

10/6/21

## Regulation Amendment – Narrative of Proposed Revisions

This regulation amendment includes several revisions in response to the requirements of recent State legislation (HB 6107). A summary of the proposed revisions is provided here:

- **“Character”** – the State bill requires that zoning regulations shall not: “Be applied to deny any land use application, including for any site plan approval, special permit, special exception or other zoning approval, on the basis of (A) a district’s character, unless such character is expressly articulated in such regulations by clear and explicit physical standards for site work and structures, or (B) the immutable characteristics, source of income or income level of any applicant or end user, other than age or disability whenever age-restricted or disability-restricted housing may be permitted.” Proposed revision includes:
  - Addition of a definition for “Character” based on physical characteristics (Art. I, Sec. 2)
- **Accessory Dwelling Units** – the State bill requires that “at least one accessory apartment shall be allowed as of right on each lot that contains a single-family dwelling.” Proposed revision includes:
  - Addition of a definition for “Accessory Apartment or Accessory Dwelling Unit” (Art. I, Sec. 2)
  - Addition of ADUs as a permitted accessory use where the primary use is single-family residential, with specific criteria (Art. II, Sec. 1.03.01(v))
  - Removed from Prohibited Uses: “No building to be used as a dwelling unit or apartment house shall be constructed or altered in the rear or, or moved to the rear of, a building situated on the same lot.” (Art. II, Sec. 21.01.05)
  - See guidance document attached for a summary of the criteria required by the State
- **Residential Parking Requirements** – the State bill requires that zoning regulations shall not “Require more than one parking space for each studio or one-bedroom dwelling unit or more than two parking spaces for each dwelling unit with two or more bedrooms.” Proposed revision includes adjustment of parking requirements accordingly in the following sections:
  - Art. II, Sec. 7.04.05(d)(1) PRD zone
  - Art. II, Sec. 8.03.03(4)(ii) CUD zone
  - Art. II, Sec. 9.14.03(d)(8)(A) Business zones – Mill conversion
  - Art. II, Sec. 9.14.05(c)(8)(a) Business zones – Hotel conversion
  - Art. II, Sec. 10.01.05(b) and 10.04.01(b) B1 zone

- Art. II, Sec. 11.02.11(b) B2 zone
- Art. II, Sec. 12.02.10(b) B3 zone
- Art. II, Sec. 15.04.04 CBD zone
- Art. II, Sec. 18.05.05(g) Historic zone
- Art. II, Sec. 22.02.07(b) and 22.04.07(b) SDC zone
- Art. II, Sec. 23.01.05(b) and 23.04.07(b) NBZ zone
- Art. II, Sec. 24.02.01(j)(4)(ii) GB zone
- Art. II, Sec. 26.07.03, Table 26.07 and 26.07.03(C)(3) FBZ zone
- Art. IV, Sec. 21.03.09 Live/Work Quarters