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Memorandum

Date: May 24, 2012
To: Town Council
From: Community Development Committee
Cc: Nathan A. Poore, Town Manager
Ethan J. Croce, Senior Planner
Theo Holtwijk, Director of Long-range Planning
Re: Route One Zoning Summary for May 30 Presentation

The CDC has been working on finalizing the zoning concepts for the Route One study area that would be implemented together with the public infrastructure component. Together they create a new vision for the corridor, transforming the area over time from a suburban style commercial corridor to a mixed use compact area suitable for working and living.

These zoning concepts will be part of the regulatory package to be revised. The other components that will follow the approval of zoning concepts are:

1. Technical standards that will be finalized as the street infrastructure plan comes together;
2. Revision of the design guidelines where necessary or desired and
3. Modification of the development approval process to allow minor changes approved by staff.

Zoning Concepts

The following components of zoning were presented to the Council in January 2011. At that time a straw vote of the Council gave the CDC direction to continue working on the concepts. Since that time the infrastructure plan component has been initiated and the two projects are being worked on in conjunction with each other by the CDC. The review of the infrastructure options has affected how the CDC has approached the zoning components. Where the concept differs from the work presented to the Council last year it will be noted.

1. **Purpose Statement** - The purpose of the VC Districts is to:
 - a. Create a pedestrian oriented environment
 - b. Provide for mixed uses of commercial and residential
 - c. Provide for and encourage greater intensity of land use
 - d. Create an edge to the streetscape by appropriate building placement

- e. Create a transit-supportive environment
1. **Districts** - Two districts will be created, VC1 and VC2, with the VCM district being combined with the VC1 District. Bisection of lots by district boundaries is minimized. The following lists the changes since January 2011
 - The area of land along Clearwater Drive across from the Tidewater development will be zoned to reflect the Tidewater zoning. The exact boundary is yet to be determined.
 - The boundary between VC1 and VC2 is redrawn to include Foreside Place and Fundy Road intersections to develop pedestrian oriented activity areas. Skillin's Greenhouse property will remain in VC2 (U11-032)
 - Northern boundary with BP –The existing BP/SB1 boundary on the east side of Route One will be maintained.
 - The area designated to be zoned VCM is combined with VC1.
 - The property at 4 Lunt Road has been added to VC1 as requested by the owner in 2008.
2. **Off-Street Parking**
 - Shared parking and off-site parking will be encouraged with current regulations expanded to allow greater flexibility and a credit given for on-street parking.
 - Parking minimums will be reduced to reflect current studies and village style environments to minimize negative environmental impacts of surface lots, allow for increased development density and increase in property values.
 - The Planning Board will be given the authority to waive the requirement to reserve land for unbuilt parking.
3. **Uses** – see attached proposed use table

The use table is generally what was discussed last January. Use terms have been reconciled with the current ordinance and amended in some cases. Of note are:

- Auto –oriented uses will be divided into several use types: service garage (conditional use in VC1 and VC2 with service bays not visible from the street), automobile dealership (includes service, permitted in VC2), gas station (fuel sales, conditional use in VC1 and VC2), and car wash (remains not permitted in VC1, conditional use in VC2)
- Veterinary clinics are included as “Business and professional offices”
- Dwelling units permitted on upper floors only in any location and with no density requirement.
- Retail and service establishments will include incidental outdoor retail display of 100 square feet (legitimizes current practice by many retailers)
- Commercial and Private schools are added as uses
- Art and Craft Studio and Trademen’s Office have been added as uses permitted on upper floors.
- Restaurant is amended to include carry-out and outdoor seating
- Outdoor Recreation Facilities are eliminated.

4. **Expansions of nonconforming buildings due to setbacks after amendment** – This would apply to many buildings in VC1. A number of buildings in VC2 may meet the new setbacks. The Committee is working on the details of these provisions.
- Existing buildings that would be expanded to meet the new setbacks would no longer be non-conforming and expansions are unlimited.
 - Expansion of existing buildings that do not come into conformity with the new setbacks will be required to meet the new provisions to the greatest extent practical.
 - Certain minor expansions would be permitted without staff approval and no added improvements to the property.
 - Requirement to have pre-application conference with planning staff to evaluate options for development expansion. This would allow the developer to take a comprehensive look with staff for future buildout of the site, looking at other possible expansions and new buildings.
 - Consider the following standards for expansions for those existing buildings that would be expanded without meeting the new setbacks.
 - No limitation on the square footage of expansion provided other standards are met and the building is brought closer to the street. Façade improvements that marginally bring the building to the street do not qualify as expansions.
 - Provide substantial and viable publicly accessible open space or other amenity at the street level that supports and reinforces pedestrian activity and interest. Such amenities may include without limitation plazas, outdoor eating spaces and cafes, or wider sidewalk circulation areas in locations of substantial pedestrian congestion;
 - Expansions shall be located close to the street where practicable. Corner lots shall fill into the corner and shall provide an architectural presence and focus to mark the corner.
 - Expansions shall be oriented toward the street and shall include prominent facades with windows and entrances oriented toward the street. Uses that include public access to a building or commercial/office uses in mixed-use developments shall be oriented toward major streets whenever possible.
 - Parking lots shall be located to the maximum extent practicable toward the rear of the property and shall be located along property lines where joint use or combined parking areas with abutting properties are proposed or anticipated. Will need to remove the parking from the 20 foot street setback to conform to the current ordinance and proposed VC1 standard of no pavement or parking within the 0-20 setback range.

5. **Dimensional Requirements** – Changes have been made to the front setback requirements after reviewing the infrastructure concepts. Bringing the buildings closer to the street is necessary to pedestrian access from the street/sidewalk.

- Front setbacks in VC1 will be 0 – 20 feet on all street frontages and no allowance of any parking or vehicular access. (reduced from 0-55)
- Front setbacks in VC2 will be 0 – 55 feet on all street frontages and allow for one bank of parking and vehicular access. (reduced from 0-75)
- Ordinance currently prohibits parking to within 20 feet of the lot line. A minimum setback for parking in VC2 will still be necessary to accommodate screening.
- Remove dimensional requirements for lot width and lot coverage. Minimum lot street frontage and width will be required in all districts to allow for appropriate building placement to create an edge at the street.
- Building height will be increased to accommodate four stories.

6. **Development Standards New Construction**

	VC1	VC2
New Construction Single-tenant building	footprint limited to 90,000 square feet of gross floor area	footprint limited to 90,000 square feet of gross floor area
New Construction Multi-tenant building	footprint limited to 120,000 square feet of gross floor area with individual tenants limited to 60,000 square feet of gross floor area	footprint limited to 90,000 square feet of gross floor area with individual tenants limited to 50,000 square feet of gross floor area

- Buildings located on a street corner shall meet the front setbacks for both streets. More discussion needs to occur regarding the placement of new buildings on large lots.
- The architecture of buildings on corner lots shall address both street edges to provide visual interest from the street and human scale treatments.
- At least one customer entrance shall be provided along a building face that fronts a street.

7. **Design Guidelines** - All guidelines will be reviewed and amended to reflect the approved zoning and infrastructure plan. The current ordinance has conflicts with the current guidelines. Of particular note is the desire of the CDC to have the building materials section reviewed and amended to reflect newer durable materials of high quality that simulate natural materials such as brick, stone and wood.

8. **Private Ways and New Streets**

- Allow internal new streets to be created and provide frontage for in fill development and provide connectivity [Note: guidelines currently encourage connectivity for internal drives that could be developed as streets.]
- Require new streets to have sidewalks, pedestrian scale lighting, and on-street parking where appropriate to create a complete street.

9. **Signs** –Sign provisions will be amended to provide appropriate signs for existing buildings as well as new buildings at the street. The Route One Design Guidelines will be amended to avoid conflicts with any adjustments to the zoning ordinance.
 - Add a provision for projecting and marquee signs.
 - Consider the reduction of height allowance for free standing signs.
 - Consider elimination of single pole free standing signs.
 - Consider reduction in the maximum size of free standing signs. It is currently 100 square feet.
 - Consider regulating the number of free standing signs to allow one sign per frontage. Currently they are restricted by a 100 foot separation.
 - Sign placement will be related to the location of access points, providing the opportunity for off-premise signs where appropriate.
 - Explore alternatives to typical internal illumination.

10. **Temporary Signs and Street Furniture**– the provisions for temporary advertising signs currently being considered will sunset at the end of 2013 and will be reviewed prior to that time to determine their outcome.
 - Other temporary signs will continue to be allowed.
 - Provisions will be developed to allow signs on the public sidewalk.
 - The allowance for privately owned street furniture and seating on the sidewalk will be permitted.

11. **Residential Density**
 - a. **Multiplexes** – The current ordinance requires a 200 foot separation between buildings and also limits the number of units to six in any given building. It is recommended to exempt multiplexes in the VC1 and VC2 from these provisions.

 - b. **Net Residential Area** – Exempting all dwelling units in both districts is recommended. One of the goals is to allow opportunity for housing near work and increase density of development to minimize energy consumption.

Use Table for VC1 and VC2

Use	VC1	VC2
Accessory building or use	P	P
Art and Craft Studio ²	P	P
Automobile dealerships	X	P
Ballet Arts Facility ¹	P	P
Bed and Breakfast Establishment	P	P
Business and professional offices ¹ (this includes veterinary practice)	P	P
Commercial School ¹	P	P
Day care center	P	P
Dwelling ²	P	P
Fuel pumps	CU	CU
Greenhouses/Horticultural/Nursery	X	P
Hotel	P	P
Light Manufacturing ²	P	P
Municipal use	P	P
Outdoor sales and storage of equipment and materials over 100 square feet	P	P
Private Club	CU	X
Private School ¹	P	P
Place of Worship	P	P
Restaurant, including carry-out facilities and includes outdoor seating	P	P
Restaurant – drive-thru	x	CU
Retail and service establishment change definition to include incidental outdoor retail display (up to and including 100 sq ft)	P	P
Service garage	CU	CU
Tier I Personal Wireless Service Facility	P	P
Tradesmen’s Office ²	P	P
Wholly enclosed place of assembly, amusement, recreation, culture and government	P	P
¹ ground floor area limited to 20,000 gross square feet		
² prohibited on first floor		