imposed

## Additional Amendments to the existing Richmond Zoning Ordinance :

### Under Definitions 7.1:

- **New Definitions:**
  - Basement [**replace current**]: the level, floor or portion of a building that is wholly or partially below ground level. Special types of basement include:
    - Walkout Basement: a basement that incorporates one or more walls with windows and a door that opens at grade so that a person may “walk out”
    - Daylight Basement: a basement with windows above grade but no door to the outside
  - Bedroom [**add**]: A room within a dwelling unit used for the primary purpose of sleeping. To qualify as a bedroom, all applicable fire safety codes specific to bedrooms must be met.
  - Brewery [**add**]: a place where fermented or distilled beverages are manufactured, stored, bottled, and sold wholesale or retail in sealed containers for consumption off premises. This establishment may include a tap room, a tasting room, or a retail area as an accessory use
  - Child Care Facility [**add**]: an establishment whose function is the care of children on a regular basis outside the child(ren)’s home for less than 24 hours per day by a person or persons other than the child or children’s own parents or guardians. These facilities may be of the following types:
    - Family Child Care Home: A state-registered or licensed family child care home or facility serving up to six children at any one time considered by right in 24 V.S.A. 4412(5) as a permitted single-family residential use of the property; as well as any state-registered or licensed family child care home or facility serving no more than six children on a full-time basis and four children on a part-time basis.
    - Childcare Facility – center-based [**add**]: Any state-registered or licensed child care provider serving eleven or more children at any one time
  - Cooperative Workspace [**add**]: a singular commercial unit used for conducting the affairs of a business, profession, service, industry, government, or the like in which multiple practitioners from various disciplines and firms work independently or collaboratively and share common office resources
  - Dwelling unit [**replace current**]: a room or group of rooms within a building containing cooking, bathing and sleeping facilities that functions as the living space for a single set of family members or roommates. A building or structure may be occupied by one, two or multiple dwelling units. The term “dwelling” is also used to refer to a dwelling unit in these regulations.

*(this definition replaces both “dwelling” and “dwelling unit” in the RZR)*
  - Efficiency (or Efficiency Apartment) [**add**]: a type of dwelling unit in which the functions of the living room, kitchen and bedroom exist in a single room.
  - Establishment: a business, organization, institution or household
  - Funeral Parlor [**amend**]: an establishment used for the preparation of the deceased for burial and the display of the deceased and rituals connected therewith before burial or cremation
  - Group Home [**amend**] ( put “24 VSA” before the statute section 4412)
  - Fitness Facility [**add**]: an establishment less than 5,000 square feet in size that provides exercise facilities, including but not limited to exercise equipment, game courts, swimming facilities,

- saunas, and massage rooms, as well as fitness instruction and classes in disciplines including but not limited to yoga and pilates.
- Hospital [add]: A licensed institution providing primary health care services and medical or surgical care to persons, primarily inpatients, suffering from illness, disease, injury, deformity, and other physical or mental conditions requiring medical treatment, and including as an integral part of the institution related facilities such as laboratories, outpatient facilities, and training facilities. Hospitals customarily include the retail sale of pharmaceuticals and medical supplies an accessory use.
  - Health Care Services [add]: an establishment providing support to medical professionals and their patients, such as medical and dental laboratories, blood banks, oxygen, miscellaneous types of medical supplies and devices, and record and document storage
  - Laundromat [add]: an establishment providing apparel laundering services or machines on the premises for the general public, but does not provide dry-cleaning on or off premises
  - Main Floor [add]: the floor of primary ingress and egress into a building or structure that is not a basement of any type. May also be referred to as the “street level” or “ground floor”.
  - Office, Professional [amend]: an establishment that offers services of practitioners of the recognized professions (for example, ~~doctor, dentist, chiropractor~~, architect, lawyer, engineer, accountant, real estate broker, veterinarian)
  - Office, business [amend]: an establishment where the management affairs of a business, commercial or industrial organization or firm are conducted.
  - Office, Medical [add] - Any establishment where human patients are examined and treated by doctors, dentists or other medical professionals but not hospitalized overnight. Medical office may include as an ancillary use the assembly, fitting, testing and sale of products directly related to the medical service provided in the same establishment.
  - Personal Service(s) [amend] - Services such as hairdressing, barbering, shoe repair, massage, tanning salon, ~~exercise studio.~~
  - Pharmacy [add]: an establishment where prescription and over-the-counter medications are sold
  - Recreation Facility [amend] - A establishment greater than 5,000 square feet in size designed and equipped for the conduct of sports and leisure-time activities.
  - Residential Use [add]: residential use includes dwelling units and those uses that are associated with dwelling units such as owner or tenant storage, parking, laundry, common space or common land owned or used by tenants or owners for private use of said tenants or owners.
  - Required Agricultural Practice [amend] – any farming activity as defined by the “Required Agricultural Practices Rule” developed by the Vermont Agency of Agriculture, Food and Markets pursuant to Act 64.
  - Acceptable Management Practices for Silviculture [amend] – any forestry activity as defined the Commissioner of Forests, Parks and Recreation including those regulated by the “Acceptable Management Practices for Maintaining Water Quality on Logging Jobs Rule.”

#### **Under PUD Section 5.12.2:**

- 5.12.2 (a) [amend] A PUD may be permitted in the JC and VD Districts. A PUD or Residential PUD may be permitted in the R/C, G, V/C, or I/C Districts. A Residential PUD may be permitted in the A/R and HDR Districts. The PUD provision may be used for any sized parcel, but is *required* for developments of nine or more lots, or ones in which multiple ownership of buildings or principal structures on a single lot are proposed. For the purpose of determining the number of lots, all lots shall be counted if they have been approved for subdivision

by the DRB or Administrative Officer within a continuous period of sixty months preceding the date of filing the PUD subdivision application.

- 5.12.2 (f) **[amend]** The total number of allowable dwelling units in the PUD or the Residential PUD shall not exceed the number that would be permitted if the land were subdivided into lots in conformance with these Zoning Regulations for the Zoning District in which such land is located, and in accordance with Section 2.5 of these Zoning Regulations. The DRB may authorize multiple uses within PUDs in the JC, VD, V/C and R/C Districts. Multiple uses may be allowed on all lots within PUDs in these districts (including pre-existing, nonconforming lots) provided that adding multiple uses shall comply with the PUD standards and other specific criteria of these Zoning Regulations and state law. In any PUD in the R/C District, at least 50% of the gross floor area shall be in residential use. In the V/C District, at least 50% of the gross floor area must be in commercial use. In the JC and VD District, the main floor of any principle structure shall be in commercial use. In these the JC and VD Districts, any or all floors may be in commercial use. However, in the VD District, residential uses shall be restricted to the second floor or above; and in the JC District, residential uses shall be restricted to the second floor or above or to the walk-out basement floor as long as all applicable Vermont Fire and Building Safety Codes are met.

**Under Section 4.10.1 – add reference to JCZD**

**Under Section 4.11.3(c) -- add reference to JCZD in 2<sup>nd</sup> column**

**Under Section 5 -- Permits and Approvals**

- **5.3.3 Misrepresentations**
  - a) Any zoning permit issued based upon material inaccuracies or misrepresentations in an application or in any supporting documents to an application shall be null and void and shall not be construed as waiving any provision of these zoning regulations.**
  - b) Any visual rendering of a permitted project that is displayed publicly shall be the same visual rendering that has been presented to and approved by the DRB or the Administrative Officer.**

**Under Section 5.7 – Signs**

- **5.7.4 add reference to Jolina Court District**

**Section 2.4.5 – amend to read: Required Agricultural Practices and Acceptable Management Practices for Silviculture**

-- In accordance with 24 VSA §4413, required agricultural practices as defined in the “Required Agricultural Practices Rule” from the Secretary of Agriculture, Food and Markets, and accepted silvicultural practices, as regulated by the “Acceptable Management Practices for Maintaining Water Quality on Logging Jobs in Vermont” from the Commissioner of Forests, Parks and Recreation, shall not be regulated by these Zoning regulations. However, a person shall notify the Administrative Officer in writing of the intent to build a Farm Structure and shall abide by all setback requirements approved by the Secretary of Agriculture

**Section 3.0 – Use Index Table – recommend delete**