

2.20.23 Gateway and Village RC zoning districts and associated amendments

Approved by PC on 2.1.23

Explanation of Amendments Packet for Selectboard

Items in packet, all dated 2/15/23

Gateway and Village Residential/Commercial (R/C) zoning districts and associated amendments --clean copy
Amended Richmond Zoning Regulations (RZR) – mark-up from current
Bylaw amendment report (Gateway R/C)
Bylaw amendment report (Village R/C)
Amended map of Gateway R/C zoning district
Amended map of Village R/C zoning district

Planning Framework

This work has been inspired by the Planning Commission’s very long-standing goal of extending Richmond’s public infrastructure – water/wastewater lines and sidewalks – from the Village into the Gateway, and to Riverview Commons if and/or when that might become necessary. We still hold to this vision, believing that is in the best long-term interests of the Town to facilitate planned growth in this area and connect it more closely with the village center.

With this in mind, we have approved the following amendments to the Gateway Commercial Zoning District to allow for the growth that will occur as the necessary infrastructure is developed. In addition, because the Residential/Commercial Zoning District shares many features of a “mixed-use” district (allowing both residential and commercial uses), we elected to work at the same time on the R/C district (that surrounds our Village Downtown District). Some additional amendments were made to other sections as needed to enable the district changes. Ground rule decisions made by the PC for this work include:

1. Reviewing only **these two districts** at this time rather than the whole document to allow for a more focused discussion and understanding by the PC and the public of the issues and changes—this will seem awkward at times, but all will be tied together in the Richmond Zoning Regulations (RZR) at the end of the process of reviewing all the districts. There are a few items now being proposed that will affect the whole RZR. These are explained later in this memo;
2. Recognizing the reality of the **severe lack of housing** in Chittenden County while keeping in mind the advancing crisis of climate change, and the need for a dynamic commercial sector;
3. Investigating current planning language and concepts in order to **modernize the document** – suggested changes may be significant, or “housekeeping;”
4. **Seeking input** from Richmond residents, in particular residents of the district(s) under consideration, at each step of the way, and attempting to balance competing interests.

History

A brief history of this packet of amendments may be helpful:

Discussion of the Gateway began a year ago when extension of the wastewater infrastructure to this area came under consideration. At that time, adding residential uses to this designated-commercial district served two purposes: it facilitated Act 250 approval of the wastewater line extension, and it offered the possibility of adding needed housing to the town. In April of 2022, we received the report of our grant-funded housing consultant, Brandi Saxton, and began to consider additional housing

possibilities for the Residential/Commercial district as well, as both of these districts were or would be served by vital infrastructure, and could be seen as having some similarities. We decided to combine the review of the two districts as both featured “mixed-use,” or the intermixing of housing with compatible commercial uses. We renamed the two districts **Gateway Residential/Commercial** and **Village Residential/Commercial**.

Discussions were held throughout 2022 and into 2023, including a site visit to the Gateway on April 23rd, 2022. On October 19th we opened the first of four public hearings on our proposed documents, which we then continued on November 2nd, November 16th and December 7th. Residents of the Gateway and of any properties whose district would be changed were invited personally to these hearings, and a number of postings to the Front Porch Forum inviting participation (along with all the required postings) were made. We heard from numerous Richmond residents. After closing the hearings, we continued to invite public comment as we refined our documents based on input received during the hearings and from review by the town attorney. Our town planner, Ravi Venkataraman, was extraordinarily helpful and dedicated to this project from beginning to end.

We are well aware of the challenges of bringing infrastructure to the Gateway. Much time has been devoted to achieving this goal, including ongoing discussions and scoping studies. We encourage you to continue your efforts. The amendment proposals we are bringing to you will enable the planned growth that we envision for the Gateway only if that infrastructure is built. In addition, we need to provide clarity and certainty to the regulations so that Willis Farm can proceed with their PUD-approved commercial plans. For the Village R/C, we hope to encourage the “gentle infill” that allows for more residences and/or businesses while retaining amenities and quality of life, and promotes the “smart growth” principles that our Town Plan calls for.

Maps

The map of the **Gateway Residential/Commercial** district remains the same as that of the current Gateway Commercial district.

The map of the **Village Residential/Commercial** district adds the following properties to the current map of the Residential/Commercial district:

- 2 parcels next to Greensea on SW side of E Main St
- 6 parcels next to Arabesque, Inc on SW side of W Main St
- 4 parcels on NE side of W Main St, from Ski Express to Millet St (including Goodwin-Baker Building)
- All parcels on west side of Jericho Rd, from Ski Express to School St
- All parcels on east side of Jericho Rd from Harley Brown building to I-89 overpass
- 4 parcels on NE side of Depot St
- 4 parcels on SW side of Railroad St
- 5 parcels across the Huntington Rd from the Round Church Corners Complex

Amendments that affect both our new R/C districts

1. It’s important to remember that most of these amendments are being proposed at this time **only** for these two districts. This means that the Zoning Administrator (ZA) and the Design Review Board (DRB)

will have to pay particular attention to the specific district for which an application is proposed. We may consider some of these amendments to other districts when we consider those districts.

2. We are working to “**remove regulatory barriers**” to **building housing** in these two districts. To this end, we are proposing to:

- Allow increased **residential density**. Both of these districts will allow approximately 8 units per acre, which we are calling “1 unit per 5,000sf”
- Move some uses from “Conditional” (DRB review) to “Permitted” (Zoning Administrator review) for a more straightforward, thus quicker and less expensive, approval process (The hierarchy of difficulty /expense of the zoning process is, from shortest to longest, “permitted,” “conditional,” “PUD.”).
- Allow the ZA instead of the DRB to review the site plan of a few a fairly straightforward uses beyond the current single-family dwellings (shorter, less costly process).
- Allow **two principal residential structures on a lot** instead of one (this would be like a duplex where the two halves are not connected, and may help promote home ownership for dwellings rather than rental).
- Allow buildings with **3-4 dwelling units** as a “permitted” use. This change is to encourage the building of small-scale multifamily housing, as this seems the best way to increase the amount of housing in our village center without making big changes to the way Richmond looks or operates. These buildings could be either condos or apartments.
- Allow buildings with **5+ dwelling units**, which previously have been allowed through the Planned Unit Development (PUD) process, to be moved into the “conditional” Use category, making them somewhat easier to permit. This size of housing is sometimes referred to as the “missing middle.”
- Adopt a set of “Multifamily Housing Development Standards” to make sure that the new multifamily buildings are good neighbors and nice places to live.

3. Both these districts are “mixed-use,” so we are seeking compatibility between commercial and residential uses in both. More explicit building and site design standards will replace the less defined “character of the neighborhood” standards, and will be easier to administer by the Zoning Administrator and the DRB (less subjective).

4. We are proposing to allow “Multiple use buildings”. This is a traditional type of village building that may have both commercial and residential uses in the same building.

5. We propose separating **retail businesses, grocery stores and pharmacies** into two size categories: “large” and “village-scale.” The “village-scale” versions of pharmacies and grocery stores, which are defined as equal to or less than 5,000 square feet of floor area, will be allowed in both these districts, but the large-scale will not. In addition, the village scale retail use will be allowed in the Village R/C district, but not in the Gateway R/C. These changes serve to protect our village atmosphere and discourage big box stores from locating in these districts.

6. Dimensional standards will be altered slightly to make more land available for buildings, and allow for “gentle infill.” This includes small decreases in setbacks and increases in maximum lot coverage from 40% to 60%. The minimum lot size in both districts will be 10,000sf (which is approximately 1/4 A)

Amendments specific to the Gateway Residential/Commercial district

Goals of this district:

The main change here is opening up this previously commercial district to **housing** as well as businesses, while retaining the “**scenic entrance to Richmond**” quality. We were interested in avoiding commercial strip development and big box stores, while respecting the PUD- enabled Willis Farm commercial development. Multifamily housing will be allowed, but will be difficult to achieve on most lots in the Gateway without wastewater service.

Proposed changes specific to this district include:

- Removal of 40% commercial requirement for all new development such that projects may consist of any amount of residential and/or commercial uses
- Some **uses** have been added:
 - ✓ Restaurant, standard
 - ✓ Multiple use building , which could have residential as well as commercial (replaces multi-use commercial building)
 - ✓ Dwelling multifamily with > 4 units (previously +/- allowed as PUD)
 - ✓ Fitness facility
 - ✓ Health Care Services
 - ✓ Grocery store, village scale (see new definition)
 - ✓ Pharmacy, village scale (see new definition)
 - ✓ Laundromat
 - ✓ Supported housing facility
- Some new building and site design standards have been added to further define the “character of the area” and help ensure the “scenic entrance” quality of this district and discourage big box stores from locating here.
- Traffic impact section has been removed as the road in question is under state jurisdiction, meaning that the state would determine what information was needed to assess the traffic volume impacts.

Amendments specific to the Village Residential/Commercial district

Goals of this district:

This district replaces the current Residential/Commercial District, with minor expansions in several directions outwards from the village center, as we can see on the map. It is a **mixed-use** area, meaning that it includes both commercial and residential uses, thus providing opportunities along Richmond’s main roads for both businesses and dwellings. The district functions as a transitional zone between the core downtown (Bridge St Upper Block “Village Downtown Zoning District”) and the residential

neighborhoods. This area is ideal for “gentle infill,” which is the concept of allowing for the addition of small amounts of supplemental housing in areas served by water and wastewater infrastructure. We aim to encourage a “walkable” town, with a somewhat increased density of residents who can walk to services thus reducing car usage (a **climate change** goal). More village residents will also utilize our wastewater treatment facility more fully, reducing the cost for all customers.

Proposed changes specific to this district include:

- Removal of requirement that non-residential structures shall not exceed 2,500sf floor area on any floor
- Some **uses** have been added:
 - ✓ Supported housing facility
 - ✓ Multifamily dwelling with 5+ dwelling units
 - ✓ Fitness facility
 - ✓ Catering
 - ✓ Food processing facility
 - ✓ Grocery store, village scale
 - ✓ Pharmacy, village scale
 - ✓ Retail, village scale
 - ✓ Laundromat
 - ✓ Health care services
 - ✓ Multiple use building
 - ✓ Light manufacturing
- Change in traffic impact section (3.3.5 e) to require a study for certain traffic volumes (rather than a prohibition)
- Some new building and site design standards have been added to help retain the traditional village appearance “character of the area” and discourage big box stores

Proposed changes that affect the whole RZR (including both of these new districts)

1. Terminology for discussing lot size is changed from “acres” (A) to “square footage” (sf) in these two districts because of the small minimum size of lots. 1/4A is approximately 10,000sf. The PC intends to use this system wherever lots of <1A will occur in our future revisions. This is a more modern system used by some neighboring municipalities and recommended by our planner.
2. Section 2.5.2 – “Non-developable Portions of a Lot” – the change removes the requirement that lots smaller than 10,000sf (approx. 1/4A) have 10,000sf of developable land. It is necessary for these two districts, as well as correcting a discrepancy with our Village Downtown district. We will revisit this question for other districts as we come to them in our revisions.
3. Section 4.5 -- “Multiple uses and Principal Structures on a Lot” – the change here allows for the “multiple use buildings” and “two principal residential structures on a lot” provisions that we are proposing for these two districts. It is written the way it is so as not to affect districts that we have not yet discussed. We may end up changing other districts this way also. The enabling language in the other districts had to be modified slightly to accommodate this change.

4. Section 5.5 – “Site Plan Review” – this change is part of our effort to streamline the permitting process and remove regulatory barriers. This allows our ZA to review the site plan for certain uses as part of the application process, rather than requiring the Site Review procedure by the DRB, which adds time and expense to the development process.

5. Section 6.1.2 – “Off road or Highway parking table “ – there were two reasons for including an update of the parking table. The first is that the table was out-of-date, showing now non-existent uses and failing to show current uses. The second is that modern planning concepts promote the idea that the overbuilding of parking is a waste of scarce land that could be better used for other purposes. **Climate change goals** also commit us to be developing communities in which walking, biking and public transit play a larger role in our transportation system. To these ends, we have updated the “uses” portion of the table, reduced some of the parking minimums and introduced the concept of the parking maximum. Our town planner was instrumental in this effort.

6. Section 6.13 – “Multifamily Housing Development Standards” – These standards were developed with the help of our housing consultant. They aim to help ease the transition from single-family to multifamily housing that our **housing crisis** requires. We feel that these features will help to make multifamily buildings into good neighbors where we might want to live, rather than people warehouses, and that they are widely applicable throughout Richmond. As we consider the other zoning districts, we always have the option of allowing an “opt-out” provision if we think these are unsuitable for a specific district. At this time, they seem universally relevant.

7. Section 7 – “Definitions” – Changes here will obviously affect the whole RZR. Five definitions amend existing definitions. These have not attracted much attention:

- Bank (allows drive-through)
- Hotel or Motel (clarifies and helps position for short-term rental standards to come)
- Inn or Guest House (same as above)
- Light manufacturing (clarifies that this is an indoor use and that any outdoor accessory activities must be fully screened from view)
- Personal services (clarifies)

Eleven definitions have been added, and add new concepts proposed in these zoning amendments. Some have been extensively discussed, including with our town attorney:

- Character of the Area (provides more guidance on what “area” means)
- Courtyard (relative to our Multifamily Housing Standards)
- EV charging parking space (also relative to Multifamily Housing)
- Grocery store, large scale (>5,000sf, must have 25% GFA in perishable food, not allowed in these two districts)
- Grocery store, village scale (<5,000sf, must have 25% GFA in perishable food, is allowed in both these districts)
- Perishable food (for the above definitions)
- Pharmacy, large scale (>5,000sf, cannot have more than 2% GFA food without having 25% GFA perishable, not allowed in these two districts)
- Pharmacy, village scale (<5,000sf, cannot have more than 2% GFA food without having 25% GFA perishable, is allowed in both these districts)
- Retail, large scale (>5,000sf, cannot have more than 2% GFA food without having 25% GFA perishable, not allowed in either of these districts)

- Retail, village scale (<5,000sf, cannot have more than 2% GFA food without having 25% GFA perishables, allowed in Village R/C district but not in Gateway R/C)
- Supported housing (allows a variety of congregate housing, conditional use in both these districts)

Some questions you may be asked:

Why do we want more density in the Village and the Gateway?

It is cost effective for the town to locate housing and businesses where there is infrastructure. We feel that the current proposals are a good compromise between allowing for some more development without overly impacting current residents. (“gentle infill”). It also helps to meet climate change goals of walkability rather than VMT. Our village center is geographically constrained – there are limited opportunities for expanding the W&WW district (we are also considering these few areas) , so we can either go up or in. We will be looking at adding housing in the outlying areas, as well, likely with clustering requirements to protect farm and forestland.

Why do we want to make the zoning approval process easier for some uses?

We would like to make the zoning approval process less costly and lengthy to help create the opportunity to build less expensive housing. “Streamlining” the process has also been a longstanding Town Plan goal to reduce permitting costs for small businesses.

What about big boxes out in the Gateway?

We received a lot of comments about from residents who felt that “formula businesses” would detract from the character of Richmond as a rural and historic small town. Legally, it is not possible to just say “we prohibit formula businesses” per our town attorney. The PC agreed that the scale or size of such businesses was too large, and that certain features of their appearance were undesirable, and that we did not want stores that would contribute to a “food desert” (where stores selling only processed/packaged foods outcompete full grocery stores and drive them out of town) So we are making the following proposals (which our attorney feels are legally viable) to discourage these businesses from locating in the Gateway or the village:

- Retail, pharmacy and grocery stores must be < 5,000sf in the Village R/C
- No retail stores will be allowed in the Gateway R/C – “village scale” (< 5,000 sf) pharmacy and grocery stores will be allowed
- There will be landscaping, architectural and parking requirements for both districts
- In these two districts, if a retail store, pharmacy or grocery store wishes to devote >2% of its gross floor area (GFA) to the sale of food, then 25% of its GFA must be devoted to perishables
- Language has been added to the “purpose” section of these districts stating that the character of the area is predominantly unique, small scale, independent, entrepreneurial business mixed with housing

What changes have we made that help with the climate crisis?

The main change is to promote the **land use goal** of compact, walkable village centers where residents can walk to services and drive less; infrastructure is minimized, and resilience is enhanced by more people being housed, stagnation avoided, and the vitality of the community maintained. We have introduced the requirement for EV charging to be provided for multifamily housing – over time we will need much more EV charging, but this is a start.