

7.17.24 memo from the Chair

Village Residential Neighborhoods and associated amendments for Planning Commission public hearing

At our meeting of May 15, 2024, the Planning Commission approved the following packet of amendments, for which this public hearing is being held. There have been numerous other opportunities for public input during the one year we have been working on these amendments, and we have arrived at the following set of proposed changes to our current zoning ordinance, which you will find in the “meeting materials” as a full redline (proposed) version of the Richmond Zoning Ordinance (RZR). You will also find a full redline of the ordinance with the comments of Town Attorney Dave Rugh, and the Chair’s recommendations for addressing these comments. The individual elements of the amendments are in the “meeting materials” for ease of review as the following documents: :

- Village Residential Neighborhoods North (VRNN – new Section 3.11)
- Village Residential Neighborhoods South (VRNS – new Section 3.12)
- Parking and Loading (revised Section 6.1)
- Multifamily Housing Development Standards (revised Section 6.13)
- Residential Density (new Section 6.14)
- Elder care facility and related definitions (additions/revisions to Section 7)
- On ground improvements and related definitions (additions/revisions to Section 7)

This work is part of the Planning Commission’s ongoing review of our Zoning Ordinance to make sure the zoning document:

- meets our current needs,
- is in accord with our re-adopted Town Plan (approved in 2018),
- incorporates any new statutes passed by the Vermont Legislature (such as Act 47),
- Is clear, consistent and unambiguous.

Here are some FAQ’s (i.e. What problems are we solving with these amendments?)

Why are we making these 2 new districts? How were they zoned before?

- To protect these special residential areas that are contiguous with, and walkable to, the village center by identifying them as different from their current larger, more inclusive districts (taking VRNS out of A/R, and VRNN out of HDR)
- To make it easier to institute Act 47 changes in a targeted way (residential areas served by W&S infrastructure)

Why are we making a new definition of “elder care facility”?

- This allows us to select certain kinds of supported housing for which we have the public safety and other resources in place. Elder care facilities include nursing homes, hospice and assisted living designed to house a majority elderly population, and seems to have support in the community as opposed to the broader category of all supported housing.
- Other definition revisions in this group bring our ordinance up-to-date with current statutory revisions

Why are we making a new definition of “on-ground improvements”?

- When talking about setbacks and lot coverage there is often a confusion about whether parking areas and driveways and other man-made impervious surfaces are “structures” or not, and which

regulations apply to them. This definition separates “structures” (man-made, above the ground) from “on-ground improvements” (man-made, on the ground) so they can be clearly regulated. For example, on-ground improvements are included in lot coverage, but are not included in setbacks.

- It is always a goal to use the common, intuitive meaning of words when possible – a gravel driveway does not immediately register as a “structure.”

Why do we need an amendment to the parking section?

- Act 47 requires only 1 required parking space per dwelling unit in residential districts served by W&S infrastructure. Other districts allow us to set our own parking requirements, so we need to be able to differentiate between districts with and without W&S, which our current parking table does not. This seemed to us to be the simplest way to do this, in addition to placing this information directly into the affected districts (here, the VRN’s).

Why are we revising the Multifamily Housing Development Standards (Section 6.13) that we just put in place for the R/C districts?

- Our Zoning Administrator, Tyler, had occasion to use these standards and found them difficult to work with, so Keith and I reviewed them and discussed the purpose and wording of each item. The reason we adopted these standards was to make sure that multifamily buildings make good neighbors, and to ensure quality of life for the residents. Now that act 47 requires us to permit 3-4 unit multifamily buildings in the VRN’s, these standards will also apply here (in addition to the V R/C) and we wanted to make sure that these standards are what we want. These will also apply to the Jolina Court district, so this is part of our Buttermilk work as well. This section also applies to the rest of the RZR.

Why are we adding a new Section 6.14, “Residential Density”?

- “Residential density” is relatively new for our zoning, because multifamily housing and more than one residence on a lot has not been common here until recently. This concept really only entered our thinking with the JC and VD districts (with a couple of small exceptions). As we try to alleviate the housing shortage there will be more multifamily housing, ADU’s, duplexes etc, and we will need to understand the particulars of residential density, including such statutory efforts such as Act 47. This section will be an explanatory reference for these particulars. This section applies to the whole of the RZR.