



**MEMORANDUM**

**TO: Town Council**  
**FROM: Planning Department**  
**RE: Proposed Zoning Bylaw Amendments – Sections 12.02 & 3.323 Apartment**  
**DATE: June 28, 2021**

*Bold/Italic text* indicates proposed language.

**~~Bold/Strikethrough~~** indicates proposed removal.

**ARTICLE 12 DEFINITIONS:**

12.02 Apartment: A residential use consisting of one or more buildings, each building containing no fewer than three (3), ~~nor more than twenty-four (24)~~ *dwelling units*. Apartment dwelling units may share internal accessways and entrances and need not have separate exterior entrances on the ground level.

**ARTICLE 3 USE REGULATION**

**SECTION 3.3 USE CLASSIFICATION AND STANDARDS**

**SECTION 3.323 APARTMENTS**

- N = No, the Use is not permitted in that Zoning District
- SPR = The Use is permitted with Site Plan Review (See Section 11.2)
- SP = The Use is permitted with a Special Permit, by the Zoning Board of Appeals (see Section 10.3)

Zoning Districts													
R-O	R-N	R-VC	R-G	R-F	B-G	B-L	B-VC	B-N	COM	OP	LI	PRP	FPC
N	N	<del>SP</del> <i>SPR</i>	SP	N	<del>SPR</del> <i>SP</i>	SP	SP	SP	N	N	N	N	N

**Standards & Conditions:**

The site or lot upon which one or more apartment buildings are proposed shall be located: 1) close to a heavily traveled street or streets, 2) close to a business, commercial or educational district, or 3) in an area already developed for multi-family use.

Each building shall have no fewer than 3, ~~nor more than 24~~ *dwelling units*. Each building shall be connected to the public sewer system prior to occupancy. Dimensional regulations in Article 6 shall be observed.

In addition, the following requirements shall apply:

Zoning Districts	Additional Side/Rear Yards per Floor	Floor Area Ratio	Minimum Landscape or Natural Open Space
R-G	2-feet		
B-L	2-feet		
B-VC	2-feet		
B-N	2-feet	0.3	40%

Minimum Landscaped or Natural Open Space: NOTE: "Minimum Landscaped or Natural Open Space" shall include (a) those portions of the lot devoted to plantings, including lawns and grass areas (b) wooded land, and pedestrian-oriented paved or unpaved areas devoted to social or recreational use in common by the residents of the building or complex provided that such areas are kept essentially open to the out-of-doors and are at ground level.

Specifically excluded from this definition are those areas devoted to parking, access, and service drives.

Bedroom Count: No more than 50% of the total number of dwelling units shall *have the same bedroom count, with the exception of an Apartment building containing less than ten units. The Permit Granting Authority may waive or modify this requirement for project in which all dwelling units provided are Affordable (see Article 12, Affordable Housing). be of any one size (i.e. # of bedrooms). For projects in which all dwelling units provided, other than those occupied by resident manager(s), are Affordable (see Article 12, Definitions), the Permit Granting Board or Special Permit Granting Authority authorized to act under the applicable section of the Bylaw for this use may waive or modify this requirement.*

~~Management Plan: A management plan, as defined in terms of form and content in the rules and Regulations adopted by the Permit Granting Board or Special Permit Granting Authority shall be included as an integral part of any application under this section.~~

Enclosed Parking: *Parking on the first or ground floor shall be at the rear of the building and designed to reduce visibility from the public way or walkways and areas customarily used by pedestrians and the public.*

Design Review Principles & Standards: In all districts, the Permit Granting Board or Special Permit Granting Authority shall apply the provisions of Sections 3.2040 and 3.2041 to any construction, renovation, or expansion resulting in the creation of new dwelling units under this section.