

1. Technical Review Memo

Introduction

The purpose of the technical review conducted during the summer of 2021 was to assess the housing-related provisions of Richmond’s land use regulations (zoning and subdivision) for:

- » Conformance with state and federal law;
- » Effectiveness at implementing town housing goals and policies; and
- » Eligibility for state designation as a Neighborhood Development Area (a program that offers regulatory relief and other benefits for priority housing projects as defined in statute).

The Richmond Planning Commission had prepared a first draft of proposed zoning amendments for the village area. They requested that (1) those drafts be reviewed rather than the adopted zoning districts and (2) the review focus primarily on the village. For the purposes of this project, the village is considered to be generally the municipal water and sewer service area.

Zoning District Amendments

The Richmond Planning Commission is considering creating three new zoning districts (Village Residential North, Village Residential South and Round Church) and significantly expanding the existing Residential/Commercial district. All land within the village north of the river that is currently zoned High Density Residential would be re-zoned into one of the new or expanded districts. Some land within the village south of the river that is currently zoned Agricultural/Residential would be re-zoned into one of the new or expanded districts. The table to the right summarizes the proposed changes to dimensional and use standards from the adopted to proposed zoning districts.

The draft zoning districts and standards proposed for the village area have serious flaws as detailed in the technical review matrix that follows. They should not be brought forward for further public consideration and adoption until further revised. While the dimensional standards of the adopted zoning effectively prevent multi-unit housing on most lots in the HDR district,

the proposed zoning outright prohibits it in the new village residential zoning districts. Any zoning changes proposed for the village should not be more restrictive of housing than the currently adopted zoning. There is no justification for not allowing three- or four-unit residences in village areas that are served by municipal water and sewer. Doing so would open the town up to a legal challenge under federal and state fair housing laws.

Comparison of District Standards

	ADOPTED			PROPOSED			
	R/C	HDR	A/R	R/C	VRN	VRS	RND
Min lot size (acre)	1/3	2/3	1	1/4	1/4	1/2	1/2
Min lot area / dwelling unit	1/3	2/3	n/a	1/8	n/a	n/a	n/a
Min lot frontage (ft)	75	75	100	75	75	75	75
Max lot coverage (%)	40	40	30	40	40	40	40
Min front setback (ft)	20	20	30	5	10	10	10
Max front setback (ft)	n/a	n/a	n/a	25	25	n/a	30
Min side setback (ft)	10	10	20	10	10	10	10
Min rear setback (ft)	15	15	25	10	10	10	10
Max height (ft)	35	35	35	35	35	35	35

	ADOPTED			PROPOSED			
	R/C	HDR	A/R	R/C	VRN	VRS	RND
Accessory dwelling	P	P	P	P	P	P	P
Single-unit dwelling	P	P	P	P	P	P	P
Two-unit dwelling	P	P	P	P	P	P	P
Three-unit dwelling	C	C	X	P	X	X	X
Four-unit dwelling	C	C	X	P	X	X	X
Five or more unit dwelling	X	X	X	C	X	X	X
Retirement community	C	C	C	C	X	C	X

P = Permitted, C = Conditional, X = Prohibited

PROPOSED VILLAGE ZONING ASSESSMENT

Residential Commercial District

1 Residential uses

1-4 unit residences would be permitted, which is a recommended best practice. Site plan review would continue to be required for all uses other than 1- and 2-unit residences, which aligns with statute.

5+ unit residences would be allowed with conditional use approval. Given the location on arterial highways, it does not seem that a 5-unit residence would result in undue adverse impact on traffic. Nor does it seem likely that a 5-unit residence would place an undue burden on community facilities. That essentially leaves the "character of the area" conditional use criteria. How would converting an existing building into 5 apartments vs. 4 apartments have significantly different impacts on the character of the area that would justify a more rigorous review process? Wouldn't site plan review be adequate to address any concerns related to parking, lighting, buffering, trash storage, etc.? If the scale of new buildings is the concern, consider setting a maximum building footprint (6,000 sf would be similar to the larger buildings in the district now).

No provision is made for other residential uses: residential care facilities (more than 8 residents), recovery residences, rooming and boarding houses, transitional housing, etc. Some of these types of housing already exist in the proposed district. Given the central location with access to services and transit, consider whether this district is a suitable location for such housing.

2 Dimensional standards

The proposed minimum lot size of 0.25 acres is well below the median lot size in the proposed district currently (0.82 acres). There would only be only two nonconforming lots that are smaller than 0.25 acres. Of the 100 parcels in the district, 77 are larger than 0.5 acres. The 0.25-acre minimum lot size does align with the state's Neighborhood Development Area criteria.

The proposed maximum residential density of 8 dwelling units per acre is also well above the existing density in the district (median residential density is 1.6 du per acre), potentially creating opportunity for infill housing. Of the 100 parcels in the district, 69 are currently developed with a single residence. All but two of these could potentially be converted to two or more units based solely on the density standard (assuming other standards of the regulations can be met such as parking). While 8 du/ac is more dense than the existing settlement pattern, it may not be dense enough for affordable housing projects (affordable housing developers often cite 12 du/ac as a minimum density that works for their projects).

The proposed minimum lot frontage of 75 feet is larger than the existing lot frontage for many lots. However, this standard is not going to limit infill housing potential as most of the parcels in this district are configured and developed in such a way that further subdivision is unlikely. A minimum of 75 feet of frontage is reasonable given the need for off-street parking, providing ample lot width for building, driveway and side yards. Creation of additional narrow lots could have undesirable traffic impact and parking implications.

The proposed maximum lot coverage of 40% may limit infill housing potential. 40% is a suitable standard for neighborhood comprised primarily of single-unit homes. Many of the existing parcels in the district are well below 40% coverage. If the goal is to allow the conversion of single-unit buildings to multi-unit, the need for additional parking will drive lot coverage up relatively quickly (each parking space = 400 square feet of lot coverage). Neighborhoods with higher amount of multi-unit housing are likely to be closer to 60% lot coverage than 40%. Even a single-family home with a two-car garage and driveway on a 0.25-acre lot could start bumping up against the 40% coverage standard.

PROPOSED VILLAGE ZONING ASSESSMENT

The proposed front yard setbacks of 5 feet minimum and 25 feet maximum do not match the existing built form. Beyond the commercial block on Bridge Street, front yards are a traditional characteristic of Richmond's village center. Within this district, there are likely no existing buildings built within 5 feet of the front lot line and very few are closer than 15 feet. On the north side of East Main Street and the east side of Jericho Road, there is a change in elevation and those buildings sit above street level and most are more than 25 feet from the front property line. Most of the buildings on Bridge Street, Jericho Road, Huntington Road and Thompson Road also sit more than 25 feet back.

Unless the intent is to allow new buildings to be built in front of existing buildings on some of the lots with the deepest setbacks (there are some buildings set back 50 feet or more) or to fundamentally alter the built form of the district over time through tear down and replacement, the proposed 5 and 25 foot setbacks are not appropriate for the district. A 5-foot front yard further suffers from not being deep enough to support healthy landscaping, particularly when combined with the impacts of plowing and snow storage. Consider a minimum setback of not less than 10 feet – nearly all buildings in the district would conform with a 10-foot setback.

Given that the district is largely developed (with the exception of the Farr property discussed separately below), the maximum front yard setback standard will have limited effect. A large percentage of existing buildings will not be in conformance with the 25-foot maximum setback standard, requiring clarification in the regulations as to whether additions to such buildings would be allowed in the front if the result would still be that the building would remain nonconforming. A more effective approach would be to simply prohibit parking between the building and the street. This will be adequate to ensure that if there was to be a new building, it would be sited relatively close to the street in order to accommodate parking to the rear. If a maximum setback is to remain, it should be no less than 40 feet to better reflect the existing built form.

Another approach used in a number of communities is to establish front setbacks based on an average of the existing buildings on the street. This allows the regulations to respond to a range of setback conditions that may exist in different neighborhoods within the same zoning district. Often the average is based on the 2 or 3 buildings on either side of the subject property.

There may be some existing lots that would not conform to the proposed 10-foot side and rear setbacks. However, such setbacks are reasonable and ensure that owners have the ability to access all sides of a building for maintenance from within the boundaries of their own property. Access around buildings is also important for emergency response.

About 60 acres of the Farr Farm property is proposed to be included in this district. Given the terrain and pre-existing development pattern, it will likely not be feasible to extend a regular street grid from Farr and Thompson Roads to establish one or more new, connected blocks. Any future street network and blocks will likely be designed in response to the terrain, resulting in an irregular and more curvilinear pattern likely accessible solely from Huntington Road. In all likelihood, development of this property would be proposed as a PUD and the dimensional standards of the zoning district would likely not apply. Consider requiring PUD approval for residential subdivision or development of a parcel with 2 acres or more of developable land (exclude floodplain) in this district and establishing a specific PUD form with clear standards that would result in a traditional neighborhood development. A provision such as that would apply to the Farr property and a handful of parcels on Jericho Road. This would be a more effective tool for achieving the intent of the district on the few sites with meaningful development potential than the basic dimensional standards proposed for the district generally.

PROPOSED VILLAGE ZONING ASSESSMENT

- 3** Compatibility standards

This proposed section does not clearly state what development activities the proposed building form and design standards would apply to. Is it just construction of new principal structures or is it exterior modifications to existing buildings? Is it just multi-unit, mixed-use or non-residential buildings, or is it also single- or two-unit dwellings? The standards as drafted will be problematic if they are intended to be applied by the Zoning Administrator to development solely requiring a zoning permit without site plan review (single- and two-unit dwellings).

Some of the standards are basic site plan requirements that should be applying townwide (or at least throughout the village) and should not need to be specified within this district – landscaping, screening, siting of utilities and mechanicals, sidewalks, connection to municipal water and sewer systems. The language is a mix of mandatory (shall) and non-mandatory (should) provisions. The town cannot enforce “should” statements in the regulations and those need to be re-worded if they are intended to be required. The provision for bike lanes is too vague to be regulatory. It seems unlikely that a new street would be built within this district anywhere but on the Farr property and that even if one was built that it would have traffic levels high enough to justify bike lanes.
- 4** Development Standards and Planned Unit Developments

These two sections are not needed. Development is subject to all applicable provisions of the regulations – it is not necessary to repeat that basic premise throughout the regulations. Typically the PUD section includes an applicability statement that establishes when the PUD provisions may be used.

Village Residential North District

- 5** Residential Uses

The proposed district would allow single- and two-unit dwellings as a permitted use. Multi-unit dwellings and other residential uses would be prohibited. There is no legally justifiable basis for zoning land served by water and sewer solely for single- and two-family homes. Doing so at this point puts the town at risk of a court challenge under federal and state fair housing law and Vermont’s equal treatment of housing provisions.

Given that under recently amended statute 3- and 4-unit dwellings can no longer be considered to adversely impact the character of the area, they should be permitted (with site plan review) nearly everywhere that 1- and 2-unit dwellings are. Realistically in areas not served by water and sewer, the feasibility of constructing 3- and 4-unit dwellings may be low but zoning should not be an additional barrier to such residences. The Vermont Legislature, by passage of Act 179 last year, has clearly signaled that municipalities should no longer limit opportunity and/or require more rigorous review for small-scale multi-unit housing. Further, Richmond’s 2018 Town Plan speaks to multi-unit housing being a future use in Richmond Village, Jonesville and the High Density Residential areas.

Multi-unit housing can be similar in scale and appearance to single- and two-unit homes. Consider approaches like a maximum building footprint and some basic building form and design standards to ensure that the scale, massing and appearance of multi-unit housing is similar to that of traditional single-unit dwellings. Standards can be enacted to ensure residents of multi-unit buildings are provided with basic amenities such as outdoor space, storage space, laundry, etc. to promote good quality housing.

As a point of reference, there are 5 properties within 3 or more dwelling units in the proposed district, which include a 6-unit historic apartment house, a PUD with 13 condominium ownership units, a 16-unit affordable housing development with a mix of duplex and attached rental units, and two converted single-unit properties with 3 units each (one of which remains owner occupied). There are 11 residential properties with two units. There are 81 single-unit properties. Approximately 70% of housing in the district is owner occupied.

PROPOSED VILLAGE ZONING ASSESSMENT

6 Dimensional standards

The proposed minimum lot size of 0.25 acres is below the median lot size in the proposed district currently (0.59 acres). There would only be only one nonconforming lot that is smaller than 0.25 acres. Of the 100 parcels in the district, 63 are larger than 0.5 acres. The 0.25-acre minimum lot size does align with the state’s Neighborhood Development Area criteria.

The median residential density in the proposed district is currently 1.95 du/ac. Unlike the proposed Residential Commercial district, there is no maximum residential density in this new zoning district. A lot may be developed with a single- or two-unit dwelling. This effectively creates a maximum density of 8 dwelling units per acre (the same as the proposed Residential Commercial district). However, most lots would need to be subdivided to attain their full development potential since multi-unit housing is not allowed. While 63 lots have enough acreage to be subdivided, a much smaller number have enough road frontage to be readily subdivided and/or the placement of the existing home on the lot effectively prevents maximizing subdivision potential. This assessment of build-out potential does not take into account other constraining factors present in the district such as terrain and floodplain that will further reduce opportunities for infill housing.

The proposed minimum lot frontage of 75 feet is larger than the existing lot frontage for many lots. As noted above, the frontage requirement does limit subdivision potential although the regulations do provide some ability to waive or modify lot frontage for lots served by a shared driveway with a dedicated easement. A minimum of 75 feet of frontage is reasonable given the need for off-street parking, providing ample lot width for house, driveway and side yards. Creation of additional narrow lots could have undesirable traffic impact and parking implications.

The proposed maximum lot coverage of 40% could be a limiting factor for smaller lots in the district. However, the majority of existing lots are large enough that they could accommodate one or two units of housing while staying under 40% lot coverage.

See the discussion of front setbacks in (2). This district proposing a minimum front setback of 10 feet and a maximum of 25 feet. Front setbacks range considerably within this proposed district. Most properties should be conforming with a 10-foot minimum, but there are many existing homes that are more than 25 feet from the front property line. A maximum front setback also seems unnecessary in this district and likely to create administrative difficulties in the future given the number of nonconformities that will exist. There are only a couple of properties that would have the potential for a major subdivision and multiple new homes. A PUD approach as discussed in (2) would likely be more effective at achieving the desired development pattern on those properties than a maximum front setback standard.

The 10-foot side and rear setbacks are reasonable.

Village Residential South District

7 Residential Uses

See (5). The permitted uses in this proposed district are the same as in the Village Residential North (single- and two-unit residences). Retirement or nursing home would be allowed as a conditional use in this district. There is an existing 16-unit senior housing development, Richmond Terrace, in this district. There are no other multi-unit residential properties in the proposed district.

PROPOSED VILLAGE ZONING ASSESSMENT

8 Dimensional standards

The proposed minimum lot size of 0.5 acres is below the median lot size in the proposed district currently (1.57 acres). There would be two nonconforming lots are smaller than 0.5 acres. Of the 33 parcels in the district, 25 are larger than one acre. Despite the existing development pattern, the proposed half-acre minimum lot size is large given the availability of water and sewer in the district. The 0.5 acre lot size would not meet the eligibility requirements for the state’s Neighborhood Development Area program, but it is unlikely land in this district could qualify because of its distance from the designated village center unless the designated village center was extended across the river to the Round Church.

The median residential density in the proposed district is currently 0.72 du/ac. A lot may be developed with a single- or two-unit dwelling. This effectively creates a maximum density of 4 dwelling units per acre. However, most lots would need to be subdivided to attain their full development potential since multi-unit housing is not allowed. While 25 lots have enough acreage to be subdivided, not all have enough road frontage to be readily subdivided. The placement of existing homes and natural constraints like terrain and floodplains will further reduce the likelihood that many of these lots will be subdivided.

Most lots in this district will conform to the proposed minimum lot frontage of 75 feet.

The proposed 40% lot coverage standard is unlikely to constrain residential development on lots that are a half acre or more in size.

A minimum front setback of 10 feet is proposed in this district, with no maximum setback. Most buildings in the proposed district are set back much more than 10 feet. Consider increasing the minimum setback to accommodate more generous front yards (15’ or 20’) given the character of the roadways, lack of sidewalks in much of the district and pattern of existing development.

The 10-foot side and rear setbacks are reasonable.

Round Church District

9 Residential uses

See (5).

10 Dimensional standards

While the median residential lot size in this proposed new district is one acre currently, the proposed half-acre minimum lot size is large given the availability of water and sewer in the district. There would be five privately-owned lots that could be further subdivided (each is already developed with a dwelling) and each lot could at most be developed with a duplex. Given available road frontage and the location of the existing buildings on those lots, it seems unlikely that this district would accommodate any meaningful increase in housing.

The lots in this district will conform to the proposed minimum lot frontage of 75 feet.

The proposed 40% lot coverage standard is unlikely to constrain residential development on lots that are a half acre or more in size.

A minimum front setback of 10 feet is proposed in this district, with a maximum setback of 30 feet. Almost none of the existing buildings in this district are located within 30 feet of the front property line and so they would be nonconforming under the proposed maximum front setback. The stated intent of the district is to preserve the historic character of the area around the Round Church. The proposed minimum-maximum setback would alter the traditional settlement pattern considerably.

PROPOSED VILLAGE ZONING ASSESSMENT

11 Compatibility standards	See (3). There is no mechanism in the zoning regulations to address the design elements of standards (windows, building materials, roofs) to single- and two-unit residential development. The ZA does not have the authority to apply design standards to development that simply requires a zoning permit. The compatibility standards are the primary substantive difference in the language proposed between the Village Residential South and Round Church districts. Given that those standards cannot be implemented as currently drafted, consider eliminating Round Church as a separate district. The conditional uses allowed in the two districts could be combined.
12 Development Standards and Planned Unit Developments	See (4).

NDA PROGRAM REQUIREMENT ASSESSMENT

Complete Streets

13 Require that provisions be made for the extension of the street and pedestrian network into existing streets and adjacent, undeveloped land.	Section 600.2 of the subdivision regulations requires continuation of roads with the DRB having the ability to waive or modify the requirement when physically impractical or not in the public interest.
14 Existing or planned pedestrian facilities (such as sidewalks/paths) service the proposed NDA. 15 Require sidewalks or pedestrian facilities for new development, both connecting to buildings on-site and to off-site pedestrian facilities.	The adopted zoning regulations require sidewalks connecting buildings to each other and the public sidewalk on Bridge Street within the Jolina Court zoning district (Section 3.9.6). Section 3.10.5 requires all development to install and maintain a sidewalk on the public road frontage in the Village Downtown district. Section 5.5.3 of the adopted zoning regulations authorizes the DRB to place conditions on site plan approvals related to provisions for pedestrian traffic. Section 600.14 of the adopted subdivision regulations authorizes the DRB to require sidewalks, bicycle paths and/or recreational paths within a subdivision. It references a town-adopted recreation plan or sidewalk plan (which do not appear to exist) and specifies that the subdivider must construct any amenities within the subdivision shown on such plans. Section 620 of the adopted subdivision regulations authorizes the DRB to require an easement up to 10' wide through a subdivision for pedestrian or bicycle access. The sidewalk provisions would need to be strengthened within any area proposed for NDA designation to address sidewalk requirements for development that does not require developing a new street (thus triggering the village street design standards in the public works specifications. The language in the VD and JC districts is a good start and could be expanded to address the entire village area. The addition of language that clarifies what type of development projects would trigger sidewalk upgrades or extensions may be beneficial (application that requires site plan review or subdivision vs. one that just requires an administrative zoning permit, any new business, any new dwelling, etc.).

NDA PROGRAM REQUIREMENT**ASSESSMENT**

<p>16 Have plans or regulations in place that address the need for bike facilities (such as bike paths and lanes or multi-use paths) where appropriate.</p>	<p>The adopted zoning regulations require provisions for bicycle access and parking within the Jolina Court zoning district (Section 3.9.6). Section 6.1.6.j requires applicants proposing a parking lots with 15 or more vehicular spaces to provide bicycle parking, but the DRB is authorized to waive that provision for businesses they deem will not generate bicycle traffic. Section 6.3 of the adopted zoning requires applicants seeking conditional use or site plan approval to provide an easement to accommodate planned expansions of municipal pedestrian paths and bikeways. Also see Section 600.14 of the adopted subdivision regulations.</p> <p>The adopted zoning and subdivision regulations generally lack adequate standards for addressing bike facilities. While there is authorizing language, there is no guidance for the DRB to determine when to require bike facilities – the result being that bike facilities have been rarely required.</p> <p>Consider adding provisions related to bicycle parking and storage for multi-unit housing. There should be careful consideration of any requirements for on-street bike facilities. New development streets are unlikely to have traffic levels that would justify on-street bike lanes. The provision of both parking and bike lanes could result in excessively wide streets in contravention of the effort to require narrow streets. Consider the benefits of multi-use paths over sidewalks, particularly on the edge of the village. A 10’ paved off-road path can be less expensive to construct than sidewalks, can accommodate 2-way traffic, and can be used by both bicyclists and pedestrians. Ideally, such paths should be separated from the street with a well-landscaped greenbelt to improve safety and enjoyment for users.</p>
<p>17 Require street trees, lighting and green strips along streets for new developments.</p>	<p>There are no specific requirements for street trees, street lighting and green strips in the adopted zoning regulations. Section 5.5.3 of the adopted zoning regulations authorizes the DRB to place conditions on site plan approvals related to provisions for landscaping including curbside trees. The regulations establish a minimum dollar amount to be spent on landscaping (a percentage of total project cost) but authorizes the DRB to modify that amount based on factors like preservation of existing vegetation or provision of other site improvements. Section 640 of the adopted subdivision regulations authorizes the DRB to require trees or shrubs within a subdivision, but does not specifically require street trees. Richmond has adopted public works specifications that include specific requirements for new village streets. That specification includes a requirement for curbs, historic street lights, sidewalks, storm drainage and bike facilities. The public works specifications authorize the town to require tree planting but street trees are not clearly mandated for new village streets. Language would need to be added to both the zoning and subdivision regulations/public works specifications to require street trees in any area proposed for NDA designation.</p>
<p>18 Require new streets to be as narrow as possible (such as having specifications for travel lanes that are 11 feet wide or narrower).</p>	<p>Adopted public works specifications establish a 9’ travel lane.</p>
<p>19 Regulate and minimize (1,000 feet or less) the length of cul-de-sacs or blocks</p>	<p>The public works specifications establish a maximum number of homes that may be served by a dead-end road (50). The adopted zoning and subdivision regulations are silent on the issue of the length of cul-de-sacs or blocks.</p> <p>Language would need to be added to the zoning, subdivision and/or public works specifications to limit the maximum length of a cul-de-sac to 1,000’ or less within any areas to be included in the NDA. A maximum block length standard of 1,000’ or less will also need to be added for those areas.</p>

NDA PROGRAM REQUIREMENT	ASSESSMENT
20 Require utilities to be placed underground in new developments.	Section 6.12.9 of the adopted zoning requires utilities serving development subject to site plan review to be buried. Section 670 of the adopted subdivision regulations requires utilities within subdivisions to be located underground.
21 Minimize the required off-street parking spaces. (Requiring two or more off street parking spaces per residential unit is excessive.)	Section 6.1.2 specifies a minimum of two (or more in the case of large multi-unit projects) parking spaces per dwelling unit, except for accessory dwelling units which are required to have one parking space. The parking requirements are reduced in the Village Downtown district so that efficiency and 1-bedroom units can have less than 2 parking spaces. The number of required spaces would have to be reduced to less than two spaces/unit within any area to proposed to be designated as an NDA (an approach similar to what is done in the VD district would meet this requirement).
22 Allow for on-street parking.	The adopted public works specifications allow for village streets with on-street parking. Section 6.1.6 of the adopted zoning regulations do allow the DRB to waive or modify on-street parking requirements upon the applicant demonstrating that on-street parking is available. However, it is important to remember that on-street parking cannot be realistically substituted for off-street parking serving residential uses because of Richmond’s winter parking ban (no overnight on-street parking). How to address this requirement would need to be carefully considered. DHCD may not accept simply allowing for on-street parking and may want the town to require new streets within any area proposed for NDA designation have parking lanes.
Lot & Building Patterns	
23 Allow for a mix of housing opportunities (multi-family, duplex, and single-family, etc.) throughout the NDA.	None of Richmond’s adopted zoning districts in the village center and surrounding area would likely meet this requirement. There is no district in which multi-unit housing is permitted. Three adopted districts only allow housing as part of a PUD (VC, JC and VD). The adopted HDR, RC and G districts only allow 3- or 4-unit residences as a conditional use. The proposed changes to an expanded RC zoning district to allow 1-4 unit residences as a permitted use and 5+ unit residences as a conditional use would likely meet this program requirement. However, the proposed Village Residential districts are more restrictive of housing than the HDR district they would replace in part, making no allowance for multi-unit housing at all.
24 Allow for small minimum lot sizes, requiring no more than ¼ acre per lot, or sizes similar to the existing small lot sizes in the area if less than ¼ acre.	Only two of Richmond’s adopted zoning districts would meet this requirement – VD (1/8 acre minimum) and JC (1/4 acre minimum). The proposed Residential Commercial and Village Residential North districts would allow for 1/4 acre lots. The proposed Village Residential South and Round Church districts require 1/2 acre lots and would not be eligible for NDA designation. Further, DHCD has been strongly encouraging much smaller lot sizes (closer to 4,000 sf) in downtowns and villages.
25 Allow for the adaptive re-use of single family residential buildings to multi-family units.	See (23). Conversion of single-unit residences to multi-unit residences is extremely constrained under Richmond’s adopted zoning and would remain so outside the expanded RC district under the proposed zoning. Making reasonable allowance for conversions to 3- or 4-unit residences would be required in any area proposed for NDA designation. This should be done with appropriate standards for the location of parking and site plan review (landscaping, screening, parking, trash storage, etc.) that address neighborhood character and quality of life concerns.

NDA PROGRAM REQUIREMENT	ASSESSMENT
<p>26 Allow for infill development by minimizing dimensional requirements (whether traditional: lot size, frontage, lot coverage, etc. or form based: building form standards, frontage type standards, etc.).</p>	<p>Front setbacks of 20 feet or more would be considered excessive under NDA program guidelines. DHCD has been strongly encouraging minimum front setbacks not to exceed 10'. However, ample front yards are a traditional characteristic of Richmond's village neighborhoods. Given the traditional pattern and the space needed for snow storage, a minimum front setback of less than 10' would not be appropriate outside the commercial block in the center of the village.</p>
<p>27 Allow for building heights that enable diverse housing options (at least 3 functional floors).</p>	<p>The adopted and proposed regulations set a maximum height of 35 feet townwide. Most buildings in Richmond's village center are only one or two stories tall. The current height limit is likely tied to the capabilities of emergency response. If the available emergency response equipment and personnel are suitable, it may be beneficial to consider allowing for buildings up to four stories or for buildings that have an under-building parking level within a PUD – that would likely require a 40 to 45 foot building height.</p>
<p>28 Require traditional neighborhood design by minimizing building setbacks (conforming to existing building lines if appropriate) or establishing maximum setbacks to prevent new development from being disconnected from the street.</p>	<p>The proposed village zoning attempts to do this but has established minimum and maximum setbacks that are out of character for much of the village center and surrounding area. It is also not evident that a maximum building setback would be effective in a setting like Richmond village. For instance, unless carefully crafted, it could effectively prevent infill housing in rear yards – often the most feasible way of adding new homes within a traditional village settlement pattern characterized by lots that are narrow but deep.</p>
<p>29 Include provisions that ensure vehicles are not the dominant element facing a street, such as garages that are set back from the front wall of houses, multi-car parking or structured parking entrances that are setback or to the side or rear of buildings.</p>	<p>The proposed regulations address this requirement with setback standards for garages and other accessory buildings.</p>
<p>30 Building design and landscaping requirements for building and landscape design that create spaces for pedestrians, such as buildings and trees lining a sidewalk or a green surrounded by buildings.</p>	<p>The landscaping provisions of the adopted regulations would need to be strengthened with more specific standards. PUD standards could be effectively used to meet this criteria for any significant new development.</p>
<p>31 Include provisions that encourage primary building facades to be oriented to the street (such as requiring primary entrances face the street).</p>	<p>The proposed regulations attempt to address this requirement. For development requiring site plan, conditional use or PUD approval, the DRB would be able to consider building orientation. However, the zoning permit process for individual one- or two-unit dwellings does not provide the Zoning Administrator with the authority to implement general standards such as those drafted related to building orientation.</p>
<p>32 Have provisions that minimize curb cuts and reduce their frequency, or other access management provisions that favor pedestrians.</p>	<p>The village street standards and other elements of the public works specifications address this requirement.</p>

Residential Density

33 The municipal bylaws allow minimum net residential densities (densities allowed through the base zoning, not through PUDs or bonuses) within the NDA greater than or equal to four single-family detached dwelling units per acre, exclusive of accessory dwelling units, or no fewer than the average existing density of the surrounding neighborhood, whichever is greater.

Only the VD and JC districts in the adopted zoning meet the 1/4 acre lot size requirement. Under the proposed zoning districts, the R/C and VRN districts would qualify as well. Any area being considered for NDA designation would need to be zoned for quarter acre lots.

DRAFT

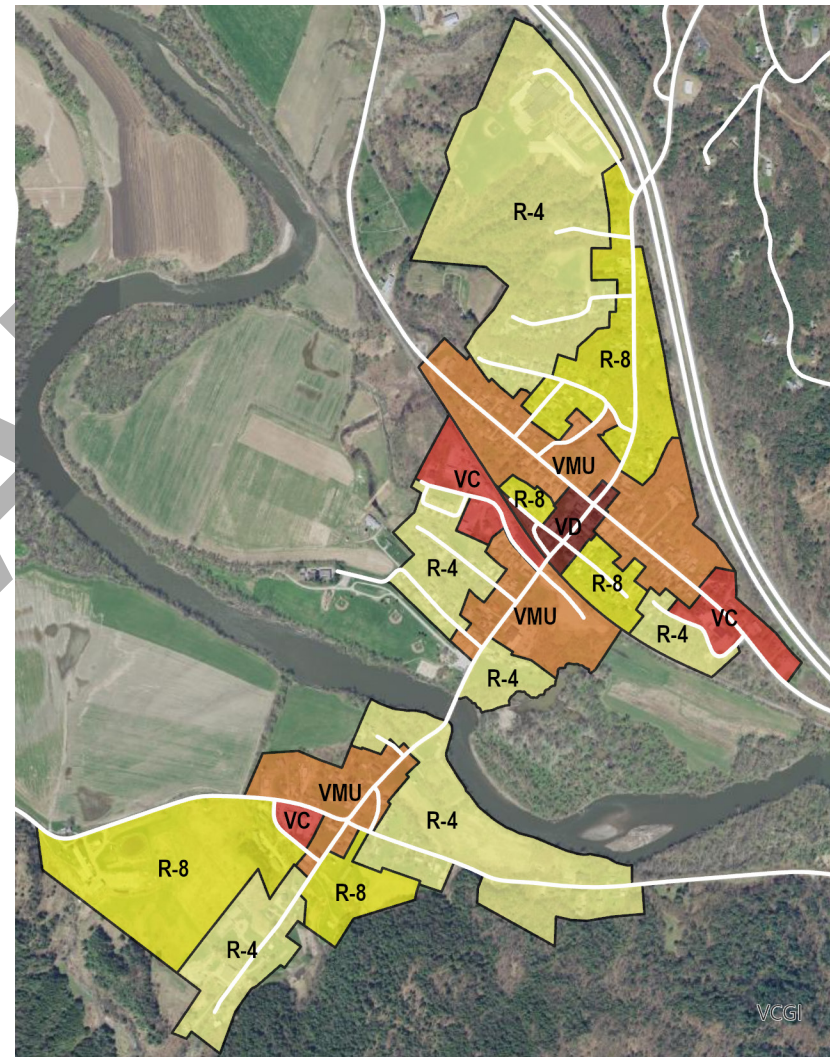
Alternative Approach

The Planning Commission proposed zoning amendments recognize the need for more than one residential zoning district and a mixed use zoning district within the village area. The alternative approach presented below retains that basic structure but proposes alternative geographic extents, dimensional standards and allowed uses. The alternative approach is based on an analysis and understanding of the village's traditional built form. It seeks to accommodate opportunity for infill housing that is compatible with that traditional built form. The alternative retains the existing Village Downtown and Village Commercial districts and creates three new districts.

The dimensional standards are similar in many ways those proposed by the Planning Commission, but the small differences are important. The alternative approach envisions allowing for single- or two-unit dwellings on any lot, but regulating multi-unit (3+) housing based on a maximum density standard (lot area per unit). A Residential-4 district would allow for up to four units per acre, while the Residential-8 district would allow for up to eight units per acre. The Mixed Use district would allow for up to 12 units per acre and the Village Downtown would continue to allow for up to 24 units per acre. The alternative approach also provides for housing types.

The mixed use and residential districts would allow for single- through four-unit dwellings as a permitted use. Site plan review would be required for three- and four-unit dwellings. This is consistent with state statute and programs, as well as the policies of the Richmond Town Plan.

Although providing more opportunity for small-scale multi-unit housing and an overall higher density of housing, these zoning changes are unlikely to generate a substantial increase in housing on already developed lots. The sales market for single-unit homes in the village is very strong. Unless that changes, the high cost of acquiring and renovating a single-unit residence into a multi-unit residence will likely discourage widespread conversion of owner-occupied single-unit homes to multi-unit, investor-owned rental properties.



	ALTERNATIVE APPROACH				
	VD	VC	MU	R-8	R-4
Min lot size (sq ft)	5,000	15,000	6,000	8,000	10,000
Min lot area / dwelling unit (3+ units)	1,815	3,630	3,630	5,445	10,890
Min lot frontage (ft)	50	75	60	60	75
Max lot coverage (%)	90	75	75	60	45
Min front setback (ft)	0	10	10	15	20
Min side & rear setbacks (ft)	5	10	10	10	10
Max full building stories	3	3	3	3	2
Max building footprint	12,000	24,000	12,000	9,000	6,000

	ALTERNATIVE APPROACH				
	VD	VC	MU	R-8	R-4
1-unit residence	X	X	P	P	P
2-unit residence	X	X	P	P	P
3-unit residence	X	P/S	P/S	P/S	P/S
4-unit residence	X	P/S	P/S	P/S	P/S
5 or more unit residence	P/S	P/S	P/S	X	X
Accessory dwelling	X	X	P	P	P
Residential care home	X	X	P	P	P
Residential care facility	X	P/S	P/S	C/S	X
Recovery residence	X	C/S	C/S	C/S	X
Transitional housing	X	C/S	C/S	C/S	X
Emergency shelter	X	C/S	C/S	X	X

P = Permitted, C = Conditional, X = Prohibited, S = Site Plan Review Required