



Planning & Zoning Office
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APPLICATION:

APPLICANT: Richmond Land Trust

REQUESTED ACTION: Conditional Use Review

LOCATION: 1901 Cochran Road

EXISTING ZONING: Village Downtown

PROJECT DESCRIPTION:

Recreational parking for the Beeken Preserve for twenty cars

PARCEL HISTORY:

Access Permit issued 6/15/21

Zoning Permit for Temporary Parking issued 6/15/21

LIST OF SUBMISSIONS:

- A. Conditional Use Review Application Submitted 7/15/22
- B. Site Plan Submitted 7/15/22
- C. Narrative submitted 7/15/22

PROCEDURAL INFORMATION:

1. Application submitted on July 13, 2022
2. Notice placed on Town website and at three locations in town on July 22, 2022
3. Agenda placed in Seven Days July 22, 2022
4. Abutters notified on July 25, 2022
5. Notice sent to Applicant July 25, 2022

STAFF COMMENTS (In Bold):

1. Applicants are looking to create a Recreational Parking lot for the Beeken Preserve for 20 cars
2. Project is located in the AR zoning district
3. Project is located in the Special Flood hazard Overlay District
4. Applicants are seeking conditional use review
5. Subject to the following sections of the Richmond Zoning Regulations: 3.1, 4, 5.5, 5.6, 6.1, 6.2, 6.8
6. Section 3.1.2 of the Richmond notes that an outdoor recreational facility or park is an allowed use with conditional use review

7. Therefore, parking associated with that use is allowed with DRB approval
8. Section 3.1.3 deal with the dimensional requirement for lots in the A/R District - No Zoning Permit may be issued for Land Development in the A/R District unless the lot proposed for such Land Development meets the following dimensional requirements:
 - a. a) Lot Area - No lot shall be less than one (1) acre. The purchase of additional land by the owner of such lot from an adjacent lot owner shall be permitted, provided such purchase does not create a lot of less than the minimum lot area required in the Zoning District for the lot on the part of the seller.
 - b. b) Lot Dimensions - Each lot must contain a point from which a circle with a radius of fifty (50) feet can be inscribed within the boundary of the lot.
 - c. c) Lot Frontage - No lot having frontage on a public or private road shall have less than one hundred (100) 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, Required Frontage, and 4.3, Approval for Interior Lots with No Frontage.
 - d. d) Lot Coverage - The total amount of ground on a lot that can be covered by any structure or impervious material shall not exceed 30%. **Proposed project meets all the dimensional requirements for the A/R district.**
9. No sutures are being proposed for this development therefore section 3.4 dimensional limitations of structures in the A/R district does not apply
10. Section 3.1.5 notes that no Zoning Permit may be issued for Land Development in the A/R District unless the Land Development meets the following requirements:
 - a. a) Parking Requirements - Parking requirement shall be regulated as provided in Section 6.1. **Proposed parking will be subject to section 6.1**
 - b. b) Signs - Signs shall be regulated as provided in Section 5.7. **No Signs proposed**
 - c. c) Access - Access shall be regulated as provided in Section 4.1 through 4.4.
 - d. d) Traffic Impact - Traffic shall not exceed 10 vehicle trip ends during the peak evening hours **Applicants note that they are not expecting to exceed the 10 vehicle trip ends during peak evening hours**
11. Section 4.1 notes that the project must comply with all public work specifications
12. Section 4.4 notes that only one curb cut is allowed onto a public or private road.
Proposal only has one Curb Cut
13. Sight plan review is a requirement of Conditional Use Review
14. Section 5.5.2 Application Requirements for Site Plan Review –
 - a. a) Name and address of owner(s) of the parcel. **Name noted**
 - b. b) Names and addresses of all abutters, including those across contiguous Road(s) or Highway(s). **Abutters list provided**
 - c. c) Unless waived by the DRB for good cause, a site plan shall be prepared by a registered surveyor, professional planner, engineer, architect, or landscape planner. In all events, the site plan shall be drawn to scale, and submitted with written supporting data, showing the following:
 - i. i. Existing features: contours, structures, utility easements, rights-of-way, deed restrictions, significant landscape features, Roads or Highways, surveyed boundaries, dimensions, total lot size; **Sight plan provided**
 - ii. ii. Proposed Land Development: land use areas, structures, driveways, curb cuts, parking and loading areas, traffic circulation, pedestrian

walkways, outside display areas, signs, site grading, landscaping, plantings and screening, setbacks and buffer strips, outside lighting, equipment and waste storage areas and sewage disposal areas. **Driveway and parking noted on sight plan, No walkways noted, no structures are being built.**

- d. d) Information as to the time period or phasing for completion of the project. **Applicant proposed a two-phase construction process. First phase is to approve seasonal parking this year. The Second phase would be to enhance the lot which would occur in 2023**
 - e. e) The DRB may also require the following submittals:
 - i. i. Security as provided in Section 8.2.5.
 - ii. ii. Formal traffic study if a substantial alteration in public traffic flow is anticipated or a largescale parking area is planned. This may include analyses of traffic volumes, average daily trips, turning movements, patterns of ingress and egress, levels of service on roadways and at intersections, and modes of traffic control. **Applicants have not conducted a formal traffic study. However, they note in their narrative that they do not expect to exceed 10 vehicle trip ends during peak hours**
15. Section 5.5.3 Conditions of Approval for Site Plan Review - The DRB may impose conditions and safeguards upon the approval of a site plan with respect to features authorized by the Act (§4416), as amended. Maps, data, studies, and other information will be requested as needed by the DRB for site plan review. Conditions of approval for site plan review include, but are not limited to, the following:
- a. a) Traffic - Conditions and safeguards with respect to adequacy of parking, traffic access, and circulation for pedestrians and vehicles, including, but not limited to:
 - i. i. Lanes - Installation of speed change lanes or frontage roads.
 - ii. ii. Curb Cuts - Limitations on access driveways, or requirement that these be shared with adjacent properties to reduce curb cuts and provide for safe ingress and egress. **Applicants already have an approved access permit. Site plan shows only one Curb Cut on the property**
 - iii. iii. Pedestrians - Provision for pedestrian traffic, with sidewalks and other walkways clearly separated from vehicular traffic and with appropriately designed road-crossing areas. **NA**
 - iv. iv. Roads - Roads within the site connecting to roads outside the site that will bear substantial traffic loads being constructed to the Public Works Specifications. **NA**
 - v. v. Parking - Parking must be located to the rear of buildings, or at the side well-screened from view. **NA**
 - vi. vi. Trails - Trails for non-motorized transportation. **Trails not noted on site plan**
 - vii. vii. Lighting - Provision for lighting adequate to promote traffic and pedestrian safety, while minimizing negative impact on neighboring residences. **Plan for lighting lot not presented at this time**
 - b. b) Landscaping and Screening - Conditions and safeguards with respect to landscaping and screening, including, but not limited to:

- i. i. Provision for landscaping that will preserve the character of the existing neighborhood. This may include curbside shade trees.
- ii. ii. Provision of a buffer zone that shall include vegetative screening to conceal outdoor storage or display areas, parking lots, or loading areas, or other outdoor commercial or industrial uses from neighboring residences.
- iii. iii. Requirements that vegetation be indigenous to the area, sight-impervious, large enough to do well, and planted intervals in keeping with other neighborhood foliage.
- iv. iv. Retention of currently existing site vegetation.
- v. v. Interim fencing being required while vegetation is growing to appropriate size.
- vi. vi. Provision for the care and maintenance of plantings, including removal of dead or diseased trees or shrubs.
- vii. vii. **Minimum Landscaping Costs.** The minimum direct landscaping cost shall be at least equal to the total project construction cost multiplied by a certain percentage per the below schedule: **Lot is located in a clearing in a wooded area that provided significant screening. No additional landscaping or screening should be required to obscure parking lot**

16. Section 5.6.2 notes in subsection e that the development is proposed over a reasonable timeframe. **Applicants not that both phases of the project should take less than 2 years to complete**
17. Section 5.6.2 subsection h notes that the proposed development should not have Undue adverse side effs on state or community operations institutions **Proposed parking are will serve to enhance access to community facilities by facilitate safe recreational parking**
18. Section 5.6.2 subsection notes that proposed land development shall not have an undue adverse effect on historic sights or irreplicable natural areas **No historic sight located on property. Lot will be located in a preexisting field and would not require additional clearing of land**
19. Section 6.1.2 subsection c notes minimum spaces required for a use. **Proposed 20 space lot will be sufficient to provide sufficient parking for a park according to APA off street parking requirements**
20. 6.1.6 Other Parking Standards and Applicability –
- a. a) Location - All parking areas subject to administrative review by the Administrative Officer, except for such areas associated with single or two-family dwellings, or other Land Development specifically exempted from site plan review, shall require Site Plan Review (see Section 5.5.1). All parking areas shall be located on the lot for which the parking requirement was generated unless specific alternatives are approved by the DRB. **Parking is intended to further recreational access to surrounding area.**
 - b. b) Surfacing - All parking areas shall be hard-surfaced (asphalt or concrete). The DRB may waive this requirement if the Applicant demonstrates that all of the remaining standards of section 6.1.6 will be met. In addition, the following specific standards shall be considered by the DRB when reviewing a waiver request for surfacing requirements:

- i. 1) The parking area shall be designed so as to prevent the intrusion of gravel or a similar surfacing material onto the road / Road or Highway travel lanes or adverse impacts on drainage systems. **Applicants are proposing either a grass lot with the option to upgrade to a crushed gravel lot for phase 2**
- c. c) Drainage - All parking areas and associated roadways shall be designed and constructed with detention devices, such as, but not limited to overland grassed and/or stone lined swales, detention basins, and settling ponds, in order to assure that the post development peak flow stormwater volumes from such parking areas and roadways do not exceed the predevelopment quantities based on the run-off from a twenty-five year, twenty-four hour storm event. All such devices shall be designed and constructed to the standards in the Public Works Specifications, except that in the event of a conflict between the Public Works Specifications and the preceding sentence, the preceding sentence shall control. Unless stormwater flows are contained on the lot where such parking areas and roadways are located, there must also be adequate off-site drainage areas to accommodate such flows. **Sight plan notes highlight erosion control measures that are intended to be taken. Storm water plan not noted**
- d. d) Parking for Persons With Disabilities - All parking areas shall provide for persons with disabilities which are clearly designated and marked, and signed, using the international symbol for access required by Title 21 V.S.A. Section 275, as amended, for use by such persons only. **Disability parking not noted on sight plan**
- e. e) Off-Site Parking - State, municipal or private commuter lots shall be approved by the DRB subject to Site Plan Review under Section 5.5. Richmond Zoning Regulations 60 Effective May 23, 2022 **NA**
- f. f) Setbacks - All parking spaces shall meet the setback standards for the District in which it is located except parking in driveways in the Agricultural / Residential District for single-family residential uses, parking in the Jolina Court Zoning District, and the Village Commercial District. Refer to Section 3.9 for specific requirements regarding parking and setbacks in the Jolina Court Zoning District, and Section 3.5.4 for specific requirements regarding parking and setbacks in the Village Commercial District. **Project meets setback requirements**
- g. g) Screening - The DRB may require screening for any parking lots located within any front yard. Screening shall emphasize the separation of parking lots from adjoining public Roads or Highways to minimize glare from vehicle headlights onto public Roads or Highways. The use of berms and landscape materials is the preferred method of screening. The DRB may approve fencing, if it determines the more preferred methods are impractical. **As noted above lot is located in existing clearing screened by a significant amount of vegetation. Very clear separation from public roads and highways/**
- h. h) Landscaping - All parking lots shall be landscaped as approved by the DRB. **See above no additional landscaping should be required**
- i. i) Pedestrian access - The design of all parking lots shall incorporate measures to minimize safety hazards to pedestrians. Pedestrian paths shall be designated and clearly marked. Separation of vehicle and pedestrian traffic shall be included in

all parking lot plans where possible. The DRB may waive this requirement due to unique characteristics of the lot, or innovative alternative designs. **Pedestrian paths not indicated**

- j. j) Bicycle access - Parking lots shall be designed to encourage bicycle access. Any parking lot which is required to have fifteen (15) or more parking spaces shall provide bicycle racks at a location convenient to the main entrance to the business. The DRB may waive this requirement if in their judgment the business will not generate bicycle traffic. **Sight plan does not indicate plans for a bicycle rack. DRB can waive this requirement**
- k. k) Striping - Hard surfaced parking spaces shall be clearly striped and maintained and shall meet standard parking dimensional requirements as specified by the DRB. **No hard surface (asphalt or concrete) proposed for this sight**
- l. l) Traffic Control Signs - The DRB may require the use of uniform ingress and egress signs, traffic control signs, and other signs as necessary to direct the flow of traffic. **No traffic signs noted on sight plan**
- m. m) Lighting - Lighting shall be provided in all parking lots as approved by the DRB and in conformance with Section 4.11, Exterior Lighting, of this Regulation. **No lighting indicated on sight plan**
- n. n) Joint Parking Facilities - Joint parking arrangements may be approved by the DRB, provided that the Applicant has submitted legal documentation to guarantee continued long-term availability of said parking. Within any shopping center or other areas where joint parking has been established, the DRB may not approve any site plan amendments or other use changes which would increase parking needs, or any waivers of parking requirements, until the Applicant has submitted proof of notice to all tenants or shared parking participants of the proposed change. **NA**
- o. o) Fire Lanes - All fire lanes as recommended to the DRB by the Fire Chief shall be clearly designated by pavement markings and/or signage. All designated fire lanes shall be kept free from obstruction at all times. Vehicles parked within a designated fire lane for any period of time shall be subject to immediate towing at the owner's expense. **NA**
- p. p) Waivers - The DRB may waive some or all parking requirements and may place conditions on a waiver as necessary to guarantee adequate parking. The DRB may require any change in use on any property where a waiver has been granted to be reviewed for parking impacts, and the change shall be prohibited if it is deemed to generate a parking deficiency. The DRB shall determine that one or more of the following standards are met at a specific location prior to granting a waivers:
 - i. i. The proposed uses have staggered business hours with minimal overlap in business hours.
 - ii. ii. The Applicant presents evidence that the parking requirements are excessive based upon new parking studies, traffic engineering data, or obvious and apparent existing parking demands.
 - iii. iii. The Applicant demonstrates that the demand for parking is reduced because the type of business proposed substantially relies on pedestrian traffic.

- iv. iv. The Applicant demonstrates that sufficient off-Road or Highway parking is available at other locations within two hundred (200) feet which are, or have been approved by the DRB.
 - v. v. The use of mass transit, or other alternate transportation reduces parking demand.
 - vi. vi. Joint parking facilities with abutting businesses are sufficient to meet parking demand. Richmond Zoning Regulations 61 Effective May 23, 2022
 - vii. vii. The I.T.E. (Institute of Traffic Engineers) Parking Manual, or other professional source, provides data which demonstrates parking demand for a proposed use is less than the standards specified in these Zoning Regulations.
21. Section 6.8.9 deals with permits require for development in the flood Hazzard overlay district. **Parking can be approved admiratively for properties inside of the special flood hazard overlay district. Recreational areas without structures can also be approved administratively**

Draft motion

Motion to approve the creation of parking for recreational facility with the following conditions

- 1. That handicapped spaces are clearly marked**
- 2. Waive the requirement for a bike rack**
- 3. That a plan is put in place to maintain parking area and deal with trash and other associated maintenance of the parking area**