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MEMORANDUM

TO: Town Council

FROM: Michael Behrendt, Director of Planning and Community Development

DATE: November 14, 2013

SUBJ: **Five Zoning Amendments – Planning Board Recommendations**

The Planning Board held a public hearing last night on the five zoning amendments initiated by the Town Council. The board closed the public hearing and voted to recommend adoption of each of the five amendments, with two minor changes to the last one (E, below).

- A. Change Mixed Use Residential in the Central Business and Church Hill districts from permitted to conditional use. Voted 7-0 to recommend adoption as written.
- B. Increase the minimum lot area per dwelling unit in the Central Business and MUDOR districts. Voted 5-2 to recommend adoption as written (Loren Parnell and Bill McGowan voting against).
- C. Set the maximum number of bedrooms per dwelling unit in Multi-Unit and Mixed-Use residences at four. Voted 7-0 to recommend adoption as written.
- D. Prohibit new basement dwelling units in Multi-Unit and Mixed-Use residences. Voted 6-1 to recommend adoption as written (Bill McGowan voting against).
- E. Allow for flexibility in the arrangement of Nonresidential Uses in the Central Business district by conditional use. Voted 7-0 to recommend adoption **with the following changes:**

11. *Conditional use for nonresidential use. The requirement for nonresidential use, specified in subsection 7. Maximum Height of Mixed Use Buildings, above, may be adjusted by conditional use where the Planning Board determines that: a) devoting the entire floor(s) to nonresidential uses is not practical; b) there is a ~~superior~~ reasonable alternative arrangement that will serve the intent of this requirement (~~Example: on a large, deep, and irregularly-shaped lot with multiple buildings, it is proposed to situate all nonresidential uses on all of the floors of the building located at the front of the lot along the street. This example should not be construed as necessarily meeting this criterion, but is offered for illustrative purposes only~~); and c) the amount of square footage of the nonresidential use under this alternative arrangement is at least as much as would otherwise be required.*