

## Planning Board Proposed Zoning Bylaw Changes

April 2019

### I. Converted Historic Municipal, Religious, and Commercial Buildings

This change is designed to facilitate re-use of historically important municipal, religious, and commercial buildings for a specific list of alternative uses. It permits waiving certain dimensional requirements and also provides some flexibility in parking requirements where necessary. The bylaw requires a special permit from the Zoning Board of Appeal, Historical Commission designation that the building is of historical significance, and adequate septic. The wording of the bylaw changes is given below. There would be a new entry in the table of use as well. See below for the exact wording. Additions are in *italics*.

#### ~ 171-8. Table of Use regulations (*proposed addition*)

COMMERCIAL USES	Agriculture/ Residential 1	Agriculture/ Residential 2	Commercial	Commercial - Industrial	Industrial
<i>Conversion of an Historic (50 Years or older) Municipal, Religious or Commercial Structure(s) on one lot to one or more of the following uses: Municipal Uses, Retail Stores (no greater than 2,000 square feet of floor space) <del>except those primarily selling alcoholic beverages, marijuana products, firearms, or vape products</del>, Business or Professional Offices, Eat-in Restaurants, Artisan Studios, or Residential Uses within the existing building footprint (see ~171-21.2).</i>	<i>SP</i>	<i>N</i>	<i>SP</i>	<i>SP</i>	<i>N</i>

The existing bylaw ~171.21 would be renumbered as ~171.21.1 and a new section, 171.21.2 added.

#### ~ 171-21.2. *Converted historic municipal, religious and commercial buildings*

*The purpose of this section is to facilitate the preservation of historically important municipal, religious, and commercial buildings and to allow for their adaptive reuse. All of the following conditions apply:*

- A. Buildings may be publicly or privately owned;*
- B. Buildings shall have served the general public and been in existence for at least 50 years, and shall be deemed historically significant by the Whately Historical Commission;*

- C. Potential Uses are listed in ~171-8. Table of Use Regulations;*
- D. Site Plan Review is required;*
- E. The dimensional requirements of §171-9.C ~~or~~ §171.10, §171-20 and §171.28.4F may be waived if there is no feasible alternative, although increases in lot density ratio in Aquifer Overlay Districts are discouraged;*
- F. Parking and loading shall meet the requirements of §171-13 to the extent feasible;*
- G. Septic systems must be adequate for the proposed use;*
- H. More than 3 dwelling units may be allowed in a converted historic building if there is sufficient off-street parking and adequate water supply and wastewater treatment;*
- I. No additions to the existing structure shall be allowed except for required egress and access; and*
- J. Uses must have all the necessary state and local licenses and approvals for the use.*