

ARTICLE: Amend Zoning Bylaw Sections 1.3 Definitions, 5.4.9 (ACTIVE ADULT NEIGHBORHOOD Overlay District Special Housing Standards), and 7.3 Schedule of Minimum Parking

To see if the Town will vote to amend the Zoning Bylaw by amending Sections 1.3, 5.4.9, and 7.3 as stated below in sections A, B, and C of this article; and further that non-substantive changes to the numbering of this bylaw be permitted in order that it be in compliance with the numbering format of the Zoning Bylaw; or to take any other action relative thereto.

(Planning Board)

Planning Board Summary

Following the revisions to the Active Adult Neighborhood Overlay District approved by voters at the May 2021 Annual Town Meeting, the Planning Board discovered inconsistencies between the floor area definitions of different allowed housing types. The proposed amendment would clarify the building requirements by providing a single definition of floor area for units in an Active Adult Neighborhood.

The Planning Board has also recognized that the parking needs of an Active Adult Neighborhood may be different than a traditional residential development. The amendments to Section 7.3 would exempt Active Adult Neighborhoods from the Schedule of Minimum Parking and instead allow the Planning Board greater flexibility in regulating parking in Active Adult Neighborhoods by placing relevant standards in the Active Adult Neighborhood Rules and Regulations.

A) Amend Section 1.3 Definitions, by amending the following definition to read in its entirety as stated below:

COTTAGE DWELLING - A detached one-family dwelling that does not exceed 1,800 sq. ft. of FLOOR AREA.

B) Amend Section 5.4.9.4 (Special Housing Standards) to read in its entirety as stated below:

5.4.9.4 At least 30% of total number of units in an AAN shall have a FLOOR AREA below 1,800' square feet. At least 50% of those units below 1,800' square feet shall be comprised of detached housing types.

C) Amend Section 7.3 Schedule of Minimum Parking – General Requirements, by inserting new section 7.3.1.1 as stated below:

7.3 Schedule of Minimum Parking - General Requirements

7.3.1 Comparable USE Requirement - Where a USE is not specifically included in the Schedule of Minimum Parking, it is intended that the regulations for the most nearly comparable USE specified shall apply. Alternative off-street parking standards to those shown below may be accepted if the applicant demonstrates to the satisfaction of the Permit Granting Authority (or BUILDING INSPECTOR if no special permit or site plan

approval is required), or their designee, that such standards are adequate for the intended USE.

7.3.1.1 Section 7.3 shall not apply to DWELLINGS, COTTAGE DWELLINGS or indoor community facilities proposed as part of the Active Adult Neighborhood Overlay District in Section 5.4 of the Bylaw. Parking Schedules shall adhere to the requirements of the Planning Board's Active Adult Neighborhood Rules and Regulations as amended.

7.3.2 Mixed Use Facilities - BUILDINGS or LOTS which contain more than one USE are considered mixed use facilities. In the case of mixed uses, the requirements shall be the sum of the requirement calculated separately for each use, so that adequate space shall be provided to accommodate all vehicles anticipated on the premises at any one time. Parking spaces for one USE shall not be considered as providing the required spaces for any other USE, except when it can be clearly demonstrated that the need for parking occurs at different times.

Annotated Version

Additions are underlined

Deletions are ~~strike through~~

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(Planning Board)

A) Amend Section 1.3 Definitions, by amending the following definition to read in its entirety as stated below:

COTTAGE DWELLING - A detached one-family dwelling that does not exceed 1,800 sq. ft. of livable floor area (meaning the heated floor area of the building above finished grade, excluding non-dwelling areas such as attic space, basement or detached garage). FLOOR AREA.

B) Amend Section 5.4.9.4 (Special Housing Standards) to read in its entirety as stated below:

5.4.9.4 At least 30% of total number of units in an AAN shall have a gross floor area FLOOR AREA below 1,800' square feet. At least 50% of those units below 1,800' square feet shall be comprised of detached housing types.

C) Amend Section 7.3 Schedule of Minimum Parking – General Requirements, by inserting new section 7.3.1.1 as stated below:
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