

# ARTICLES 24 & 25, VILLAGE CENTER REZONING.

## Comparison of Existing vs. Proposed Village Center Zoning Use Regulations

### Commercial (COM), Village Center Business (B-VC), Atkins Corners (AC) & North Amherst Village Center (NAVC) Districts

Key: Y = Yes (allowed by right)  
 N = No (not permitted)  
 SPR = Site Plan Review approval by the Planning Board  
 SP = Special Permit by Zoning Board of Appeals  
 ( ) = Permit requirement in the Aquifer Recharge Protection (ARP) District

<u>Use Category</u>	<u>Current</u>	<u>Current</u>	<u>Proposed</u>	<u>Proposed</u>
	↓ <u>COM</u>	↓ <u>B-VC</u>	↓ <u>AC</u>	↓ <u>NAVC</u>
<b>3.31 EXTENSIVE USES</b>				
3.310 Forestry	Y	Y	Y	Y
3.311 Orchard, nursery	Y	Y	Y	Y
3.312 Farm stand				
Class I	SPR	SPR	<i>SPR</i>	<i>SPR</i>
Class II	SPR	SPR	<i>SPR</i>	<i>SPR</i>
3.313 Commercial poultry/livestock	N	N	<i>N</i>	<i>SP</i>
3.314 Private conservation/preserve	Y	Y	<i>Y</i>	<i>SP</i>
3.315 Outdoor recreation (commercial)	SP	SP	<i>SPR*</i>	<i>SPR*</i>
3.316 Impoundment or pond	SP	SP	<i>SP</i>	<i>SP</i>
3.317 Commercial greenhouse	SP	SP	<i>SPR</i>	<i>SPR</i>
<b>3.32 RESIDENTIAL USES</b>				
3.320 Single family house	N	N	<i>N</i>	<i>N</i>
3.321 Duplex	N	N	<i>N</i>	<i>N</i>
3.322 Town House	N	SP	<i>SP*</i>	<i>SP*</i>
3.323 Apartments	N	SP	<i>SP*</i>	<i>SP*</i>
3.324 Subdividable/Converted dwellings				
3.3240 Subdividable dwelling	N	SP	<i>SP</i>	<i>SP</i>
3.3241 Converted dwelling	N	SP	<i>SP</i>	<i>SP</i>
3.325 Mixed res./comm. use				
<b>3.3250 Live-work use</b>	<i>N</i>	<i>SP</i>	<i>SP</i>	<i>SP</i>
3.3251 Mixed res./comm. use	SPR	SPR	<i>SPR</i>	<i>SPR*</i>
3.326 Fraternity/sorority	N	N	<i>N</i>	<i>N</i>
3.327 Overnight Lodging				
3.3270 Hotel/motel	SP	SP	<i>SP</i>	<i>SP</i>
3.3271 Inn	SP	SP	<i>SPR</i>	<i>SPR</i>
3.3272 Hostel	SPR	SP	<i>SP</i>	<i>SP</i>
3.328 Congregate housing	SP	SP	<i>SP</i>	<i>SP</i>
3.329 Lodging/boarding house	SP	SP	<i>SP</i>	<i>SP</i>

\* Special conditions apply.

<u>Use Category</u>	<u>COM</u>	<u>B-VC</u>	<u>AC</u>	<u>NAVC</u>
<b>3.33 INSTITUTIONAL USES</b>				
3.330 Non-profit uses				
3.330.0 Non-profit educational	SPR	SPR	<i>SPR</i>	<i>SPR</i>
3.330.1 Non-Profit human service use	SPR	SPR	<i>SP</i>	<i>SP</i>
3.331 Kindergarten/day care	SPR	SPR	<i>SPR</i>	<i>SPR</i>
3.332 For-profit educational	SPR	SPR	<i>SPR</i>	<i>SPR</i>
3.333 Church/house of worship	SPR	SPR	<i>SPR</i>	<i>SPR</i>
3.334 Non-profit library/museum	SPR	SPR	<i>SPR</i>	<i>SPR</i>
3.335 Public park/playground	SPR	SPR	<i>SPR</i>	<i>SPR</i>
3.336 Medical/residential facilities				
3.3360 For-profit	N	SP	<i>SP</i>	<i>SP</i>
3.3361 Charitable/non-profit	SPR	SPR	<i>SPR</i>	<i>SPR</i>
3.337 Cemetery	N	N	<i>N</i>	<i>N</i>
3.338 Private lodge or club	N	SPR	<i>SPR</i>	<i>SPR</i>
3.339 Univ./college service building	SPR	SPR	<i>SPR*</i>	<i>SPR*</i>
<b>3.34 GOVT./PUBLIC USES</b>				
3.340 Utility uses				
3.3400 Energy facility	SPR	SP	<i>SP</i>	<i>SP</i>
3.3401 Communication	SPR	SPR	<i>SP</i>	<i>SP</i>
3.3402 Wireless facility	SP	SP	<i>SP</i>	<i>SP</i>
3.3403 Transportation facility/depot				
3.340.30 Rail or bus depot	SPR	SP	<i>SP</i>	<i>SP</i>
3.340.31 Taxi or limousine	SPR	SPR	<i>SPR</i>	<i>SPR</i>
3.341 Airport/heliport	SP	N	<i>N</i>	<i>N</i>
3.342 Govt. admin., fire, police	SPR	SPR	<i>SPR</i>	<i>SPR</i>
3.343 Water or sewer facility	SPR	SPR	<i>SPR</i>	<i>SPR</i>
3.344 Other govt. use not specified	SPR	SPR	<i>SP</i>	<i>SP</i>
<b>3.35 RETAIL BUSINESS &amp; CONSUMER SERVICE USES</b>				
3.350 Retail establishments				
3.3500 Retail stores	SPR	SPR	<i>SPR*</i>	<i>SPR*</i>
3.3501 Convenience stores	SPR	SPR	<i>SPR*</i>	<i>SPR*</i>
3.3502 Grocery, bakery, deli, caterer	SPR	SPR	<i>SPR*</i>	<i>SPR*</i>
3.351 Personal care establishments				
3.3510 Barber, beauty salon	SPR	SPR	<i>SPR*</i>	<i>SPR*</i>
3.3502 Laundry/dry cleaning	SPR	SPR	<i>SPR*</i>	<i>SPR*</i>
3.3503 Tailor, cobbler, etc.	SPR	SPR	<i>SPR*</i>	<i>SPR*</i>
3.352 Food & drink establishments				
3.3520 Class I restaurant/café	SPR	SPR	<i>SPR*</i>	<i>SPR*</i>
3.3521 Class II bar/restaurant	SP	SP	<i>SP*</i>	<i>SP*</i>
3.3522 Class III drive-up restaurant	SP	N	<i>N</i>	<i>N</i>

\* Special conditions apply.

<u>Use Category</u>	<u>COM</u>	<u>B-VC</u>	<u>AC</u>	<u>NAVC</u>
3.353 Theater, motion picture house, bowling alley, dance hall, arcade or other indoor amusement or assembly use	SP	SP	<i>SP</i>	<i>SP</i>
3.354 Funeral home	SPR	SP	<i>SP</i>	<i>SP</i>
3.355 Studio/repair				
3.3550 Photography studio	SPR	SPR	<i>SPR</i>	<i>SPR</i>
3.3551 Appliance repair	SPR	SPR	<i>SPR</i>	<i>SPR</i>
3.356 Trades/repair shop	SPR	SP	<i>SPR</i>	<i>SPR</i>
3.357 Veterinarian, kennel	SPR	N	<i>SP</i>	<i>SP</i>
3.358 Office Uses				
3.350.0 Bank, loan agency, real estate, insurance or other business or professional office providing services to the public in person on the premises	SPR	SPR	<i>SPR</i>	<i>SPR</i>
3.358.1 Technical or professional office such as architect, lawyer, financial services, or similar office providing services predominantly by appointment to the public in person on the premises	SPR	SPR	<i>SPR</i>	<i>SPR</i>
3.358.2 Administrative business office or similar business or professional office not providing services to the general public on the premises	SPR	SPR	<i>SPR</i>	<i>SPR</i>
3.359 Medical/dental laboratory	SPR	SPR	<i>SP</i>	<i>SP</i>
3.360 Medical uses				
3.360.0 Medical office	SPR	SPR	<i>SPR</i>	<i>SPR</i>
3.360.1 Medical group practice	SPR	SPR	<i>SP</i>	<i>SP</i>
3.360.2 Medical or dental center	SPR	SPR	<i>N</i>	<i>N</i>
3.360.3 Clinic or emergency care facility	SPR	SPR	<i>N</i>	<i>N</i>
3.361 Auction gallery	SPR	N	<i>SPR</i>	<i>SPR</i>
3.362 Artisan/craft shop	SPR	SPR	<i>SPR</i>	<i>SPR</i>
<b>3.37 RESEARCH &amp; INDUSTRIAL USES</b>				
3.370 Warehouse, storage building	SPR	N	<i>SP*</i>	<i>SP*</i>
3.371 Lumber yard, other open-air storage	SP	N	<i>SP*</i>	<i>SP*</i>
3.372 Research/Industrial				
3.3720 Research/testing facility	SPR	SP	<i>SP*</i>	<i>SP*</i>
3.3721 Light manufacturing, assembly, processing	SPR	SP	<i>SP*</i>	<i>SP*</i>
3.373 Manufacturing, assembly, processing	N	N	<i>N</i>	<i>N</i>
3.374 Quarrying rock or earth	N	N	<i>N</i>	<i>N</i>
3.375 Processing rock or earth	N	N	<i>N</i>	<i>N</i>
3.376 Radioactive waste storage & disposal	N	N	<i>N</i>	<i>N</i>

\* Special conditions apply.

<u>Use Category</u>	<u>COM</u>	<u>B-VC</u>	<u>AC</u>	<u>NAVC</u>
<b>3.38 MOTOR VEHICLE RELATED USES</b>				
3.380 Auto/truck rental	SPR	N	<i>SP</i>	<i>SP</i>
3.381 Filling station w/ sales	SPR	SP	<i>N</i>	<i>SP</i>
3.382 Salvage yard w/ sales	SP	N	<i>N</i>	<i>SP</i>
3.383 Car wash	SPR	N	<i>N</i>	<i>N</i>
3.384 Parking facilities				
3.3840 Commercial lot or garage	SP	SP	<i>SP</i>	<i>SP</i>
3.3841 Public lot or garage	SPR	SPR	<i>SPR</i>	<i>SPR</i>
3.385 Vehicle repair shop	SPR	SP	<i>SP</i>	<i>SP</i>
3.386 Vehicle sales	SPR	N	<i>N</i>	<i>SP</i>
3.387 Vehicle parts store; no installation/repairs	SPR	SPR	<i>N</i>	<i>SP</i>
3.388 Vehicle parts store; installation & repairs	SPR	N	<i>N</i>	<i>SP</i>
3.389 Truck terminal	SP	N	<i>N</i>	<i>N</i>

**Proposed Dimensional Regulations for Form-Based Village Center Districts:**

	<u>COM</u>	<u>B-VC</u>	<u>AC</u>	<u>NAVC</u>
Basic Min. Lot Area	20,000 <sup>b</sup>	15,000 <sup>b</sup>	<i>12,000<sup>ab</sup></i>	<i>12,000<sup>ab</sup></i>
Add'l Lot Area/Family	4,000 <sup>am</sup>	2,500 <sup>ab</sup>	<i>1,250<sup>ab</sup></i>	<i>1,250<sup>ab</sup></i>
Min. Frontage	125 <sup>b</sup>	100 <sup>b</sup>	<i>see p.</i>	<i>see p.</i>
Side/Rear Yards	25 <sup>a</sup>	10 <sup>a</sup>	<i>10<sup>a</sup></i>	<i>10<sup>a</sup></i>
Building Coverage (%)	35	35 <sup>a</sup>	<i>35<sup>a</sup></i>	<i>35<sup>a</sup></i>
Lot Coverage (%)	70	70	<i>70<sup>a</sup></i>	<i>70<sup>a</sup></i>
Max. Floors <sup>a</sup>	3	3	<i>3</i>	<i>3</i>
Max. Height	35	40	<i>16 minimum 40 maximum</i>	<i>16 minimum 40 maximum</i>

**Proposed new Footnote p.:**

p. *The AC and NAVC Districts are classified as Form-Based Districts (FBD). Dimensional Regulations for FBD in Article 16 are based on individual building and lot types as defined below. Minimum Lot Frontage and Minimum Building Façade Occupation requirements may be modified under footnote a. above under a Special Permit issued by the Special Permit Granting Authority authorized to act under the applicable section of this Bylaw:*

Building & Site Type	<u>Min. Lot Frontage (linear feet)</u>	<u>Frontage Building Façade Min.Occupation (Façade as % of Total Frontage in linear feet)</u>	<u>Min. Open Space by Lot (% total sq. ft.)</u>
Civic Building Type	NA	NA	NA
Commercial Building Type	40	60%	5%
Mixed-Use Building Type	40	60%	5%
Multi-Unit Residential Building Type	40	40%	10%
Village Residential Building Type	40	40%	10%
Live-Work Use	20	40%	5%

See Section 16.912.

# **Comparison of Existing vs. Proposed Village Center Residential Zoning Use Regulations**

## **Neighborhood Residence (R-N) and Village Center Residence (R-VC) districts**

- Key:** Y = Yes (allowed by right)  
 N = No (not permitted)  
 SPR = Site Plan Review approval by the Planning Board  
 SP = Special Permit by Zoning Board of Appeals  
 ( ) = Permit requirement in the Aquifer Recharge Protection (ARP) District

<u>Use Category</u>	<u>Current</u> ↓ <u>R-N</u>	<u>Proposed</u> ↓ <u>R-VC</u>	◀ = Permit requirement changing
<b>3.31 EXTENSIVE USES</b>			
3.310 Forestry	Y	<i>Y</i>	
3.311 Orchard, nursery	Y	<i>Y</i>	
3.312 Farm stand			
Class I	SPR	<i>SPR</i>	
Class II	SP	<i>SP</i>	
3.313 Commercial poultry/livestock	N	<i>N</i>	
3.314 Private conservation/preserve	Y	<i>Y</i>	
3.315 Outdoor recreation (commercial)	SP	<i>N</i>	◀
3.316 Impoundment or pond	SP	<i>SP</i>	
3.317 Commercial greenhouse	SP	<i>N</i>	◀
<b>3.32 RESIDENTIAL USES</b>			
3.320 Single family house	Y	<i>Y</i>	
3.321 Duplex	SP (N)	<i>SPR</i>	◀
3.322 Town House	N	<i>SP*</i>	◀
3.323 Apartments	N	<i>SP*</i>	◀
3.324 Subdividable/Converted dwellings			
3.3240 Subdividable dwelling	SP (N)	<i>SP</i>	
3.3241 Converted dwelling	SP	<i>SP</i>	
3.325 Mixed res/comm. use	N	<i>SP*</i>	◀
3.326 Fraternity/sorority	N	<i>N</i>	
3.327 Overnight Lodging			
3.3270 Hotel/motel	N	<i>N</i>	
3.3271 Inn	N	<i>N</i>	
3.3272 Hostel	SP	<i>SP</i>	
3.328 Congregate housing	N	<i>SP</i>	◀
3.329 Lodging/boarding house	N	<i>SP</i>	◀
<b>3.3290 Live-work use</b>	<i>N</i>	<i>SP</i>	

\* Special conditions apply.

<u>Use Category</u>	<u>R-N</u>	<u>R-VC</u>
<b>3.33 INSTITUTIONAL USES</b>		
3.330 Non-profit uses		
3.330.0 Non-profit educational	SPR	<i>SPR</i>
3.330.1 Non-Profit human service use	SP	<i>SP</i>
3.331 Kindergarten/day care	SPR	<i>SPR</i>
3.332 For-profit educational	N	<i>SP</i> ←
3.333 Church/house of worship	SPR	<i>SPR</i>
3.334 Non-profit library/museum	SPR	<i>SPR</i>
3.335 Public park/playground	SPR	<i>SPR</i>
3.336 Medical/residential facilities		
3.3360 For-profit	SP	<i>SP*</i>
3.3361 Charitable/non-profit	SPR	<i>SPR</i>
3.337 Cemetery	N	<i>N</i>
3.338 Private lodge or club	SP	<i>SP</i>
3.339 Univ./college service building	SPR	<i>SPR*</i>
<b>3.34 GOVT./PUBLIC USES</b>		
3.340 Utility uses		
3.3400 Energy facility	SP	<i>SP</i>
3.3401 Communication	SP	<i>SP</i>
3.3402 Wireless facility	SP	<i>SP</i>
3.3403 Transportation facility/depot		
3.340.30 Rail or bus depot	SP	<i>SP</i>
3.340.31 Taxi or limousine	N	<i>N</i>
3.341 Airport/heliport	SP (N)	<i>N</i> ←
3.342 Govt. admin., fire, police	SPR	<i>SPR</i>
3.343 Water or sewer facility	SPR	<i>SPR</i>
3.344 Other govt. use not specified	SP	<i>SP</i>
<b>3.35 RETAIL BUSINESS &amp; CONSUMER SERVICE USES</b>		
3.350 Retail establishments		
3.3500 Retail stores	N	<i>N</i>
3.3501 Convenience stores	N	<i>N</i>
3.3502 Grocery, bakery, deli, caterer	N	<i>N</i>
3.351 Personal care establishments		
3.3510 Barber, beauty salon	N	<i>N</i>
3.3502 Laundry/dry cleaning	N	<i>N</i>
3.3503 Tailor, cobbler, etc.	N	<i>N</i>
3.352 Food & drink establishments		
3.3520 Class I restaurant/café	N	<i>N</i>
3.3521 Class II bar/restaurant	N	<i>N</i>
3.3522 Class III drive-up restaurant	N	<i>N</i>
3.353 Theater, motion picture house, bowling alley, dance hall, arcade or other indoor amusement or assembly use	N	<i>N</i>

\* Special conditions apply.

<u>Use Category</u>	<u>R-N</u>	<u>R-VC</u>	
3.354 Funeral home	N	<i>SP</i>	◀
3.355 Studio/repair			
3.3550 Photography studio	N	<i>N</i>	
3.3551 Appliance repair	N	<i>N</i>	
3.356 Trades/repair shop	N	<i>N</i>	
3.357 Veterinarian, kennel	N (N)	<i>N</i>	
3.358 Office Uses			
3.350.0 Bank, loan agency, real estate, insurance or other business or professional office providing services to the public in person on the premises	N	<i>N</i>	
3.358.1 Technical or professional office such as architect, lawyer, financial services, or similar office providing services predominantly by appointment to the public in person on the premises	N	<i>SP</i>	◀
3.358.2 Administrative business office or similar business or professional office not providing services to the general public on the premises	N	<i>SP</i>	◀
3.359 Medical/dental laboratory	N	<i>N</i>	
3.360 Medical uses			
3.360.0 Medical office	N	<i>SP</i>	◀
3.360.1 Medical group practice	N	<i>N</i>	
3.360.2 Medical or dental center	N	<i>N</i>	
3.360.3 Clinic or emergency care facility	N	<i>N</i>	
3.361 Auction gallery	N	<i>N</i>	
3.362 Artisan/craft shop	N	<i>N</i>	
<b>3.37 RESEARCH &amp; INDUSTRIAL USES</b>			
3.370 Warehouse, storage building	N	<i>N</i>	
3.371 Lumber yard, other open-air storage	N	<i>N</i>	
3.372 Research/Industrial			
3.3720 Research/testing facility	N	<i>SP*</i>	◀
3.3721 Light manufacturing, assembly, processing	N	<i>SP*</i>	◀
3.373 Manufacturing, assembly, processing	N	<i>N</i>	
3.374 Quarrying rock or earth	SP (N)	<i>N</i>	◀
3.375 Processing rock or earth	SP (N)	<i>N</i>	◀
3.376 Radioactive waste storage & disposal	N	<i>N</i>	

\* Special conditions apply.

<u>Use Category</u>	<u>R-N</u>	<u>R-VC</u>
<b>3.38 MOTOR VEHICLE RELATED USES</b>		
3.380 Auto/truck rental	N	N
3.381 Filling station w/ sales	N	N
3.382 Salvage yard w/ sales	N	N
3.383 Car wash	N	N
3.384 Parking facilities		
3.3840 Commercial lot or garage	N	N
3.3841 Public lot or garage	N	N
3.385 Vehicle repair shop	N	N
3.386 Vehicle sales	N	N
3.387 Vehicle parts store; no installation/repairs	N	N
3.388 Vehicle parts store; installation & repairs	N	N
3.389 Truck terminal	N	N

**Dimensional Regulations for Proposed Village Center Residential Districts:**

	<b>Existing</b> ↓ <b><u>R-O</u></b>	<b>Existing</b> ↓ <b><u>R-N</u></b>	<b>Proposed</b> ↓ <b><u>R-VC</u></b>
Basic Min. Lot Area <sup>h</sup>	30,000	20,000	15,000
Add'l Lot Area/Family	10,000	6,000	4,000
Min. Lot Frontage	150	120	120
Min. Front Setback <sup>a</sup>	25	20	15
Min. Side/Rear Yards <sup>g</sup>	25	20	15
Building Coverage (%)	15	20	25
Lot Coverage (%)	25	30	40
Max. Floors <sup>a</sup>	2 ½	3	3
Max. Height <sup>n</sup>	35	35	35