

ZONING AMENDMENT PROPOSAL TO SECTION 3.323 APARTMENTS

October 4, 2021 Presentation to Town Council

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Amherst Planning Department

Dated: September 30, 2021



PLANNING DEPARTMENT EXPLORED THE FOLLOWING ITEMS AS POSSIBLE ZONING AMENDMENTS

1. Remove the maximum number of units allowed per building, opposed to having a max of 24 units/building
2. Update Standards & Conditions:
 - a. Diversify Bedroom Count for 10 unit+, and
 - b. Enclosed Parking
3. Revise permitting path to allow Apartments:
 - a. By Special Permit approval in the General Business (B-G), and
 - b. By Site Plan Review approval in the Village Center Residence (R-VC)
4. Provisions for siting Apartment Buildings within the B-G Zoning District



PLANNING DEPARTMENT'S PROPOSED ZONING AMENDMENT

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- 3. Revise permitting path to allow Apartments:**
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North Amherst

Village Center Residence (R-VC)







Downtown Amherst

General Business (B-G)

Pomeroy Village Center

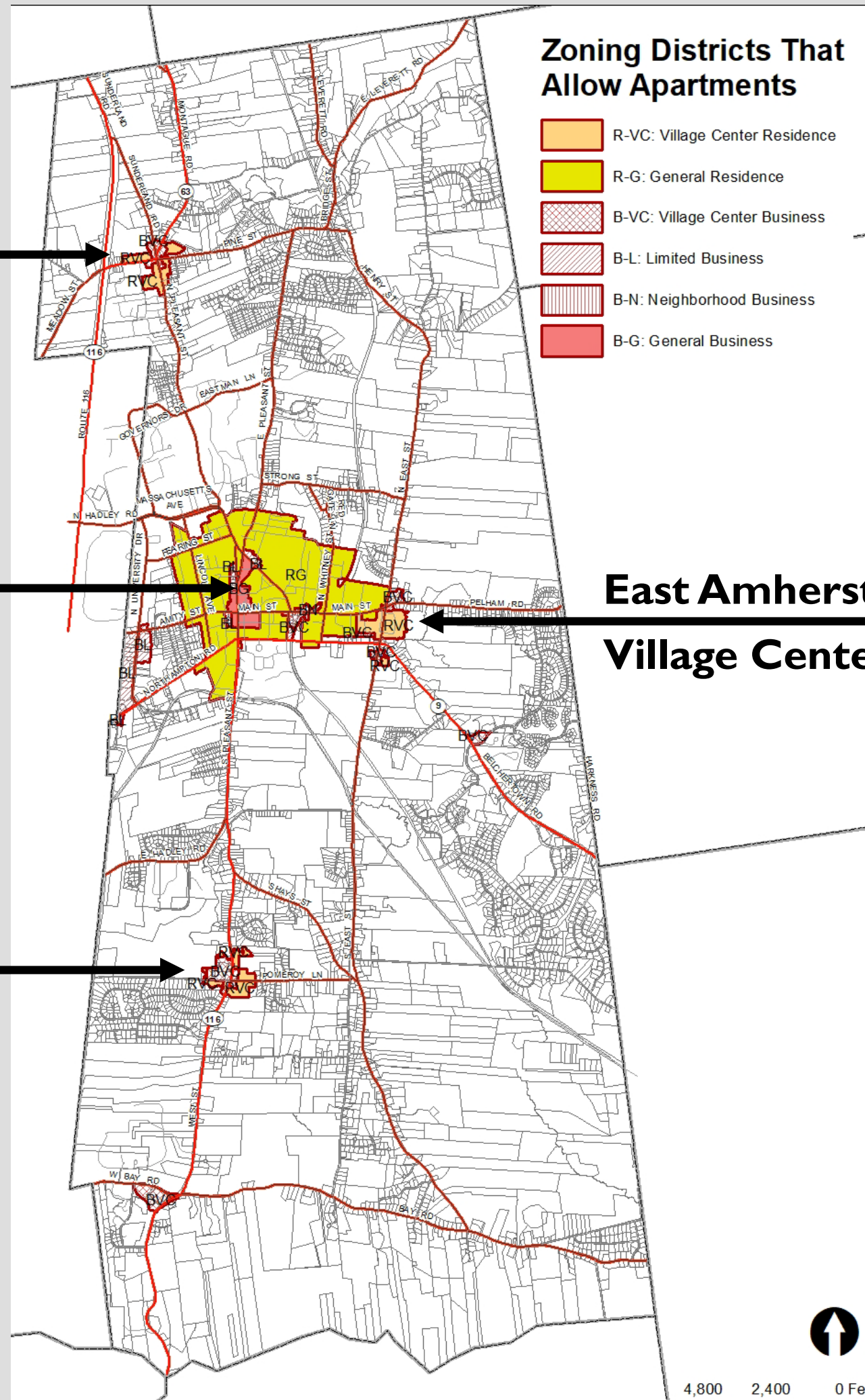
Village Center Residence (R-VC)

Zoning Districts That Allow Apartments

-  R-VC: Village Center Residence
-  R-G: General Residence
-  B-VC: Village Center Business
-  B-L: Limited Business
-  B-N: Neighborhood Business
-  B-G: General Business

East Amherst Village


Village Center Residence (R-VC)




APARTMENTS PERMITTED BY ZONING DISTRICT

TABLE 3 - DIMENSIONAL REGULATIONS

| Zoning District | R-LD | R-O | R-N | R-VC | R-G | R-F | B-G | B-L | COM | B-VC | B-N | OP | LI | PRP | FPC | ED |
|--|--------|--------|--------|-----------------|---------------------|-----------------|---------------------|---------------------|---------------------|---------------------|----------------------|---------------------|----|---------------------|--------|----|
| Basic Minimum Lot Area (sq. ft.) | 80,000 | 30,000 | 20,000 | 15,000 | 12,000 ^m | 20,000 | 12,000 ^b | 20,000 ^b | 20,000 ^b | 12,000 ^b | 15,000 ^{ab} | 40,000 ^a | | 30,000 ^a | 80,000 | |
| Additional Lot Area/Family (sq. ft.) | 10,000 | 10,000 | 6,000 | 4,000 | 2,500 ^{am} | | 1,250 ^{ab} | 4,000 | 4,000 | 2,500 ^{ab} | 1,500 ^{ab} | | | | | |
| Basic Minimum Lot Frontage (ft.) | 200 | 150 | 120 | 120 | 100 | 100 | 40 ^b | 125 ^b | 125 ^b | 60 ^b | 100 ^b | 100 ^a | | 100 ^a | 200 | |
| Basic Minimum/Maximum Front Setback (ft.) ^a | 30 | 25 | 20 | 15 | 15 | 20 | 0/20 | 20 | 20 | 10/20 | 10 | 30 | 20 | 20 | 40 | |
| Basic Minimum Side and Rear Yards (ft.) | 20 | 25 | 15 | 15 | 10 | 10 | 10 ^a | 25 ^a | 25 ^a | 10 ^a | 10 ^a | 10 | 10 | 10 | 20 | |
| Maximum Building Coverage (%) | 10 | 15 | 20 | 25 ^a | 25 ^a | 45 ^a | 70 ^a | 35 | 35 | 35 ^a | 35 ^a | 20 | 25 | 25 | 10 | |
| Maximum Lot Coverage (%) | 15 | 25 | 30 | 40 | 40 | 65 ^a | 95 ^a | 85 | 70 | 70 | 65 ^a | 70 | 65 | 70 | 15 | |
| Maximum Floors ^a | 2 ½ | 2 ½ | 3 | 3 | 3 | 5 | 5 | 3 | 3 | 3 | 3 | 2 ½ | 3 | 3 | 1 | |
| Minimum/Maximum Height (ft.) ^a | 35 | 35 | 35 | 35 | 40 | 55 ^a | 55 | 35 | 35 | 16/40 | 40 | 35 | 50 | 35 | 20 | |

 = Apartments permitted by Zoning District. Basic Min. Lot Area, Additional Lot Area/Family, Min. Lot Frontage are required

 = Apartments permitted by Zoning District. Basic Min. Lot Area, Additional Lot Area/Family, Min. Lot Frontage **not** required, per Footnote "B"



PERMIT PATHWAY FOR APARTMENTS

| Zoning District | Existing Permit Path | Proposed Permit Path Change |
|--|----------------------|-----------------------------|
| Village Center Residence (R-VC) | Special Permit → | Site Plan Review |
| General Residence (R-G) | Special Permit | No proposed change |
| Limited Business (B-L) | Special Permit | No proposed change |
| Village Center Business (B-VC) | Special Permit | No proposed change |
| Neighborhood Business (B-N) | Special Permit | No proposed change |
| General Business (B-G) | Site Plan Review → | Special Permit |
| Commercial (COM) | Not Allowed | No proposed change |

Apartments are not allowed in the following Zoning Districts:

- R-O, R-LD, R-N, R-F, COM, OP, LI, PRP, and FPC



RATIONALE FOR PROPOSED PERMIT PATH CHANGE IN R-VC ZONING DISTRICT

| Zoning District | Existing Permit Path | Proposed Permit Path Change |
|---------------------------------|----------------------|-----------------------------|
| Village Center Residence (R-VC) | Special Permit → | Site Plan Review |

Rationale:

- The purpose of the R-VC Zoning District is to provide for residential neighborhoods, within and adjacent to village centers, that are of medium densities and that allow a limited mix of residential and office uses.
- Proposal encourages more multi-family housing in the R-VC Zoning District by permitting Apartments by Site Plan Review approval
- Existing Zoning Bylaw Safeguards:
 - Table 3 Dimensional Regulations - requires basic minimum lot area, additional lot area/family, and minimum lot frontage for Apartments located within the R-VC Zoning District
 - Section 3.2855 - 150 foot buffer strip provision separating residential buildings from adjacent farmland located within the Farmland Conservation (FC) Overlay Zoning District.
Example: properties along Meadow Street



RATIONALE FOR PROPOSED PERMIT PATH CHANGE IN B-G ZONING DISTRICT

| Zoning District | Existing Permit Path | Proposed Permit Path Change |
|-------------------------------|----------------------|-----------------------------|
| General Business (B-G) | Site Plan Review → | Special Permit |

Rationale:

- The purpose of the B-G Zoning District is to provide for a mixed use area, of high density, containing a wide variety of commercial, office, residential, institutional, civic, and cultural uses.
- The Planning Department encourages more mixed-use buildings to be located in downtown, particularly along the main commercial corridors to promote and enhance the vibrancy of active streetscapes.
- Proposal encourages mixed-use buildings over apartments in the B-G Zoning District by changing the permitting path for Apartments to Special Permit.



RATIONALE FOR NOT MOVING FORWARD WITH OTHER LISTED AMENDMENTS

After thoughtful discussions with the Planning Board and CRC, and receiving input from the public, the Planning Department would like more time to work on some considered amendments to achieve the best outcome, particularly with regard to the lifting of the 24 unit cap per Apartment building in the B-G and B-VC Zoning Districts, which would have greater impact in these districts due to basic minimum lot area, additional lot area/family, and minimum lot frontage not being required.

Possible Considerations for Future Discussions:

- Consider increasing the unit cap per Apartment building to a specific number that is reasonable for both residents and development community
- Consider adding new use classifications to the Zoning Bylaw:
 - 3-unit residential use (triplex)
 - 4-unit residential use (quadplex)



Questions/Comments?

Thank you!

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