

**Town of Richmond**  
**Planning Commission Meeting**  
**AGENDA**

Wednesday February 19<sup>th</sup>, 2020, 7:00 PM

Planning Commission to be held in the  
Richmond Town Center Meeting Room, 203 Bridge Street, Richmond, VT

1. Adjustments to the Agenda
2. Approval of Minutes
  - May 22, 2019
  - June 5, 2019
  - June 19, 2019
  - February 5, 2020
3. Public comment for non-agenda items
4. Future Priorities
  - a. Review of List of Priorities
5. Objectives and communication strategy for public input
6. Corrections and modifications to the Village Downtown Zoning District and other pertinent zoning regulations
7. Discussion on Regulating Short-Term Rentals
8. Other Business, Correspondence, and Adjournment
  - a. Nomination of an Acting Administrative Officer, per Richmond Zoning Regulations Section 8.1

For additional information and accommodations to improve the accessibility of this meeting, please contact Ravi Venkataraman at 802-434-2430 or at [rvenkataraman@richmondvt.gov](mailto:rvenkataraman@richmondvt.gov)

TO: Richmond Planning Commission

FROM: Ravi Venkataraman, Town Planner

DATE: February 13, 2020

SUBJECT: Table of Contents

Provided below are a list of agenda items and the respective documents for those agenda items:

2. Approval of Minutes:
  - a. Page 3: May 22, 2019 Planning Commission Meeting Minutes
  - b. Page 6: June 5, 2019 Planning Commission Meeting Minutes
  - c. Page 8: June 19, 2019 Planning Commission Meeting Minutes
  - d. Page 10: February 5, 2019 Planning Commission Meeting Minutes
4. Future Priorities
  - a. Page 15: List of Future Priorities
  - b. Page 16: Richmond Town Plan Implementation Table
  - c. Page 27: List of Uses
  - d. Page 30: Official Zoning District Map (From Current Zoning Regulations)
  - e. On a separate document: Williston Unified Development Code (WillistonUDC.pdf)
6. Corrections and Modifications to the Village Downtown Zoning District and other pertinent zoning regulations
  - a. Page 31: VDZD Revised Draft for the 2-19-2020 Meeting
  - b. Page 36: Language regarding Veterinary Clinics
7. Discussion on Regulating Short-Term Rentals
  - a. Page 37: Memorandum on Short-Term Rentals
  - b. Page 39: "Vermont Supreme Court Reinforces JAM Golf" from Vermont League of Cities and Towns
  - c. Page 41: "Village of Woodstock Short Term Rental Ordinance"
  - d. Page 49: Page 41 from the "Village of Woodstock Zoning Regulations" (pertaining to short-term rentals)
8. Other Business, Correspondence, and Adjournment
  - a. Page 50: Memorandum on Nomination of an Acting Administrative Officer

## Planning Commission Minutes 5-22-19

Present: Mark Fausel, Brian Tellstone, Virginia Clarke, Lauck Parke, Scott Nickerson, Jessica Draper, Chris Cole, Alison Anand, Chris Granda, Brendan O'Reilly, Colin Moffat

Called to Order: 7:05pm

Public Comment: Chris Cole introduced himself to the commission. Mark and Scott said they thought his knowledge would be valuable.

Update on Membership: Now up to 9 members, Chris Granda and Chris Cole have joined the ranks.

Update regarding Zoning: Virginia gave an overview of what was discussed in the subcommittee meeting. She said the first topic was to discuss whether to do two districts or one district with one following shortly after. She said the next ask was to look into using square footage for density. Virginia said she could not find an example regulation where they use exclusively square footage. She said it was difficult to convert to that because the units would likely remain the same. She said bedrooms would now be addressed via parking. She said another task was reviewing density bonuses. Virginia said the issue with ADA was whether the units adaptable or visitable standard which are regulated differently, and it was already mostly covered under fire code. Mark asked if the subcommittee had covered splitting elderly and ADA into two different bonuses. The subcommittee said that they didn't really discuss separation. Virginia pointed out that a topic also discussed was that we have limited administrative power in the planning and zoning department, and the affordability bonus would require heavy administrative attention. She said the other two criteria were energy efficiency and parking. Virginia said they left the 25 kw per unit has not yet been changed. Virginia acknowledged Chris Granda may have more insight for that. She said the parking bonus was reduced to 2:1 spaces to bonus units but location was still up in the air and we were considering the location to be flexible. She said they also felt it was necessary to increase the base units if they were to remove two of the bonuses. Lauck said that going back to the 15 would get back to the interim zoning minimum and then anything over that would fall under the bonus. Mark stated that he felt that the size of the parcel and the location of it and its development if we don't ensure public parking we are doing the town a disservice. He said he feels obligated to work something out that includes public parking. Lauck said that a lionshare of the subcommittee debate was trying to solve that issue. Lauck said that he spoke with Jessica about the town attorney's concern over how such an arrangement would work. He said from his standpoint the cleanest way to address it would be to have Buttermilk deed the town the 3 undevelopable acres and utilize it for parking and consider a right of first refusal on a future town center building. Brendan passed out copies of the site plan for his development. The commission and representatives from Buttermilk discussed what was shown on the plans for parking and future buildings. They briefly discussed wetland regulations and the energy being produced by their array. The parking bonus was then

discussed as needing to be legally owned by the town. The commission and Brendan discussed the possibility of a lot line adjustment for the town to take space for parking at the town boundary.

Gabe said that the last meeting was supposed to be for a vote, and it went to the wayside. Then he asked if a vote was going to happen for anything tonight. Mark said that at the beginning of the meeting they decided to only do Jolina Court. Gabe asked when a vote for the village will happen. Mark said he didn't know. Gabe said he didn't think it was fair to not have action on this, and didn't think there was much more to discuss about the village. Gabe then left at the acknowledgement that a vote would not be happening.

Brendan said he thought that a lot line adjustment was easier than deeding back and forth. Jessica said she thought an option could still be achieved with or without the 30 spaces and reminded the commission that the selectboard has the authority to enter those kinds of agreements.

Mark asked the members how they felt about proceeding. Mark asked if the commission felt comfortable dropping what the subcommittee proposed. Virginia asked Colin what units have to be adaptable versus visitable. Discussion ensued about what is and isn't accessible versus visitable. Mark asked everyone to indicate whether they supported the parts that were removed from the draft.

Discussion then ensued about how many units would be base or achieved through bonus. The commission then discussed number of parking spaces that could be achieved if the base parking was reduced. Mark then informed the new commissioners to be about the traffic concerns with increase development at this site.

Jessica explained where her 25kw metric came from. Mark said he agreed that he thought these were very specific to Buttermilk's development.

The commission decided to reject the 300sf minimum unit size. All other changes were accepted.

Chris Granda asked about the stretch code requirement. Jessica and Virginia clarified how that applies to Jolina Court.

Virginia asked to strike the word "only" from the parking requirement. Discussion ensued regarding the number of parking spaces and where they could go.

Brendan said he would look into how much acreage would or could be deeded to the town if the parking bonus was utilized. Virginia said she wasn't comfortable with 1:1 parking. Brendan said he felt like Buttermilk hasn't gotten anything out of this project, but the town has gotten a lot out

and is still asking for more. Lauck proposed to kick the proposal back to the subcommittee and meet with Buttermilk to iron out the details.

Jessica asked for the signature pages for the Code of Ethics Policy.

Brian moved to adjourn, seconded by Virginia. All were in favor, adjourned 9:26pm

## Planning Commission Minutes 6-5-19

Called to Order: 7:09pm

Present: Scott Nickerson, Brian Tellstone, Joy Reap, Virginia Clarke, Alison Anand, Chris Cole, Chris Granda, Mark Fausel, Jessica Draper, Patty Brushett, Jeff Forward, Brendan O'Reilly, Josi Kytle, Gabe Firman, Lars Whitman

Public Comment: Patty asked the planning commission to consider inclusionary zoning for affordable housing, and to try and promote units that allow for space for children. Jeff Forward asked the planning commission to consider using LEED certification as a criteria for density bonuses because it encompasses more environmental factors in addition to energy benefits.

Subcommittee Report: Virginia gave an overview of the subcommittee meeting held last Wednesday with Buttermilk, and that they had decided at that meeting to meet with the selectboard regarding the parking bonus because of the potential land exchange. She also explained that at the selectboard meeting the conversation never really made it to the land exchange and had tied in with tax stabilization. Virginia explained that at the end of the discussions on Monday it was decided to discuss the tax stabilization and density bonuses in a joint subcommittee.

Reorganization: Mark apologized for how the previous week's meeting had ended, and didn't want his time as chair to end on a bad note. He said that he felt proud of the commission and its accomplishments. Mark said he felt that they were a well-rounded and diverse group. He asked Brian if he was interested in taking the chair seat and Brian said he was not. Mark nominated Scott for the chair position. Seconded by Brian. Scott accepted the nomination. Chris Granda nominated Virginia. Virginia declined. All were in favor of electing Scott as chair. So moved. Joy nominated Brian as Vice Chair. Seconded by Mark. Brian accepted. All were in favor of electing Brian as Vice Chair. So moved.

Jolina Court Zoning: Jessica explained that although she had originally sent an email saying we would wait for subcommittee deliberations to work on Jolina Court, she had spoken to Brendan earlier in the day and decided to propose a vote on the base zoning district and hold off on just the density bonuses. Brendan spoke about finding the selectboard meeting frustrating and that he had spoken to Bard Hill in the meantime about the point of the planning commission if the selectboard has the authority to veto said efforts. Joy mentioned that not all regulations go to a town-wide vote, for example the gateway zoning that was changed when it was received by the selectboard was adopted by the board and not a town-wide vote. Discussion continued regarding the legal process and statutory restrictions. Scott said he agreed based on Monday's meeting that more collaboration is needed and will hopefully be remedied through the subcommittee. Chris Granda said that the committee needs to document and educate effectively to prevent the need for changes at the selectboard level. Jessica explained how

voting on the base zoning would work. Josi said that she felt that much of what we've been discussing was already agreed to in the past. She explained past discussions of the 30% reserved parking requirements in escrow and how the new bonuses were unfair to others and targeted toward Buttermilk even though they were already being achieved. Jessica explained that she had done the math on the parking possibilities for buildings one and two and distributed the spreadsheet showing those figures. Mark asked why the 30% was needed if the new parking scheme based on bedrooms would actually reduce parking on its own. Joy also pointed out that different commercial uses would also reduce the parking requirements. Joy then also asked if the commission was going to require the solar to be owned by the parcel owner. The commission felt that the solar was a benefit either way and the ownership did not matter as long as it was on site. Discussion ensued about the draft language.

Chris Granda moved to approve the core of the Jolina Court Zoning District Proposal without density bonuses based on the draft named Jolina Court District dated 6-5-19 including the street level commercial upper floor residential ratio, the bedroom based parking scheme, and to strike the language related to density bonuses and replace it with "This district may be eligible for a density bonus". Seconded by Virginia. All were in favor, so moved.

Other Business: Virginia clarified that on page 2 under residential density there is actually a list of possible densities for the commission to choose from. Gabe asked about alternative ways to regulate density such as eliminating units and just allow it on certain floors. The commission felt that this related to form-based zoning which was a long term goal of theirs but not something that could happen in a shorter time frame. The commission discussed the proposed parking exemptions and felt that the use of public parking permit idea should be discussed with the selectboard. Virginia moved to maintain Lauck, Scott, and herself as the members for both subcommittees with Alison as an alternate. Seconded by Mark. Discussion ensued about what needed to be further discussed in the draft. Chris Cole said that if density is what you're trying to achieve you need to remove restrictions, and that the traffic issue won't be solved because human nature is that issues don't get addressed until they can no longer go unaddressed. All were in favor of the motion regarding the subcommittee. So moved. Joy moved to put the village zoning as the first business item on the next agenda. Seconded by Chris Cole. All were in favor, so moved.

Brian moved to adjourn. Seconded by Chris Granda. Alison said that she had spoken with the school about population impacts and they said they welcomed the idea of more children. All were in favor, adjourned 9:24pm.

Planning Commission Minutes  
6-19-19

Called to Order: 7:07pm

Present: Brian Tellstone, Joy Reap, Scott Nickerson, Mark Fausel, Chris Cole, Alison Anand, Jessica Draper, Gabe Firman

Absent: Lauck Parke, Virginia Clarke, Chris Granda

Public Comment: NA

Administrative Updates: Jessica reminded everyone of the hearing on July 3rd at 7pm regarding the Jolina Court proposed zoning regulations. She also reminded the commission that the DRB is still interested in holding a joint meeting to discuss other zoning changes. The commission discussed possible attendance issues for the hearing and Scott said he would verify with those that are absent. Jessica let everyone know that there will be an interest meeting next Wednesday at 7pm in the meeting room regarding a joint 3-town recreation committee idea for Richmond Huntington and Bolton. Mark said that he wants to have a tent at the 4th of July celebration about town government again this year. He asked the commission about participation and ideas. Scott offered to assist.

Report from Subcommittee: Scott explained that the meeting was attended by Colin, Josi, Bard, Roger, Jessica, Josh, Scott, and Virginia. Josi provided an updated tax schedule estimate, and there was discussion about past ideas and wishes for the creamery site. Scott explained that there was disagreement about what constituted economic development regarding the tax stabilization article. The selectboard representation had expressed desire for commercial, industrial, and retail while Buttermilk representation believed that more people in town supported the businesses and therefore contributed to economic development. The selectboard agreed to entertain tax stabilization if the cost savings could be passed on to a tenant's cost. The selectboard had essentially rejected the proposed parking bonus, but showed willingness to entertain the energy bonus idea and revisit affordability. Jessica explained that as of Monday night the selectboard is now leaning more so away from allowing additional units and is not supportive of the proposed ratio. Discussion ensued about how the discussion on Monday at the selectboard meeting indicated that the selectboard would very likely change the proposal significantly.

Village Downtown District: The map of the district was discussed. Jessica explained that the boundary was shrunk to include parcels of more similar sizes and not include parcels that are dissimilar. Discussion ensued about the parking spaces, and Scott asked the planning commission if they were okay with the zone as mapped. The commission discussed adding the MMCTV building, the ski express building, harley brown building, and the funeral home building

to the drafted district. Mark moved to add the parcels. Seconded by Chris. All were in favor, so moved. Mark said that he felt a lower base density with a larger bonus would be preferable to him. The commission discussed the possible density bonuses or possibility for just changing the base density. Gabe and Mark disagreed on the parking issues in the upper block area. Discussion returned to how density could be achieved on the upper block. Joy moved to accept the 24 units per acre density. Seconded by Brian. Discussion ensued about the parking bonus idea and base density. All but Mark voted in favor. Motion passed. Jessica asked the commission to consider parking supply and parking exemptions. The commission decided to utilize a bedroom based scheme for parking supply. The commission also supported the parking exemption and parking plan clause. Joy asked if everyone was okay with the list of allowed and conditional uses, and the commission appeared to be in support. Scott asked if anyone was interested in a form-based regulation for new construction in a historic district. Scott proposed a statement under Special Conditions and Development Standards that would require 1. compatibility of size, scale, color, materials, and character of the district and 2. construction utilizing materials similar or the same to the existing buildings of the district; both standards would apply for all new construction and all new or remodeled exterior facades. Brian moves to approve the amended draft to a hearing. Seconded by Joy. All but Mark were in favor, so moved.

Brian moved to adjourn. Seconded by Mark. Adjourned 9:17pm.

## Planning Commission Meeting Minutes 2/5/2020

Called to order: 7:07 pm

Members present: Chris Cole (chair), Brian Tellstone, Joy Reap (left meeting at 7:27 pm), Scott Nickerson, Virginia Clarke, Chris Granda, Alison Anand (Mark Fausel and Lauck Parke were absent)

Others present: Josi Kytle

1. Adjustments to the Agenda
2. Approval of the minutes

Motion by Alison Anand, second by Brian Tellstone to approve the minutes of the May 1, 2019 Planning Commission Meeting. Voting: unanimous. Motion carried.

Motion by Scott Nickerson, second by Tellstone to approve the minutes of the May 9, 2019 Planning Commission Meeting and the May 15, 2019 Planning Commission Meeting. Voting: unanimous. Motion carried.

Motion by Virginia Clarke, second by Tellstone to approve the minutes of the January 15, 2019 Planning Commission Meeting. Voting: unanimous. Motion carried.

3. Public comment for non-agenda items
4. Future priorities

Chris Cole said this is an opportunity to catalogue a number of items the Planning Commission would like to address in the near future. Joy Reap said the commissioners should recap items that have come up in the previous months, such as corrections to the zoning regulations that need to be made, recommendations from the DRB, the Farris' request, and the Cochrans' request. Clarke said that the commission should review the goals of the Town Plan. Clarke also added Reap's request of reviewing the Gateway District regulations.

Cole requested looking into regulations for short-term rentals. Other commissioners agreed. Chris Granda added that the commission should strategize how it wants to tackle the topic of short-term rentals and ensure the public's involvement in the discussion. Reap said this topic would touch upon housing affordability as well.

Reap suggested discussions on transportation. Cole said the Town has been working on transportation through the transportation committee. Cole said the transportation committee is in the planning and grants phase. Cole added that the transportation committee requested to pursue grants for a Complete Streets study of Bridge Street and for a bike/led master plan for the entire town. Cole said the transportation committee was also looking to install a hitching post

so people can slug for rides. Cole clarified to the commission that “slugging for rides” is akin to carpooling.

Granda requested further discussion on Stretch Code.

Reap asked if acting on these priorities and the implementation list in the Town Plan would only be through zoning. Clarke said not necessarily, although zoning is a key aspect. Clarke said one item on the priority list the commissioners could pursue is setting up a housing committee.

Reap asked when the last time the zoning regulations in its entirety were updated. Ravi Venkataraman said that zoning was established in 1969 and continuously amended since then. Anand and Clarke said that the zoning regulations were fully revised in 2012 but voted down. Reap said since so much time has elapsed, zoning needs to be updated to fit the current context. Clarke said systematically overhauling the zoning regulations is what the commission is currently doing. Cole added that other items should be worked on simultaneously with the overhaul of the zoning regulations to prevent commissioners from getting worn out with a single task. Granda said after the zoning regulations have been revised, the commission should review the entire document to make sure the zoning regulations fit together.

Reap said the commission should garner public input before going forward. Cole recommended holding a meeting specifically to gain public input. Cole said the commission should invite the broader community so that they get a sense of the Planning Commission’s goals, instead of speaking to individual landowners seeking zoning changes in their favor on a meeting-by-meeting basis. Clarke said the commission could do a mailing to residents to particular districts, informing them about upcoming discussions for their districts. Anand asked if the commission wanted one general meeting on zoning for the larger public to allow residents to voice their concerns. Anand said this would provide the commission information on what to prioritize.

##### 5. Continued review of proposed amendments to Jolina Court Zoning District.

Ravi Venkataraman said that he made modifications to the following based on discussions during the January 15, 2020 Planning Commission Meeting: setback requirements, family child care home uses, parking setback requirements, and building height regulations. Venkataraman explained that the best way to explain the setback requirements for the Jolina Court District would be through a map and that the map enclosed would be added to the end of the zoning regulations.

Nickerson asked if the lot lines on the survey enclosed in the interim zoning were clarified. Venkataraman said yes. He presented the commission with a blown-up version of the survey plat. He explained that one of the lot lines is actually based on the bank of the river, and therefore could fluctuate depending on the location of the riverbank.

Cole informed the public that the Planning Commission decided during their January 15th meeting that the setback requirements for the district should be the same as was put forth in the

Interim Zoning. Cole added that after discussions with Venkataraman, a sentence will be added to the regulations to address any conflicts with lot lines, in which case, the periphery setbacks would apply. Josi Kytly asked about the waivers that were granted with their PUD approval in Jolina Court. Cole said that these regulations would not impact the waivers that were approved.

Clarke asked for further clarification about the parking setbacks because she found a conflict in the language. Venkataraman recommended removing a sentence regarding parking setbacks to reduce inconsistencies. The Planning Commissioners agreed.

Venkataraman reviewed changes to the definitions, and said the changes to the definitions should reflect what was agreed upon during the Planning Commission's previous meeting.

Venkataraman said, regarding family child care homes, based on discussions and research, he concluded that family child care homes should be regulated as home occupations. He said this would allow greater latitude for planning and zoning staff to approve family child care homes that are licensed but housed in dwellings other than single-family dwellings. Anand asked if a state license and registration is a requirement to operate a family child care home. Venkataraman said yes.

Venkataraman overviewed changes to the parking setback requirements. Venkataraman clarified that the suggested changes to the Village Commercial Zoning District are to dovetail with the changes to the parking setback requirements in the Jolina Court Zoning District.

Venkataraman overviewed changes to the home occupation regulations. He said the changes to the home occupation regulations are to ensure that family child care home uses are not curtailed.

Granda asked if any input was sought from a child care provider. Venkataraman said no. Clarke said these regulations should not affect child care providers. Cole added that homeowners with family child care facilities cannot be infringed, and therefore the commission cannot recommend any bylaws that would adversely affect the protections granted for family child care homes.

Venkataraman reviewed the changes to the building height regulations. Clarke asked further clarification on the ground adjacent to the building. Kytly also asked for additional clarification on the ground adjacent to the building. Venkataraman said that adjacent finished grade would be a point five feet from the side of the building, in order to lean a ladder against the building and gain access. Cole asked how the draft regulation would impact agricultural structures. Clarke pointed out the exception for agricultural structures. Cole asked about regulations for buildings that do require a construction permit from the Vermont Division of Fire Safety. Cole asked for clarification on measuring the height of the building. Venkataraman said the height of the building would be from the average finished grade to the highest point of the roof. Clarke asked Kytly if the buildings she is proposing would be in compliance with the draft regulations. Kytly said yes. Clarke added that with buildings that do not require a construction permit from the

Vermont Division of Fire Safety, the Vermont Division of Fire Safety would address the Town's capacity to provide emergency services.

Clarke said she would like language in the definitions regarding veterinary clinics.

Venkataraman said that nearby municipalities designate veterinary clinics as a separate use, due to its unique impacts. Venkataraman also recommended establishing veterinary clinics as a separate use. Cole agreed. Cole said that this issue can be addressed at a later date, separate from the Jolina Court District conversations.

Motion by Nickerson, Second by Granda, to finalize the changes to the Town Zoning Regulations Sections 2.4.5, 3.0, 3.5.4, 3.9, 4.10.1, 4.11.3(c), 4.12, 5.3.3, 5.7, 5.11.1, 5.11.2, 5.12.2, 6.1.6, and 7.1; and to direct staff to distribute copies of the amendment proposal to the Selectboard. Voting: unanimous. Motion carried.

Clarke asked about the amendment process going forward. Venkataraman said that the Planning Commission's review of the zoning regulations is on behalf of the Selectboard and therefore the Planning Commission does not need to warn a public hearing. Venkataraman added that because substantial modifications were made, the Selectboard will need to warn a public hearing again on this subject matter.

Cole thanked the Planning Commission for their diligence in reviewing the Jolina Court District regulations, Clarke for her work in drafting the changes to the zoning, Kyle for her patience and willingness to work with the Town on this matter, and Venkataraman for his assistance.

#### 8. Other Business, Correspondence, and Adjournment

Clarke asked if the Planning Commission had any issues with the proposed changes to Hinesburg and Bolton's policies—both of which were correspondence items from the previous meeting. The commission did not have any concerns with the policy documents.

Cole recommended to Venkataraman that he reach out to Larry Lackey of the Burlington Airport. Cole said that Lackey discussed with the Planning Commission months ago height regulations to bring the Town into compliance with FAA regulations.

Granda notified the Planning Commission of the Transportation Climate Initiative meetings.

Granda talked about additional opportunities for funding for electric vehicle charging stations. Cole said the Town could reach out to utility companies. Granda said that the Town did get a grant for an electric vehicle charging station at the Town offices. Venkataraman said he has talked to CCRPC about funding for additional electric vehicle charging stations and it has said it can provide funding for electric vehicle charging station projects.

Clarke said that the siting of renewable energy facilities should be on the list of priorities.

Venkataraman asked if the planning commission was interested in creating a unified development ordinance. He said that if multiple ordinances are going to be created, having an integrated land development regulations document would be easier to handle. Cole asked Venkataraman had any example unified development ordinances. Venkataraman cited Williston and Burlington. Cole recommended forwarding Williston's ordinance to the Planning Commission for the next meeting.

Clarke suggested amending the zoning map. Venkataraman said that the zoning map does not match parcel lines. Venkataraman also said that this raises the broader question of whether the commission wants to expand or contract districts. Clarke said that this question would become clearer once the commission has public input.

Cole asked what commissioners would like to see on the next meeting agenda. Clarke said corrections to the Village Downtown Zoning District should be included. Anand said the public discussion should happen soon, before the commission addresses other topics.

Motion by Tellstone, second by Scott Nickerson, to adjourn. Voting: unanimous. Motion carried.

The meeting adjourned at 8:47 pm.

## **List of Future Priorities (From 2/5/2020 PC Meeting):**

- Correct the Village Downtown Zoning District
- Address recommendations from the DRB
- Address request from the Farris for a self-storage facility
- Address request from the Cochran's
- Address the Town Plan Implementation items
- Revise the Gateway District regulations
- Address short-term rentals
- Strategize for engaging the Richmond community and gaining their input
- Address housing affordability
- Integrate stretch code into the zoning regulations
- Establish subcommittees, such as housing subcommittee
- Incrementally update the zoning regulations
- Develop renewable Energy siting standards (Section 248)
- Establish Unified Development Ordinance
- Modify the zoning map (after the commission gains public input)

## **Items Staff recommends pursuing in addition to the abovementioned items:**

- Adopt inclusionary zoning policies, or affordable housing bonuses
- Consider applying for the Downtown Designation program to promote growth in the downtown area
  - Benefits of state designation programs: Reduced Act 250 review and fees, additional grants, and priority for grants
  - Richmond currently has a Village Center designation
- Establish a Design Review District and become a Certified Local Government
  - Benefits: Increases access to funding to protect historic resources in town
- Put in place Tactical Urbanism standards (To fulfill ED 1,5 and 4,4)
- Integrate SmartCode into zoning regulations to foster sustainable development and walkable neighborhoods

## **Other ideas worth considering**

- Additional PUD standards to protect core forests, prime ag soils, other natural resources, and trail networks, as well as to encourage the clustering of development

## RICHMOND TOWN PLAN IMPLEMENTATION

Technical Plan	Goal, Action	Action Language	Primary Party	Time
Community Development (CD)	1.1	Continue to support currently established local businesses and service providers by creating a municipal purchasing policy that gives preference to local vendors where applicable and reasonable	Selectboard	Short Term
CD	1.2	When updating zoning regulations, explore ways to allow for non-traditional housing types, ways to encourage the creation of new business enterprises	Planning Commission	Short Term
CD	1.3	Support public health programs and resources in and outside of Richmond by ensuring that town policies and regulations allow for their presence, the development of healthcare and critical facilities, and by supporting and allowing access for all individuals to facilities and programs	Planning Commission, Selectboard	Ongoing
CD	1.4	Support and allow for affordable food and clothing sources such as the Thrift Shop and Food Shelf	Town-Wide	Ongoing
CD	1.5	Convene an essential goods and services summit with local providers to identify where gaps exist in Richmond and determine a course of action to increase availability	Economic Development Committee	Short Term
CD	1.6	Support new and/or unique employment opportunities for Richmond residents through policy and regulation, such as continued or expanded allowance of cottage industry and home occupations	Planning Commission	Short Term
CD	1.7	Support childcare provider opportunities by maintaining programs such as the Children's Librarian	Selectboard, Library Trustees	Ongoing
CD	1.8	Continue to utilize and allow public use of municipal buildings and grounds, such as the Community Room and Volunteers Green, for the Richmond Farmer's Market, Holiday Market, book sale, and other local or affordable buying opportunities	Selectboard	Ongoing
CD	1.9	Include access to goods, services, and basic needs in the emergency management plan	Town Administration	Short Term
CD	1.10	Continue to support Richmond's schools and other educational opportunities for residents	Town-Wide	Ongoing
CD	2.1	Ensure that all town staff, boards, and commissions are following the requirements of Vermont's Open Meeting Law	Selectboard, Town Administration	Ongoing
CD	2.2	Hold an annual meeting of town boards, commissions, and staff to increase collaboration and communication	Selectboard, Town Administration	Ongoing
CD	2.3	Continue to utilize open and transparent communication channels through established platforms such as Front Porch Forum, Times Ink, and MMCTV and publicize accommodations for participation in meetings such as the livestream from MMCTV	Town Administration	Ongoing
CD	2.4	Maintain a user friendly and regularly updated town website and social media platforms which will include a list of volunteer opportunities; public contact information for all town boards, commissions, and staff; and a link to Western Slopes Business Association website	Town Administration	Ongoing
CD	2.5	Maintain the town's inclusivity policy, and explore the creation of a civility policy for the municipal workplace, boards, commissions, and town media presence	Selectboard	Ongoing
CD	2.6	Continue the fair and equitable application and enforcement of town, state, and federal laws	Town Boards and Administration	Ongoing
CD	2.7	Recognize and reward volunteer service through celebration and promotion	Town Boards and Administration	Ongoing
CD	3.1	Work with landowners who are willing to allow public access to privately accessed natural and open space areas	Conservation Commission	Ongoing
CD	3.2	Support the Richmond and Vermont Land Trusts in their endeavors to protect natural resources that will have public access for recreational purposes	Town-Wide	Ongoing
CD	3.3	Encourage collaboration between the trails committee, conservation commission, planning commission, and regional organizations	Conservation Commission	Ongoing
CD	3.4	Create and distribute materials that foster responsible use and enjoyment of Richmond's natural areas, including trail maps, kiosks, improved parking and access, and signage	Conservation Commission	Short Term
CD	3.5	Support long-standing outdoor recreation opportunities such as Cochran's Ski Area and Chittenden County Fish & Game	Town-Wide	Ongoing

CD	3,6	Support outdoor recreation opportunities and programs that include canoe access on the Winooski River, swimming, cross country skiing, skating, mountain biking, etc.	Town-Wide	Ongoing
CD	4,1	Support arts and cultural programming and opportunities for residents and visitors	Town-Wide	Ongoing
CD	4,2	Explore the creation of a town community outreach and recreation staff position	Recreation Committee	Short Term
CD	4,3	Identify possible methods of funding further recreation and community engagement opportunities	Recreation Committee	Short term
CD	4,4	Support public and private recreational businesses or endeavors by ensuring that zoning regulations allow for sustainable recreational uses of public and private lands including, but not limited to, the potential development of community centers, outdoor seating or gathering, performance spaces, etc.	Planning Commission	Short Term
CD	4,5	Educate the community and visitors of Richmond's recreational opportunities through the town website and social media	Recreation Committee	Short Term
CD	4,6	Continue to support and allow community use of the library and Community Room	Selectboard, Library Trustees	Ongoing
CD	4,7	Create a management plan for municipal public spaces, facilities, and lands that includes capital improvements and budget as well as opportunities for expanded or new uses	Selectboard	Short Term
CD	4,8	Continue to allow for public events such as festivals, parades, and vendor fairs and create a streamlined approval process for such uses	Selectboard	Ongoing
CD	5,1	Continue to support the provision of critical services including, but not limited to, law enforcement, fire, and emergency medical services through policy and work to keep these services both affordable and effective	Selectboard	Ongoing
CD	5,2	Ensure that Richmond's first responders are trained and sufficiently equipped to deal with a variety of scenarios and threats	Selectboard	Short Term
CD	5,3	Support public health programs and resources in and outside of Richmond by ensuring town policies allow for their presence and the development of critical facilities	Planning Commission	Ongoing
CD	5,4	Continue to collaborate with and support efforts and resources that are tackling the opiate crisis, as well as other major issues such as domestic abuse and substance abuse	Selectboard	Ongoing
CD	5,5	Monitor for safety opportunities such as increased security measures, grants for safety equipment or projects, new crosswalks, and educational trainings or resources	Town Administration	Ongoing
Economic Development (ED)	1,1	Create clear guidelines and information resources for permit applicants, clarifying requirements and steps for permitting and approval.	Planning Commission	Short Term
ED	1,2	Streamline the business permitting process and reduce permitting costs for small businesses or entrepreneurs	Planning Commission	Short Term
ED	1,3	Create a permit to support pop-up and experimental businesses such as special events, temporary markets, food trucks and pop-up stores	Planning Commission	Short Term
ED	1,4	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	Economic Development Committee	Short Term
ED	1,5	Support the Richmond Farmers' Market and other local agricultural business enterprises	Town-Wide	Ongoing
ED	1,6	Create, maintain and distribute a list of state and regional resources and incentives for local businesses, such as Local First programs or state designation and cost-sharing programs; including an inventory of available properties, facilities and spaces for commercial, industrial or cottage business use	Economic Development Committee	Short Term
ED	1,7	Use local businesses for municipal purchases of goods and services whenever feasible	Town Boards and Administration	Ongoing
ED	1,8	Allow for and encourage expanded utility infrastructure for three-phase power, high-speed internet and municipal water and wastewater	Water Commission, Selectboard	Ongoing
ED	2,1	Update Richmond's land use regulations to protect these industries by incorporating strategies to reduce forest and farm fragmentation and allow for approved forest and farm based commercial activities	Planning Commission	Short Term
ED	2,2	Support occupational opportunities in the fields of scientific study and inventory, pest identification and management, invasive species control, reforestation, as well as outdoor classrooms and a variety of recreational activities	Town-Wide	Ongoing

ED	2,3	Keep track of ongoing strategies and studies being pursued at the state and regional levels to understand the implementation and ramifications of Act 171	Conservation Commission	Ongoing
ED	2,4	Promote the production and purchasing of local food whenever possible	Town-Wide	Ongoing
ED	2,5	Explore regulatory means of supporting the viability of farm and forest based land uses	Planning Commission	Short Term
ED	3,1	Study the potential for expanding Richmond's village center, the benefits of the Designated Downtown program, and renew the Village Center Designation	Planning Commission	Short Term
ED	3,2	Develop a Downtown Master Plan that will direct growth to the village area and address streetscape improvements identified in existing plans. Pursue strategies to attract and focus commercial activity in Jonesville	Planning Commission	Long Term
ED	3,3	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	Planning Commission	Short Term
ED	4,1	Collaborate with the Trails Committee and Conservation Commission to conduct an assessment of current and needed trails and trail networking in Richmond	Planning Commission	Long Term
ED	4,2	Maintain maps and up-to-date information on the town website	Recreation Committee	Short Term
ED	4,3	Support our local Western Slopes Business Association in its goals and efforts	Town-Wide	Ongoing
ED	4,4	Support economic development of local character areas through zoning regulations	Planning Commission	Short Term
ED	5,1	Support mentoring, internships or community-based learning opportunities when possible	Town-Wide	Ongoing
ED	5,2	Support efforts to increase the supply of affordable housing in Richmond	Town-Wide	Long Term
ED	5,3	Support childcare businesses, however possible, to support Richmond's workforce	Town-Wide	Ongoing
ED	6,1	Update land use regulations to include permitting steps, development parameters and mitigation requirements specific to renewable energy projects	Planning Commission	Short Term
ED	6,2	Publicize and promote opportunities on the Town website to list or link to solar installers and other providers of renewable energy based services, particularly those with Richmond-based businesses	Economic Development Committee	Short Term
Education (Ed)	1,1	Continue to develop more programs for preschool students, including more private providers as partners	MMMUSD, Town-Wide	Ongoing
Ed	1,2	Encourage education programs which address the need for new technological training for emerging careers	MMMUSD, Town-Wide	Ongoing
Ed	1,3	Encourage the development of more programs which research shows develop the brain, such as the arts	MMMUSD, Town-Wide	Ongoing
Ed	1,4	Provide education programs to help solve problems caused by the opiate crisis	MMMUSD, Town-Wide	Long Term
Ed	1,5	Support the expansion of nursing and other social support staff as needed within the school	MMMUSD, Town-Wide	Long Term
Ed	1,6	Continue to provide venues such as the Community room at the Library and other facilities for recreational and educational programs for all ages	Selectboard, Library Trustees	Ongoing
Ed	1,7	Support policies that improve the mental health and readiness of students such as later start times and shorter bus routes	MMMUSD, Town-Wide	Ongoing
Ed	1,8	Continue to work with the MMMUSD to staff a School Resource Officer position and implement other safety measures	MMMUSD, Selectboard	Ongoing
Ed	2,1	Work with the school district to explore the potential of electric buses. Support the school district in their current grant application for an electric bus	MMMUSD, Town Administration	Long Term
Ed	2,2	Consider altering bus routes to use smaller buses for outlying areas, shortening lengths of rides and saving fuel for large buses covering so much distance	MMMUSD, Town-Wide	Long Term
Ed	2,3	Consider a shuttle service for students to and from local afterschool activities	MMMUSD	Long Term
Ed	3,1	Support the maintenance and improvement of the building infrastructure with an emphasis on energy conservation	MMMUSD	Ongoing
Ed	3,2	Promote efficient use of water within the buildings	MMMUSD	Ongoing

Ed	3,3	Seek more early care (birth through age 5) providers for available space within the school buildings	MMMUSD	Long Term
Ed	3,4	Encourage the use of buildings for community arts and adult continuing education programs	MMMUSD, Town-Wide	Ongoing
Ed	3,5	Continue to support the use of schools for voting, meetings, and other important community group activities	MMMUSD, Town-Wide	Ongoing
Ed	3,6	Foster community support for education in general by maximizing opportunities to draw the public to the school	MMMUSD, Town-Wide	Ongoing
Emergency Resilience (ER)	1,1	Maintain and update emergency response and preparedness plans including our All-Hazards Mitigation Plan and Local Emergency Operations Plan	Town Administration	Ongoing
ER	1,2	Inventory vulnerabilities of municipal and critical facilities and ways to mitigate potential damages, include this in capital planning and hazard mitigation planning	Town Administration	Short Term
ER	1,3	Create a Richmond Emergency Management plan that encompasses all hazards, emergencies, and disasters, and train employees and emergency service providers on the plan and procedures	Town Administration	Short Term
ER	1,4	Participate in the Red Cross Ready Rating program and certify Camel's Hump Middle School as a Red Cross ready shelter	Town Administration	Long Term
ER	1,5	Determine a sheltering plan for residents south of the Winooski River	Town Administration	Short Term
ER	1,6	Create a plan for domestic animal sheltering during emergencies and disasters	Town Administration	Long Term
ER	1,7	Include railway, interstate, hazmat, and other weather events in the emergency management plan	Town Administration	Short Term
ER	1,8	Ensure that critical facilities and personnel have adequate and proper backup power sources, equipment, and training for disasters, hazards, and emergencies, especially our most likely or common emergencies such as flooding or gorge rescues	Town Administration	Short Term
ER	1,9	Continue to support watershed management programs and projects that will help to mitigate flooding	Town-Wide	Ongoing
ER	1,10	Continue to strictly regulate development in the Special Flood Hazard Area	Planning Commission	Short Term
ER	1,11	Educate property owners about flood risk, insurance, development options, and flood proofing, and educate residents about disaster and emergency protocol and resources	Town Administration	Long Term
ER	1,12	Maintain an emergency preparedness section on the town website as a resource for citizens on emergency resources and procedures	Town Administration	Short Term
ER	1,13	Create an emergency volunteer network and an emergency communication system to better coordinate procedures and notifications in the event of a hazard or disaster	Town Administration	Short Term
ER	2,1	Maintain, upgrade, or implement stormwater systems and water conveyance systems such as ditches, culverts, and the municipal water and wastewater systems to withstand at least 1% storms (100 year storms)	Town Administration, Water Commission, Selectboard	Ongoing
ER	2,2	Maintain and upgrade bridges and roads to withstand inundation from at least 1% storms	Town Administration, Selectboard	Ongoing
ER	2,3	Identify opportunities where increased levels of resilience are possible, such as improvements that could withstand a 500-year storm	Town Administration, Selectboard	Ongoing
ER	2,4	Maintain and upgrade backup power and heating systems in town and critical facilities	Town Administration, Selectboard	Ongoing
ER	2,5	Ensure that critical facilities are structurally sound and able to withstand heavy snowfall and high speed wind gusts, and implement storm windows and doors where necessary in critical facilities	Town Administration, Selectboard	Short Term
Energy (E)	1,1	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.	Planning Commission	Short Term
E	1,2	Support public transit opportunities such as Park and Ride lots; commuter rapid transit buses such as the Burlington-Montpelier Link; a Burlington-Montpelier light rail commuter train station in Richmond if the opportunity becomes available and local shuttle bus service, carpooling, and ridesharing programs.	Town-Wide	Ongoing

E	1,3	Consider energy efficiency and alternative fuels when purchasing municipal vehicles, recognizing there may be limited options at this time for heavy duty vehicles and vehicles for first responders.	Town Administration	Ongoing
E	1,4	Facilitate conference calls, webinars and other virtual meetings when feasible to decrease travel by town employees.	Town Administration	Ongoing
E	1,5	Promote the Go! Vermont webpage which provides information on the above transportation options.	Town-Wide	Ongoing
E	1,6	Support the installation of private and public electric vehicle (EV) charging stations in convenient locations. Consider installing one at the Town Center, the Park and Ride and along travel corridors.	Town Administration, Town-Wide	Short Term
E	1,7	Work with GMP and VEC to find funding for EV charging infrastructure.	Town Administration	Short Term
E	1,8	Collaborate with Drive Electric Vermont to publicize their webpage, host electric vehicle demonstrations, and inform residents about electric vehicle technology, incentives and resources.	Town Administration	Ongoing
E	1,9	Work with the Vermont Energy and Climate Action Network, Drive Electric Vermont and the Vermont Clean Cities Coalition to support the use of electric and bio-diesel vehicles.	Town-Wide	Ongoing
E	1,10	Consider requiring EV charging stations for new commercial development.	Planning Commission	Short Term
E	1,11	Update zoning regulations to include language to clarify permitting requirements for new electric vehicle charging installations and support the ongoing development of this infrastructure.	Planning Commission	Short Term
E	1,12	Plan upgrades to town roads to make them more bicycle and pedestrian friendly	Town Administration	Long Term
E	1,13	Support upgrading sidewalks in the village to encourage walking	Town-Wide	Ongoing
E	2,1	Identify conservation and efficiency opportunities in municipal buildings and facilities and build efficiency improvements into annual maintenance upgrades and into the town's capital plan. The Town will fully participate in Efficiency Vermont and Vermont Gas's high-performance programs whenever building, renovating or upgrading any Town buildings. Develop policies for evaluating purchases and capital improvements that use life cycle analysis.	Town Administration, Selectboard	Ongoing
E	2,2	Support educational activities such as town energy fairs, the Community Energy Dashboard, literature distribution and energy committee activities that provide residents with information about energy conservation and renewable energy opportunities such as advanced wood heating, air-source heat pumps, geothermal, solar PV and programs to reduce energy use.	Town-Wide	Ongoing
E	2,3	Coordinate with Efficiency Vermont, Vermont Gas and the state Weatherization Assistance Program and promote these programs through the town website.	Town Administration	Short Term
E	2,4	Promote any state or regional program that encourages and/or incentivizes the removal of older inefficient woodstoves for newer EPA certified models.	Town-Wide	Ongoing
E	2,5	Consider including anaerobic digestion with methane capture as part of the wastewater treatment system.	Selectboard	Long Term
E	2,6	Support the efficient and sustainable use of wood for fuel and maintain forest health and forest carbon storage and uptake.	Town-Wide	Ongoing
E	2,7	Consider adopting all or parts of the State's Energy Stretch Code in the town's zoning regulations for new construction, renovations, and/or additions.	Planning Commission	Short Term
E	3,1	Develop potential standards for renewable energy generation facilities, including mitigation of aesthetic and natural resources impacts	Planning Commission	Short Term
E	3,2	Designate specific locations as preferred sites for the siting of net-metered solar generation projects.	Planning Commission	Short Term
E	3,3	Continue to participate in and promote net-metering arrangements whenever possible.	Town-Wide	Ongoing
E	3,4	Ensure that the long term management plan for the Town Forest allow for sustainable energy production for the benefit of the town, such as sustainable biomass harvesting (firewood).	Town Forest Committee	Short Term, Ongoing
E	4,1	Develop an energy action plan for the Town to implement the energy goals and actions in this plan and assist with evaluating investments in energy efficiency and renewable energy opportunities that benefit the town.	Planning Commission, Energy Coordinator	Short Term
E	4,2	Maintain energy consumption data for municipal buildings using the Environmental Protection Agency Portfolio Manager software for	Energy Coordinator	Ongoing

		analyzing energy efficiency and renewable energy opportunities and to evaluate the results from investments to reduce energy consumption and costs.		
E	4,3	Work with the Richmond Climate Action Committee to educate the community on energy efficiency, energy conservation and renewable energy technologies and techniques.	Energy Coordinator	Ongoing
E	4,4	Assist the Town with applying for grants and incentives to reduce energy use and increase the use of renewable energy.	Energy Coordinator	Ongoing
E	4,5	Work with the Town Manager to fully implement the 2007 Town Energy Conservation Policy.	Energy Coordinator	Long Term
E	4,6	Inform the Town about the Vermont Climate Pledge and assist with joining this organization to demonstrate the town's commitment to meeting Vermont's energy and climate goals.	Energy Coordinator	Short Term
Future Land Use (FLU)	1,1	Invest in municipal infrastructure improvements that allow for new development	Selectboard, Town Administration	Ongoing
FLU	1,2	Create policies that encourage affordable housing development	Planning Commission	Short Term
FLU	1,3	Provide technical assistance to property owners	Town Administration	Ongoing
FLU	1,4	Create zoning regulations that support the above mentioned uses and prohibitions	Planning Commission	Short Term
FLU	1,5	Create form-based zoning regulations that include architectural and design requirements to be met in certain districts, especially mixed-use areas	Planning Commission	Short Term
FLU	1,6	Explore density-based zoning when updating the land use regulations	Planning Commission	Short Term
FLU	2,1	Continue to prohibit damaging or dangerous types of development in sensitive or conserved areas such as floodplain or steep slopes	Planning Commission	Short Term
FLU	2,2	Restrict certain types of development in sensitive or high priority natural areas	Planning Commission	Short Term
FLU	2,3	Encourage development that protects natural resources and preserves scenic and/or historic character of Richmond	Planning Commission	Short Term
Historic Resources (HR)	1,1	Protect and preserve the Round Church by continuing to provide liability and property insurance as well as routine grounds maintenance	Selectboard	Ongoing
HR	1,2	Work with the Richmond Historical Society to plan funding and implementation of major renovations as needed to preserve historical integrity and enhance the property	Selectboard	Ongoing
HR	1,3	Protect, preserve and continue to fully utilize the Town Center and Library buildings.	Town-Wide	Ongoing
HR	1,4	Encourage the preservation and utilization of privately owned buildings of historic significance within the town	Town-Wide, Historical Society	Ongoing
HR	1,5	Reapply for the State of Vermont Agency of Commerce and Community Development's Village Center Designation	Planning Commission	Short Term
HR	1,6	Revise the Town website to include a list of Richmond's state- and nationally recognized historic sites as well as links to historic preservation resources that could help owners to manage these properties so as to preserve their integrity	Town Administration, Historical Society	Short Term
HR	1,7	Ensure that town regulations allow for historic interpretive signage and historic markers.	Planning Commission	Short Term
HR	1,8	Work with the Richmond Historical Society to develop a walking and/or driving tour of the Town's historic sites	Recreation Committee	Long Term
HR	2,1	Oversee regular maintenance of the grounds, public access routes and grave markers at the Town's two historic cemeteries: the Village Cemetery on Bridge Street and the Hill (or Fay's Corner) Cemetery accessed from Cemetery Road.	Historical Society, Cemetery Trustees	Ongoing
HR	2,2	Work with Cemetery Trustees and the Richmond Historical Society to establish a trained corps of volunteers to do grave marker maintenance not requiring professional intervention	Cemetery Trustees, Historical Society	Long Term
HR	2,3	Create and preserve digital files of all Town cemetery listings, including images of gravesite markers as well as burial records	Historical Society, Cemetery Trustees	Long Term
HR	2,4	When archaeological sites or artifacts are discovered during Town or State projects requiring an archaeological resource review, work with the Richmond Historical Society to document the material and assess preservation options	Town Administration	Ongoing
HR	3,1	Continue to publicize and provide space for Richmond history programs and displays sponsored by the Richmond Historical Society	Town-Wide	Ongoing

		and Richmond Community Senior Center, among others, and continue to support and advertise public events that have become local cultural traditions		
HR	3,2	Revise the Richmond History page of the Town website to include historic photos as well as links to other Richmond history online resources. Links could include the Richmond Historical Society website, information for Richmond history researchers or owners of historic artifacts and/or properties, and lists and/or photo galleries of the town's historic sites	Town Administration	Short Term
HR	3,3	Develop a plan to digitally preserve fragile public records, such as land records and birth, marriage and death records dating back to the late 18 <sup>th</sup> and 19 <sup>th</sup> centuries	Town Administration, Historical Society	Long Term
HR	3,4	Work with Richmond Historical Society to find secure, climate-controlled storage locations for historic cultural assets not stored in the Town Vault	Town Administration	Short Term
Housing (H)	1,1	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 identified districts	Planning Commission	Short Term
H	1,2	Continue to support the existence of the mobile home park, and support additional affordable housing development in the park	Planning Commission	Ongoing
H	1,3	Create a town housing committee that can identify needs and partner with organizations to help secure funding and identify opportunities for construction or adaptation of housing stock, as well as aid in the creation of affordable housing policies that are welcomed by both developers and residents	Planning Commission	Short Term
H	1,4	Encourage concentrated residential development in areas identified for growth	Planning Commission	Short Term
H	1,5	Consider participation in the FEMA Community Rating System which can lower overall home insurance costs for homeowners in the Special Flood Hazard Area	Planning Commission	Long Term
H	1,6	Provide technical assistance to homeowners in the Special Flood Hazard Area that desire to implement flood proofing measures	Town Administration	Ongoing
H	1,7	Support, and share information about, programs and resources that assist seniors or low mobility residents remain in their homes such as HomeShare Vermont, Meals on Wheels, and Neighbor Rides	Town Administration	Ongoing
H	1,8	Support, and share information about, programs and resources that help to lower cost of home ownership such as energy conservation, weatherization, and utility assistance	Town Administration, Energy Coordinator	Ongoing
H	1,9	Support programs and funding sources for preserving and renovating historic or older homes that can help owners maintain historic character and livability	Planning Commission, Historical Society	Ongoing
Natural Resources (NR)	1,1	Identify opportunities to conserve lands containing or adjoining to above listed conservation priorities	Conservation Commission	Ongoing
NR	1,2	Encourage conservation or protection of above listed conservation priorities on private lands	Conservation Commission	Ongoing
NR	1,3	Utilize the best available science to inform the creation of supplemental land use regulations and maps that would further conserve or protect sensitive natural areas	Planning Commission	Short Term
NR	1,4	Continue to support the efforts of the public and private organizations such as the Richmond Conservation Commission, Richmond Trails Committee, and Richmond Land Trust to protect sensitive natural areas	Planning Commission, Town-Wide	Ongoing
NR	1,5	Facilitate a town-wide discussion about the development and management of trails and trail networks in Richmond	Conservation Commission	Short Term
NR	1,6	Minimize the fragmentation and intrusion into sensitive wildlife habitats and forests, including Contiguous Habitat Units and Wildlife Travel Corridors, through land use regulation that promotes Vermont's Smart Growth principles such as clustering development, siting development in a manner to preserve contiguous habitat areas, and through coordinating with neighboring towns on border areas.	Planning Commission	Short Term
NR	1,7	Restrict development on steep slopes between 20% and 35%, cliffs, and ridgelines over 900ft in elevation, and prohibit all structural development (including renewable energy generation facilities and distribution/transmission infrastructure) on slopes greater than 35% , in order to maintain habitat connectors and mitigate erosion	Planning Commission	Short Term

NR	1,8	Create and maintain a library of ecological studies and maps	Conservation Commission	Short Term
NR	1,9	Partner with state and regional organizations to secure funding and collaborate on projects that would support conservation efforts	Conservation Commission	Ongoing
NR	1,10	Construct trails to avoid sensitive natural areas and minimize impact on water quality, wildlife, soils, and other resources	Richmond Trails Committee	Ongoing
NR	1,11	Continue to support invasive species control efforts including removal and mitigation of Japanese Knotweed, Garlic Mustard, Barberry, Buckthorn, and other fast spreading non-native plants.	Town-Wide	Long Term, Ongoing
NR	1,12	Provide educational materials, and consider conducting outreach, to landowners about best management practices for sustainability, conservation, and environmental stewardship of natural areas	Conservation Commission	Ongoing
NR	1,13	Continue to prohibit the construction of new principal structures in the Special Flood Hazard Areas of the Winooski and Huntington Rivers	Planning Commission	Short Term
NR	1,14	Protect river corridors to ensure that streams and rivers have the room they need to move and change over time by utilizing Vermont's River Corridor maps and establishing setbacks for small streams during development review (small stream: less than 2 square miles of drainage area)	Planning Commission	Long Term
NR	1,15	Safeguard water quality, stream channel stability, habitats, and habitat connectivity by protecting riparian areas	Planning Commission	Long Term
NR	1,16	Support and cooperate with water quality testing efforts in Richmond and the region	Conservation Commission	Ongoing
NR	1,17	Support the completion and updates of stream geomorphic assessments, wetland maps, and river corridor maps	Conservation Commission	Ongoing
NR	1,18	Implement feasible projects identified in the 2018 storm water master plan	Town Administration	Long Term
NR	1,19	Control road runoff and erosion by implementing and maintaining best management practices required by the Vermont Municipal Roads General Permit	Town Administration	Ongoing
NR	1,20	Integrate applicable Low Impact Development (LID) standards into land use regulations	Planning Commission	Short Term
NR	1,21	Review land use regulations to ensure compliance with all Vermont and federal regulations that provide surface water protection	Planning Commission	Short Term
NR	1,22	Support and participate in the Vermont Watershed Management Division's Tactical Basin Planning for the Winooski River and Lake Champlain basins.	Conservation Commission	Ongoing
NR	2,1	Encourage the implementation of best environmental management practices in farm or forest businesses	Conservation Commission	Ongoing
NR	2,2	Explore amending zoning regulations to allow for value-added or accessory enterprises, that are not currently exempt through state law, on farm or forest properties as a means of financially maintaining large parcels	Planning Commission	Short Term
NR	2,3	Avoid the creation of landlocked parcels during subdivision of farm or forestry lands by encouraging the maintenance of rights of way and accesses	Planning Commission	Short Term
NR	2,4	Encourage on-site projects or developments that provide ecosystem services or mitigate runoff	Conservation Commission	Ongoing
NR	2,5	Continue to support agriculturally related enterprises	Town-Wide	Ongoing
NR	2,6	Encourage Richmond residents and businesses to buy or procure locally grown foods or value-added products by providing space for markets and allowing sale of goods	Town-Wide	Ongoing
NR	2,7	Support property owner participation in the VT Use Value Appraisal (Current Use) Program, the federal Land Evaluation and Site Assessment (LESA) program, and other voluntary programs as options for land conservation and financial benefits	Conservation Commission	Ongoing
NR	3,1	Update the previously performed (2002) Scenic Viewshed Assessment to identify and map public priorities for landscape conservation, and restrict development that would compromise those identified viewsheds	Planning Commission	Short Term
NR	3,2	Encourage creative development that minimizes both visual and environmental impacts on the landscape	Planning Commission	Ongoing
NR	3,3	Adopt zoning regulations that mitigate noise pollution and light pollution	Planning Commission	Short Term
NR	3,4	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.	Planning Commission	Short Term

NR	4,1	Utilize a management plan for the Town Forest, and continually assess for necessary amendments to the plan to ensure best stewardship of that land and forest and to ensure that the requirements of the <i>Grant of Development Rights, Conservation Restrictions and Public Access Easement</i> are being met.	Town Administration, Conservation Commission, Town Forest Committee	Ongoing
NR	4,2	Manage trail development and usage on Town lands to protect neighboring property owner rights and possible sensitive natural areas or conservation priorities such as those listed previously	Planning Commission	Ongoing
NR	4,3	Create a municipal properties management policy including rights of way, access, safety, and maintenance in order to ensure both natural resource protection and proper land stewardship.	Town Administration, Conservation Commission	Short Term
NR	4,4	Control the growth and spread of invasive species on town properties.	Conservation Commission	Ongoing
NR	4,5	Utilize the conservation reserve fund to protect important natural resources and public access to them where appropriate	Conservation Commission	Ongoing
Transportation (T)	1,1	Implement high priority actions from completed planning studies, such as new sidewalks within the village along the east side of Bridge St. and 4 new crosswalks at the Bridge/Railroad/Jolina intersection as soon as is feasible. This may require identifying funding sources and/or integrating the projects into the Capital Budget's road maintenance schedule	Town Administration	Long Term
T	1,2	Support the construction of sidewalks and bike paths or line striping for cyclists on State and Town road projects. Consider making wider shoulders on Town roads, especially Cochran, Huntington, and Hinesburg Roads. Work with VTrans to prioritize rebuilding Route 2 (Main Street) including sidewalks and bicycle/pedestrian accommodation	Town Administration, Town Wide	Long Term
T	1,3	Work with partner agencies and organizations to identify and test (through pop-up demonstrations or other means) best practices in bike and pedestrian safety and implement low-cost improvements that have been identified such as better signage and road markings	Town Administration	Ongoing
T	1,4	Support Safe Routes to School and other walking projects, and road running races on town roadways	Town-Wide	Ongoing
T	1,5	Support interconnectivity of trails and connectivity of trails with destinations such as the market or park and ride in order to provide non-motorized means of travel	Town-Wide, Richmond Trails Committee	Ongoing
T	1,6	Publicize and support the Cross Vermont Trail and other public trails	Richmond Trails Committee	Ongoing
T	1,7	Consider handicap accessibility when making decisions about location of paths, parking, crosswalks, and transit routes	Town Administration	Ongoing
T	2,1	Work with VTrans to adjust the signaling at the Route 2/Bridge Street intersection to improve traffic flow and safety rating and continue to support policing and traffic management during morning and evening busy times	Town Administration	Long Term
T	2,2	Identify road segments where noise, speed, congestion or safety is/are a problem and work to develop strategies to reduce the negative impacts.	Town Administration	Long Term
T	2,3	Work with VTrans and CCRPC to keep bridges on a good maintenance and repair schedule	Town Administration	Ongoing
T	2,4	Implement pedestrian and bike traffic signage in the village and heavily bike-trafficked areas	Town Administration	Long Term
T	2,5	Implement necessary improvements for compliance with the Municipal Roads General Permit	Town Administration	Ongoing
T	2,1	Identify and upgrade undersized culverts to prevent washouts. Use best management practices for managing runoff during road construction or reconstruction.	Town Administration	Ongoing
T	2,2	Work to site new roads away from rivers and streams, and reroute or stabilize roads that are susceptible to flooding	Town Administration	Ongoing
T	2,3	Reduce stormwater runoff by using best practices and incorporating green infrastructure into town road construction, facilities and landscaping.	Town Administration	Ongoing
T	3,1	Support public and private policies, programs or other efforts that promote alternatives to single-occupancy vehicle travel such as public transit improvements, car-sharing, telecommuting, flexible work schedules and school bus usage.	Town-Wide	Ongoing

T	3,2	Work with other Chittenden County towns and the Agency of Transportation to add/expand Park and Ride facilities in Richmond and neighboring Towns to provide alternatives to the Richmond Park and Ride that is currently of inadequate capacity. Identify possible additional Park and Ride capacity space in Richmond, such as on the south side of the I89 interchange with a pedestrian crossing light at the existing interchange traffic light.	Town Administration	Long Term
T	3,3	Encourage “smart growth” development in the village center or downtown, or near transit options, to reduce car travel distances.	Planning Commission	Short Term, Ongoing
T	3,4	Support social service transportation such as SSTA, Neighbor Rides and others for elderly, disabled or other non-drivers.	Town Administration	Ongoing
T	3,5	Partner with the Mount Mansfield Modified Union school District to increase bus ridership, or create other means to reduce morning congestion at the Four Corners	Town Administration	Long Term
T	3,6	Work with the school district to examine the possibility of using school buses as a shuttle system around town during hours when buses are not transporting students	Town Administration	Long Term
Utilities & Facilities (UF)	1,1	Ensure that Volunteers Green is maintained and publicly accessible/usable for residents and visitors	Town Administration	Ongoing
UF	1,2	Follow the goals and intents of the Town Forest management plans	Town-Wide, Town Administration	Ongoing
UF	1,3	Support the efforts of the Historical Society in preserving the Round Church and its parcel	Town-Wide	Ongoing
UF	1,4	Maintain and upgrade the Town Center building and parking areas to support the needs of town officials and staff	Town Administration	Ongoing
UF	1,5	Continue to rent or lease town spaces and grounds to businesses and organizations in order to best utilize space and maintain that income	Town Administration	Ongoing
UF	1,6	Maintain and upgrade the Richmond Fire Department and Richmond Highway Department buildings	Town Administration	Ongoing
UF	1,7	Continue efforts to create an affordable solution for the police department and their facility.	Town Administration	Short Term
UF	1,8	Implement stormwater projects on town properties identified in the Stormwater Master Plan	Town Administration	Long Term
UF	1,9	Ensure that the Water and Wastewater systems meet regulatory standards and have functional capacity as needed under the Town Plan	Town Administration, Water Commission	Short Term, Ongoing
UF	1,10	Implement building improvement projects for the library in order to maintain the use of the historical building	Town Administration, Library Trustees	Long Term, Ongoing
UF	1,11	Utilize multiple funding sources in conjunction with tax resources to implement facility upgrades and maintenance in affordable ways	Town Administration	Ongoing
UF	1,12	Modernize town buildings with energy efficiency measures and accessibility measures to ensure continued usability, especially in the historic facilities	Town Administration	Long Term, Ongoing
UF	2,1	Continue to upgrade water/wastewater/stormwater infrastructure in joint projects with the highway department.	Town Administration, Water Commission	Ongoing
UF	2,2	Implement an Asset Management maintenance program in water/wastewater/stormwater and highway infrastructure and use it for a maintenance schedule.	Town Administration, Water Commission	Long Term
UF	2,3	Directly connect the capital budget to the Asset Management maintenance schedule to create collaboration and cohesion in all water/wastewater/stormwater/highway projects within the water/wastewater district.	Town Administration, Water Commission	Long Term
UF	2,4	Upgrade the water/wastewater/stormwater systems to meet functional capacity and regulatory standards	Town Administration, Water Commission	Short Term, Ongoing
UF	2,5	Extend water/wastewater/stormwater lines to protect public health and the environment where feasible	Town Administration, Water Commission	Long Term, Ongoing
UF	2,6	Encourage the upgrade of customer’s water/wastewater/stormwater connections in the service area	Town Administration, Water Commission	Ongoing
UF	2,7	Encourage upgrades that protect critical infrastructure such as the water line under the Bridge Street Bridge.	Town Administration, Water Commission	Short Term, Ongoing

UF	2.8	Seek out and utilize multiple funding sources in conjunction with possible tax resources to implement the asset management maintenance program with the least impact to water/wastewater rates and town taxes.	Town Administration, Water Commission	Short Term, Ongoing
UF	2.9	Continue to charge impact fees to offset costs of operations.	Selectboard	Ongoing
UF	3.1	Identify opportunities to work with providers to increase internet speed and availability and increase cell service coverage in town	Town Administration	Long Term
UF	3.2	Utilize and support the initiatives of the Chittenden Solid Waste District	Town-Wide, Town Administration	Ongoing
UF	3.3	Work with Vermont Electric Cooperative and Green Mountain Power to ensure all residents have access to reliable electricity	Town Administration	Ongoing

## GLOSSARY

**Open Meeting Law**-Vermont law requiring certain timelines and transparencies regarding municipal meetings such as selectboard or planning commission meetings

**Low Impact Development (LID)** - Development that includes onsite treatment of stormwater runoff

**Land Evaluation and Site Assessment (LESA)** - Agricultural technical framework used to numerically rank parcels based on non-soil resources

**Current Use (Use Value Appraisal) Program**- Property tax adjustment for large agricultural or forestry parcels based on amount of land in active production

**Smart Growth**- Describes a pattern of land development that uses land efficiently, reinforces community vitality, protects natural resources and helps mitigate the adverse impacts of population growth. Smart growth is about promoting development that is good for the economy, community and the environment. Key benefits of smart growth include the creation of diverse housing options; protection of farm and forestland; diverse transportation options and less dependence on the automobile; greater social interaction with neighbors; lower cost for public services resulting in reduced taxes; and a higher quality of life.

**Complete Streets**- Designed and operated to enable safe access for all users, including pedestrians, bicyclists, motorists and transit riders of all ages and abilities. Complete Streets make it easy to cross the street, walk to shops, and bicycle to work. They allow buses to run on time and make it safe for people to walk to and from train stations.

**Special Flood Hazard Area**- The SFHA is the area where the National Flood Insurance Program's (NFIP's) floodplain management regulations must be enforced and the area where the mandatory purchase of flood insurance applies (100-year floodplain)

**Off-Taker**- An agreement entered between a producer and a buyer to buy/sell a certain amount of the future production. It is generally negotiated long before the construction of a facility to guarantee a market for the facility's future production and improve chances of getting financing for the installation concerned.

**Net-Metered**- Is a billing system that credits small customers at the full retail electric price for any excess electricity they generate and sell to their local electric company via the grid from on-site small sources such as residential rooftop solar arrays.

**CSA**-Community Supported Agriculture

## List of Uses

### List of Uses in Current Zoning Regulations

- Accessory dwelling
- Accessory uses
- Adaptive use
- Agriculture
- Amusement Arcade - An indoor or outdoor area, open to the public, that contains coin-operated games, rides, shows, and similar entertainment facilities and devices.
- Artists/Crafts Studio
- Automobile and/or marine sales
- Automobile Service Station - Any building, land area, or other premises, or portion thereof, used for the retail dispensing or sales of vehicular fuels; servicing and repair of automobiles and light trucks; and including as an accessory use the sale and installation of lubricants, tires, batteries, and similar vehicle accessories. This definition does not include any other uses, such as restaurants, deli's, car washes, etc. which may only be allowed under separate review and approval under these Zoning Regulations.
- Bank
- Bed and Breakfast
- Boarding or Rooming House
- Business Yard - A business which operates out of a yard which may include structures, indoor and outdoor storage of materials, equipment or vehicles. Customary accessory uses for the business are small office space and vehicle and equipment repair. A majority of the business activity shall take place off-site. No assembly is involved or allowed.
- Car Wash
- Catering Services
- Cemetery
- Commercial Multi-Use - Activity involving the sale of goods or services carried out for profit in conjunction with two or more types of commercial activities on the same lot.
- Communication Use - Establishments and structures furnishing point-to-point communication services, whether by wire or radio, either aurally or visually, including radio and television broadcasting stations, satellite relay stations, telephone communications, radar and the exchange or recording of messages.
- Cottage industry - A commercial, manufacturing, or industrial use which is housed in a single-family dwelling or in an accessory structure to a single-family dwelling, on the same lot as the dwelling. A Cottage Industry is not a Home Occupation
- Distribution Center
- Single-Family Dwelling
- Two-Family Dwelling
- Multi-Family Dwelling
- Educational Facility

- Equipment Supply and Rental
- Extraction of Earth Resources
- Food Processing Establishment - An establishment in which food is processed or otherwise prepared for eventual human consumption but not consumed on the premises.
- Funeral Parlor
- Garage, Repair - Any building, premises, and land in which or upon which a business, service, or industry involving the maintenance, servicing, repair, or painting of vehicles is conducted or rendered.
- Group Home
- Home Occupation
- Horticulture
- Hotel/Motel
- Inn or Guest House
- Kennel
- Light Manufacturing
- Lumber Yard
- Mobile Home Park
- Museum
- Business Office - A building where the management affairs of a business, commercial or industrial organization, or firm are conducted.
- Professional Office - an establishment used for conducting the affairs of a business, profession, service, industry, or like activity. Such office uses have limited contact with the general public. It also does not involve manufacturing, repairing, processing, and retail sales of articles and goods
- Personal Services
- PUD Residential
- PUD
- Private Club - A building and related facilities owned or operated by a corporation, association, or group of individuals established for the fraternal, social, educational, recreational, or cultural enrichment of its members and not primarily for profit, nor general public and whose members pay dues and meet certain prescribed qualifications for membership.
- Recreation Facility
- Religious Use
- Research Laboratory
- Restaurant
- Fast-Food Restaurant
- Retail
- Retirement Community
- Silviculture
- State and Community Operated Facility

- Indoor Storage - The keeping, in an enclosed area, of any goods, junk, material, merchandise, or vehicles in the same place for more than twenty-four (24) hours.
- Outdoor Storage
- Tavern
- Theater
- Warehouse Use - A building used primarily for the storage of goods and materials, which may also be made available to the general public for a fee.
- Wholesale Trade

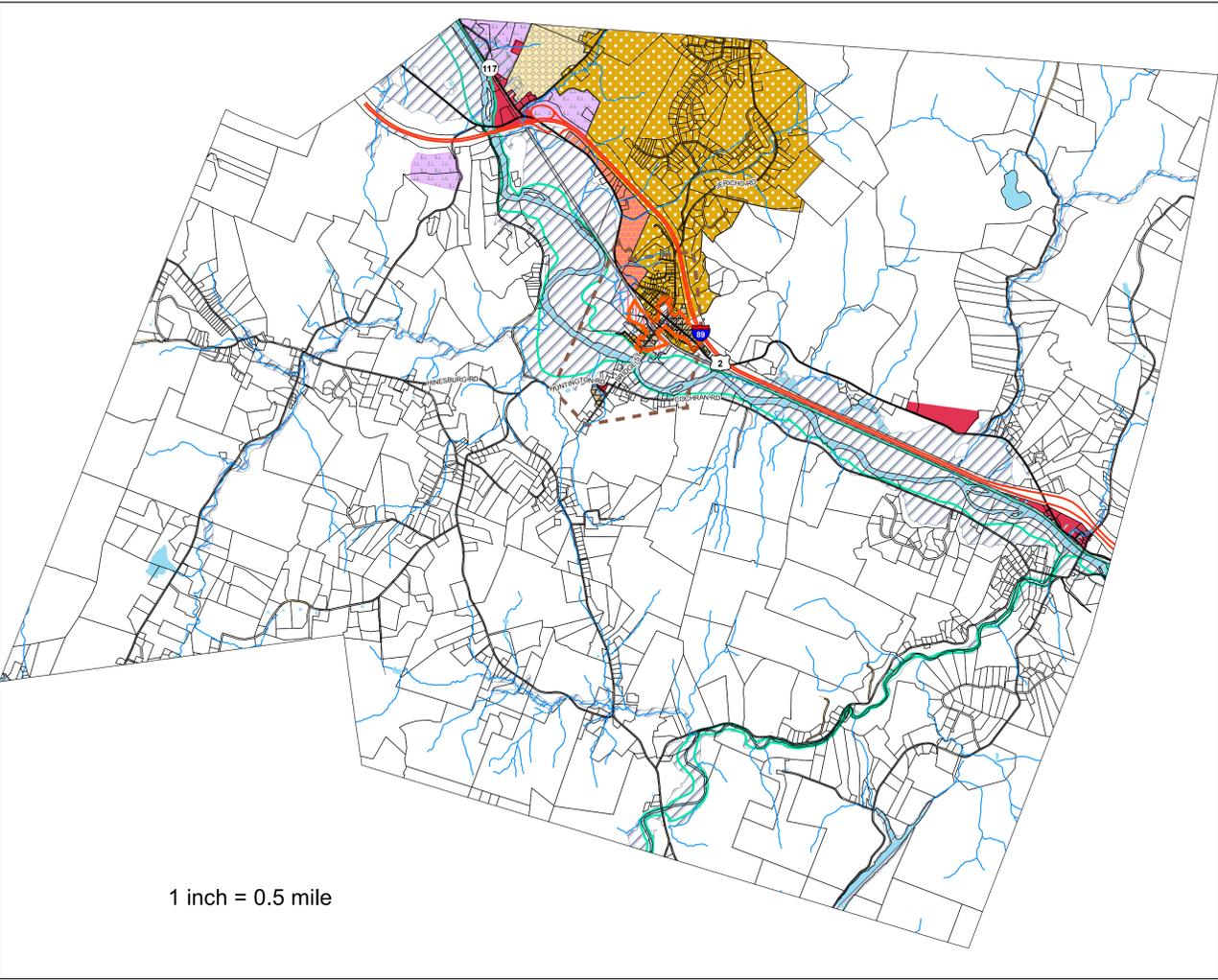
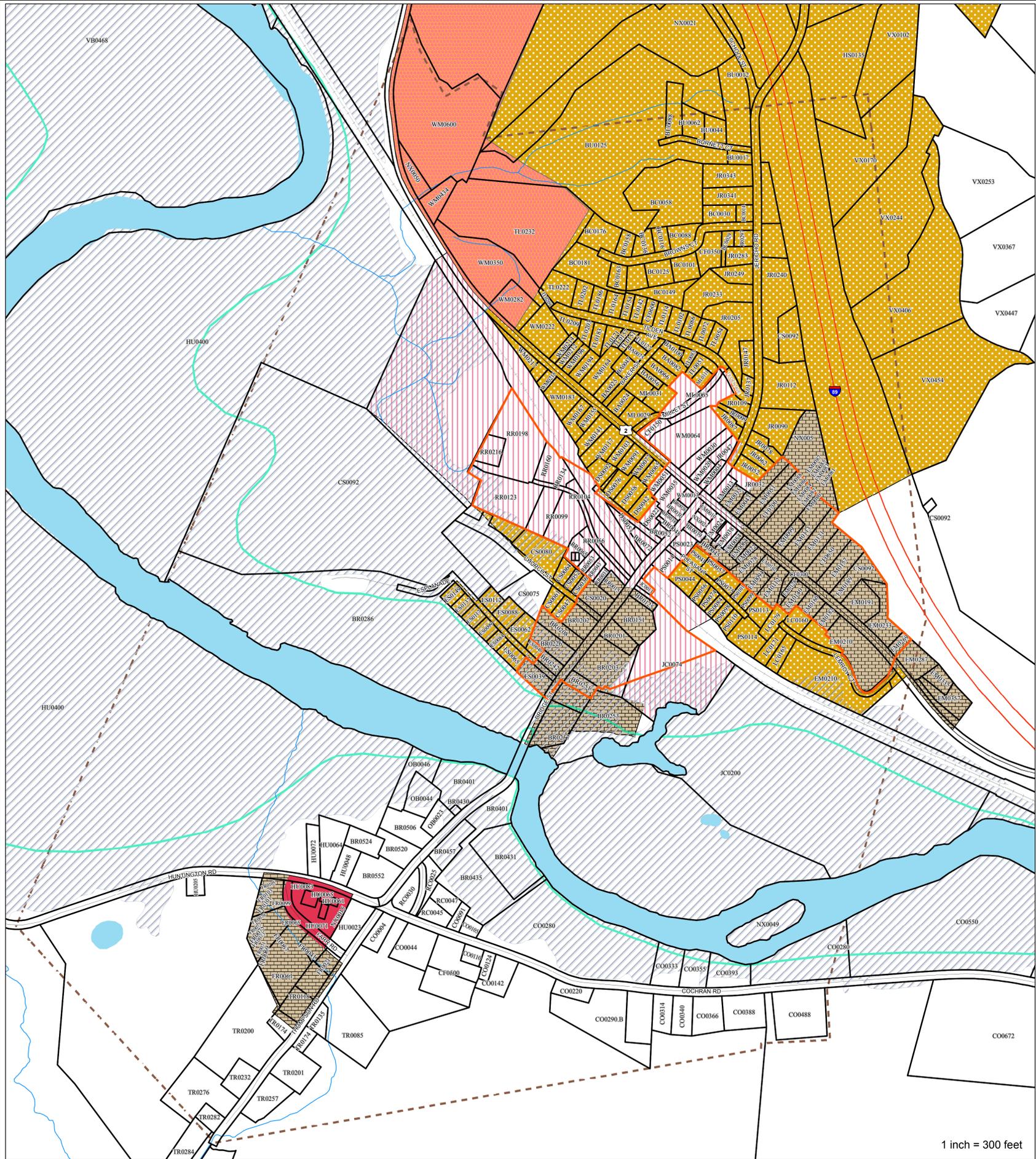
List of uses introduced with Jolina Court Zoning District regulations that can be added to the uses table:

- Brewery
- Large Family Child Care Home
- Center-based child care facility
- Fitness Facility
- Hospital
- Health Care Services
- Laundromat
- Office, Medical
- Pharmacy

# Official Zoning District Map Richmond, Vermont

### Legend

- |                                |                                      |                          |
|--------------------------------|--------------------------------------|--------------------------|
| <b>Zoning District</b>         | <b>Flood Hazard Overlay District</b> | <b>Road Centerline</b>   |
| Agricultural/Residential (AR)  | Floodway                             | Interstate               |
| High Density Residential (HDR) | Special Flood Hazard Area            | US or State Highway      |
| Residential/Commercial (RC)    | Designated Village Center            | Town Highway Class 1 - 3 |
| Commercial (C)                 | Municipal Water & Sewer District     | Town Highway Class 4     |
| Industrial/Commercial (IC)     | Stream Centerline                    | Railroad                 |
| Gateway Commercial (G)         | Water Body                           | Tax Parcel Boundary      |
| Village Commercial (VC)        |                                      |                          |
| Mobile Home Park (MHP)         |                                      |                          |



1 inch = 0.5 mile

1 inch = 300 feet

Sources:  
Flood Hazard Overlay - FEMA Special Flood Hazard Area, 2014  
Zoning - updated by CCRPC, 2010; Parcel Boundary - GrassRoots GIS, 2014. Map created by P. Brangan using ArcGIS. All data is in State Plane Coordinate System, NAD 1983.

Disclaimer:  
The accuracy of information presented is determined by its sources. Errors and omissions may exist. The Chittenden County Regional Planning Commission is not responsible for these. Questions of on-the-ground location can be resolved by site inspections and/or surveys by registered surveyor. This map is not sufficient for delineation of features on-the-ground. This map identifies the presence of features, and may indicate relationships between features, but is not a replacement for surveyed information or engineering studies.



Chair of the Richmond Selectboard

### 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

**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 ~~by Administrative Officer~~ 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) Cooperative Workspace~~
- ~~b) Office, Business or Professional~~
- ~~c) Personal Services~~

**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) Agriculture, silviculture, and horticulture as provided in 2.4.5
- b) Artists/Crafts studio
- c) Bank
- d) Bed and Breakfast
- e) Brewery
- f) Catering Service
- g) Center-based Child Care Facility
- h) Commercial Multi-Use Building
- i) Educational Facility as provided in Section 5.10.4
- j) Equipment Rental or Supply
- k) Food Processing Establishment
- l) Funeral Parlor
- m) Group Home

- n) Hotel
- o) Laboratory, Research or other
- p) Large Family Child Care Home
- q) Inn or guest house
- r) Laundromat
- s) Light Manufacturing
- t) Medical Offices and Facilities
- u) Museum
- v) 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
- w) Pharmacy
- x) Private Club
- y) Pub
- z) Recreational facility, ~~indoor or outdoor, facility or park~~
- aa) Religious use as provided in Section 5.10.4
- bb) Restaurant
- cc) Retail business
- dd) Retirement Community
- ~~ee) Short Term Rental~~
- ff) State- or community-owned and operated institutions and facilities as provided in Section 5.10.4
- gg) Tavern
- hh) Theater
- ii) Wholesale trade
- jj) Veterinary Clinics

### 3.10.3 Residential Density and Requirements

a) ~~Each residential unit shall require 1/24 acre of developable land located on the same lot as the unit. This equals a residential density of 24 units per acre. The residential density shall be calculated as provided in section 4.12.~~

Each residential dwelling unit shall require 1/24 acre of developable land located on the same lot as the unit. This equals a residential density of 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**-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.

**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**-The height of any structure shall not exceed thirty-five(35) feet. Refer to Section 4.12 for additional regulations, exemptions, and restrictions regarding building height. ~~In addition, all units in which people live or work must be provided with an egress window whose lower sill or threshold shall not exceed thirty two (32) feet from the adjacent ground and shall be large enough to allow for passage of an average sized adult human.~~

**b) Setback**- All structures shall have zero (0) feet setbacks, except for a five (5) feet setback for all structures ~~on~~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 approval 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 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 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

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Insert reference to “VDZD” to Sections 4.11.3c, 5.7.4, and 5.12.2

Veterinary Clinics *[add]* - An establishment intended primarily for the medical and surgical treatment of domestic animals including the short-term boarding of animals while receiving treatment. Allowable accessory uses include pet grooming and the retail sale of pet supplies.

*Add “Veterinary Clinics” uses to the following sections*

- Section 3.1.2 (Allowable Uses Upon Issuance of Conditional Use Approval in the A/R District), with the condition: with a maximum size of 2500 square feet gross floor area
- Section 3.2.2 (Allowable Uses Upon Issuance of Conditional Use Approval in the HDR District), with the condition: with a maximum size of 2500 square feet gross floor area
- Section 3.3.2 (Allowable Uses Upon Issuance of Conditional Use Approval in the R/C District)
- Section 3.4.2 (Allowable Uses Upon Issuance of Conditional Use Approval in the Gateway District)
- Section 3.5.2 (Allowable Uses Upon Issuance of Conditional Use Approval in the V/C District)
- Section 3.6.2 (Allowable Uses Upon Issuance of Conditional Use Approval in the Commercial District)
- Section 3.7.2 (Allowable Uses Upon Issuance of Conditional Use Approval in the I/C District)
- Section 3.9.2 (Allowable Uses Upon Issuance of Conditional Use Approval in the JC District)
- Section 3.10.2 (Allowable Uses Upon Issuance of Conditional Use Approval in the VD District)

TO: Richmond Planning Commission

FROM: Ravi Venkataraman, Town Planner

DATE: February 13, 2020

SUBJECT: Short-Term Rentals

Since the February 5<sup>th</sup> Planning Commission meeting, one item I have been researching is regulations for short-term rentals. Municipalities can regulate short-term rentals through only zoning, a standalone ordinance, or zoning and a standalone ordinance. The remainder of this memo will overview how zoning, a standalone ordinance, or zoning and a standalone ordinance would work, as well as their respective pros and cons.

I have also enclosed the following as references:

- “Vermont Supreme Court Reinforces JAM Golf” from Vermont League of Cities and Towns
- “Village of Woodstock Short Term Rental Ordinance”
- Page 41 from the “Village of Woodstock Zoning Regulations” (pertaining to short-term rentals)

### Regulation via Zoning

Regulating short-term rentals through the existing zoning ordinance framework is possible. To enable this, “dwelling” and “short-term rental” needs to be differentiated with different classifications.

Based on my conversations with VLCT and the Town Attorney, the definition to dwelling uses would need to be modified to language similar to this (the following language was taken from the Jolina Court Zoning District revisions; my suggested annotations are redlined):

Dwelling unit: a room or group of rooms within a building containing cooking, bathing and sleeping facilities that functions as the permanent living space for a single set of family members or roommates for a period of more than 30 consecutive days. 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.

The key notions that need to be included in the definition are permanent occupancy, and the parameters for permanent occupancy. These notions would narrow the use and specify the proper use of the property.

The definition for short-term rental could be similar to this language:

Short-term Rental: a room or group of rooms within a building containing cooking, bathing and sleeping facilities rented to the transient, traveling, or vacationing public for a period of fewer than 30 consecutive days.

I drafted this language based on a bill the Vermont Legislature is currently considering granting municipalities the explicit authority to regulate short-term rentals.

With the new use category, I would recommend changes to Sections 3 (Zoning District Regulations) and 6 (Special Zoning Regulations) to establish specific regulations for short-term rental uses. Specific regulations would include location, size, setbacks, and site plan review standards.

Once the short-term rental use is included in the zoning regulations, anyone who wants to establish a short-term rental would file the proper permits to change a use to short-term rental use or to create a short-term rental use.

Compared to creating a new ordinance, amending the zoning regulations to have regulations for short-term rentals is straightforward.

But, one item to note, these new zoning regulations would only apply to short-term rental uses established after the date the amended zoning regulations have been adopted. The currently operating short-term rental uses in town would be grandfathered. This is the main drawback to using zoning to regulate short-term rentals. With this as well, monitoring and regulating short-term rentals would be tougher for staff because we would not know which short-term rentals were established prior to the date the zoning amendments were adopted.

#### Regulation via a Standalone Ordinance

The framework for a standalone ordinance for short-term rentals would be similar to the ordinance enclosed from the Village of Woodstock. As presented in the Village of Woodstock short-term rental ordinance, terms and conditions can include seasonal limitations, and also caps on the number of short-term rental units in town, and moratoriums.

The key benefit of a short-term rental ordinance is the ability to regulate all currently existing and future short-term rental uses. Existing short-term rental uses would be subject to the short-term rental ordinance.

However, without zoning regulations to dovetail the short-term rental ordinance, the level of scrutiny to the size, scale, and scope of short-term rental uses would not be as robust.

To note: establishing standalone ordinances are outside the purview of the Planning Commission. The Selectboard drafts and establishes all standalone ordinances—possibly with the Planning Commission’s input in an advisory capacity.

#### Regulation via Zoning and a Standalone Ordinance

The Village of Woodstock has both zoning regulations and a short-term rental ordinance. The zoning ordinance regulates the size, scale, scope and location of short-term rental uses. The short-term rental ordinance establishes the registration requirement for all short-term rental uses and clarifies use-specific requirements.

With both zoning regulations and a short-term rental ordinance, all short-term rental uses would be regulated by either the short-term rental ordinance or both the short-term rental ordinance and the zoning regulations. In addition, the zoning regulations would curb impacts for any new short-term rental uses in the future.

#### Recommendations

Regulating short-term rentals with a standalone ordinance, at least, would be the best method to curtail short-term rental uses. Standalone ordinances would allow for more control over the use and create registration requirements for short-term rental uses.

However, bear in mind the impetus and objectives for regulating short-term rentals. Standalone ordinances are stronger than zoning regulations in particular ways because standalone ordinances are more tailored and focused on a specific subject matter.

## Vermont Supreme Court Reinforces JAM Golf

The Vermont Supreme Court reiterated its prior holding in *In re Appeal of JAM Golf, LLC*, that municipalities must adopt clear land use regulations. In that landmark case, the Court ruled that “Zoning ordinances must ‘specify sufficient conditions and safeguards’ to guide applicants and decisionmakers. We will not uphold a statute that ‘fail[s] to provide adequate guidance,’ thus leading to ‘unbridled discrimination’ by the court and the planning board charged with its interpretation.” Clear land use regulations not only help land use officials who apply regulations, but also property owners who need to understand the limits on the use of their property. *In re John Toor, Margaret Toor and Toor Living Trust NOV, 2012 VT 63* comes approximately four years after *JAM Golf* wherein Vermont municipalities were put on notice that “[z]oning ordinances must “specify ... sufficient conditions and safeguards” to guide applicants and decisionmakers.” The *Toor* case demonstrates that land use regulations must plainly state the types of development a municipality wants to limit or control so that landowners know what they can or can’t do with their property.

This case comes from Grand Isle, a popular lakeside summer vacation spot, where approximately 240 of the housing units are considered seasonal, recreational, or occasional use. John and Margaret Toor’s home fell into this category. In the summer of 2009, the Toors began renting their home. Their tenants used the property in substantially the same way as the Toors – for vacations, entertaining, and various celebrations. In September 2009, the Grand Isle administrative officer issued a notice of violation alleging rental of the property constituted a change of use from a single family dwelling without a zoning permit.

The property owners appealed the notice of violation to the Grand Isle Development Review Board, then to the Environmental Division of the Superior Court (E-Court), and finally to the Vermont Supreme Court. The appellate authority of both the DRB and the E-Court upheld the administrative officer’s determination, however each had its own interpretation of why the use was no longer a single family dwelling unit use. “[T]he [E-Court’s] view was that the violation occurred because of the income production, through numerous financial arrangements, and the short-term rental periods, which created impermanence.” The Supreme Court rejected this argument, finding the tenant used the house the same way as did the homeowners – as a single family dwelling unit, a permitted use in the district – and that for the period of time that each tenant occupied the house it constituted a single household regardless of the length of tenancy. The tenants could allow guests to stay overnight, just as the homeowners did. As for the intermittent income producing nature of the rental property, the Court determined that the district allowed for commercial uses, and the permitted use (single family dwelling unit) didn’t “imply a prohibition” on renting the dwelling unit.

The Supreme Court held that Grand Isle’s regulations, as written, did not limit the landowners’ ability to rent their home. In doing so, the Court clarified that interpreting local land use regulations requires “narrow construction and the need for landowners to be able to ascertain the line between proper use of their property and illegal use.” If the town wanted to prevent this use and its potential associated impacts, the ambiguity of the regulation must be resolved by “legislative action to create workable solutions in areas of broad general standards” and not by the judiciary.

To read the Vermont Supreme Court's decision, go to  
<http://info.libraries.vermont.gov/supct/current/op2011-085.html>

Stephanie Smith, AICP, Senior Associate  
VLCT Municipal Assistance Center



# Woodstock, Vermont

*The Shire Town of Windsor County*

TOWN - VILLAGE MANAGER GOVERNMENT

Town Hall • P.O. Box 488 • Woodstock, Vermont 05091 • 802/457-3456

**BE IT ORDAINED** by the Board of Trustees that the Woodstock Village Ordinances are hereby revised as follows:

## **VILLAGE OF WOODSTOCK SHORT TERM RENTAL ORDINANCE**

- I. **Authority.** This Ordinance is adopted pursuant to the authority set forth in Act 82 – An Act Incorporating the Village of Woodstock – approved November 11, 1836, and as amended from time to time thereafter, 24 V.S.A., Chapters 59 and 61, and 24 V.S.A. § 2291(14) and (15). This Ordinance is designated a civil ordinance under Chapter 59 of Title 24, V.S.A.
  
- II. **Purpose.** The Woodstock Village Trustees hereby find that unregulated short term (i.e., less than 30 day) transient occupancy of dwelling units in residential neighborhoods presents a threat to the public welfare relating to compatibility with residential uses and preservation of the character of the neighborhoods in which they are located, and to the availability of housing stock in the Village, as evidenced in a 2019 study of short term rentals in Woodstock. Unregulated short term rentals have negative secondary effects on residential areas, with such areas experiencing heightened adverse impacts from parking, garbage, noise and outdoor/nighttime activities. These negative effects, when left unchecked, injure and degrade the community as a whole and constitute a public nuisance. The majority of short term rentals are located in the Village. The purposes of this Ordinance are: (a) to balance the desire of property owners to rent their residential properties to short term rental guests for compensation against the desire of residents to preserve the traditional peace and quiet of their residential neighborhoods; (b) to preserve and protect residential neighborhood character and livability from the nuisance impacts that are often associated with short term rentals; (c) to limit or prevent long term rentals from being replaced with short term rentals; (d) to ensure the safety of occupants of short term rentals and the well-being of the community; and (e) to promote the public health, safety and welfare of the Village, its residents and visitors.
  
- III. **Definitions.**
  - A. Words, terms and phrases specifically defined in the Village of Woodstock Zoning Regulations shall have the same meaning in this Ordinance unless another meaning is specifically indicated.

- B. “Short Term Rental” or “STR” shall mean any rental of residential property, including single-family, two-family, multi-family dwellings, attached and detached apartments, whether accessory or not, and/or any dwelling unit or room located therein containing living quarters, but specifically excluding motels, hotels/inns, bed and breakfast, tourist homes, clubs, group homes, sober-living houses, schools, hospitals or similar facilities, for a term or period of time that is less than thirty (30) days.
- C. “Owner Occupied” shall mean that the owner of the Short Term Rental, or another person authorized by the owner to act on his, her or its behalf, will be present at and residing on the property where the Short Term Rental is located during the rental period.
- D. “Compliance Officer” shall mean a person or persons designated by the Village Board of Trustees to administer and enforce this Ordinance and to serve as a representative of the Village in any associated legal proceedings.
- E. “Foliage Period” shall mean the period of time running from September 15 up to and including October 21 of each year. As provided below, during the Foliage Period there is no limitation on the number of times that an Owner Occupied Short Term Rental property may be rented.

**IV. Compliance with Law.** The owner of any Short Term Rental property shall comply with all other requirements of federal, State and local law pertaining to rental housing, including, without limitation, relevant provisions of the Vermont Rental Housing Health Code and the Village of Woodstock Zoning Regulations, as amended from time to time. A building in which people rent accommodations, whether as a Short Term Rental or for a term of 30 days or more, constitutes a “public building” under 30 V.S.A. §2730(a)(1)(D) and may be subject to the authority of the State of Vermont Division of Fire Safety or its designee.

**V. Short Term Rental Registry & Annual Report.**

To provide Village officials, including designated Compliance Officers, with up-to-date emergency contact, identification, occupancy, and pre- and post-incident planning and compliance information for Short Term Rental properties in the Village, the Village will utilize a “Short Term Rental Registry and Annual Reporting Program.” The Short Term Rental Registry and Annual Reporting Program shall include all Short Term Rental properties, whether or not Owner Occupied.

## **A. Short Term Rental Registry**

On or before April 30 of each year:

(1) The owner of property proposed for use as a Short Term Rental shall complete and submit a Short Term Rental Registry form to the Village on an annual basis. Said form shall be approved by the Board of Trustees and may be modified or amended from time to time with the approval of the Trustees.

(2) The following information shall be provided by owner(s) of Short Term Rental property on or in conjunction with the Short Term Rental Registry form (note: proof of ownership may be required if the person submitting the Short Term Rental Registry form is not the record title holder, as indicated by documentation maintained in the Woodstock Land Records):

(a) physical address(es) of all property advertised, offered for use, or used as a Short Term Rental;

(b) contact information for property owner, including: name, mailing and/or physical address, telephone number, email address;

(c) contact information for any person present at and residing on the property and authorized to act on the owner's behalf, including: name, mailing and/or physical address, telephone number, email address;

(d) contact information for any property manager, including: name mailing address, telephone number, email address;

(e) a copy of the written property management agreement or contract, if applicable, stating the duration/term of any contract;

(f) if not a whole building rental, the number of Short Term Rental dwelling units located within the building and the 911 addresses assigned to the units (if separate from the building);

(g) a sketch plan depicting the Short Term Rental property and all proposed on-site parking spaces, including guest parking;

(h) a floor plan of the Short Term Rental depicting the location of all proposed sleeping areas and fire exits, including egress windows;

(i) valid proof of homeowners insurance with a short term rental endorsement;

(j) proof of Vermont tax account for room & meals and/or sale tax purposes;

(k) proof of positive inspection, for both new and existing buildings, by Division of Fire Safety or its designee; and

(l) copy of any Short Term Rental rules applicable to the rental property.

(3) The Short Term Rental Registry form may also require such additional information as the Village Board of Trustees, in their discretion, deem reasonable, necessary and appropriate.

(4) Upon transfer of ownership of any property on the Short Term Rental Registry, the new owner shall complete a new Short Term Rental registry form with updated information and any prior Short Term Rental authorization shall be null and void.

(5) Any owner of a Short Term Rental property who fails or refuses to complete a Short Term Rental Registry form as provided herein shall be subject to civil penalties under this Ordinance.

(6) Upon complete and proper submission of all required information, as determined by the Short Term Rental Compliance Officer, the Compliance Officer shall issue a Short Term Rental Authorization and Registration Number authorizing lawful rental of the Short Term Rental property.

(7) All Short Term Rental Authorization and Registration Numbers shall expire on March 31 of each year, with registration renewal forms submitted no later than April 30 of each year (even if actual rentals will occur later in the year).

## **B. Annual Report**

The owner of Short Term Rental property shall annually complete and submit a report form to the Village. Said report form shall be approved by the Board of Trustees and may be modified or amended from time to time with the approval of the Trustees. The following information shall be provided by owner(s) of Short Term Rental property on the annual report form:

(a) updated owner/on-site manager contact information, if applicable;

(b) updated property manager contact information, if applicable;

(c) date, duration and number of guests for each Short Term Rental period/stay;

(d) photographic proof that the telephone number of the person(s) responsible for the Short Term Rental and contact information for the Vermont Department of Health and the Vermont Division of Fire Safety is conspicuously posted in each dwelling unit of the Short Term Rental;

(e) photographic proof that the Vermont Meals and Rooms tax license is conspicuously posted in each dwelling unit of the Short Term Rental;

(f) date of last inspection by the Vermont Division of Fire Safety or its designee;  
and

(g) identification of any municipal complaint tickets issued and/or fines paid in the preceding 12 months in connection with any Short Term Rental property.

## **VI. Regulatory Requirements and Prohibited Activities.**

- A. The Short Term Rental of property that is not in compliance with this Ordinance is prohibited.
- B. Providing false or materially misleading information on any Short Term Rental Registry or Annual Report form shall be a violation of this Ordinance.
- C. All Short Term Rental property in the Village shall be Owner Occupied or, if not Owner Occupied, under the active management and control of a property manager, who shall: (i) be located within a 30 minute drive of the Short Term Rental property being managed, (ii) available and authorized to respond promptly to incidents involving the Short Term Rental, and (iii) capable of providing timely interior and exterior access to the Short Term Rental, on a 24/7 basis. .
- D. All Short Term Rental property shall conspicuously display within each dwelling unit the current and valid name, address and phone number of the Short Term Rental operator (whether the owner, on-site manager, or property manager), the Vermont Department of Health, and the Vermont Division of Fire Safety. In addition, the contact information of the Village's Short Term Rental Compliance Officer shall be similarly displayed.
- E. Advertising any Short Term Rental without first obtaining a Village-issued Registration Number or not including the Registration Number in the advertisement to demonstrate that the STR is lawful shall be a violation of this Ordinance.
- F. Renting, using or occupying a Short Term Rental without first obtaining a Short Term Rental Authorization and Registration Number shall be a violation of this Ordinance.
- G. Short Term Rental guests shall not sublease, sublicense or assign all or any portion of the Short Term Rental to another person during the rental period.
- H. Short Term Rental properties shall be limited in occupancy to two guests per bedroom or sleeping area and a maximum of six guests total per occupancy, unless a waiver is granted by the Trustees.
- I. The following are expressly prohibited in connection with Short Term Rental properties:
  - a. Gatherings of more than six persons on the STR premises during the period of occupancy, absent a waiver or variance by the Board of Trustees.
  - b. Signs and other outside indications, other than on-site parking, that a property is used or occupied as a Short Term Rental.

- c. Noise or unreasonably loud activities, whether inside or out, that violate the Village's Noise Control Ordinance (Woodstock Village Ordinances, Title 5, Ch. 3).
    - d. Keeping of domestic pets or wolf-hybrids in violation of the Village's Ordinance Regarding Control of Animals (Woodstock Village Ordinances, Title 2, Ch. 1).
  - J. Except as otherwise provided herein, Short Term Rental of property shall occur no more than six (6) times during a twelve (12) month period running from April 1 to March 31.
  - K. The foregoing limitation on the number of times that a Short Term Rental property may be rented on an annual basis shall not apply to Owner Occupied Short Term Rentals occurring during the Foliage Period, which shall run from September 15 up to and including October 21 of each year. During this period, there is no limitation on the number of times that an Owner Occupied Short Term Rental may be rented. This exemption for Owner Occupied Short Term Rentals during the Foliage Period shall not relieve the owners of such properties of their obligation to comply with all other applicable requirements of federal, State and local law and regulations pertaining to rental properties, including health and safety requirements.
- VI. **Fees.** A fee of \$75.00 shall be paid to the Village in connection with the submission of any Short Term Rental Registry form or renewal thereof. The Village Board of Trustees may, from time to time, modify this fee and may establish and adopt other fees related to the administration and enforcement of this Ordinance, and may incorporate all such fees into a duly adopted fee schedule.
- VII. **Waiver/Variance.** To prevent undue hardship or delay, avoid injustice, or for other good cause shown, the Village Board of Trustees may, upon good cause shown, waive or vary the requirements of this Ordinance upon such reasonable terms and conditions as it may require, unless precluded by the Ordinance itself or by other provisions of law. In considering any request for waiver or variance, the Trustees shall at least consider: (1) the reason for the request, including its reasonableness, and the reason for the requirement at issue, (2) the risk to public health, safety, welfare and convenience in granting the request, (3) the danger of prejudice to the applicant and third parties if the request is granted, (4) the timeliness of the request, and (5) whether the requestor is acting in good faith.
- VIII. **Enforcement.** Any person who violates a provision of this civil ordinance shall be subject to a civil penalty of up to \$800 per day for each day that such violation continues. Each day the violation continues shall constitute a separate offense. The Compliance Officer, Woodstock Police Officers, the Woodstock Zoning

Administrator and the Woodstock Village/Town Manager shall all be designated and authorized to act as Issuing Municipal Officials to issue and pursue before the Judicial Bureau, or other court having jurisdiction, a municipal complaint.

IX. **Waiver Fees.** An Issuing Municipal Official is authorized to recover waiver fees, in lieu of a civil penalty, in the following amount, for any person who declines to contest a municipal complaint and pays the waiver fee:

(a) Operating STR Without Authorization or Registration Number - \$500

(b) All Other Violations:

First Offense - \$100

Second Offense - \$250

Third Offense - \$500

Fourth and Subsequent Offenses - \$700

Offenses shall be counted on a twelve (12) month basis, beginning April 1 and ending March 31 of each year. An Issuing Municipal Official shall have authority to issue a written warning, without recovering a waiver fee, for any First Offense violation other than Operating a Short Term Rental Without Authorization or a Registration Number. In such instance, the written warning shall be counted as a First Offense for calculating annual offenses.

X. **Civil Penalties.** An Issuing Municipal Official is authorized to recover civil penalties in the following amounts for each violation:

(a) Operating STR Without Authorization or Registration Number - \$800

(b) All Other Violations:

First Offense - \$400

Second Offense - \$600

Third Offense - \$800

Fourth and Subsequent Offenses - \$800, plus automatic revocation for twelve months before a new Short Term Rental Authorization Application may be submitted.

Offenses shall be counted on a twelve (12) month basis, beginning April 1 and ending March 31 of each year. An Issuing Municipal Official shall have

authority to issue a written warning, without recovering a civil penalty, for any First Offense violation other than Operating a Short Term Rental Without Authorization or a Registration Number. In such instance, the written warning shall be counted as a First Offense for calculating annual offenses.

XI. **Other Relief.** In addition to the enforcement procedures available under Chapter 59 of Title 24, the Village/Town Manager is authorized to commence a civil action in the Civil Division of the Vermont Superior Court to obtain injunctive and other appropriate relief, to request revocation or suspension of any Short Term Rental Authorization and Registration Number on behalf of the Village Board of Trustees, or to pursue any other remedy authorized by law.

XII. **Severability.** If any provision of this ordinance is deemed by a court of competent jurisdiction to be unconstitutional, invalid or unenforceable, that provision shall be severed from the ordinance and the remaining provisions that can be given effect without the severed provision shall continue in effect.

XIII. **Effective Date.** This Ordinance shall take effect upon passage.

**ADOPTED** at Woodstock, Vermont, this 12th day of November, 2019, and to be effective upon adoption.

**WOODSTOCK VILLAGE BOARD OF TRUSTEES**

Jeffrey Kahn, Chair

Cary Agin

Keri Cole

Serena Nelson

Antonina DiNatale

**SECTION 521 SUBSURFACE DISPOSAL OF SEWAGE**

Municipal sewer hookup is required unless structure is more than one thousand (1000) feet from the sewer line in which case a State-approved septic system may be required. Sewer connection permits, where applicable, must be granted by the municipality before any permit is issued to construct a new structure or for any change of use.

**SECTION 522 SHORT-TERM RENTALS**

Short-term rentals in all districts require a permit. The following provisions shall apply to ensure that the commercial use of residential property does not adversely affect the neighborhood in which short-term rentals are located.

- A. Conditional Use Approval is required for rental periods of fewer than thirty days.
- B. Short-term rentals are allowed no more than six times a calendar year, excluding foliage season.
- C. All associated parking shall be on site.
- D. Garbage service shall be provided and garbage containers shall be maintained out of sight.
- E. Notice to renters of regulations pertaining to parking, garbage, noise, parties etc. shall be visibly displayed in the dwelling.
- F. Name, address and telephone number of a manager shall be filed with the application and kept up to date.
- G. Prohibitions
  - 1. Parties and/or catered events etc.
  - 2. Signs and other outside indications that dwelling is used as a short-term rental.
  - 3. Outdoor activities between 9 PM and 7 AM.
- H. A change in ownership shall require a new permit.
- I. Exception: No permit is required during foliage season (September 15 - October 21) if the owner or primary tenant is in residence throughout the rental period and provisions C., D., E. & G. above are met.

**SECTION 523 TEMPORARY RAMP**

A temporary ramp, based on emergency need, may be placed for a sixty day period without permit. An extension may be granted for an additional 30 days if warranted. Ramps placed longer than this shall require permit. The ramp shall be placed in a manner that allows for easy removal without damage to the main structure.

**ARTICLE VI. GENERAL REGULATIONS****SECTION 601 CORNER LOTS**

Structures on corner lots have two (2) front yards; the front setback requirements of the District applies to both street frontages. Other than these two areas, other yards surrounding the building shall be deemed to be a rear and side yard.

**SECTION 602 DIVISION OF LOTS**

No lot shall hereafter be subdivided into two or more lots unless all lots resulting from such division conform with all the applicable regulations of the zoning district in which the property is located.

**SECTION 603 EXISTING SMALL LOTS**

Any lot in individual, separate and non-affiliated ownership from surrounding properties in existence at the time zoning was adopted (2/14/77) may be developed for the purposes permitted in the District in which it is located. This provision also applies to lots not conforming to minimum lot size requirements if such lot is not less than one-eighth acre in area and has a minimum width or depth dimension of forty (40) feet. Nothing in this Section shall be construed so as to prevent the sale and transfer of such a lot. All lots shall comply with Section 4406(1) of the Act. See Section 607 below.

**SECTION 604 HEIGHT EXCEPTIONS**

The height limitations of these Regulations shall be waived for barns and silos in the Residential Three Acre zone, spires, belfries, steeples, cupolas, chimneys in all zones.

**SECTION 605 LOT LINE ADJUSTMENT**

A lot line adjustment requires an Administrative Permit. A certified survey is required of both the land to be transferred and the remaining land, UNLESS the remainder is more than three times the minimum lot size of the district. The transferred land shall be made a part of the receiver's deed and shall not be considered a separate lot.

TO: Richmond Planning Commission

FROM: Ravi Venkataraman, Town Planner

DATE: February 13, 2020

SUBJECT: Nomination of Acting Administrative Officer

Recently, Richmond Zoning Regulations Section 8.1 (emphasis added) was brought to my attention:

*“The Administrative Officer, and an Acting Administrative Officer to serve in the Administrative Officer’s absence, shall be appointed by the Richmond Selectboard from nominations submitted by the Richmond Planning Commission, in accordance with the Act (§4448). The Administrative Officer may be removed for cause at any time by the Selectboard after a hearing and consultation with the Planning Commission. The Acting Administrative Officer shall serve at the pleasure of the Selectboard.”*

In past practice, the Town Planner has taken on the responsibilities of the Zoning Administrator when the Zoning Administrator has taken a prolonged leave of absence or when the Zoning Administrator position was vacant. Therefore, to put in place a contingency plan, I recommend that you nominate me as the Acting Zoning Administrator.

I have provided draft motions below to facilitate action by the Planning Commission:

*I, \_\_\_\_\_, nominate Ravi Venkataraman as the Acting Administrative Officer for the Town of Richmond.*

Please let me know if you have any questions or concerns.