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Town Planner's Project Review
Wednesday, September 26, 2018

- XIII. **Public Hearing – Downtown Zoning Amendments.** Presentation explaining proposal and then public hearing on amendments to the Zoning Ordinance including changes to Section 175-7 Definitions; Section 175-42 Central Business District regarding the front entrance, number of stories, configuration of uses, and related issues; Section 175-54 Table of Dimensions regarding minimum lot area per dwelling unit in the CB District; Section 175-55 adding a reference; Section 175-56 General Dimensional Standards regarding minimum habitable floor area per occupant; and Section 175-112 Central Business District Special Conditions regarding the parking exemption.
- I recommend that the board either provide comments on the amendment to the Town Council or continue the review as appropriate.

Since the Town Council initiated this amendment I believe the Planning Board can provide recommendations to the Town Council to change elements of the draft without holding another public hearing on those changes. I will check with the Town Administrator about this.

The Planning Board opened the public hearing on September 12 and continued it to September 26. The Town Administrator forwarded the Town Council's proposed amendment to the Planning Board on August 22. The board must provide comments to the Town Council within 60 days (unless an extension from the Town Council is granted) so the board has until the October 10 meeting. If the Planning Board believes that more time will be needed it could request that the Town Council consider an extension at its October 1 meeting.

I recommend two fairly minor changes be made to the draft, which did not occur to the working group that put together the proposal. I show the two suggested additions below like this: **for mixed-use with residential.**

- a) In the current zoning ordinance the provisions related to 7. and 8. below apply to mixed use buildings. It should be clarified that this revised language applies specifically to mixed-use buildings.
- b) The intention in 8., below, is to provide more flexibility in layout. I realize though that in one case there would be less flexibility. For a four-story building where there would be a commercial use on the top story and the top story would have a smaller floorplate than the stories below, the 50% minimum for commercial would not be achieved. I don't think we intended to remove this option.

7. Maximum number of stories for mixed use with residential or mixed use with parking. The maximum number of permitted stories is four except as restricted in sections 10 and 11, below.
8. Configuration of use for mixed use with residential or mixed use with parking. Where the building fronts on a Town/public road, the portion of the building facing the road must be office/retail to a depth of at least 50 feet. In addition, the minimum percentage of gross floor area that is office/retail is based on the number of building stories as follows:
 - a. One story: 100% of the gross floor area must be office/retail.
 - b. Two stories: A minimum of 50% of the gross floor area must be office/retail.
 - c. Three stories: A minimum of 33-1/3% of the gross floor area must be office/retail.
 - d. Three Stories - Increased Nonresidential Option: For a three-story building where a minimum of 66-2/3% of the gross floor area is used for office/retail, the habitable square footage per occupant for unrelated households is established as specified in Section 175-56 – General Dimensional Standards.
 - e. Four stories: A minimum of 50% of the gross floor area of the building must be office/retail or at least two full stories must be office/retail.
 - f. For a building where there are distinct sections with a different number of stories and for sites where there are multiple buildings, the required minimum overall office/retail gross square footage is determined by the sum of the minimum office/retail area required by each distinct section, or by each separate building, using the required office retail space specified above. For sites where there are multiple buildings, the disposition of office/retail and residential space on the site is flexible provided this minimum percentage of office/retail area is met.