

ARTICLE 17 ~ VILLAGE CENTER REZONING

HOW WE GOT HERE

Amherst officially began work on its master plan in 2006, but the effort to create a master plan had been underway for more than a decade. More than 1,000 Amherst citizens participated directly in the master planning public process from 2006-2007. Citizens participated in the public meetings of the Comprehensive Planning Committee (2008) and then the Planning Board (2009) as those bodies refined the results of the master planning process and turned them into a coherent plan. The Amherst Master Plan was finally completed and adopted by the Planning Board in February 2010.

Amherst's master planning process established several very clear mandates in terms of how the community should plan and regulate its growth and change over time. These are summarized in the Plan's Key Directions, which can be condensed as follows (see attachment for original language):

- **Maintain Amherst's existing community character** by: protecting critical conservation lands and farmland, protecting and reusing historic buildings and landscapes, focusing new development into already-developed areas, and creating design standards that ensure new development is in accord with existing neighborhood character. Form-based zoning is one effective tool for achieving this goal.
- **Encourage vitality in downtown and village centers** by: encouraging additional housing development, promoting a mix of uses, and improving public streets and spaces in ways that create a walkable community, increase social interaction and attract more visitors.
- **Balance land preservation with development.** Amherst must allow higher density – intensified, responsible development which directs more growth and economic activity to appropriate areas and brings residents closer to jobs, shops and services.
- **Encourage a broad mix of housing types** to sustain Amherst's economic and cultural. It is critically important for Amherst to meet the diverse housing needs of all residents while minimizing impacts.
- **Provide community services and facilities** that keep pace with the changing needs of Amherst's diverse population.
- **Diversify and expand the economic base**, providing revenue to pay for those community services, creating local jobs, and making Amherst less dependent on the academic economy.

- **Pursue increased cooperation between the Town and the academic institutions** in order to more equitably share the costs and benefits of college town life.
- **Do it all in an environmentally responsible, sustainable way**, by requiring greater sustainability in Town policies, regulations, and practices.

As these community goals were coming into focus, Amherst’s short-term planning needs did not go away. In deciding which zoning actions to undertake, the Planning Board considered the priorities emerging from the developing Plan.

Fifty years of buying critical resource lands and several decades’ worth of protective zoning had done most – though not all – of the job of preserving the community’s critical open space. But in the process, those extensive protections for outlying areas had amplified development pressures elsewhere and increased housing costs.

This added urgency to the need to direct new development into existing centers in ways which met the other community goals. The existing Zoning Bylaw and Official Zoning Map were clearly not up to that task – they had to be examined, revised, and improved.

Between 2007 and 2010, the Planning Board proposed a series of successful zoning amendments to alter aspects of development regulations in Amherst’s centers (see attached listing). Many were aimed at allowing more appropriate development in centers, while others focused on expanding the potential for economic development in appropriate areas. Those amendments were important steps but, because the Master Plan had not been completed, the Planning Board only proposed adjustments to the existing framework of zoning rules. Changes within that framework could not go far enough to meet the challenge of guiding responsible new development in Amherst. A more fundamental approach was needed.

In late 2010, the Planning Board solicited and hired a consulting firm (The Cecil Group) to assist with the visioning and rezoning of two of Amherst’s most important outlying village centers. The Master Plan had identified form-based zoning as a potential method for preserving existing character while allowing responsible new development, and the Planning Department had featured an article on that zoning method in its Spring 2007 issue of Planning Briefs, the department newsletter. The Planning Board asked The Cecil Group to help develop new form-based zoning uniquely tailored to Amherst in general and the two centers in particular.

The two centers the Planning Board identified as being of the highest priority were:

- North Amherst Village - The community's largest outlying village center, and perhaps the most neglected in terms of long-term community planning, and
- Atkins Corners - A new village center for which the community had created a plan in 2002. The development of zoning to accompany that earlier plan had been postponed because the main intersection for the new village center was to be significantly redesigned by MassHighway. That new design was complete and under construction, and the economy and property owners' intentions had evolved. The village center plan needed to be reconsidered and rezoned.

The public participation process for visioning, planning and developing the new form-based zoning proposed for these centers is described in the Planning Board report to Town Meeting on Article 17.

ATTACHMENT

Zoning Amendments Adopted Fall 2007 through Fall 2009

[Successful Master Plan amendments in *Bold Italics*]

➤ **August 28, 2007 – ACP Visioning & Planning Ltd. (consultant) delivers Master Plan draft to Comprehensive Planning Committee (CPC)**

2007 Fall Special Town Meeting

- *Research & Development (R&D) Overlay District (language & map) – Adopted*
- *Research & Industrial Uses – Adopted*
- *Accessory Light Manufacturing – Adopted*
- Technical/Professional Offices – Dismissed
- Professional Offices (Coalition for Sustainable Neighborhoods) – Dismissed
- *Spring Street Rezoning & Lodging Uses – Adopted (except for hotels by SPR)*
- *College/South East Street Rezoning – Adopted*
- College/South East Street & Belchertown Road Rezoning (Coalition for Sustainable Neighborhoods) – Dismissed
- 500-502 Sunderland Road Rezoning (Bergstrom) – Referred
- Main/Dickinson/High Rezoning (Coalition for Sustainable Neighborhoods) – Referred

2007 Special Town Meeting (11/28/07)

- *Office Uses – Adopted*

2008 Annual Town Meeting

- *Density Calculation – Adopted*
- 500-502 Sunderland Road Rezoning (Bergstrom) – Defeated
- *Municipal Parking District Regulations and Boundary Corrections – Adopted as amended*
- *Design Review District Regulations and Boundary Corrections – Adopted*
- Steep Slopes (O'Connor) – Referred
- Inclusionary Zoning (O'Connor) – Referred
- *Inclusionary Zoning (Planning Board) – Adopted as amended*
- Main/Dickinson/High (O'Connor) – Referred

➤ **November 5, 2008 – CPC delivers draft Master Plan to Planning Board**

2008 Fall Special Town Meeting

- *Duplexes in R-G – Adopted*
- *B-G & B-VC Residential Density – Adopted*
- Recreation Facilities – Referred
- *Professional Offices in LI – Adopted*

2009 Annual Town Meeting

- *Taxi Services – Adopted*
- *Municipal Parking District Boundary Expansion – Adopted as amended*
- *B-G & B-VC Lot Frontage – Adopted*

2009 Special Fall Town Meeting

- *Footnote a. Amendment – Adopted*

- *Non-Conforming Structures - Adopted*
- Sign Area - Adopted
- *Medical offices - Adopted*
- *Phased Growth Sunset - Adopted*
- *Neighborhood Business (B-N) District - Adopted*
- *Depot Center Rezoning - Adopted*
- Green Building & Lot Coverage - Referred

➤ **February 3, 2010 - Planning Board adopts Amherst Master Plan**

Zoning, General By-Laws & Other Regulatory Amendments Adopted Spring 2010 through Spring 2011

2010 Annual Town Meeting

- *Master Plan Compliance - Adopted*
- *Non-Profit Uses - Adopted*
- University Drive Rezoning - Defeated
- Four Unrelated Persons Definition (petition) - Referred
- *Open Containers Fine Amendment (General By-Laws) - Adopted*
- *Unlawful Noise Fine Amendment (General By-Laws) - Adopted*
- *Keg Licensing Fine Amendment General By-Laws) - Adopted*

2010 Fall Special Town Meeting

- Development Modification - Defeated
- Accessory Livestock or Poultry - Referred
- *Farm Stands & Farmland - Adopted*
- Medical Use Definitions Amendment - Adopted

2011 Annual Town Meeting

- *Stretch Energy Code Adoption - Adopted*
- Duplexes - Defeated
- Residential Parking Requirements - Defeated
- *Watershed Protection (WP) District Amendment - Adopted*
- Permit Submission Requirements Amendment - Adopted
- Filling of Land Amendments - Adopted
- *Accessory Livestock & Poultry (Petition) - Adopted as amended*
- *Animal Welfare (General By-Laws) - Adopted*

2011 Fall Special Town Meeting (proposed)

- Conversion of Official Zoning Map to Digital (GIS) Base
- Village Center Form-Based Rezoning (North Amherst & Atkins Corners)