

Master Planned Development (MPD) Zoning Revision

Introduction

Amherst's existing Zoning Ordinance is a factor in constraining redevelopment activity in the mixed-use and higher density forms proposed in the Bicentennial Comprehensive Plan. To address this issue, in December 2009 the Town Board adopted Resolution 2009-1096, which directed the Planning Department to develop amendments to the Zoning Ordinance that permit and encourage more intensive, higher density mixed land uses at various scales to accommodate new forms of development that complement surrounding neighborhoods.

As a first step in the process, the Planning Department reviewed contemporary mixed-use and commercial development concepts, trends, and practices. This research, as well as a discussion of options for code amendments, is summarized in the March 2010 report to the Town Board: *Amherst Creates Regional / Community Scale Zoning Codes*.

Overview of Proposed Zoning Code Revisions

The purpose of the MPD zoning revision is to provide greater site design flexibility and encourage higher density, mixed-use development at appropriate locations through the use of a planned unit development process. An objective of this approach is to make redevelopment of existing commercial properties more economically feasible. The draft code attempts to balance the uncertainty inherent in this type of approach with design standards that encourage higher quality architecture, design practices, and building materials. The MPD is currently proposed to be available within a pilot area that is generally located in the southwest quadrant of the Town.

Following is an overview of each section for which amendments are proposed:

Part 1: General Provisions

- Revises Transitional Provisions section to include consideration of MPD; projects under construction or applications submitted prior to adoption of MPD would not be required to comply with the new requirements.

Part 2: Definitions and Measurements

- Includes two new terms used in the MPD regulations.

Part 4: Nonresidential Districts

- Permits a MPD as an option in the OB, GB, and SC districts.
- Required for larger developments in GB and SC districts.

- Excludes some uses from a MPD, such as vehicle sales, and adds several uses to a MPD in the OB district, such as attached housing.

Part 6: Use Regulations

- Establishes a series of standards that would apply to all MPDs, including standards for: building and site design, off-street parking and loading, dumpster and loading area screening, access and circulation, public space, and signage. These standards would supersede other requirements of the Zoning Code; if not specifically revised in the MPD, existing regulations would apply (for example, lighting standards).
- In addition, this section establishes standards for several specific uses, such as retail sales and service in OB and shopping centers in GB and SC.

Part 8: Administration and Enforcement

- Establishes review authority and procedures for MPD approval. A MPD is considered a type of site plan and follows a modified site plan review process with approval authority by the Planning Board.
- Establishes applicability requirements, including a minimum parcel size and a target location (southwest Amherst).
- Establishes a system of waivers from specific sections of the Zoning Code, if overall goals are achieved, that are approved as part of the site plan.
- Requires review of a Concept Plan by the Planning Department and a Preliminary and Final Plan by the Planning Board.