

Town of Richmond
Planning Commission Meeting
AGENDA

Wednesday, August 3rd, 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.

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.

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
 - July 6, 2022
 - July 20, 2022
5. Update on Airport Overlay District Discussions
6. Discussion on Amendments to Sections 6.5 and 6.13
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Richmond Planning Commission
REGULAR MEETING MINUTES FOR July 6, 2022

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

1. Welcome and troubleshooting

Virginia Clarke called the meeting to order at 7:25 pm.

2. Review of the agenda and adjustments to the agenda

Clarke reviewed the meeting agenda.

3. Public Comment for non-agenda items

None.

4. Approval of Minutes

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

5. Discussion on the Gateway District

Clarke said that the commission should be working towards finalizing these regulations to move it forward for a public hearing and that edits should be directly connected to the goals the commission has outlined for this district. Clarke said that the goals include addressing the ongoing housing crisis; streamlining the permitting process for applicants, staff, and the DRB.

Clarke asked for comments on the purpose and features section. Joy Reap identified a grammatical error in the first listed feature, and a typo in the listed uses. Clarke said these would be corrected.

Reap asked for a definition of “historic settlement pattern” and if a definition is needed. Clarke said that she does not have a definition and that the commission decided to rely on a common-sense understanding of the term instead of a definition in past meetings. Reap said that she is unsure of what “historic settlement pattern” is supposed to mean in this context. Clarke said that to her the “historic settlement pattern” in this context means that development follows the design it has been in this location, deep vegetated setbacks, preservation of the scenic entrance to Richmond, mixed use development, and no commercial strip development features. Clarke added that the items listed as the features describe the “historic settlement pattern” of the area. Mark Fausel asked if using the term “historic development pattern” would make more sense. Reap questioned the need for the sentence. Clarke said that the term “historic settlement pattern” was pulled from Act 250 requirements. Chris Granda concurred with Reap

on her point on the ambiguity of the term in this context. Clarke asked for Ravi Venkataraman's input. Venkataraman said that the term "historic settlement pattern" is connected to the state's goal of promoting development within village centers and protecting areas outside the village centers, and that in this particular context, the usage would not impact development review. Dan Mullen said that including "historic settlement pattern" would be duplicative since it is already included in statute, is a factor in Act 250 review for developments that trigger Act 250 review, and that if the commission intends to promote development within village center, the purpose statement should explicitly say so. Clarke asked for Alison Anand's opinion. Anand said she does not have a strong opinion and that the commission could move forward with the current version of the language. Clarke suggested adding further description to support the term "historic settlement pattern" to better inform readers. Anand agreed. Fausel recommended that the commission be careful about the use of "historic" considering that the commission would be changing the current nature of the area with the proposed regulations. Clarke asked for a straw poll of the commission about removing the reference. The commission was inclined to remove the reference. Clarke said that she and Venkataraman will revise the section accordingly.

Clarke reviewed the changes made to the document since the last meeting. Reap asked about the thought about the suggested change reducing the allowance of multiple uses on a property with a conditional use from eight uses to four uses. Clarke and Venkataraman were not sure of the reason for reducing the number of uses. Clarke asked the commission if they would like to set a limit on the number of uses on a property. Reap said that based on current market conditions, there isn't much reason to limit the number of uses on a property. Venkataraman agreed.

Clarke reviewed the definition of supported housing facility and shelter, adding that shelter uses have not been included in the draft language for the Gateway District and that supported housing uses have been included as a conditional use in the draft Gateway District language. Anand asked for the reason for creating such definitions. Clarke said that people have asked about these uses, and these uses are to be added to the mixed use districts to allow for nursing homes, geriatric facilities and the like. Fausel asked for clarification on the difference between a shelter and a state-licensed facility providing care. Venkataraman said that shelters do not provide care, that such uses only provide housing, and that he doesn't think shelters are state-licensed. Clarke said she expects shelters to have more difficulty to be approved. Clarke asked Venkataraman to ask CCRPC for guidance on creating definitions for shelters and supported housing uses. Venkataraman said he can follow up with CCRPC, and that from his experience, he has seen regulations list different definitions for supported housing and shelters and approvals for shelters as hotel uses because the definitions are in alignment. Mullen added that shelters for children are licensed and shelters for adults are not, that with the recent allowances for hotels to give housing to individuals experiencing houselessness, the commission may create a conflict by allowing hotels and not allowing shelters in districts. Clarke asked Mullen if other parts of statute were overridden with the allowance of hotels to house those experiencing houselessness. Mullen said that the allowance was given through an executive order, and that the legality was questionable based on what he has heard.

Fausel asked about the definition of state- or community-owned and operated institutions and facilities and whether a fire station would be allowed as such a use. Venkataraman said that the allowances for state- or community-owned and operated institutions and facilities would allow for fire stations to be created. Venkataraman added that the term "state- or community-owned and operated institutions and facilities" is not a use, that, instead, is a protection given to a use that happened to be owned by the state or a municipality, and that this protection applies to VTrans's anticipated repaving work. Clarke asked Venkataraman for recommendations on how to proceed. Venkataraman said that for now, including the use is fine, and that during the next iteration of clean-up amendments, the

commission should remove the use entirely and make clear about the allowances given to uses owned and operated by the state and the town. Clarke asked if municipal uses like the rescue stations should be included in all the districts as a conditional use. Venkataraman said that that is up to the commission but that the use should be allowed in at least one district. Clarke asked if creating a use category for municipal operations is useful. Venkataraman said that it would be and that the commission can create a catch-all use category for municipal operations that have a higher intensity, like police stations and fire stations. Fausel said that he would like to make revising the state and community-owned and operated institutions a priority because this does not include Richmond Rescue, a separate non-government organization. Venkataraman said that if Richmond Rescue would like to establish an operation in the Gateway District, allowances should be made, and that since “state- and community-owned and operated institutions and facilities” are not a use per se by the state, the “community-owned” aspect can be interpreted broadly. Clarke said that she will work on this further.

Clarke asked the commission for comments about the dimensional requirements. Clarke noted that with the quarter-acre lot size requirement, this conflicts with the 10,000 square-foot developable land requirement under Section 2.5.2. Reap asked about the front-yard setback requirement along I-89. Reap asked about the parking requirements and I-89, and said that the placement of buildings closer to the freeway is preferable as it would have less noise impacts. Clarke said that the front yard is areas adjacent to a right-of-way or a road, that lots can have multiple front yards. Reap asked if this aspect is uniform throughout the zoning regulations. Venkataraman said that this requirement is standard for most zoning regulations, that it is commonly understood that the space between a building façade and any public or private road is a front yard. Reap voiced concerns about the front-yard setback from the I-89 right-of-way. Clarke said that the setback requirement is based on people’s concerns about the impact of I-89 on residential developments. Reap said that Bob Reap told her that based on his experience working 100 feet from I-89, that placing buildings closer to I-89 would be better because the noise impacts would go over any buildings located directly below the freeway. Clarke asked if Reap would prefer a 10-foot front-yard setback from I-89. Reap said yes. Fausel said he would like more information about the noise impacts and setbacks, and the distance of the setbacks. Fausel identified a typo in the reference to the state and community-owned and operated institutions and facilities in the zoning regulations. Anand asked if the setback distances are measured in the horizontal or in the surface of the ground. Venkataraman said that the distance has typically been measured along the surface of the ground. Anand noted that how the setback is measured would play a factor in measuring the impacts of development.

Clarke reviewed the draft site design standards. Reap asked about moving curb cuts. Venkataraman said that he would interpret the removal and replacement of a curb cut as establishing a new curb cut, and that the allowance to remove and replace curb cuts should be made explicit in the regulations. Clarke suggested making that allowance clear.

Reap asked about the natural vegetation and the security requirement. Clarke said she considered weeds, wildflowers and other types of natural grasses to be natural vegetation, and lawns to be landscaping, and that the draft regulation includes grass in general. Clarke noted that the security may be required by the DRB. Reap said that she is surprised by the leniency of the draft regulations, and that she recalled needing to install trees and vegetation based on the DRB’s recommendations. Clarke said that the current regulations are not specific about landscaping requirements, noting screening regulations to preserve the character of the area and to serve as buffers between commercial and residential uses, and that these regulations are not requirements. Reap said that the commission may want to think about landscaping buffer requirements, as well as signage allowances.

Reap asked Granda if the EV parking space requirement goes beyond the commercial energy code requirements. Granda said he was not sure. Reap said that six parking spaces is not that many spaces for commercial uses and that the requirement could be too onerous on smaller commercial uses. Reap suggested that the commission refer to the state energy code requirements and align the requirements, because the state energy codes require a lot already. Fausel said that for commercial uses, the regulations should not overstep the state's regulations, and that the zoning regulations should require EV charging stations for residential rentals.

Dan Mullen identified the conflict between solar ready requirements and the pitched roof exemption for buildings with a footprint larger than 10,000 square feet. Granda said that the solar ready requirements in the commercial building energy standards do not require a pitched roof. Mullen asked about the importance of building orientation with solar readiness. Granda said that if one is to lay solar panels flat on a pitched roof, it should be ideally within 15 degrees of due south, thus there is some leeway with the orientation of the building. Clarke said that she has considered offsetting the requirement with ground-mounted solar. Granda said that he has not seen such an allowance yet, that typically installation of solar requirements are done during construction because it is cheaper to do so, and that he will have to look into this further. Clarke said that the intent is to move away from requiring wiring and particular aspects within buildings, such as load bearing requirements. Granda questioned the effectiveness of the regulation without requiring the wiring and load-bearing roofs. Venkataraman said that zoning has authority over the building location, aesthetics and orientation, that the applicability within zoning regulations within buildings enters a gray area and may not be applicable, and that zoning does not cover what's behind the walls or under the ground. Venkataraman said that wiring and the integrity of the roof are outside the jurisdiction of zoning. Granda asked about the legality of EV charger requirements. Venkataraman said that zoning can require EV charging as a use standard but that the EV charging system has to be fully built out and cannot be piecemeal. Granda said that for this regulation to be effective, the town would need a separate, complementary ordinance that speak to the wiring and building requirements. Granda suggested specifying in the solar readiness requirement that if a building has a pitched roof, that roof should have one face oriented to within 15 degrees of due south, as this would enable a complementary ordinance or code to provide for the infrastructure to effectively create solar readiness. Granda said that he has gone through the Vermont Commercial Building Energy Standards in the meantime and that he cannot find the EV charging requirements. Reap said that requiring building orientation would be problematic, and that they do not have a building facing due south that is producing a lot of solar energy. Venkataraman said that he recalled Act 250 requirements for solar-ready roofing and EV charging. Reap affirmed and added that it does not specify how the buildings have to be oriented. Granda said that one can put solar on any building, but that the production of solar energy would be reduced if it is not facing due south. Granda reviewed the Commercial Building Energy Standards for solar readiness.

Reap said that requiring the breakup of facades would make buildings look hideous, and that she is ok with the transparency requirement. Clarke said that the breakup of facades is a common requirement in zoning regulations, and agreed that in many instances the breakup of facades looks ridiculous.

Clarke asked for comments for the multifamily housing standards. Reap said that the multifamily housing standards are helpful, and suggested including "when necessary" in reference to exterior fire escapes because these are not always required. Clarke said this could be added. Reap said that she will need to review the 80 square feet of outdoor living space requirement.

Clarke noted that this iteration of the draft zoning regulations has the traffic impact requirement struck through. Venkataraman said that within the Gateway District area, because the town does not have jurisdiction over Route 2 and any improvements to Route 2, the traffic impact requirements would end up being a burdensome requirement over elements that cannot be improved by the applicant or the town. Fausel asked if removing traffic impact review from development review is a planning trend. Venkataraman explained that traffic impact studies will be required as part of Act 250 for applications that trigger Act 250 review and have more than 70 vehicle trip ends, and that developments outside of Act 250 review below 70 vehicle trip ends are probably not going to have an adverse impact on traffic on the roads. Venkataraman added that even if the zoning regulations for the Gateway District were to require a traffic study and mitigation requirements, the town has no way of implementing the mitigation requirements on Route 2. Fausel asked if this requirement is only being removed from the Gateway District and asked about traffic impact requirements for the Jolina Court District. Venkataraman affirmed, adding that the traffic impact requirements does make sense in certain contexts in town, such as Jolina Court, where mitigation requirements can be implemented. Fausel asked about developments that would not be under Act 250 review that would have more than 70 vehicle trip ends. Venkataraman said that the 70 vehicle trip end threshold is high enough that developments that do not trigger Act 250 that create more than 70 vehicle trip ends would be rare, and that per statute VTrans reviews all developments along state highways if site plan review is required. Clarke asked how one would determine the number of trip ends a use would trigger. Venkataraman said that applicants would refer to the ITE trip generation manual to get a rough estimate

6. Other Business, Correspondence, and Adjournment

Venkataraman said that the public hearing for the airport overlay district will be held during the next Planning Commission meeting, and that further discussions about the Gateway District and Village Residential/Commercial District are penciled in for the next meeting.

Reap asked which district the property hosting the Resourceful Renovator would be located in. Clarke said that that property would be located in the Village Residential/Commercial District. Reap asked if the commission was ok with allowing retail, such as a Dollar General, and restaurant uses on the property hosting the Resourceful Renovator. Reap expressed concerns about placing a Dollar General store on lots proposed to be included in the Village Residential/Commercial District.

Fausel expressed thanks to Venkataraman for calling in from India. Other commissioners concurred. Venkataraman thanked Erin and Angelike from MMCTV helping him address the technical difficulties at the beginning of the meeting and starting the meeting

Motion by Fausel, seconded by Reap, to adjourn the meeting. Voting: unanimous. Motion carried. The meeting adjourned at 9:30 pm.

Respectfully submitted by Ravi Venkataraman, Town Planner

Richmond Planning Commission
REGULAR MEETING MINUTES FOR July 20, 2022

Members Present:	Virginia Clarke, Dan Mullen, Chris Granda, Lisa Miller, Joy Reap, Alison Anand,
Members Absent:	Chris Cole, Mark Fausel,
Others Present:	Ravi Venkataraman (Town Planner/Staff), MMCTV, Jay Furr, Larry Lackey, Nic Longo, Cara LaBounty, Jake Flood, Angela Cote, Dave Carman

1. Welcome and troubleshooting

Virginia Clarke called the meeting to order at 7:04 pm.

2. Review of the agenda and adjustments to the agenda

Clarke reviewed the meeting agenda.

3. Approval of Minutes

Clarke asked if the commission wanted to take action on the minutes during this meeting. Lisa Miller suggested discussing the minutes at the end of the meeting. Joy Reap said that she did not have the chance to read the minutes and that she will hold off on acting upon them. Chris Granda said that he had not read the minutes. Clarke said that the review of the minutes will be postponed to the next meeting agenda.

4. Public Comment for non-agenda items

None.

5. Public hearing: Establishment of Airport Overlay District

Motion by Granda, seconded by Miller, to open the public hearing on propose amendments to the Richmond Zoning Regulations Section 3.11. Voting: unanimous. Motion carried.

Clarke provided an overview of past discussions on the proposed zoning regulations. Clarke asked Venkataraman to present the map of the proposed overlay district. Clarke said that the intent of these regulations are make sure that any proposed structures do not adversely affect the flight path for planes approaching Burlington International Airport. Larry Lackey added that applicants would file a 7460-1 form, and the Federal Aviation Administration would issue a determination on whether any mitigation would be required. Clarke asked Lackey if Williston had similar regulations. Lackey said that Williston has a similar iteration of the proposed regulations based on prior FAA policy requirements, and that he will have to discuss with Williston about updating their regulations to meet current FAA policy.

Angela Cote asked the commission if they have reviewed the FAA 7460-1 form, noting that based on the form she would not be required to file the form for developing buildings up to 35 feet on the peak on her property. Dan Mullen said that requiring the form for proposed developments that are above 2000 foot above ground level are a presumption, meaning that it is up to the FAA to prove that a proposed development interferes with the flight approach pattern and that if the FAA were to discover that a property owner has developed a building that interferes with the flight approach pattern without filing the 7460-1 form, the property owner is not protected. Cote noted that based on the flight approach sectional charge which sets the floor to be 2200 feet and the ceiling to be 4000 feet, she is unsure where the floor ends up being. Dave Carman said that this regulation is concerned with approaches and the slope of the approach path.

Cote said that the overlay map as prepared is based on property lines, that property lines can change at any time, and that the jurisdiction should be based on flight path designations. Carman said that this map was created to distill down to the properties that would be affected based on the Planning Commission's recommendations. Clarke affirmed this. Cote suggested using topography instead of property boundaries. Lackey said that that can be done, and that the FAA will be reviewing topography and contours. Cote said that to have to undergo the FAA review for developing areas on her property outside the scope of review would be burdensome.

Reap said that the landowners affected should be contacted. Reap said that she has seen planes above her house last night and asked about the location of flight patterns. Nic Longo said that those planes may not be on the approach path, that the approach path is a distinct, gradual path towards the runway, and that the proposed regulations are specific to the approach path. Longo cited BTVSound.com—a radar track feature that one can look at and comment to help one identify and track impacting situations. Longo identified the pink lines on the map as approach areas for one of the runways. Longo said that these areas are federally controlled, and that it is important to keep the parcels identified in the overlay map because basing jurisdiction by contour lines will be difficult to discern on the ground for property owners.

Clarke and Cote noted that the FAA 7460-1 form would be required for telecommunications structures and possible renewable energy structures.

Miller said that the FAA produces approach plates that depict the approach path and the path clearance, and that seeing that glide slope would be helpful in order to see the approaching flight and the height of the structures on a vertical graphic. Miller asked how frequently FAA modifies the approach path. Longo said that through the 7460-1 process, the FAA would be able to analyze the impact of proposed structures on all aspects of a plane's ability to land on the drawn approach path. Longo said that the airport does not have a role in the analysis, and that their role is to educate the public on the tools needed to improve the safety of flights. Miller said that she will distribute the approach plate for the public hearing.

Cara LaBounty said that the map could be subject to change with the addition of approach paths, that the form may need to be filed for trees that exceed 35 feet, that the property owners have not been notified, that the commission needs to be mindful of burden placed on the property that may require financial compensation. Lackey said that the FAA will review the project, approved the project, and may provide mitigation requirements. Lackey said that development in the shadow of areas of higher elevation would not be under review per the 7460-1 form. Mullen noted that the proposed zoning regulation is not a

requirement but a request for property owners to file the 7460-1 form, that the FAA can notify property owners if there are any impacts on the flight approach paths even without this reference to the 7460-1 form, and that the proposed zoning regulations inform landowners of FAA policies. Mullen highlighted that the requirement is a federal requirement, not a town requirement, that it does not create any easements or any other property interest in the landowner's property, and that concerns about takings on this subject has to be taken up with US Congress and Senate representatives as it is a purely federal concern. LaBounty said that adding additional overlay districts encumber properties, and that the language should include the term "optional".

Clarke asked Venkataraman to show the Town Attorney's comments on the proposed regulations, noting that the comments were minor. Clarke said that should the commission approve the proposed regulations, the Selectboard will have to hold a public hearing before taking any action on the proposed regulations. Longo said that the Town Attorney's comments are consistent with their intended, original language.

Clarke overviewed the public hearing procedure. LaBounty suggested that the commission continue the public hearing and contact all the impacted property owners. Granda asked what notification was done prior to the public hearing. Venkataraman said that he did the basic legal requirement for notifications—posting in physical locations, online, in Seven Days, and at the Town Clerk's office at least 15 days prior to the hearing—and that he did not send out any direct notices to property owners. Miller said that there are hundreds of feet below the floor of the approach and the terrain therefore there would be no major burden on the applicant, that clearer communication to property owners affected is needed, and that sending a notice and summary of the regulations is necessary. Granda concurred.

Clarke said that at this point the commission could close the public hearing and send out a notice about the Selectboard process or continue the public hearing and take additional public comments. Jay Furr suggested that the commission continue the hearing. Mullen asked which option would be more cost effective. Venkataraman said that continuing the public hearing to a month from tonight's meeting would be more cost effective.

Motion by Miller, seconded by Mullen, to have the Planning Commission prepare a notice to property owners about the proposed regulations and to continue the public hearing to the August 17, 2022 Planning Commission meeting. Voting: unanimous. Motion carried.

6. Discussion on the Village Residential/Commercial District

Clarke reviewed the changes made to the draft district regulations since the last meeting the document was discussed, including allowances for multiple uses on a property, and removal of outdoor storage accessory uses. Miller asked Venkataraman if the town asks applicants if they are proposing any outdoor storage. Venkataraman said that they ask applicants about outdoor storage as well as accessory uses in general, especially for uses in which outdoor storage is customary to the primary use, to make sure that the accessory use does not supersede the primary use and follows the mitigation requirements for outdoor storage.

Clarke reviewed the dimensional requirements and development standards. Mullen asked if the screening requirements be applied to heat pumps, A/C units and EV chargers. Clarke said that clearing the section up to clarify that screening requirements wouldn't be needed for heat pumps and A/C units may be necessary. Granda said that in his interpretation this regulation would apply to heat pumps and A/C units.

Furr asked about EV-ready parking spaces. Clarke explained that EV-ready parking spaces would include the EV charger and all elements to make the charger functional.

Miller asked if the definition of adequate screening could be handed over to the zoning administrator. Clarke noted the importance of specific standards for the Zoning Administrator's and DRB's sake.

Clarke reviewed the proposed EV charging requirements and Act 250 EV charging requirements. Reap recommended that the regulations align with the base energy code. Granda suggested that the commission be forward-thinking and include infrastructure that would best serve residents. Reap noted that the cost of EV charging and solar readiness will be passed onto the customer or resident, making housing more expensive. Clarke said the commission will need to address negotiating the housing costs and energy improvements to new housing. Mullen asked if developers would install EV chargers if this requirement is not included. Reap said that individuals would but maybe not as many. Mullen asked if the EV charging improvements could be installed on a rolling scale, allowing for developers to get a return on investment before having to install the EV charging infrastructure. Reap said building the improvements up front would be best. Granda highlighted having the infrastructure ready for the anticipated transportation shift. Miller suggested adding the term "charger ready" to remove some costs on the developer. Clarke said the town only has the ability to regulate the charger itself, not the components such as the wiring because the Town does not have a building code. Clarke added that further legal review is going to be needed on this subject. Venkataraman said that EV charging requirements haven't been completely legally tested yet, that some towns have required EV chargers as a specific use standard, and that he has not seen district-wide standards like the commission is currently proposing. Granda overviewed the state and federal targets for transitioning to an EV fleet, and that requiring parking spots to be "EVSE ready" would be ideal presently due to the costs and the constantly changing technology. Reap reiterated that the state requires the installation of EV chargers. Clarke asked if the Commercial Building Energy Standards requires the installation of EV chargers. Reap said that she can provide this information to the commission at its next meeting. Reaps voiced concerns about how the regulations may add to project costs and the fact that there is a need for affordable housing. Clarke said that this part of the discussions will continue to the next meeting as more information is collected.

Clarke reviewed the proposed building design standards and traffic impact standards.

7. Other Business, Correspondence, and Adjournment

Granda said that a community member let him know that they were unable to live on the property in a camper during the construction of their home and that he would like to know if the commission could do anything about this issue. Granda asked for confirmation that a property owner cannot temporarily live in a camper during construction, and for options to allow the property owner to live on the property during construction. Venkataraman confirmed that the property owner cannot temporarily live in a travel trailer during construction citing Section 6.5. Venkataraman said that the workaround could be to allow for a single-family dwelling and an accessory apartment, have the accessory apartment built and closed out, and then use the accessory apartment while the house is being constructed. Clarke asked if a mobile home could be permitted on the lot and used during construction of the house. Venkataraman said he thinks the structure has to be fixed and not on wheels. Clarke said that knowing the wastewater disposal plan is key, and that she is working on changes with the reorganization of the zoning regulations. Granda noted that he knows of some property owners who have done this, and that allowing this helps making housing more affordable. Reap added that the wastewater for this project would be adequately addressed.

Granda asked for interim solutions. Venkataraman said that there is no other way to allow for the camper to be occupied because the zoning administrator makes the call. Venkataraman said that the best course of action would be for the Planning Commission to change the regulations. Venkataraman said that the regulations wouldn't allow to permit two houses—a mobile home and a single-family dwelling—on the same property. Granda asked if the travel trailer could be permitted as an accessory dwelling. Venkataraman said yes, that the accessory dwelling would need a state wastewater and potable water supply permit, and that using this workaround would depend on whether the property owner wants to have a permanent accessory dwelling unit because all the permitting documents would show that the property has a single-family dwelling and a fixed accessory dwelling. Granda recommended that he, Reap, and Venkataraman work on this and come to the next meeting with language ready for approval. Reap said most tiny houses are on wheels and asked how tiny houses play into this. Venkataraman said that he was not sure.

Clarke said that more discussion about the EV ready and solar readiness will occur during the next meeting. Clarke asked for someone to help draft the letter to property owners regarding the airport overlay district. Miller volunteered.

Motion by Granda, seconded by Reap, to adjourn the meeting. Voting: unanimous. Motion carried. The meeting adjourned at 9:13 pm.

Respectfully submitted by Ravi Venkataraman, Town Planner



Planning & Zoning Office
Town of Richmond
P.O. Box 285
Richmond, VT 05477
(802) 434-2430

July 25, 2022

To whom this letter may concern,

The Richmond Planning Commission is considering changes to the Zoning Regulations to create an Airport Overlay District. Your property is located within this proposed Airport Overlay District.

The purpose of the Airport Overlay District is to protect the approach path of planes flying into Burlington International Airport. Per the proposed regulations, you would be encouraged to file Federal Aviation Administration (FAA) 7460-1 form with a Zoning Permit application for any proposed land development. This form is enclosed for your review.

I have also enclosed the latest "published approach" that the FAA has issued for aircraft to use while on the flight path to Burlington International Airport, as well as a hand-drawn map by one of the Planning Commission members (who happens to be a pilot) showing the landing approach path and the expected elevation of planes in relation to the topography of Richmond. Both depict a series of segments that have lower altitudes that an aircraft descends to as it gets closer to airport. The flight path is designed to avoid existing obstacles, and the slope must be slight enough to allow aircraft to slow down, but the slope must also be steep enough so that aircraft have adequate ground and obstacle clearance while in flight.

On the map pages, the area that is between four and six miles from airport is the one that is most concerning to Richmond residents, regarding the FAA Form that they are being asked to fill out before they build a structure on their land. Aircraft flying the approach into airport will cross this area as they descend from about 2500 feet of altitude to about 1500 feet. Since the aircraft on approach will be about 1500-foot altitude at the four-miles-out mark, there is not a lot of clearance above approximately 1100-foot altitude terrain. The FAA has therefore chosen to ask the Town to encourage residents who plan construction on their properties to send info to the FAA on the 7460-1 form. This form accomplishes three things: (1) it alerts the FAA to potential flight path obstacles, (2) it gives the FAA time to consider the effect on the approach, and (3) it protects the landowner's interests by preventing a surprise.

Please keep in mind that the FAA cannot move or alter the published approach path because (1) the runway 33 at Burlington International Airport is where it is, and the approach path has to lead straight to it; and (2) the slope of the descent segments cannot change because that would change the aircraft airspeeds, making the approach nearly impossible to fly safely. The slope of the entire final approach is 3.20°.

Enclosed for your consideration are also the draft language and map of the overlay district the Planning Commission is considering inserting into the Zoning Regulations.

The Planning Commission will be discussing this matter further during its regular meeting on August 17th at 7 pm. This meeting will be held online via Zoom pursuant to Act 78:

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

Meeting ID: 835 0311 9719

Join by phone: (929) 205-6099

Representative from Burlington International Airport will be in attendance to address any questions you may have. This meeting will be recorded and available to view after the meeting on Mount Mansfield Community Television's website: mtmansfieldctv.org.

If you are unable to attend the meeting, please do not hesitate to reach out to me with your comments and questions by email at rvenkataraman@richmondvt.gov or by phone at 802-434-2430.

Sincerely,

A handwritten signature in blue ink, appearing to read "R. Venkataraman", with a horizontal line extending to the right.

Ravi Venkataraman, AICP CFM
Town Planner
Town of Richmond

ILS or LOC/DME RWY 33
BURLINGTON INTL (BTV)

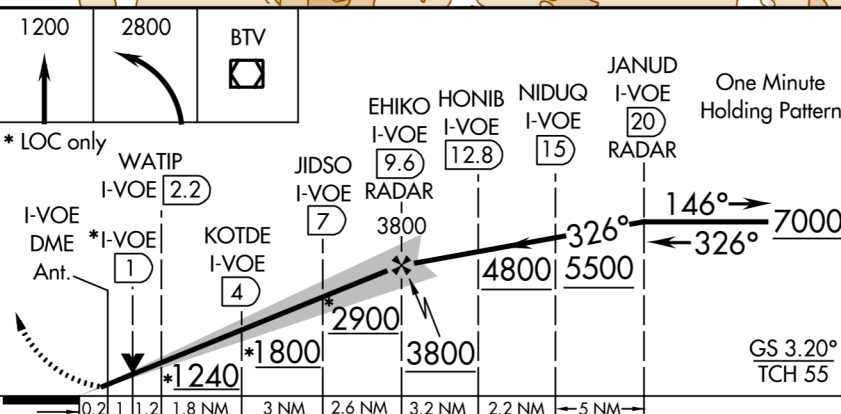
MALSF

MISSED APPROACH: Climb to 1200 then climbing left turn to 2800 direct BTV VOR/DME and hold, continue climb-in-hold to 2800.

ALTERNATE MISSED APCH FIX

NE-1, 14 JUL 2022 to 11 AUG 2022

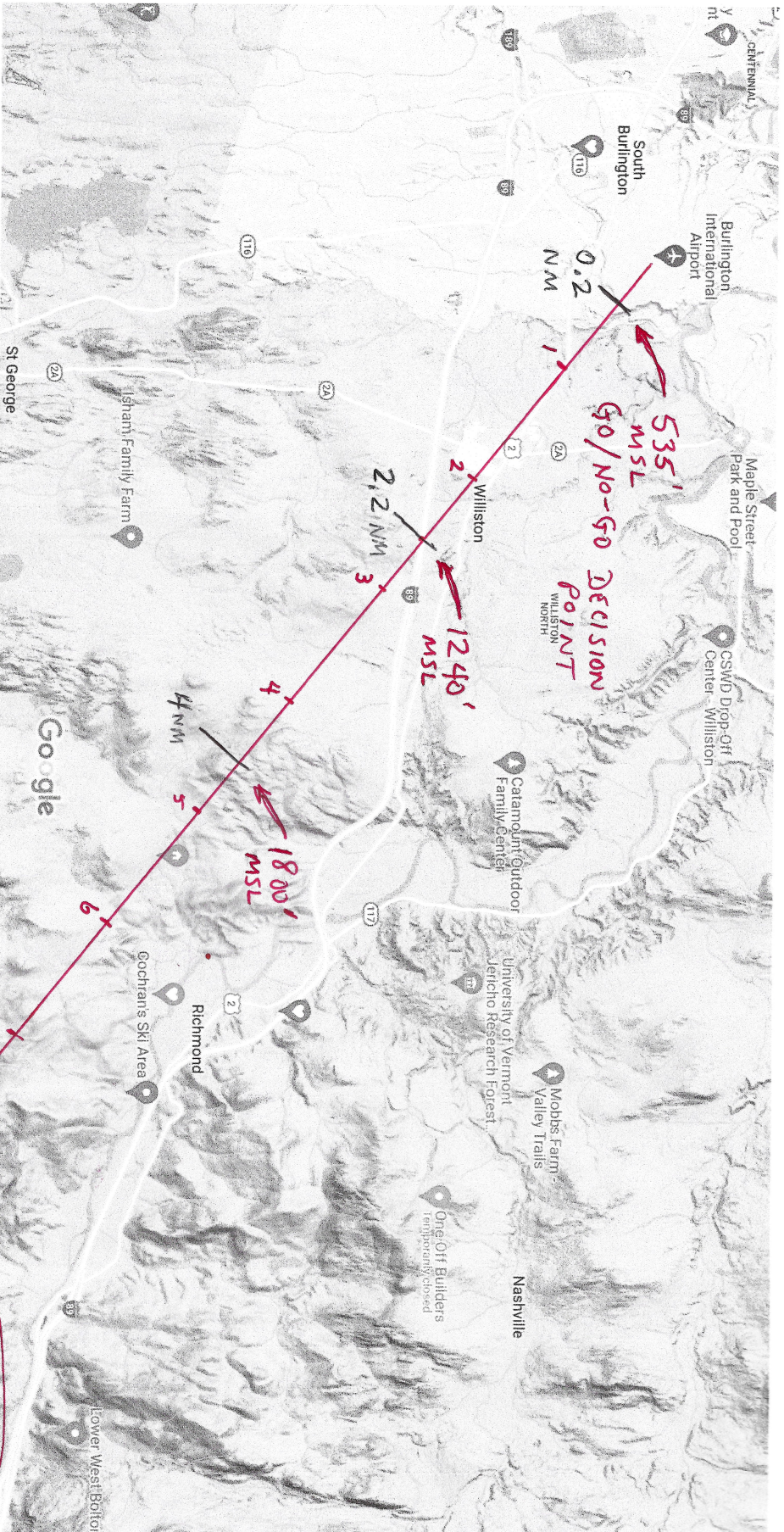
DME or RADAR REQUIRED



44°28'N - 73°09'W

BURLINGTON INTL (BTV)
ILS or LOC/DME RWY 33

Google Maps



("MSL" = MEAN SEA LEVEL)

7 NM

2900' MSL

FINAL APPROACH FIX

3800' MSL

STARTING MILES

NOTICE OF PROPOSED CONSTRUCTION OR ALTERATION

§ 77.7 Form and time of notice.

(a) If you are required to file notice under §77.9, you must submit to the FAA a completed FAA Form 7460–1, Notice of Proposed Construction or Alteration. FAA Form 7460–1 is available at FAA regional offices and on the Internet.

(b) You must submit this form at least 45 days before the start date of the proposed construction or alteration or the date an application for a construction permit is filed, whichever is earliest.

(c) If you propose construction or alteration that is also subject to the licensing requirements of the Federal Communications Commission (FCC), you must submit notice to the FAA on or before the date that the application is filed with the FCC.

(d) If you propose construction or alteration to an existing structure that exceeds 2,000 ft. in height above ground level (AGL), the FAA presumes it to be a hazard to air navigation that results in an inefficient use of airspace. You must include details explaining both why the proposal would not constitute a hazard to air navigation and why it would not cause an inefficient use of airspace.

(e) The 45-day advance notice requirement is waived if immediate construction or alteration is required because of an emergency involving essential public services, public health, or public safety. You may provide notice to the FAA by any available, expeditious means. You must file a completed FAA Form 7460–1 within 5 days of the initial notice to the FAA. Outside normal business hours, the nearest flight service station will accept emergency notices.

§ 77.9 Construction or alteration requiring notice.

If requested by the FAA, or if you propose any of the following types of construction or alteration, you must file notice with the FAA of:

(a) Any construction or alteration that is more than 200 ft. AGL at its site.

(b) Any construction or alteration that exceeds an imaginary surface extending outward and upward at any of the following slopes:

(1) 100 to 1 for a horizontal distance of 20,000 ft. from the nearest point of the nearest runway of each airport described in paragraph (d) of this section with its longest runway more than 3,200 ft. in actual length, excluding heliports.

(2) 50 to 1 for a horizontal distance of 10,000 ft. from the nearest point of the nearest runway of each airport described in paragraph (d) of this section with its longest runway no more than 3,200 ft. in actual length, excluding heliports.

(3) 25 to 1 for a horizontal distance of 5,000 ft. from the nearest point of the nearest landing and takeoff area of each heliport described in paragraph (d) of this section.

(c) Any highway, railroad, or other traverse way for mobile objects, of a height which, if adjusted upward 17 feet for an Interstate Highway that is part of the National System of Military and Interstate Highways where overcrossings are designed for a minimum of 17 feet vertical distance, 15 feet for any other public roadway, 10 feet or the height of the highest mobile object that would normally traverse the road, whichever is greater, for a private road, 23 feet for a railroad, and for a waterway or any other traverse way not previously mentioned, an amount equal to the height of the highest mobile object that would normally traverse it, would exceed a standard of paragraph (a) or (b) of this section.

(d) Any construction or alteration on any of the following airports and heliports:

(1) A public use airport listed in the Airport/Facility Directory, Alaska Supplement, or Pacific Chart Supplement of the U.S.

Government Flight Information Publications;

(2) A military airport under construction, or an airport under construction that will be available for public use;

(3) An airport operated by a Federal agency or the DOD.

(4) An airport or heliport with at least one FAA-approved instrument approach procedure.

(e) You do not need to file notice for construction or alteration of:

(1) Any object that will be shielded by existing structures of a permanent and substantial nature or by natural terrain or topographic features of equal or greater height, and will be located in the congested area of a city, town, or settlement where the shielded structure will not adversely affect safety in air navigation;

(2) Any air navigation facility, airport visual approach or landing aid, aircraft arresting device, or meteorological device meeting FAA-approved siting criteria or an appropriate military service siting criteria on military airports, the location and height of which are fixed by its functional purpose;

(3) Any construction or alteration for which notice is required by any other FAA regulation.

(4) Any antenna structure of 20 feet or less in height, except one that would increase the height of another antenna structure.

Mail Processing Center
Federal Aviation Administration
Southwest Regional Office
Obstruction Evaluation Group
10101 Hillwood Parkway
Fort Worth, TX 76177
Fax: (817) 222-5920

Website: <https://oeaaa.faa.gov>

INSTRUCTIONS FOR COMPLETING FAA FORM 7460-1

PLEASE TYPE or PRINT

ITEM #1. Please include the name, address and phone number of a personal contact point as well as the company name.

ITEM #2. Please include the name, address and phone number of a personal contact point as well as the company name.

ITEM #3. New Construction would be a structure that has not yet been built.

Alteration is a change to an existing structure such as the addition of a side mounted antenna, a change to the marking and lighting, a change to power and/or frequency, or a change to the height. The nature of the alteration shall be included in ITEM #21 "Complete Description of Proposal".

Existing would be a correction to the latitude and/or longitude, a correction to the height, or if filing on an existing structure which has never been studied by the FAA. The reason for the notice shall be included in ITEM #21 "Complete Description of Proposal".

ITEM #4. If Permanent, so indicate. If Temporary, such as a crane or drilling derrick, enters the estimated length of time the temporary structure will be up.

ITEM #5. Enter the date that construction is expected to start and the date that construction should be completed.

ITEM #6. Please indicate the type of structure. DO NOT LEAVE BLANK.

ITEM #7. In the event that obstruction marking and lighting is required, please indicate type desired. If no preference, check "other" and indicate "no preference" DO NOT LEAVE BLANK. NOTE: High Intensity lighting shall be used only for structures over 500' AGL. In the absence of high intensity lighting for structures over 500' AGL, marking is also required.

ITEM #8. If this is an existing tower that has been registered with the FCC, enter the FCC Antenna Structure Registration number here.

ITEM #9 and #10. Latitude and longitude must be geographic coordinates, accurate to within the nearest second or to the nearest hundredth of a second if known. Latitude and longitude derived solely from a hand-held G P S instrument is NOT acceptable. A hand-held GPS is only accurate to within 100 meters (328 feet) 95 percent of the time. This data, when plotted, should match the site depiction submitted under ITEM #20.

ITEM #11. NAD 83 is preferred; however, latitude and longitude may be submitted in NAD 27. Also, in some geographic areas where NAD 27 and NAD 83 are not available other datum may be used. It is important to know which datum is used. DO NOT LEAVE BLANK.

ITEM #12. Enter the name of the nearest city and state to the site. If the structure is or will be in a city, enter the name of that city and state.

ITEM #13. Enter the full name of the nearest public-use (not private-use) airport or heliport or military airport or heliport to the site.

ITEM #14. Enter the distance from the airport or heliport listed in #13 to the structure.

ITEM #15. Enter the direction from the airport or heliport listed in #13 to the structure.

ITEM #16. Enter the site elevation above mean sea level and expressed in whole feet rounded to the nearest foot (e.g. 17'3" rounds to 17', 17'6" rounds to 18'). This data should match the ground contour elevations for site depiction submitted under ITEM #20.

ITEM #17. Enter the total structure height above ground level in whole feet rounded to the next highest foot (e.g. 17'3" rounds to 18'). The total structure height shall include anything mounted on top of the structure, such as antennas, obstruction lights, lightning rods, etc.

ITEM #18. Enter the overall height above mean sea level and expressed in whole feet. This will be the total of ITEM #16 + ITEM #17.

ITEM #19. If an FAA aeronautical study was previously conducted, enter the previous study number.

ITEM #20. Enter the relationship of the structure to roads, airports, prominent terrain, existing structures, etc. Attach an 8-1/2" x 11" non-reduced copy of the appropriate 7.5 minute U.S. Geological Survey (USGS) Quadrangle Map MARKED WITH A PRECISE INDICATION OF THE SITE LOCATION. To obtain maps, contact USGS at 1-888-275-8747 or via internet at "<http://store.usgs.gov>". If available, attach a copy of a documented site survey with the surveyor's certification stating the amount of vertical and horizontal accuracy in feet.

ITEM #21.

- For transmitting stations, include maximum effective radiated power (ERP) and all frequencies.
- For antennas, include the type of antenna and center of radiation (Attach the antenna pattern, if available).
- For microwave, include azimuth relative to true north.
- For overhead wires or transmission lines, include size and configuration of wires and their supporting structures (Attach depiction).
- For each pole/support, include coordinates, site elevation, and structure height above ground level or water.
- For buildings, include site orientation, coordinates of each corner, dimensions, and construction materials.
- For alterations, explain the alteration thoroughly.
- For existing structures, thoroughly explain the reason for notifying the FAA (e.g. corrections, no record or previous study, etc.).

Filing this information with the FAA does not relieve the sponsor of this construction or alteration from complying with any other federal, state or local rules or regulations. If you are not sure what other rules or regulations apply to your proposal, contact local/state aviation's and zoning authorities.

Paperwork Reduction Work Act Statement: A federal agency may not conduct or sponsor, and a person is not required to respond to, nor shall a person be subject to a penalty for failure to comply with a collection of information subject to the requirements of the Paperwork Reduction Act unless that collection displays a currently valid OMB Control Number. The OMB control number for this information collection is 2120-0001. Public reporting for this collection of information is estimated to be approximately 19 minutes per response, including the time for reviewing instructions, searching existing data sources, gathering and maintaining the data needed, completing and reviewing the collection of information. All responses to this collection of information are mandatory for anyone proposing construction or alteration that meets the criteria contained in 14 CFR 77. This information is collected to evaluate the effect of proposed construction or alteration on air navigation and is not confidential. Send comments regarding this burden estimate or any other aspect of this collection of information, including suggestions for reducing this burden to: Information Collection Clearance Officer, Federal Aviation Administration, 10101 Hillwood Parkway, Fort Worth, TX 76177-1524.

5.10.3 Temporary Structure - “Temporary Structures” include any structure erected for a transient purpose which remains in place for less than 120 days in any one-year period. A Zoning Permit from the Administrative Officer for such temporary structures, including but not limited to seasonal produce stands, temporary fencing (excluding livestock fencing), wind measuring devices, temporary signs and storage areas, shall be required. ~~No temporary structure may be used as a dwelling.~~

6.5 Mobile Homes and Travel Trailers

Travel trailers shall not be occupied while they are stored on a lot for more than one month during the calendar year, unless used as temporary living quarters for property owners during the construction or remodeling of a dwelling on the same lot on which the travel trailer is located. If a travel trailer is to be used as temporary living quarters, one must obtain a Zoning Permit and must have provide a plan for suitable disposal of all waste and wastewater generated. The use of a travel trailer as temporary living quarters must cease when a Certificate of Occupancy is issued or the work is completed. Mobile homes may not be located or occupied on any lot which has an existing residential principal use except within an approved mobile home park. Mobile homes outside of a mobile home park must be located on their own lot and have received all required state and local residential permits.

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 façade facing the front yard 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 when needed and exterior entry stairs to upper floor units if included 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. Clotheslines shall not be prohibited pursuant to 24 V.S.A. §4413.

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, with exception to devices servicing individual dwelling units, such as air conditioners or air-source heat pumps.

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

6.13.13. EV-Ready Parking Spaces. One EV-ready parking space for every 10 residential units shall be provided.

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,
- 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
- 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 if all of the uses are permitted uses within the Village Residential/Commercial District
- 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 more than five 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 if all uses are allowed within the Village Residential/Commercial District and if at least one of the uses is a Conditional Use
- p) Museum.
- q) Pharmacy
- r) Powered Vehicle and/or Machinery Service
- s) Recreation facility
- t) Religious use
- u) Restaurant, standard.
- v) Retail sales.
- w) Retirement community.
- x) State- or community-owned and operated facilities
- y) Supported housing
- z) 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 with exception to air conditioners or air-source heat pumps**, 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 **of 50 feet or longer** that faces directly onto the Route 2 right-of-way shall be designed with aesthetic, appropriate and human-scale features that are consistent with the purpose of the district. Such features may include: traditional or historic architecture, design consistency with neighboring buildings, points of interest in the façade, landscaped vegetation along the base of the façade, and/or other such visually appealing design 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. **If a principal building is to have rooftop solar panels prior to the issuance of a Certificate of Occupancy, the principal building may have a roof of any pitch, including a flat roof.**
- 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.

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:
 - 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.

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.

New 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.

Hotel or Motel - A commercial structure with 10 or more furnished rooms available for overnight accommodation for a fee. 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 for a fee. 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.

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

Supported housing - A residential facility that provides housing and also may provide 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 substance abuse treatment facility, or temporary housing for persons at risk of houselessness) or permanent (such as a nursing home or assisted living facility per 33 V.S.A. §7102

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.

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

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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. Development will be managed to maintain a visually-appealing corridor that reflects the rural and historic aspects of Richmond while allowing for Growth.

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 if all of the uses are permitted uses allowed within the Gateway Residential/Commercial District
- l) Office, medical
- m) Office, professional
- n) 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 five or more 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) Multiple use building if all of the uses are allowed within the Gateway Residential/Commercial District and if at least one of the uses is a Conditional Use
- 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

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 compatibility between the residential and commercial uses. The historic settlement pattern of this area, with a 7/20/22 Planning Commission Meeting Materials

vegetated greenspace adjacent to Route 2 and a pattern of mixed-use development, shall be maintained. In addition to the standards found in Section 5.5.3 when applicable, the following standards shall apply

a) Site Design Standards

- i. No increase in the total number of curb cuts along the Route 2 right-of-way shall be allowed after [date zoning goes into effect]. All new land development shall access Route 2 right-of-way by way of existing curb cuts. Existing curb cuts may be relocated in accordance with the Public Works Specifications and applicable State regulations. Further sharing of driveways that will reduce the existing number of curb cuts is encouraged.
- 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 and/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 with exception to air conditioners or air-source heat pumps, parking and loading areas and any other storage structures or uses that are not contained within buildings.

v. Provisions shall be made for pedestrian traffic.

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. Any façade that faces directly onto the Route 2 right-of-way shall be designed with aesthetic, appropriate and human-scale features that are consistent with the purpose of the district. Such features may include: traditional or historic architecture, design consistency with neighboring buildings, points of interest in the façade, landscaped vegetation along the base of the façade, and/or other such visually appealing design features.
- ii. 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.
- iii. Pedestrian entrances on facades that face directly onto the right-of-way of a public or private road, with exception to the I-89 right-of-way, shall be defined with overhangs, porches, or other architectural features.
- iv. 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. If a principal building is to have rooftop solar panels prior to the issuance of a Certificate of Occupancy, the principal building may have a roof of any pitch, including a flat roof.
- v. Any principal building with a façade that faces directly onto Route 2 shall provide that façade with a wood, stone or brick appearance

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.