

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

Wednesday, July 6th, 2022, 7:00 PM  
Online via Zoom

PLEASE NOTE: In accordance with Act 78, this meeting will be held online and conference call via Zoom only. You do not need a computer to attend this meeting. You may use the "Join By Phone" number to call from a cell phone or landline. When prompted, enter the meeting information provided below to join by phone.

For additional information about this meeting, please contact Ravi Venkataraman at 802-434-2430 or at [rvenkataraman@richmondvt.gov](mailto:rvenkataraman@richmondvt.gov).

The Zoom online meeting information is as follows:

Join Zoom Meeting: <https://us02web.zoom.us/j/83503119719>

Meeting ID: 835 0311 9719

Join by phone: (929) 205-6099

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).

1. Welcome, sign in and troubleshooting
2. Review of the agenda and adjustments to the agenda
3. Public Comment for non-agenda items
4. Approval of Minutes
  - June 15, 2022
5. Discussion on the Gateway District
6. Discussion on the Village Residential/Commercial District
7. Other Business, Correspondence, and Adjournment

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- Page 16: Clean version of draft zoning regulations for Site Plan Review applicability and exceptions from June 1, 2022 meeting materials
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- Page 31: Example of Building Design Requirements
- On a standalone document:
  - Map of proposed Village Residential/Commercial District

Richmond Planning Commission  
REGULAR MEETING MINUTES FOR June 15, 2022

Members Present:	Virginia Clarke, Mark Fausel, Dan Mullen, Chris Cole, Lisa Miller,
Members Absent:	Chris Granda, Alison Anand, Joy Reap,
Others Present:	Ravi Venkataraman (Town Planner/Staff), Erin Wagg (MMCTV),

**1. Welcome and troubleshooting**

Virginia Clarke called the meeting to order at 7:09 pm.

**2. Review of the agenda and adjustments to the agenda**

Clarke reviewed the meeting agenda and asked the commission if members had any questions or suggestions for the meeting agenda. Dan Mullen noted recent posts on Front Porch Forum about speed limits on Cochran Road and Route 2, and asked if the commission has a role in determining speed limits. Ravi Venkataraman referred to the Traffic Calming Policy, which can be applied to Cochran Road, overviewed the three-step investigation process per the Traffic Calming Policy, and said that if residents had traffic issues they would like staff to investigate, they should reach out to Venkataraman, Town Manager Josh Arneson, Highway Foreman Pete Gosselin, or Police Chief Kyle Kapitanski.

Chris Cole reviewed the process for review speed limits on state highways (Route 2, Route 117), and the role of the state traffic committee. Cole said that a town has to vote on requesting a reduction of the speed limit on a state highway; that upon the town's request, the state conducts an engineering study; and that based on the crash data and existing vehicle travel speeds, the traffic committee may vote to lower the speed limits. Cole noted that if the data shows traffic traveling above the speed limit but no crashes occurring, then it is up to the municipality to enforce the speed limit.

**3. Public Comment for non-agenda items**

None

**4. Approval of Minutes**

No comments. The minutes were accepted into the record as written.

**5. Annual Reorganization Meeting – Election of Chair and Clerk**

Clarke noted that Venkataraman has said that he will continue taking the minutes, and that therefore the clerk would also serve as the vice chair of the commission. Clarke opened the floor for nominations.

Motion by Mark Fausel, seconded by Cole, to nominate Virginia Clarke as Chair of the Planning Commission. Voting: unanimous. Motion carried.

Motion by Clarke, seconded by Fausel, to nominate Cole as the clerk/vice chair. Voting: unanimous. Motion carried.

## **6. Discussion on Burlington International Airport zoning request**

Clarke overviewed the zoning amendment request from Burlington International Airport. Mullen asked about the regulatory trigger for the regulations. Clarke said that this regulation would apply to any development proposed within the parcels Burlington International Airport has identified, and noted that with the existing development and the 35-foot height restriction, it is highly unlikely for proposed development to have any impacts on the airspace. Clarke added that the map Burlington International Airport included in the meeting materials will be included in the appendix of the zoning regulations.

Cole noted that the proposed regulation is a request that an applicant files a particular Federal Aviation Administration form, not a requirement. Cole said that the FAA is a permitting agency, that the FAA may force the removal of structures without the rightful FAA permits, that filing the FAA form is advisable, and that obtaining the rightful FAA permits is the responsibility of the landowner.

Clarke reviewed the map Burlington International Airport provided. Clarke said that based on the map, this proposed zoning language may need to be in Williston's regulations. Venkataraman said that this proposed language is in Williston's zoning regulations already.

Clarke said that the proposed language is suggested to be added to the zoning districts section of the regulations, and that the goal is to put all the overlay district language in the zoning regulations with the rest of the zoning districts.

Clarke said that the commission must decide if it would like to hold a public hearing on the proposed amendment by itself, or with proposed zoning amendments it is working on currently.

Lisa Miller asked about the placement of temporary cranes, and whether temporary construction equipment would trigger this requirement. Clarke said she felt that a crane was not "a construction". Venkataraman said that the requirement is intended for fixed structures that are going to be higher than 35 feet. Miller asked if the zoning administrator had to make a determination on whether a landowner had to file a form. Clarke said that filing the form is the landowner's decision. Cole said that typically landowners do not know about the FAA requirement but construction companies would.

Motion by Cole, seconded by Miller, to approve the proposed zoning language and map as presented for a public hearing on July 20, 2022.

Discussion: Mark Fausel asked about the cost of the public notification process and whether the cost would be affected by combining public notices with other proposed zoning regulations the Planning Commission is working on. Venkataraman said that this zoning amendment would require a separate hearing notice, and that a hearing notice is usually \$50-\$65 in Seven Days.

Voting: unanimous. Motion carried.

## **7. Discussion on the Gateway District and Proposed Changes to Site Plan Review**

Clarke asked for comments from the Planning Commission on the draft documents. Miller noted the similarity between the clean versions for this meeting and the previous meeting. Clarke said that the changes were minor.

Fausel asked about the status of the definitions for inn, hotel and bed and breakfast uses. Clarke pointed to the proposed definitions from the previous meeting and asked for comments. Fausel said that he had suggested allowing larger lodging facilities, and acknowledged the definitions as proposed.

Mullen asked for clarification about the reference to security in regards to landscaping. Venkataraman pointed to the regulations allowing the DRB to require performance bonds to make sure that any infrastructure or landscaping is built or installed accordingly. Venkataraman said that typically for landscaping performance bonds the applicant provides the Town the cost of the landscaping in full, the Town holds it in escrow for a two-year period, and the Town pulls from the escrow account if the landscaping is dead or diseased within that two-year period. Mullen suggested putting in a cross reference to the regulations allowing the DRB to require performance bonds for landscaping. Clarke questioned whether performance bonds for landscaping should be required for all developments. Mullen said that the performance bond requirement may be onerous to single-family dwelling projects. Cole asked how often the Town has required performance bonds. Venkataraman said he was not sure, and that he expected it to be more of an unusual occurrence and only for larger projects. Venkataraman suggested specifying a landscaping cost threshold so that the requirement only applies to larger projects.

Cole asked about the front-yard setback landscaping requirement, and suggested removing a requirement for particular types of vegetation to allow for natural vegetation. Clarke said that the goal is to not allow for only grass, but for a mixture of trees and grass, and that natural vegetation includes the types of vegetation the proposed zoning specifies. Cole asked if natural vegetation would be in compliance with the proposed regulations. Venkataraman said he would. Clarke asked Cole if he would be ok with allowing grass. Cole said that he would be ok with allowing grass in the front-yard setback, and that he would not go into how the front yards would be vegetated so long as they are vegetated.

Fausel asked about allowing parking in front of the building considering the requirement for vegetation in the front-yard setback. Clarke said that one of the criteria for strip development is parking in front of the building, and that the commission would want to avoid that.

Miller asked about performance guarantees for appearance. Clarke pointed to the Conditional Use Review criteria and Site Plan Review regarding placing safeguards, and that most of the large projects will require DRB review. Miller asked if the commission should consider requiring the performance bond and having the DRB provide relief if necessary. Clarke said that for smaller projects, it doesn't seem like a performance bond is necessary. Cole said that he doesn't think the commission should impose standards for gardening, and the vegetated buffer requirement should suffice as it is in line with the rural character. Erin Wagg noted possible suspicious activities occurring in parking areas behind large, unmaintained vegetation and buildings, and asked if the language can limit how dense the vegetation can be. Clarke said that she doesn't expect that to be too much of a problem, considering that most businesses would install landscaping regardless.

Clarke asked about the proposed front-yard setback requirement. Fausel suggested clarifying the term

“right-of-way” in this context.

Fausel asked about requirements regarding sufficient water and wastewater capacity. Clarke said that a state wastewater permit is required for developments, and that lot sizes are based on on-site water/wastewater capability.

Fausel said he had concerns about lot coverage and lot dimensions requirement. Clarke said that the language regarding lot frontage and lot dimensions are in the current zoning regulations, and that the lot dimensions requirement is to promote regularity and developability of lots.

Fausel said he had concerns about regulating development according to private roadways and the setback requirement from private roadways, and asked if the setback applies to rights-of-way for utilities. Venkataraman said that rights-of-way is typically for roads, that the town regulates front-yard setbacks from private roads in order to establish and maintain a particular character of the built environment, and that he is unsure about the origin of the 15-foot front-yard setback requirement specifically but that the intent is to create a buffer between the structure and the roadway. Clarke said that the terms in the current zoning regulations is “lot line” not “right-of-way”, and said that the commission should be consistent with the terminology. Fausel said he was doubtful that any suggested zoning for increasing housing would stipulate a 15-foot setback from a private roadway.

Fausel suggested that the pitched roof requirement should apply within a particular setback and/or to buildings up to a particular size. Clarke said that past conversations included putting in place a setback requirement or a visibility from Route 2 requirement. Fausel asked what is in the current zoning regulations. Clarke reviewed the current zoning regulations. Fausel said that the current zoning regulations are strong enough. Venkataraman reviewed the current zoning regulations line by line, and said he was not sure what the intent of “multiple grouped buildings” is, and that he was not sure about the meanings of two of the lines. Fausel said he liked the intent of the building design standards, and the waiver allowance from the roof pitch requirement. Clarke said that she will look into the roof pitch requirement, and that the proposed regulations do not refer to “grouped buildings”.

Clarke said that she will clean up the proposed zoning to make sure the language can be carried out and is more oriented towards Route 2 for the next meeting. Clarke suggested commission members send comments to Venkataraman to guide discussion during the next meeting. Clarke said that the commission should review the proposed permitted uses, and the proposed uses to be exempt from Site Plan Review.

## **8. Discussion on the Village Residential/Commercial District (8:30 pm)**

Clarke asked the commission if members are ok with the proposed zoning map, and reviewed the proposed permitted and conditional uses, and the dimensional standards.

Mullen suggested removing the reference to “moderate density” in the purpose statement because it conveys subjectivity to an objective, specific standard for density in the proposed regulations. Mullen asked about allowances for bank uses. Clarke said that banks would be allowed under Conditional Use Review.

Cole noted that the proposed permitted uses are low impact uses. Cole asked Clarke to review the statutorily protected uses. Clarke said that group home, home occupation, and family child-care home uses must be allowed in districts that allow single-family dwelling uses.

Clarke asked about the multiple use building allowance, and the multifamily dwelling uses limit of eight units. Mullen suggested a typo edit regarding multifamily dwellings, and said that the limitation to eight units seems arbitrary. Cole said he would approve of removing the limitation.

#### **9. Other Business, Correspondence, and Adjournment (9:00 pm)**

Cole asked for the timeframe for approving the Gateway and Village Residential/Commercial Districts. Clarke said that she hopes that the commission finalizes the draft regulations by the end of July.

Motion by Cole, seconded by Fausel, to adjourn the meeting. Voting: unanimous. Motion carried. The meeting adjourned at 9:00 pm.

Respectfully submitted by Ravi Venkataraman, Town Planner

## Semi-Markup – 7/1/22

### 3.4 Gateway Residential/Commercial District (G)

**3.4.1. Purpose** - This district is designed to allow for both residential and commercial uses in an area that has importance as a scenic entrance to the Town of Richmond. The historic settlement pattern of Richmond is maintained.

Features of the Gateway Residential/Commercial District include:

- a) The features of commercial strip development will be avoided.
- b) A range of commercial and residential uses, including multifamily housing, will be allowed.
- c) Curb cuts will be limited to the current number or less – these access points will serve any new development as shared driveways or private roads.
- d) Setbacks along Rt 2 will be vegetated and provide the rural greenspace appearance needed to maintain the scenic viewshed and historic settlement pattern of this area.
- e) Plans are being developed for a shared path for bike and pedestrian use to connect lots within the district and with the village center to the east and the Park and Ride to the west.
- f) Plans are being developed for future public transit along the Route 2 corridor
- g) Restoration and reuse of existing historic structures is encouraged.
- h) Multistory buildings—rather than single-story buildings—are encouraged

**3.4.2 Permitted uses** – The following uses are considered compatible with the other uses allowed in the Gateway Residential/Commercial District and therefore require a Zoning Permit, or Site Plan Review by the DRB per Section 5.5 and then a Zoning Permit.

- a) Accessory dwelling
- b) Accessory uses or structures, except outdoor storage
- c) Arts/crafts studio
- d) Bed and breakfast.
- e) Child Care Facility - Family Child Care Home
- f) Dwelling, single-family
- g) Dwelling, two-family
- h) Dwelling, multifamily with up to 4 units
- i) Group home
- j) Home occupation
- k) Multiple use building with up to 4 permitted uses
- l) Museum
- m) Office, medical
- n) Office, professional
- o) Personal services

**Comment [PA1]:** The business office and professional office are synonymous

**3.4.3 Conditional Uses** - The following uses require a Conditional Use Review approval by the DRB and then a Zoning Permit:

- a) Adaptive use
- b) Bank.
- c) Brewery
- d) Business yard
- e) Car Wash
- f) Cemetery
- g) Child Care Facility – Large Family Child Care Home
- h) Child Care Facility – Center-based Child Care Facility
- i) Cottage Industry
- j) Dwelling, multifamily with ~~three or five or more~~ four dwelling units.
- k) Educational Facility
- l) Fitness Facility
- m) Funeral Parlor

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- n) Health Care Services
- o) Inn
- p) Kennel
- q) Laundromat
- r) Light Manufacturing.
- s) Multi-use commercial building with up to 8.4 permitted or conditional uses from this section or 3.4.1.
- t) Museum.
- u) Pharmacy
- v) Powered Vehicle and/or Machinery Service
- w) Recreation facility
- x) Religious use
- y) Research laboratory.
- z) Restaurant, Standard
- aa) Retirement community.
- bb) State- and Community-owned and Operated Institution or Facility
- cc) Supported housing facility
- dd) Tavern
- ee) Veterinary Clinics
- ff) Warehouse Use

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#### 3.4.4 Dimensional Requirements

- a) **Minimum Lot Size** - 1/4 acre (10,890 square feet)
- b) **Maximum residential density** – 1/8 acre (5,445 square feet) per dwelling unit
- c) **Lot Dimensions** - Each lot must contain a point from which a circle with a radius of 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 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) **Maximum Lot Coverage** - 60 percent
- f) **Height** - The height of any structure shall not exceed 35 feet, except as provided in Section 4.11.
- g) **Front Yard Setback**
  - i. 30 feet from the edge of the Route 2 right-of-way for principal structures
  - ii. For accessory structures, 10 feet behind the front of the principal structure fronting all rights-of-way except I-89
  - iii. 30 feet from the edge of the I-89 right-of-way for residential primary structures and structures hosting accessory dwelling uses
  - iv. 10 feet from the edge of the I-89 right-of-way for accessory structures associated with residential uses
  - v. 10 feet from the edge of the I-89 right-of-way for non-residential structures and their associated accessory structures
  - vi. 15 feet from the edge of all other rights-of-way for principal structures
- h) **Side Yard Setback**
  - i. For principal structures - 10 feet
  - ii. For accessory structures – 5 feet
- i) **Rear Yard Setback** –
  - i. For principal structures – 10 feet
  - ii. For accessory structures – 5 feet
- j) **Maximum Building Size** - No building shall have a footprint exceeding 10,000 square feet, with the exception of buildings that are setback more than 200 feet from the edge of the Route 2 right-of-way and 30 feet from the edge of all other right-of-ways. Buildings set back more than 200 feet from the edge of the Route 2 right-of-way and 30 feet from the edge of all other right-of-ways shall not have a footprint exceeding 17,000 square feet.

**3.4.5 District Specific Development Standards.** These standards are intended to ensure that the Gateway Residential/Commercial District remains a scenic entrance to the village of Richmond, and that there is

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compatibility between the residential and commercial uses. The historic settlement pattern of this area, with a greenspace setback from Route 2 and mixed-use development shall be maintained.

**a) Site Design Standards**

- i. **Access.** No new curb cuts along the Route 2 right-of-way shall be created after [date zoning goes into effect]. All new land development shall access Route 2 right-of-way by way of existing curb cuts. Further sharing of driveways that will reduce the existing number of curb cuts is encouraged. Existing curb cuts shall be eliminated when possible.
- b)ii. The front yards setback from adjacent to the Route 2 right-of-way shall be maintained in a vegetated state, and shall include naturally occurring vegetation or landscaping. Landscaping may include a combination of trees, shrubs, perennials, groundcovers or gardens in addition to grass. Diseased or dead vegetation shall be replaced with healthy vegetation, and a security may be required by the DRB pursuant to Section 8.2.5(c).
- iii.iii. Parking shall not be permitted between the Route 2 right-of-way and the façades of structures that directly faces the Route 2 right-of-way.
- iii.iv. Landscaping and/or screening shall be required to shield from view all outdoor storage, including bulk and waste containers, utilities and mechanicals, parking and loading areas and any other storage structures or uses that are not contained within buildings.
- iii.v. There shall be one EV-ready parking space for any lot that has more than 6 parking spaces

**e)b) Building Design Standards.** All new, or significantly remodeled exteriors of existing structures, with the exception of single-or two-family dwellings, shall have the following design features:

- i. New buildings and roofs shall be oriented to be solar ready, and to allow for rooftop solar panels.
- ii. Front façades greater than 50 feet in length shall be broken down into a series of smaller façades that incorporate changes in color, texture, materials or structural features.
- iii. Any façade that faces directly onto the Route 2 right-of-way shall have a minimum transparency of 5% of the square footage of the façade, and one or more entrance(s) on that façade.
- iv. Entrances shall be defined with overhangs, porches, or other architectural features.
- iv.v. Principal buildings shall have pitched roofs. Any principal building with a façade that faces directly onto the Route 2 right-of-way shall have a pitched roof. The roof-pitch requirement does not apply to buildings with a footprint exceeding 10,000 square feet.
- vi. Any principal building with a façade that faces directly onto Route 2 shall provide that façade with a wood, stone or brick appearance
- vii. At least one principal or accessory building on a lot developed for residential or commercial use shall have solar-ready orientation. Other aspects of solar readiness, such as adequate roof strength and roofing material, wiring and efficient building insulation are encouraged.

**e)c) Additional Multi-family housing standards.** All buildings which contain more than two dwelling units shall adhere to the multi-family dwelling standards in Section 56.13 of these regulations, in addition to Subdivision (c) above.

**e)d) Traffic Impact**

- i. 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.
- ii. 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:

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- 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.

**3.4.6. Planned Unit Developments.** Planned Unit Developments that meet the regulations listed under Section 5.12 are allowed in the Gateway Residential/Commercial District.

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Clean – 7/1/22

### 3.4 Gateway Residential/Commercial District (G)

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- i) Cottage Industry
- j) Dwelling, multifamily with **five or more dwelling units.**
- k) Educational Facility
- l) Fitness Facility
- m) Funeral Parlor

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- n) Health Care Services
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- z) Restaurant, Standard
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- b) **Maximum residential density** – 1/8 acre (5,445 square feet) per dwelling unit
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*7/6/22 Planning Commission Meeting Materials*

**a) Site Design Standards**

- i. No new curb cuts along the Route 2 right-of-way shall be created after [date zoning goes into effect]. All new land development shall access Route 2 right-of-way by way of existing curb cuts. Further sharing of driveways that will reduce the existing number of curb cuts is encouraged. Existing curb cuts shall be eliminated when possible.
- ii. The front yards adjacent to the Route 2 right-of-way shall be maintained in a vegetated state, and shall include naturally occurring vegetation or landscaping. Landscaping may include a combination of trees, shrubs, perennials, groundcovers or gardens in addition to grass. Diseased or dead vegetation shall be replaced with healthy vegetation, and a security may be required by the DRB pursuant to Section 8.2.5(c).
- iii. Parking shall not be permitted between the Route 2 right-of-way and the façades of structures that directly faces the Route 2 right-of-way.
- iv. Landscaping and/or screening shall be required to shield from view all outdoor storage, including bulk and waste containers, utilities and mechanicals, parking and loading areas and any other storage structures or uses that are not contained within buildings.
- v. There shall be one EV-ready parking space for any lot that has more than 6 parking spaces

**b) Building Design Standards.** All new, or significantly remodeled exteriors of existing structures, with the exception of single- or two-family dwellings, shall have the following design features:

- i. New buildings and roofs shall be oriented to be solar ready, and to allow for rooftop solar panels.
- ii. Front façades greater than 50 feet in length shall be broken down into a series of smaller façades that incorporate changes in color, texture, materials or structural features.
- iii. Any façade that faces directly onto the Route 2 right-of-way shall have a minimum transparency of 5% of the square footage of the façade, and one or more entrance(s) on that façade.
- iv. Entrances shall be defined with overhangs, porches, or other architectural features.
- v. Any principal building with a façade that faces directly onto the Route 2 right-of-way shall have a pitched roof. The roof-pitch requirement does not apply to buildings with a footprint exceeding 10,000 square feet.
- vi. Any principal building with a façade that faces directly onto Route 2 shall provide that façade with a wood, stone or brick appearance
- vii. At least one principal or accessory building on a lot developed for residential or commercial use shall have solar-ready orientation. Other aspects of solar readiness, such as adequate roof strength and roofing material, wiring and efficient building insulation are encouraged.

**c) Additional Multi-family housing standards.** All buildings which contain more than two dwelling units shall adhere to the multi-family dwelling standards in Section 6.13 of these regulations, in addition to Subdivision (c) above.

**3.4.6. Planned Unit Developments.** Planned Unit Developments that meet the regulations listed under Section 5.12 are allowed in the Gateway Residential/Commercial District.

## 5.5 Site Plan Review

**5.5.1 Applicability** – ~~Site Plan review by the DRB shall be required for Land Development that does not require Conditional Use Review (Section 5.6), except for the following uses, in accordance with the Act (§4416) The establishment or expansion of Permitted Uses requires Site Plan Review by the DRB prior to obtaining a Zoning Permit with exception to the following uses:~~

~~Accepted agricultural and silvicultural practices (including Farm Structures)-~~

~~a) Agriculture, Silviculture, and Horticulture~~

~~b) Accessory structures related to dwelling single-family, dwelling two-family, and dwelling multifamily of up to four dwelling units~~

~~c) Arts/crafts studio~~

~~a)d) Bed and Breakfast~~

~~Single and two-family dwellings and their related accessory structures.~~

~~e) Child Care Facility – Family Child Care Home~~

~~f) Dwelling, single-family~~

~~g) Dwelling, two-family~~

~~b)h) Dwelling, multifamily with up to four dwelling units~~

~~e)i) Home occupations.~~

~~d)j) Group homes.~~

~~e) Child Care Homes serving a maximum of six children full-time and four children part-time.~~

~~k) Land Development requiring Public Service Board (Section 248) approval.~~

~~f)l) Personal Services~~

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The table at the beginning of Section 3 provides a summary of uses requiring Site Plan review.

## 5.5 Site Plan Review

**5.5.1 Applicability** The establishment or expansion of Permitted Uses requires Site Plan Review by the DRB prior to obtaining a Zoning Permit with exception to the following uses:

- a) Agriculture, Silviculture, and Horticulture
- b) Accessory structures related to dwelling single-family, dwelling two-family, and dwelling multifamily of up to four dwelling units
- c) Arts/crafts studio
- d) Bed and Breakfast
- e) Child Care Facility – Family Child Care Home
- f) Dwelling, single-family
- g) Dwelling, two-family
- h) Dwelling, multifamily with up to four dwelling units
- i) Home occupations.
- j) Group homes.
- k) Land Development requiring Public Service Board (Section 248) approval.
- l) Personal Services



**Bed and Breakfast** - An owner-inhabited, furnished residential structure with ~~six~~6 or fewer rooms available for overnight rental to the transient, traveling or vacationing public, by the day or the week. The owner shall reside on the premises for 6 or more months per year, and shall be on-premises when the rooms are rented. Breakfast may be served to guests. The primary use of the structure and the appearance is as an owner-occupied residence.

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**Hotel or Motel** - A commercial structure ~~containing with more than six (6) guest rooms 10 or more furnished rooms available for overnight accommodation.~~ . Customarily, the owners are not in residence, but they may be. with access to the rooms may be from an interior usually from a common hallway, or individually provided to each room from the outside. A single- or two-story, linear building with multiple attached units with ready access to the guests' cars, is usually considered a motel. Meals and additional amenities may be provided for guests, and the general public, as long as Standard Restaurant uses are allowed in the zoning district in which the use is located. The primary use and appearance of the structure is considered commercial.

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**Inn or Guest House** - A residential structure, which may or may not be occupied by the owner, with fewer more than six10 furnished rooms available offering for overnight lodging rental accomodation, and which may serve food and/or alcoholic beverages to guests and to the general public. Access to each room is from the interior. Meals may or may not be served to guests. The commercial provision of accommodation is considered the primary use of the structure, but the appearance of the structure is residential, and may be historic.

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**Motel** - A building or group of buildings containing guest rooms, usually with access directly from a parking lot.

Bed and Breakfast, Hotel/Motel, Inn/Guest House use definitions – 5/27/22 = DRAFT Markup

**Bed and Breakfast** - An owner-inhabited, furnished residential structure with 6 or fewer rooms available for overnight rental to the transient, traveling or vacationing public. The owner shall reside on the premises for 6 or more months per year, and shall be on-premises when the rooms are rented. Breakfast may be served to guests. The primary use of the structure and the appearance is as an owner- occupied residence.

**Hotel or Motel** - A commercial structure with 10 or more furnished rooms available for overnight accommodation. Customarily, the owners are not in residence, but they may be. Access to the rooms may be from an interior hallway or individually provided to each room from the outside. A single- or two-story, linear building with multiple attached units with ready access to the guests' cars, is usually considered a motel. Meals and additional amenities may be provided for guests, and the general public, as long as Standard Restaurant uses are allowed in the zoning district in which the use is located. The primary use and appearance of the structure is considered commercial.

**Inn or Guest House** - A residential structure, which may or may not be occupied by the owner, with fewer than 10 furnished rooms available for overnight rental accommodation. Access to each room is from the interior. Meals may or may not be served to guests. The commercial provision of accommodation is considered the primary use of the structure, but the appearance of the structure is residential, and may be historic.

## **Section 7 – Definitions**

**EV-ready parking space** – A parking space served by a functional level 2 or greater electric vehicle charging station. This space shall be provided with all necessary electric vehicle supply equipment components to ensure the delivery of energy from the grid to an electric vehicle, including but not limited to the conductors, the electrical vehicle connectors, attachment plugs, fitting devices, power, conduits, and wiring.

**Solar-ready building orientation** – Having a south-facing, pitched roof not shaded by trees, providing maximum suitability for the installation of photovoltaic (PV) panels.

Highlighted text – Newly added on 7/1/22

## **6.13 Multifamily Housing Development Standards**

**6.13.1 Applicability.** The provisions of this section apply to land development creating new multifamily dwelling uses, and additional dwelling units within a lot that result in the creation of three or more dwelling units on the lot.

**6.13.2. Front Doors.** Buildings must have at least one entrance door on the front facade that is sheltered and defined by a porch, pent roof, roof overhang, hooded front door or other similar architectural element. If each unit has a separate door on the front facade, then each door must be sheltered and defined.

**6.13.3. Fire Escapes and Entry Stairs.** Exterior fire escapes and entry stairs to upper floor units must be located to the side or rear of the building. If located to the side, they must be set back at least 8 feet from the front line of the building. Fully or partially enclosing exterior stairs with durable materials that are compatible with the exterior cladding of the building is strongly encouraged.

**6.13.3. Garages and Underbuilding Parking Entries.** Garage doors and entrances to underbuilding parking must either be:

- a) Oriented to the side or rear (not facing a street) of the lot; or
- b) Set back at least 8 feet from the front line of the building if facing a street.

**6.13.4. Driveways and Parking Areas.** The width of residential driveways between the street and building front line must not exceed the lesser of 20% of the lot width or 20 feet. The driveway may widen at a point at least 8 feet behind the front line of the building to provide parking, turnaround space and/or access to garage or underbuilding parking entrances.

**6.13.5.** Parking areas must be screened with privacy fencing as needed to prevent light trespass from vehicle headlights onto adjoining properties.

**6.13.6. Privacy.** Buildings must be located, oriented and designed to protect the privacy of residents and their neighbors. Consideration should be given to factors such as:

- a) The height and proximity of ground floor windows to the sidewalk, street or public spaces;
- b) The alignment of windows between adjacent buildings;
- c) The potential for overlook from surrounding buildings into private outdoor space; and
- d) The use of building offsets, architectural features, fences, walls and landscaping to shield views into private outdoor spaces.

**6.13.7. Outdoor Living Space.** Residential units must have either private, semiprivate or common outdoor living space as follows:

- a) Each unit must have a private or semi-private outdoor living space (yard, patio, courtyard, terrace, porch, balcony, deck, rooftop garden, etc.) that is accessible from the residential unit for the exclusive use of unit residents and that is at least 80 square feet in area and not less than 8 feet in any dimension; or

b) The lot must have a common outdoor living space to be shared by building residents with the following standards:

- i. There must be at least 400 square feet of common outdoor living space per dwelling unit, exclusive of any land within required setbacks
- ii. The common outdoor living spaces must be located in one or more areas conveniently accessible to building residents via a sidewalk or paved path.
- iii. No area of the common outdoor living spaces shall be less than 20 feet in any dimension.
- iv. Common outdoor living spaces must be landscaped with trees, shrubs, groundcover, ornamental plants, and like.
- v. Common outdoor living spaces, must be improved to accommodate typical outdoor activities such as sitting, dining, children's play, etc.

**6.13.8. Landscaping.** The front yard must be landscaped with a mix of trees, shrubs and ornamental plants in a manner characteristic of other residential properties in the neighborhood. This may include planting, potentially in combination with fencing, along the frontage and property lines, as well as planting areas along walkways or building foundations). Street trees must be installed where they are not present. Applications for buildings with five or more units must provide a professionally prepared planting plan.

**6.13.9. Laundry.** There must be laundry hook-ups in each unit or common laundry facilities in the building.

**6.13.10. Bulk Storage.** Residential units must have a secured, enclosed bulk storage area for the exclusive use of unit residents that is at least 80 square feet in area and not less than 8 feet in any dimension. The storage area may be separate from the residential unit and may be located within the building or within an accessory building. If the storage area will be located within a garage, it must be in addition to the area necessary to accommodate any required parking.

**6.13.11. Mechanicals and Utilities.** Exterior mounted utility boxes must be designed, painted or screened to be compatible with the design of the buildings to which they are attached. Mechanical and communication equipment must be concealed from view from streets.

**6.13.12. Waste Storage.** Trash and recycling receptacles must be stored on a hard surface in a location that is readily accessible to building residents. If dumpsters will be provided for waste collection, they must be kept within a four-sided enclosure constructed

Section 7:

Clean version:

**Light manufacturing** – The processing, fabrication, assembly, treatment, and packaging of products provided that all light manufacturing activities are conducted entirely within a building and do not produce noise, vibration, air pollution, fire hazard, noxious odors or emissions, or any other such impacts that will disturb or endanger neighboring properties. Customary accessory uses include the storage, distribution and retail sales of goods produced on site, provided that all accessory use activities are confined entirely within the building hosting the light manufacturing use.

Markup of original definition:

Light Manufacturing - The processing ~~and~~ fabrication, assembly, treatment, and packaging of ~~certain materials and~~ products ~~where no process involved will~~ provided that all light manufacturing activities are conducted entirely within a building and do not produce noise, vibration, air pollution, fire hazard, or noxious emission which will disturb or endanger neighboring properties. Light manufacturing includes the production of the following goods: Home appliances; electrical instruments; office machines; precision instruments; electronic devices; timepieces; jewelry; optical goods; musical instruments; novelties; wood products; printed material; lithographic plates; type composition; bookbinding; machine tools; dies and gages; ceramics; apparel; lightweight non-ferrous metal products; plastic goods; pharmaceutical goods; and food products, but not animal slaughtering, curing, nor rendering of fats. Customary accessory uses include the storage, distribution and retail sales of goods produced on site, provided that all accessory use activities are confined entirely within the building hosting the light manufacturing use.

## Definitions – Supported housing 7/1/22

**Supported housing** - A state-licensed facility that provides housing, assistance, care, supervision and services such as medical, educational, training, personal services or life management to the residents. This housing may be temporary (as in a rehabilitation facility or substance abuse treatment facility) or permanent (such as a nursing home or assisted living facility per 33 V.S.A. §7102)

**Shelter** – A residential facility that provides temporary housing for persons at risk of homelessness, domestic violence or emergencies such as natural disasters. Shelter facilities may be permanent, serving a constant population that turns over on a regular basis; or temporary, such as emergency Red Cross Shelters for extreme weather events.

### 3.3 Village Residential / Commercial District (V-R/C)

**3.3.1. Purpose** - The purpose of this district is to allow residential-compatible commercial uses to co-exist in a traditional village style, with housing of various types, including multifamily, in moderate density, and flexibility of commercial and residential building uses. The district encourages walkability between residents, businesses, and community amenities.

Features of this district include:

- Residential-compatible commercial uses on the main arterials to promote economic vitality,
- Increased and varied housing opportunities, including multi-family structures,
- "Mixed use" structures Multiple use buildings that will allow more flexibility in use of property to meet changing needs in commercial real estate and live/work strategies,
- Increased walking, biking and public transit options both within and into the village area to meet climate change and livability goals,
- Street trees, landscaping, and green space to keep the village attractive for residents and visitors,
- Plentiful gathering spaces and recreational opportunities to meet community needs
- All lots will be served by municipal water and sewer

**3.3.2 Permitted Uses** - The following uses are considered compatible with the other uses allowed in the Village Residential/Commercial District and therefore require a Zoning Permit, or Site Plan Review by the DRB per Section 5.5 and then a Zoning Permit

:

- a) Accessory dwelling
- b) Accessory uses or structures, except outdoor storage
- c) Arts/crafts studio
- d) Bed and Breakfast
- e) Child care facility – Family Child Care Home
- f) Dwelling, single-family
- g) Dwelling, two-family
- h) Dwelling, multifamily with up to four units
- i) Group home
- j) Home occupation.
- k) Multiple Use building with up to 4 permitted uses
- l) Office, medical
- m) Office, professional
- n) Personal Services

**3.3.3 Conditional Uses** - The following uses require a Conditional Use Review approval by the DRB and then a Zoning Permit:

- a) Adaptive uses
- b) Bank
- c) Cemetery.
- d) Child Care Facility – Large Family Child Care Home
- e) Child Care Facility – Center-Based Child Care Facility
- f) Cottage industry
- g) Dwelling, multifamily with ~~four to eight~~ more than four dwelling units.
- h) Educational facility
- i) Fitness facility
- j) Funeral parlor.

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- k) Health care services
- l) Inn
- m) Laundromat
- n) Light manufacturing
- o) Multiple Use Building with up to 4 permitted or conditional uses
- p) Museum.

q) **Outdoor storage as an accessory use to any permitted or conditional use**

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- r) Pharmacy
- s) Powered Vehicle and/or Machinery Service
- t) Recreation facility
- u) Religious use
- v) Restaurant, standard.
- w) Retail sales.
- x) Retirement community.
- y) State- or community-owned and operated facilities
- z) Supported housing
- aa) Veterinary Clinics

### 3.3.4 Dimensional Requirements

- a) **Minimum Lot Size** - 1/4 acre (10,890 square feet)
- b) **Maximum residential density** – 1/8 acre (5,445 square feet) per dwelling unit
- c) **Lot Dimensions** - Each lot must contain a point from which a circle with a radius of 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 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) **Maximum Lot Coverage** - 60 percent
- f) **Height** - The height of any structure shall not exceed 35 feet, except as provided in Section 4.11.
- g) **Front Yard Setback**
  - i. Principal structure – 10 feet
  - ii. Accessory structure – No closer to the front lot line than 10 feet behind the front of the principal structure
- h) **Side Yard Setback** -
  - i. Principal structure - 10 feet
  - ii. Accessory structure – 5 feet
- i) **Rear Yard Setback** -
  - i. Principal structure – 15 feet
  - ii. Accessory structure - 5 feet

**3.3.5 District Specific Development Standards** - These standards are intended to ensure compatibility between residential and commercial uses and retain a traditional mixed-use village appearance. The standards shall apply to all new construction and significantly remodeled exteriors of existing structures, with the exception of single-family dwelling or two-family dwelling uses.

#### a) Site Design Standards

- i. Landscaping and/or screening shall be required to shield from view all outdoor storage, including bulk and waste containers, utilities and mechanicals, parking and loading areas and any other storage structures or uses that are not contained within buildings.
- ii. **Vegetated front setbacks that include trees will be preferred. Front yards shall be vegetated. Street trees are encouraged**
- iii. There shall be **at least** one EV-ready parking space for any lot that has more than 6 parking spaces.

- b) **Building Design Standards.** ~~All new, or significantly remodeled exteriors of existing structures, with the exception of single or two-family dwellings, shall have the following design features:~~
- ~~i. Buildings and roofs shall be oriented to be solar ready, and to allow for rooftop solar panels~~
  - ii. ~~Front façades~~ Any façade that faces a public road and is greater than 50 feet in length shall be broken down into a series of smaller facades that incorporate changes in color, texture, materials or structural features.
  - iii. Any façade with frontage on a public or private road shall have ~~windows, a minimum transparency of 5% of the square footage of the façade,~~ and one or more entrance(s) in that façade.
  - iv. Entrances shall be defined with overhangs, porches, or other architectural features.
  - v. Principal buildings shall have pitched roofs.
  - vi. Any principal building with a public road-facing façade will provide that façade with a wood, stone or brick appearance
  - vii. At least one principal or accessory building on a lot shall have solar-ready orientation. Other aspects of solar readiness, such as adequate roof strength and roofing material, wiring and efficient building insulation are encouraged.
- c) **Additional Multi-family housing standards.** All housing that contains more than two dwelling units shall, in addition to subsection (b) above, adhere to the multi-family standards in Section ~~5 6.13~~ of these regulations.

d) **Traffic Impact** ~~No permit or approval shall be issued for a use which generates more than 35 vehicle trip ends during the P.M. peak hour for the first 40,000 square feet of lot area or fraction thereof, plus 1 vehicle trip end for each additional 1,000 square feet of lot area. In making the determination of traffic impact, the Administrative Officer or DRB shall utilize "Trip Generation – Seventh Edition – 2003", 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.~~

~~i. 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.~~

ii. 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:

i. ~~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;~~

ii. ~~Improvements to internal circulation, including the creation of narrower roadway widths, pedestrian pathways, and the like;~~

iii. ~~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;~~

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**3.3.6 Planned Unit Developments** that meet the regulations under Section 5.12 of these regulations are allowed in the Village Residential/Commercial District.

### 3.3 Village Residential / Commercial District (V-R/C)

**3.3.1. Purpose** - The purpose of this district is to allow residential-compatible commercial uses to co-exist in a traditional village style, with housing of various types, including multifamily, in moderate density, and flexibility of commercial and residential building uses. The district encourages walkability between residents, businesses, and community amenities.

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- Multiple use buildings that will allow more flexibility in use of property to meet changing needs in commercial real estate and live/work strategies,
- Increased walking, biking and public transit options both within and into the village area to meet climate change and livability goals,
- Street trees, landscaping, and green space to keep the village attractive for residents and visitors,
- Plentiful gathering spaces and recreational opportunities to meet community needs
- All lots will be served by municipal water and sewer

**3.3.2 Permitted Uses** - The following uses are considered compatible with the other uses allowed in the Village Residential/Commercial District and therefore require a Zoning Permit, or Site Plan Review by the DRB per Section 5.5 and then a Zoning Permit

:

- a) Accessory dwelling
- b) Accessory uses or structures, except outdoor storage
- c) Arts/crafts studio
- d) Bed and Breakfast
- e) Child care facility – Family Child Care Home
- f) Dwelling, single-family
- g) Dwelling, two-family
- h) Dwelling, multifamily with up to four units
- i) Group home
- j) Home occupation.
- k) Multiple Use building with up to 4 permitted uses
- l) Office, medical
- m) Office, professional
- n) Personal Services

**3.3.3 Conditional Uses** - The following uses require a Conditional Use Review approval by the DRB and then a Zoning Permit:

- a) Adaptive uses
- b) Bank
- c) Cemetery.
- d) Child Care Facility – Large Family Child Care Home
- e) Child Care Facility – Center-Based Child Care Facility
- f) Cottage industry
- g) Dwelling, multifamily with five or more dwelling units.
- h) Educational facility
- i) Fitness facility
- j) Funeral parlor.

- k) Health care services
- l) Inn
- m) Laundromat
- n) Light manufacturing
- o) Multiple Use Building with up to 4 permitted or conditional uses
- p) Museum.
- q) Outdoor storage as an accessory use to any permitted or conditional use
- r) Pharmacy
- s) Powered Vehicle and/or Machinery Service
- t) Recreation facility
- u) Religious use
- v) Restaurant, standard.
- w) Retail sales.
- x) Retirement community.
- y) State- or community-owned and operated facilities
- z) Supported housing
- aa) Veterinary Clinics

### 3.3.4 Dimensional Requirements

- a) **Minimum Lot Size** - 1/4 acre (10,890 square feet)
- b) **Maximum residential density** – 1/8 acre (5,445 square feet) per dwelling unit
- c) **Lot Dimensions** - Each lot must contain a point from which a circle with a radius of 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 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) **Maximum Lot Coverage** - 60 percent
- f) **Height** - The height of any structure shall not exceed 35 feet, except as provided in Section 4.11.
- g) **Front Yard Setback**
  - i. Principal structure – 10 feet
  - ii. Accessory structure – No closer to the front lot line than 10 feet behind the front of the principal structure
- h) **Side Yard Setback** -
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- i) **Rear Yard Setback** -
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  - ii. Accessory structure - 5 feet

**3.3.5 District Specific Development Standards** - These standards are intended to ensure compatibility between residential and commercial uses and retain a traditional mixed-use village appearance. The standards shall apply to all new construction and significantly remodeled exteriors of existing structures, with the exception of single-family dwelling or two-family dwelling uses.

#### a) Site Design Standards

- i. Landscaping and/or screening shall be required to shield from view all outdoor storage, including bulk and waste containers, utilities and mechanicals, parking and loading areas and any other storage structures or uses that are not contained within buildings.
- ii. **Front yards shall be vegetated. Street trees are encouraged**
- iii. There shall be **at least** one EV-ready parking space for any lot that has more than 6 parking spaces.

#### b) Building Design Standards:

- i. Any façade that faces a public road and is greater than 50 feet in length shall be broken down into a series of smaller facades that incorporate changes in color, texture, materials or structural features.
  - ii. Any façade with frontage on a public or private road shall have a minimum transparency of 5% of the square footage of the façade, and one or more entrance(s) in that façade.
  - iii. Entrances shall be defined with overhangs, porches, or other architectural features.
  - iv. Principal buildings shall have pitched roofs.
  - v. Any principal building with a public road-facing façade will provide that façade with a wood, stone or brick appearance
  - vi. At least one principal or accessory building on a lot shall have solar-ready orientation. Other aspects of solar readiness, such as adequate roof strength and roofing material, wiring and efficient building insulation are encouraged.
- c) **Additional Multi-family housing standards.** All housing that contains more than two dwelling units shall, in addition to subsection (b) above, adhere to the multi-family standards in Section 6.13 of these regulations.

**3.3.6 Planned Unit Developments** that meet the regulations under Section 5.12 of these regulations are allowed in the Village Residential/Commercial District.

# Example of Building Design Requirements

*\*Drawing below not to scale*



Proposed Requirements	Example Building Elements
Front facades greater than 50 feet in length shall be broken down into a series of smaller facades that incorporate changes in color, texture, materials, or other features	In compliance
Any facade that faces directly onto the Route 2 right-of-way shall have a minimum transparency of 5% of the square footage of the facade, and one or more entrances on that facade	Facade transparency - 9% - Each window opening - 8 sf (4'x2') - The door opening - 42 sf (6'x7') - Total transparency - 130 sf - Facade - 1440 sf
Entrances shall be defined with overhangs, porches, or other architectural features	In compliance
Any principal building with a facade that faces directly onto the Route 2 right-of-way shall have a pitched roof...	In compliance
Any principal building with a facade that faces directly onto Route 2 shall provide that facade with a wood, stone, or brick appearance	In compliance