

### 3.10 Village Downtown District-DRAFT 4-30-19

#### I. Area:

These regulations shall apply to the area in the core of Richmond Village. As of 2019, the following parcels are included in this district: BR0072, PS0014, PS0023, BR0052, DS0022, BR0048, BR0039, BR0038, BR0030, BR0027, BR0026, WM0013, WM0035, WM0030, WM0020, WM0004, EM0013, EM0010, JR0047, EM0024, EM0038, EM0043, EM0035, JR0032.

#### II. Purpose:

The purpose of the Village Downtown Mixed-Use District is to provide a district that encompasses the existing village core area and supports 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/ground level commercial uses and upper floor residential uses. There are 3 primary goals for this district:

1. 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.
2. Attract residents and visitors to our village center for community and commercial activities.
3. 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.

#### III. Special Standards:

Village Downtown Mixed-Use PUD Conditions:

- A. Mixed use development shall be reviewed as a Planned Unit Development (PUD).
- B. A Residential PUD may only be allowed for lots with pre-existing fully residential structures.
- C. A PUD may include any of the uses enumerated in section 3.9.5, and any uses allowed by DRB through 3.9.5-C.1 and 3.9.5-C.2.
- D. A PUD requires a master plan that shows future/conceptual components or phases, unified treatment of the entire property, existing and future infrastructure (e.g., roads, sidewalks, water, sewer, gas, and other utilities), shared facilities, shared parking, necessary cross-lot/building easements for both the subject property and the area immediately surrounding the development, both short- and long-term traffic impacts and needs (vehicular, pedestrian, bicycle) ( some future forecasting expected).
- A. The total number of allowable dwelling units in a PUD shall not exceed the number that would be permitted through the base density allowed. However, any dwelling units allowed through the use of section 6.13 Density Bonus Overlay District may be permitted in addition to the base density of 12 units per acre.
- E. Street/ground level commercial use and fully commercial street level floors shall be required for all PUDs, except as provided above for pre-existing fully residential structures.

- F. The Development Review Board and Zoning Administrator shall apply the process in Section 5.12 of the Richmond Zoning Regulations, and Conditional Use Review regulation 5.6.
- G. The PUD must be consistent with the Richmond Town Plan.
- H. The PUD must conform to federal, state, and local regulations.
- I. All other PUD conditions and procedures shall follow section 5.12.

**IV. Special Conditions and Development Standards:**

**A Land Capability:**

Areas of a lot deemed capable or incapable of supporting land development are governed by section 2.5.2 of the Richmond Zoning Regulations. Land within the Flood Hazard Overlay District or other environmentally constrained land as identified in section 2.5.2 cannot be utilized in the density calculation for a project. Only acreage without such constraints may be used to determine the number of allowable residential units.

**B Residential Density:**

Base Residential Density = 12 dwelling units per acre, rounded to the nearest whole number (X.0-X.49 round down, X.5 toX .99 round up)

example: 12 units per acre x 0.22 acres = 2.64 units, rounded to 3 units

example: 12 units per acre x 0.52 acres= 6.24 units, rounded to 6 units

Parcels in this district are also eligible for a 100% Density Bonus (See Density Bonus Overlay District 6.13)

**C Setbacks:**

Front, Side, and Rear Yard Setback:

- 1. Principal Structures: 10'
- 2. Accessory Structures: 5'
- 3. All others: 5'

**D Dimensional Standards:**

Minimum Lot Size: Except as provided under Section 4.6.1, no lots shall be less than ¼ acre. All lots in this district shall be required to be connected to the municipal water and sewer system.

Minimum Lot Frontage: N/A

Minimum Lot Depth: N/A

Maximum Lot Coverage: Up to 80% of parcel area may be buildings and impervious surfaces

Maximum building height: Buildings may not exceed 35 feet in average height. Existing section 6.6 Taller Structures will continue to apply to development under these zoning regulations. Utility structures at or under 5ft in height above the roof of the building such as HVAC, Satellite Dishes, and Solar Panels will not be considered in the average building height measurement.

E Waivers:

Waivers to the above dimensional standards are possible during PUD/CU/SP review by the Development Review Board if there is demonstrated need or existing nonconformance that applies.

F Parking and Loading:

1. Location – all required parking spaces shall be provided on the same lot as their related use (see parking exemptions).
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. Parking Surface - all parking 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 stormwater management systems.
8. All parking spaces will have a recommended width of nine feet and length of eighteen feet.
9. Parking Supply-In this district only, the residential parking requirement shall be 1.5 parking spaces per dwelling unit, with 1 additional parking space for every 10 spaces required (example: 35 dwelling units requires 53 spaces, with 5 additional spaces for a total of 58). All other parking supply requirements shall follow the requirements as set forth in section 6.1.
10. Parking for Persons with Disabilities- All parking areas shall provide for persons with disabilities required by Title 21 V.S.A Section 275.
11. Setbacks- All parking areas shall meet the setback standards identified within these zoning regulations.
12. Pedestrian access- Designs of parking lot shall incorporate measures to minimize safety hazards to pedestrians.

- 13. Bicycle access-Parking lots should be designed to accommodate bicycle access.
- 14. Striping- Paved surface parking shall be striped.
- 15. Traffic control signs- signs necessary to direct traffic flow shall be used.
- 16. Lighting – see lighting requirements.
- 17. Fire lanes- fire lanes shall be provided as required and require approval by the 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.

**Parking Exemptions: BR0052, BR0048, BR0038, BR0030, BR0026, BR0039, EM0010 are exempt from standard parking requirements. However, they are required to provide a descriptive plan for where they intend to have tenants and patrons park, whether that be a private parking agreement between landowners or use of public parking. Use of public parking requires selectboard and road foreman approval in the form of a public parking permit.**

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 not apply, and 4.10.1 shall apply in its stead as stated above.

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 not apply

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 zoning measure shall apply.

5.6.3(d) Odors shall apply.

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. Land in the Flood Hazard Overlay District may not be developed with principal structures or used to calculate residential density of a parcel. Any impervious surface in the Flood Hazard Overlay District will count toward the lot coverage calculation.

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.

L Additional Standards

The following site standards also may be required as a condition of DRB approval

- Greater setback or screening requirements along the perimeter of the property
- Adequate pedestrian circulation
- Public Works Specifications
- Restriction of points of access to state or town roads
- Demonstration of the ability to properly develop, operate, and maintain development roads, utilities, driveways, parking, sidewalks, landscaping, and other conditions or standards imposed

**V Uses:**

A. All land development shall be reviewed as Planned Unit Developments with conditional use and site plan review. Furthermore, uses other than those listed below may be authorized by the Development Review Board pursuant to VSA Title 24, Chapter 117, Section 4415d.

B. Mixed use development is considered a conditional use. All mixed use proposals shall include uses which are compatible. All mixed-use projects shall have a minimum of one commercial use floor at street or ground level. In the case where the first two floors or stories of a building qualify as street or ground level (likely in a split level building), either floor may be the commercial use floor and the other floor may be residential.

C. Allowed (only requires zoning permit approval by zoning administrator) commercial uses include:

- 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
- Food Processing Establishment
- Funeral services
- Hotel , Inn or Guest House
- Light manufacturing
- Medical Offices

- Museum
- Business Offices
- Personal Services
- Laundromat
- Pharmacy
- Recreational facility, outdoor or indoor
- Research laboratory
- Restaurant
- Retail shops, stores, and service establishments
- Theater
- Wholesale Trade

Conditional (requires Development Review Board approval) uses include:

- New, additional, or altered residential use on 2nd floor/story or above (see split level building exception)
- Any mixed use development consisting of both residential and commercial use
- Non-residential use that is also not commercial use i.e. religious, non-profit, government

C.1 The Development Review Board may, upon application, give conditional use approval for other uses, not otherwise described above, upon a finding that the proposed use is consistent with the health, safety, and welfare of the municipality and the standards contained herein.

C.2 In making a determination under these Zoning Regulations, the Development Review Board shall consider the proposed use with respect to all of the following:

1. The capacity of existing or planned community facilities, services or lands;
2. The existing patterns of uses of development in the area;
3. Compatibility with the surrounding mix of residential, non-residential, and municipal uses;
4. Environmental limitations of the site or area and significant natural resource areas and sites;
5. Impact to traffic and parking;
6. Municipal plans and other municipal bylaws, ordinances, or regulations in effect

C.3 Any pre-existing site plan or DRB jurisdiction shall still apply under these regulations

D. Additional recommendations and considerations:

1. Parking: Development plans shall attempt to provide creative alternatives to traditional car ownership, including pedestrian and bicycle paths and car sharing stations. Any use not listed in the above recommendation shall default to the closest most similar use listed as determined by the Zoning Administrative Officer and accepted and approved by the Development Review Board.

2. Energy Efficiency: It is required, that all new development be designed and built to meet the Vermont Residential Building Energy Standard (RBES) and Vermont Commercial Building Energy Standard (CBES).

**VII Zoning Permit Requirements:**

Zoning permits will be issued by the Zoning Administrator under Section 5.2 of the Richmond Zoning Regulations and Section 5.3 shall apply following issuance of a zoning permit.

**VIII Definitions:**

For any further definitions not included below, see section 7 of the Richmond Zoning Regulations. Any development related words or terms not listed here or in section 7 of the Richmond Zoning Regulations shall be defined by the most recent edition of The Illustrated Book of Development Definitions by Moskowitz & Lindbloom.

**Residential/Residential Use:** Uses including 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.

**Street Level Floor or Street Level Story:** The first floor or story of a building other than a basement or cellar with door access on the frontage of the public or private road.

**Ground Level Floor or Ground Level Story:** The first floor or story of a building other than a basement or cellar.