

Zoning Task Force Proposed Bylaw Changes March 2010

Goals

- increase protection of farmland and open space
- improve cluster zoning by-law
- encourage lower-cost housing options

Proposed changes to increase protection of farmland and open space

1. Create a new agricultural/residential zoning district for subdivisions (development on new roads in “backlot” areas) requiring larger lot sizes than the current agricultural/residential area.
2. Increase the required percentage of permanently preserved open space (including farmland) in cluster developments to 40% of the lot from the current 35%.
3. Allow greater density in clustered developments through “density bonuses” if additional open space is preserved, preserved land is in large contiguous areas or adjacent to other preserved land or recreational areas, at least 20% of the units are affordable, the project is for seniors, agriculture will continue to be practiced, ‘green’ forest management is practiced, significant improvements are made to wildlife habitat, and/or for energy-efficient units,
4. Subdivisions with less than 10 lots may have flexibility in lot size and frontage requirements when development is sited to preserve good farm or forest land or other natural resources, as long as the average frontage and lot size for all lots meets traditional requirements.
5. A 50-foot buffer in side and rear yards of subdivisions adjacent to farmland may be required to minimize conflicts with agricultural activities.
6. Site plan review criteria for all large projects revised to reduce impact on farmland, forest land, natural and historic resources.

Proposed changes to encourage more affordable housing

1. Allow accessory apartments in existing homes and outbuildings by right.
2. Allow duplexes as well as single family residences in clustered subdivision developments by right.
3. Provide points towards a density bonus for clustered developments where at least 20% of the units are deemed to be affordable according to state criteria.

Impact

- No change to residential zoning requirements on existing roads. Lot sizes for ANR lots and flag lots on these roads stay the same.

- Non-clustered subdivision lots more than 400’ back from existing roads must be twice as large as current zoning (only half the number of potential units that are now allowed).
- Housing density in the “back lot” area can be increased up to 50% in cluster developments through generation of density bonus points.

Density Bonuses

Clustered development projects may earn points for incorporating features that Whately values (*see Table 1.*) The more points that a project earns, the greater the allowed density, up to 50% more of what would be allowed under traditional development. (*see Table 2.*)

Table 1

Factors Generating Points for Density Bonuses

5% increase in permanent open space and each subsequent 5% increase in open space (with limits may include floodplains, wetlands, etc.)	10 points for each 5%
sale or lease of farmland to a farmer; or homeowners’ association creation of community farm or gardens	10 points
commitment to forestland management under Forest Stewardship Council or similar organization’s guidelines	10 points
cluster plan protecting at least 10 acres in one contiguous tract	5 points
cluster plan protecting at least 20 acres in one contiguous tract	10 points
cluster plan protecting land adjacent to a protected tract	10 points
significant ecological restoration project in wildlife habitat area	10 points
architecture compatible with the current character of the area	10 points
access to walking trails or recreation sites	10 points
certified Energy Star Homes	10 points
senior housing (age 55 and older)	20 points
minimum of 20% affordable units by 40B standards	20 points

Table 2 Density Bonus Lot Eligibility

Bonus Points	Building Lot Bonus	Example – 10 Lot Subdivision
40	10%	1 Bonus Lot
50	20%	2 Bonus Lots
60	30%	3 Bonus Lots
70	40%	4 Bonus Lots
80+	50%	5 Bonus Lots

If the result is a fractional number $<.5$, the bonus is rounded down to the next whole number. No bonus can exceed 50% of the maximum number of lots allowed prior to the bonus.

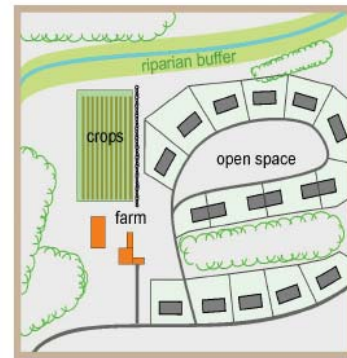
How Clustered Development preserves open space.



Developable farmland space



Traditional development



Cluster or open development