

MEMORANDUM

TO: Richmond Selectboard

CC: Josh Arneson, Linda Parent, Chris Cole

FROM: Ravi Venkataraman, on behalf of the Planning Commission

DATE: June 4, 2020

SUBJECT: Bylaw Amendments for Village Downtown Zoning District

During last night's duly warned public hearing, the Planning Commissioners voted to submit a Zoning Bylaw change proposal to the Selectboard for its consideration and action. The proposal would modify the regulations for the Village Downtown Zoning District, including the properties comprising the zoning district, the list of allowable uses within the zoning district, dimensional limitations for structures on lots in the district, parking requirements, traffic impacts, security and parking area lighting standards, signage requirements, and Planned Unit Development allowances.

For your consideration, enclosed are the:

- Planning Commission Report prepared for the June 3, 2020 meeting
- The revised version of Zoning Regulations Section 3.10—the Village Downtown Zoning District
- The notice of hearing for the change to the Zoning Regulations

As authorized under 24 V.S.A. §4442, the Selectboard is now able to consider moving the proposals forward. Typically, the Selectboard would:

1. Receive the proposal through a motion; and then,
2. Agree by motion to conduct a public hearing on each proposal, with the date of the hearing be at least 15 days after the publication of a legal notice.

Under 24 V.S.A. §4442, the Selectboard may make changes to the proposal. However, substantive changes to the proposal would affect the hearing schedule.

When the Selectboard chooses to take action, having reviewed the enclosed documents and any amendments, and either adopts or rejects the proposal, changes shall be effective 21 days after adoption.

Please do not hesitate to contact me if you have any questions.

3.10 Village Downtown District (VD)

Area: the following parcels are included in this district: PS0023, BR0052, BR0048, BR0039, BR0038, BR0030, BR0027, BR0026, WM0013, EM0010, EM0013, WM0004, WM0035, DS0022, PS0014, BR0072

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.

3.10.1 Allowable Uses Upon Issuance of Zoning Permit and Site Plan Approval- The following uses shall be allowed uses in the Village Downtown District upon issuance of a Zoning Permit by the Administrative Officer. Site Plan Review by the DRB shall also be required. More than one principal use per lot is allowed in this district.

- a) Artists/Crafts studio
- b) Bank
- c) Bed and Breakfast
- d) Hotel
- e) Inn or guest house
- f) Laundromat
- g) Office, Medical
- h) Office, Professional
- i) Personal Services
- j) Retail business

3.10.2 Allowable Uses Upon Issuance of Conditional Use Approval-The following uses may be allowed in the Village Downtown District after issuance of conditional use approval by the DRB. More than one principal use per lot is allowed in this district.

- a) Brewery
- b) Catering Service
- c) Center-based Child Care Facility
- d) Commercial Multi-Use Building
- e) Educational Facility as provided in Section 5.10.4
- f) Equipment Rental or Supply
- g) Food Processing Establishment
- h) Funeral Parlor

- i) Group Home
- j) Health Care Services
- k) Hospital
- l) Research Laboratory
- m) Light Manufacturing
- n) Museum
- o) Planned Unit Development
 - as provided in Section 5.12, if no subdivision of land is proposed (see Section 5.12.1).
 - Residential Dwelling Units as part of a Mixed Use Planned Unit Development
 - No residential-only Planned Unit Development
- p) Pharmacy
- q) Private Club
- r) Pub
- s) Recreational facility
- t) Religious use as provided in Section 5.10.4
- u) Restaurant
- v) Retirement Community
- w) State- or community-owned and operated institutions and facilities as provided in Section 5.10.4
- x) Tavern
- y) Theater
- z) Wholesale trade
- aa) Veterinary Clinics

3.10.3 Residential Density and Requirements

a) Each residential dwelling unit shall require 1/24 acre of developable land located on the same lot as the unit subject to the rounding rule below. This equals a residential density of approximately 24 units per 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 of units with a fractional component, the fraction will be rounded according to conventional rounding rules as follows, where X is a whole number:

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

X.50 – X.99 units shall be rounded UP to X+1 units.

Examples: 24 units/acre x 0.22 developable acres = 5.28 units rounds DOWN to 5 units.

24 units/acre x 0.16 developable acres = 3.84 units rounds UP to 4 units.

If the number of permissible units is less than one (1) it shall be rounded UP to 1 unit.

Example: 24 units/acre x 0.02 developable acres = 0.48 units rounds UP to 1 unit.

b) Residential dwelling units shall be restricted to the second story/floor and above of any building and shall not be allowed on the street/ground level. These units may be approved as part of a mixed-use Planned Unit Development.

3.10.4 Dimensional Requirement for Lots in the VD District-No Zoning Permit may can be issued for Land Development in the VD District unless the lot proposed for such Land Development meets the following dimensional requirements:

a) Lot Area- No lot shall be less than one-eighth (1/8) or 0.125 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.

d) Lot Frontage- A lot must have 50 feet of continuous frontage on a public or private road, or have access to a public or private road by a permanent easement or right-of-way approved by the DRB as regulated by Sections 4.2 and 4.3.

e) Lot Coverage- The total ground area covered by all structures, parking areas, walkways, driveways and areas covered by impervious materials shall not exceed eighty percent (80%) of the total ground area of the lot.

3.10.5 Dimensional Limitations for Structures on Lots in the VD District

a) Height- shall be as in Section 4.12 of these regulations.

b) Setback - All structures shall have zero (0) feet setbacks, except for a five (5) feet setback for all structures from district boundaries. All development is required to install and maintain a sidewalk to the public works standards on any and all public road frontage. Placement of the sidewalk and curb cuts or accesses to the property are subject to approval of the Highway Foreman.

3.10.6 Other Requirements Applicable to Lots in the VD District- No Zoning Permit may be issued for Land Development in the VD District unless the Land Development meets the following requirements:

a) Water Resources - all lots in this district shall be served by the Richmond municipal water and sewer system.

b) Parking

i) Residential

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.

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

ii) Non-residential parking supply requirements shall follow the requirements as set forth in section 6.1.

iii) Exempted Lots

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 providing a copy of a private parking agreement between landowners or use of public parking. Use of public parking requires approval from the Selectboard and the road foreman in the form of a public parking permit.

b) Loading - 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 Impacts - 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 generate more than 70 vehicle trip ends on adjacent roads during the P.M. peak hour for the first 40,000 square feet of land development area or fraction thereof, plus 1 vehicle trip end for each additional 1,000 square feet of land development 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, but not limited to, the creation of additional vehicle or pedestrian access points, the installation of signage and traffic lights, and adjustments to intersections to reduce pedestrian crossing distances and to slow traffic.

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

f) 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 facade, 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. The following shall be considered when reviewing the application:

- 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, is 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.

g) Residential Use - Residential dwelling units shall be restricted to the second story/floor or higher of any building and shall only be approved and permitted via Planned Unit Development.

h) 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 circulation
- Landscaping
- Demonstration of the ability to properly develop, operate, and maintain development roads, utilities, driveways, parking, sidewalks, landscaping, and other conditions or standards imposed

Insert reference to "VDZD" to Sections 2.1, 4.11.3c, 5.7.4, and 5.12.2

Town of Richmond
Zoning Bylaw Amendment Report
For

Changes to the Village Downtown Zoning District

This report is in accordance with 24 V.S.A. §4441 (c) which states:

When considering an amendment to a bylaw, the planning commission shall prepare and approve a written report on the proposal. A single report may be prepared so as to satisfy the requirements of this subsection concerning bylaw amendments and subsection 4384 (c) of this title concerning plan amendments...The report shall provide:

(A) Brief explanation of the proposed amendment and...include a statement of purpose as required for notice under §4444 of this title:

This Planning Commission proposal would modify the regulations for the Village Downtown Zoning District, including the properties comprising the zoning district, the list of allowable uses within the zoning district, dimensional limitations for structures on lots in the district, parking requirements, traffic impacts, security and parking area lighting standards, signage requirements, and Planned Unit Development allowances.

The overall purpose of these zoning amendments is to correct the regulations for the Village Downtown Zoning District, originally established in September 2019, in order to improve the compatibility of the zoning district with the adjacent zoning districts. The Village Downtown Zoning District and its respective adjacent zoning districts are all located within the Richmond Village Future Land Use Area according to the Town Plan.

Additional suggested corrections include edits to typographical errors, clarifications to references to improve the legibility of the regulations, and the addition of substance that was originally slated to be included but mistakenly omitted in the finalized regulations.

And shall include findings regarding how the proposal:

1. Conforms with or furthers the goals and policies contained in the municipal plan, including the effect of the proposal on the availability of safe and affordable housing:

The Planning Commission concluded that the proposal conforms to and advances the goals of the municipal plan by promoting Smart Growth principles, affordable housing, mixed-use development. The Planning Commission's conclusion is based on the following identified goals and actions from the Town Plan:

- When updating zoning regulations, explore ways to allow for non-traditional housing types, ways to encourage the creation of new business enterprises;
- Promote economic opportunities on town media platforms, and create economic development incentives for development that meets “smart growth” standards and preserves Richmond's history and character;
- Create clear guidelines and information resources for permit applicants, clarifying requirements and steps for permitting and approval.

- Adjust land use regulations to allow for and encourage new industrial/commercial and mixed use development, and explore the creation of zones or districts to attract and support businesses in specific sectors such as a cultural district or green development zone;
- Maintain and upgrade zoning regulations and development review policies to ensure that concentrated growth occurs in designated growth centers, thus bringing residents and businesses in close proximity;
- Adopt and maintain a zoning ordinance based on “smart growth” principles, with most development concentrated in the village, neighborhoods, downtown, gateway mixed use areas to reduce vehicle miles travelled from housing to shopping and to public transit options;
- Create policies that encourage affordable housing development;
- Explore density-based zoning when updating the land use regulations
- Encourage development that protects natural resources and preserves scenic and/or historic character of Richmond;
- When updating zoning regulations, identify opportunities for development of a variety of housing types, for example allowing mixed residential and commercial use, higher unit density, or unique accessory housing in certain areas that will be identified during said update;
- Encourage concentrated residential development in areas identified for growth;
- Adopt zoning regulations that include Vermont’s Smart Growth principles such as concentrated downtown development in order to maintain Richmond’s historic settlement pattern and village character;
- Encourage “smart growth” development in the village center or downtown, or near transit options, to reduce car travel distances;

2. Is compatible with proposed future land uses and densities of the municipal plan:

The Planning commission concluded that the current amendment proposal would be compatible with the proposed future land uses and densities detailed in the municipal plan. The 2018 Richmond Town Plan anticipates the “broader application of mixed uses and multiple-story buildings, “multi-family homes”, and “Complete Streets improvements” in the Richmond Village area—where the new Jolina Court Zoning District will be located.

3. Carries out, as applicable, any specific proposals for any planned community facilities:

The proposed amendments do not carry out any specific proposals for any planned community facilities. In addition, the proposed amendment does not conflict with any proposals for planned community facilities.

NOTICE OF PUBLIC HEARING

PURSUANT TO 24 V.S.A. §§4441 (d) AND §4444, THE TOWN OF RICHMOND PLANNING COMMISSION WILL BE HOLDING A PUBLIC HEARING ON WEDNESDAY, JUNE 3RD, 2020, AT 7:00 PM, IN THE **RICHMOND TOWN CENTER MEETING ROOM AT 203 BRIDGE STREET** TO RECEIVE COMMENT REGARDING THE PROPOSED ZONING AMENDMENT:

PURPOSE: To make typographical and substantive corrections to the Village Downtown Zoning District regulations (text and map). Substantive corrections to the regulations include: the addition of parcels PS0014 and BR0072 in the district; the addition of allowable commercial uses; and methods to mitigate traffic impacts.

GEOGRAPHIC AREA AFFECTED: The following parcels: PS0023, BR0052, BR0048, BR0039, BR0038, BR0030, BR0027, BR0026, WM0013, EM0010, EM0013, WM0004, WM0035, DS0022, PS0014, BR0072

SECTION HEADINGS: Village Downtown District (Section 3.10); Allowable Uses Upon Issuance of Zoning Permit and Site Plan Approval (Section 3.10.1); Allowable Uses Upon Issuance of Conditional Use Approval (Section 3.10.2); Residential Density and Requirements (Section 3.10.3); Dimensional Requirements for Lots in the VD District (Section 3.10.4); Dimensional Limitations for Structures on Lots in the VD District (Section 3.10.5); Other Requirements Applicable to Lots in the VD District (Section 3.10.6); Parking Lot & Security Lighting (Section 4.11.3c); Signs (Section 5.7.4); Planned Unit Development (PUD and Residential PUD – General Conditions (Section 5.12.2)

THE FULL TEXT AND MAPS OF THE PROPOSED ZONING AMENDMENT ARE AVAILABLE FOR INSPECTION AT THE RICHMOND TOWN CENTER OFFICES PURSUANT TO 24 VSA §4441 AND THE TOWN WEBSITE. FOR MORE INFORMATION, PLEASE CONTACT THE RICHMOND PLANNING/ZONING OFFICE AT 802-434-2430 or venkataraman@richmondvt.gov.

POSTED: 05/12/2020