



PLANNING BOARD

Report to Town Meeting

**ARTICLE 8 B-G & B-VC LOT FRONTAGE  
(Planning Board)**

To see if the Town will amend footnote b. of Table 3, Dimensional Regulations of the Zoning Bylaw, by deleting the ~~lined-out~~ language and adding the language in ***bold italics***, as follows:

- b. Applies to Residence Uses only (Section 3.32). In the B-G and B-VC districts, the Basic Minimum Lot Area shall apply only to the first dwelling unit on the ground floor of subdividable dwellings and converted dwellings. For townhouses, apartments, buildings containing dwelling units in combination with stores or other permitted commercial uses, and other permitted multi-unit residential uses in these districts, the Basic Minimum Lot Area, ~~and~~ Additional Lot Area/Family, ***and Basic Minimum Lot Frontage*** requirements shall not apply.

Recommendation

The Planning Board voted 4-1 to recommend that Town Meeting adopt Article 8.

Background

The Fall 2008 Special Town Meeting voted to remove the requirement for Basic Minimum Lot Area and Additional Lot Area per family for selected kinds of multi-unit residential uses in the downtown general Business (B-G) and outlying Village Center Business (B-VC) districts. The purpose of the amendment was to allow for increased residential density in the downtown and village centers, in line with the community consensus expressed in the two year *Planning Amherst Together* process.

But in developing last fall's amendment, something was missed. Multi-unit residential uses in these 'center' areas also require a basic minimum lot frontage. Residential uses, including mixed uses, must meet the Basic Minimum Lot Frontage requirement in Table 3, Dimensional Regulations. Under footnote b. of Table 3, this applies to properties in the downtown General Business (B-G) District and outlying Village Center Business (B-VC) Districts. A 100 foot minimum lot frontage is required in both districts.

Examination of the B-G and B-VC districts revealed that in the B-G District in particular, a majority of properties did not have sufficient lot frontage to permit new residential development, and many properties which already had residential uses were non-conforming as a result. Attached maps indicate which properties are conforming in the B-G and B-VC districts.

### Downtown B-G Properties

An analysis focused on the densely-developed downtown B-G properties showed the following:

69 = Total properties

52 = Properties located in the 'core' south of Kellogg Ave. & Cowles Lane (75.4%)

17 = Properties located in the northern end, north of Kellogg Ave. & Cowles Lane (24.6%)

### *Southern 'Core'*

~ **Of the 52 properties in the most densely developed core of the downtown, thirty-nine (75%) lack the minimum lot frontage.** Two properties have no frontage at all. So, with the current lot frontage requirements, 3/4s of the downtown core properties cannot accommodate development of residential projects or mixed use projects including residential units.

~ **Thirteen (25%) of the southern 'core' properties comply with the min. lot frontage requirement.** A majority (seven) of these complying properties are public or semi-public (Town Hall, Bangs Center, Boltwood Walk Parking Garage, Police Station, Jones Library, St. Brigid's Catholic Church, Grace Episcopal Church) and are not likely to be redeveloped for residential uses. In the end, the current minimum lot frontage requirement would allow only six (11.5%) of the complying 'core' B-G properties to be redeveloped for residential or mixed uses.

### *Northern End*

~ **Of the 17 properties, six (35%) lack minimum frontage.** One of these (the Leader building behind Ren's Mobil) lacks any frontage at all.

~ **Eleven (65%) out of the 17 'northern' properties comply with the min. lot frontage requirement.** One of these (U.S. Post Office) is a public building unlikely to be redeveloped for residential uses.

Removing the requirement for minimum lot frontage for the same selected multi-unit residential uses would thus be especially useful in the B-G District, where the minimum lot frontage requirement serves as an active disincentive to the dense, sustainable development Town Meeting has said it wants in Amherst's downtown.

### Outlying B-VC Districts

A review of the Village Center (B-VC) Districts (see attached maps) indicates that the strong majority of properties in these outlying business districts have the minimum required 100 feet of frontage and would allow multi-unit residential uses. However, the Board felt that removing the minimum lot frontage requirements would also be useful in those districts. It could allow the future division or assembly and recombination of properties in a more flexible manner, resulting over time in a denser, more efficient pattern of village center development like that seen in the downtown 'core'.

### Public Hearing

The Planning Board held a public hearing on Article 8 on April 1. There was no public comment.

Board member Denise Barberet expressed concern that the amendment had been rushed and was premature. She also wondered if new residential development resulting from this amendment might generate problems in terms of fire safety in new construction, especially in the Boltwood Walk area.

Mr. Tucker said that fire access had been designed into the parking garage area in Boltwood Walk, and described that access. Member Jonathan O'Keeffe indicated that the Fire Department would deal with fire safety issues during the permitting process, as it does now. In the absence of a land use permit, Mr. Carson pointed out that the Fire Department also had jurisdiction under the fire (building) code during the normal building process. Ms. Brestrup indicated that the construction of four or more dwelling units in a building now required the installation of sprinklers, which significantly improved fire safety. It was agreed that the Fire Department would be asked to comment. Mr. Howland argued that there was no reason to postpone the article. The Fire Department was fully involved during the permit process.

Ms. Barberet asked if the number of non-conforming properties (properties with inadequate frontage but grand-fathered dwelling units) was known. Mr. Tucker said that those had not been counted, but included many of the mixed use buildings around and near the Common.

After further discussion, the Board voted, 4-1, to recommend that Town Meeting adopt Article 8.