

9.6.23 meeting memo

1. The following **FPF post** went out to encourage the village residents to come to our 9.6.23 meeting.

Act 47 and the VRN's

Hello village neighborhood residents!

I'm sure you remember that last year the Planning Commission began work on updating our zoning ordinance to settle on any amendments to the village residential neighborhoods that might be desirable or necessary. This work was interrupted by the state legislature's passage of Act 47, the "Home" Act (Housing Opportunities Made for Everyone – formerly called S. 100) which was designed to help alleviate Vermont's severe housing shortage by removing regulatory barriers to building residential structures.

The Planning Commission is working hard to understand how to incorporate this new law into our ordinance. It affects primarily properties that are served by municipal water and sewer services in zoning districts that allow year-round residential use. There are a number of sections that deal with many aspects of Vermont's laws – municipal zoning, Act 250 implementation, regional planning agencies, energy code compliance, housing programs, and others – and we have identified the zoning items that will require changes to our zoning regulations. We have also begun to see how these changes would look in the two village neighborhood districts (VRN's -- Village Residential Neighborhood North and Village Residential Neighborhood South) that we have been working on.

The main changes that we know everyone will be interested in involve these two mandates: first, that multifamily buildings with 3-4 dwelling units must be allowed as a permitted use in these districts; and second, that a minimum residential density of 5 dwelling units per acre must be allowed in these districts. Additional requirements involve a reduction in the amount of parking that is required for residences, and the allowance for additional density and increased building height for affordable housing.

At our Planning Commission meeting next week (September 6 at 7PM) we will be discussing how these mandates will affect the village neighborhoods. We will look at the guidance provided and how to define the terms involved. This is not the official "public hearing" on what we will propose for the new language in our zoning document, but rather the third in our series of introductory discussions about Act 47. If you are interested, please join us via Zoom. The information on joining the meeting can be found on the "Richmond Vermont" website; "boards and meetings;" Planning Commission; meeting of 9/6/23; draft agenda.

Virginia Clarke
Chair, Richmond Planning Commission

2. definitions FOR DISCUSSION ONLY

Keith may also have versions of these for discussion.

a. residential density – number of dwelling units per area of land – usually expressed as the maximum number of dwelling units that can be allowed on a lot expressed in acres or square feet (see section 6.15)

b. affordable housing units – dwelling units in which the occupant is paying no more than 30% of the gross household income on housing costs, including utilities; or where the household income is at or below the median income as rated by a recognized housing affordability index

c. affordable housing development – a housing development of which at least 20% of the dwelling units or a minimum of five units, whichever is greater, are affordable housing units, subject to covenants or restrictions that preserve their affordability for a minimum of 15 years or longer as provided by the bylaws

d. duplex – a residential structure that has two dwelling units in the same building with at least one shared wall or floor/ceiling and neither unit is an accessory dwelling unit. (24 VSA as amended by Act 47) “Duplex” shall mean the same as “dwelling, two-family” or “two-family residential structure.”

e. public parking – any demarcated parking spaces, indoors or outdoors, that are available to the public, with or without the payment of a fee

3. draft #3 of a proposed RZR section (6.15) further defining residential density FOR DISCUSSION ONLY

a) A maximum residential density is established for each district that allows residential uses, including those introduced through the PUD process. Residential density is NOT a dimensional requirement, and has its own subsection in each applicable district.

b) Maximum residential density is expressed as a number of “dwelling units per acre of land in a parcel” if the amount of land required for 1 dwelling unit is 1 A or more; and “a dwelling unit shall require _____ square feet of land” if the amount of land required for 1 dwelling is less than 43,560sf.

c) A single-family home counts as 1 dwelling unit. Each single-family home is permitted an Accessory Dwelling Unit (see section 5.9) (question to be answered: are ADU’s subject to density or not??)

d) For duplexes or multiunit dwellings, each dwelling unit counts as 1 dwelling unit. If a maximum density number is stated for a zoning district, all duplex and multiunit dwelling units are subject to that limitation. If no maximum density number is stated, a duplex shall be permitted wherever a single-family home is permitted, whatever density that creates.

e) Two single-family dwellings on a single lot shall count as 2 dwelling units. If 2 single-family dwellings are permitted on a lot, each dwelling is permitted an ADU if all conditions in sections 4.5 and 5.9, including density limitations, are satisfied.

f) A “group home” shall count as 1 dwelling unit

g) A “supported housing” or “retirement community” residential use shall count as 1 dwelling unit for each 8 residents.

h) Emergency shelters, hotels, inns, and bed and breakfasts, shall not be subject to density requirements.

i) Only and all single-family dwellings shall be permitted accessory dwelling units – duplexes or multiunit buildings shall not be permitted accessory dwelling units

4. ACCD FAQ’s about Act 47 – please review (listed separately in materials)