

ZONING ORDINANCE AND DEVELOPMENT REGULATIONS AUDIT IN CONJUNCTION WITH THE VISIONS AND GOALS OF THE 2010 HOUSING CHAPTER OF THE MASTER PLAN

Town of Milford, New Hampshire

This audit report is a tool by which the Town of Milford can assess how consistent its existing Zoning Ordinance and Development Regulations are with the vision and action program identified in the 2010 Housing Chapter of the Milford Master Plan. The recommendations that come from the Audit results are intended to be starting points for discussions within the community about how to implement adequate housing for all citizens of Milford within the next decade.

OVERVIEW OF RECOMMENDATIONS

List the number of top recommendations in this section
Obtain Feedback from Planning Board Work Session

- Recommendation 1
- Recommendation 2

REVIEW

The Milford Master Plan: Housing Chapter 2010 includes a detailed action program for housing, which is further identified as “the blueprint for attaining the Town’s vision for housing.” The following discussion provides a review of the Milford Zoning Ordinance with respect to the goals identified in the action program for housing. The comments and recommendations that resulted from this review are listed below and have been broken out in individual sections by topic.

VISION STATEMENT



...“Milford shall promote and maintain a diverse and sufficient housing stock that meets the needs of a multigenerational community, while creating functional neighborhoods, interconnected with the greater community and natural resources that support and enhance our sense of community character and place.”

ACTION PROGRAMMING



Topic 1: Regional Interaction
Topic 2: Housing Supply
Topic 3: Housing Affordability
Topic 4: Neighborhood Character

6.01 Topic 1: Regional Interaction

Continue to work cooperatively with other Souhegan Valley and Nashua Regional Planning Commission (NRPC) communities on regional issues.

Applicable Zoning Article(s)	Subject	Comments/Recommendations

6.02 Topic 2: Housing Supply

Ensure the Town takes a proactive role in continuing to offer a variety of housing options, in areas of Town that will best accommodate residential housing, promoting the sense of community and the economic vitality of the Town.

Applicable Zoning Articles(s)	Subject	Comments/Recommendations
Article 7.03.0, Article 6.04.0, Definitions	<p><u>Cluster Open Space Development</u></p> <ul style="list-style-type: none"> Article 7.03.0 indicates that a Cluster Open Space Development existed but was deleted in (2000). 	<ul style="list-style-type: none"> Consider re-incorporating a cluster provision in the residential districts (or location to be determined). Opportunities: <ul style="list-style-type: none"> Objectives identical to those identified in the current Open Space and Conservation District (6.04.0) Promote MP goals identified in Topics 4 and 5 Strategies/Modifications <ul style="list-style-type: none"> Adopt a Cluster Zoning provision to provide density bonuses (above underlying district) in exchange for a quantity of open space above what is required under the Open Space and Conservation District <ul style="list-style-type: none"> ❖ Use of more flexible density requirements Allow Multi-family cluster development (maximum units to be determined) in exchange for designated open space above that required for single family homes.

- Placeholder for important bullets generated from comments/recommendations seen on the left.
- Images, clips of maps, etc. could also be added in this area.

6.02 Topic 2: Housing Supply

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Applicable Zoning Articles(s)	Subject	Comments/Recommendations
N/A	<u>Planned Unit Development (PUD)</u> <ul style="list-style-type: none"> The Commerce and Community District (CCD) was adopted in 2012 and is comparable to the purpose of a PUD 	<ul style="list-style-type: none"> Perform an analysis to determine if there is compatible land in the Town for a large scale development. If land is identified, consider expanding the CCD and applying the same development requirements and application process
N/A	<u>Use of Municipal Land</u>	<ul style="list-style-type: none"> Conduct a study to determine if municipal land is available strictly for housing purposes
Article 6.06.0	<u>Commerce and Community District</u>	<ul style="list-style-type: none"> Issues: <ul style="list-style-type: none"> The CCD is listed as an overlay district. Under 6.06.3, it is not clear what the allowed uses are in this district. Is the applicant to assume that the underlying zoning district dictates the allowed use? Recommendation to clarify the comments above See Section 6.07.4.E for example User Guide: Like many form based codes, the CCD ordinance is very comprehensive. To encourage development in this area, it may be helpful to have a one page user guide.
	<u>Definitions</u>	<ul style="list-style-type: none"> The definition of <u>mixed use</u> allows for 2 residential units in a non-residential building. It is recommended that the number of units allowed is changed to be site specific.

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Applicable Zoning Articles(s)	Subject	Comments/Recommendations
	<u>Adaptive Reuse</u>	<ul style="list-style-type: none"> • Consider providing incentives to developers who wish to reuse buildings or sites for purposes other than what the site was originally intended for. • Strategies/Modifications <ul style="list-style-type: none"> ○ Define opportunities for adaptive reuse, if any. ○
	<u>Infill Housing,</u> <u>Mixed Use,</u> <u>Redevelopment</u>	<ul style="list-style-type: none"> • Consider adding a Mixed-Use/Infill Housing Overlay District in certain existing residential neighborhoods and in the Town Center. • Opportunities <ul style="list-style-type: none"> ○ Expand local housing choices ○ Vibrant Town Center ○ Minimal impact on existing Town character ○ Meets neighborhood character (Topic 4) goals ○ Redevelopment of underutilized properties • Strategies/Modifications <ul style="list-style-type: none"> ○ Hold workshop to determine specific locations for mixed-use. Invite public to attend ○ Allow housing on upper floors within certain zoning districts ○ Allow redevelopment of underutilized properties to encourage housing opportunities ○ Development incentives in residential districts/certain neighborhoods that encourages housing stock for a wide range of incomes
Article I	<u>Other Regulations, Ordinances</u> <u>Statutes</u>	<ul style="list-style-type: none"> • Additional regulations that result from this report should be included in this section (i.e. additional overlay zones, etc.)
Article 2.03.1.C	Alterations, expansion or change of a non-conforming use or	<ul style="list-style-type: none"> • If redevelopment of Non-Conforming structures, etc. is permitted to encourage mixed-use, consider adding “redevelopment” as a

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Applicable Zoning Articles(s)	Subject	Comments/Recommendations
	structure is permitted by Special Exception	<ul style="list-style-type: none"> special exception to the applicable zoning district • “Redevelopment” to be defined accordingly
	Alteration, expansion or change of a conforming use	<ul style="list-style-type: none"> • It is not clear if consideration has been given to the redevelopment of a conforming use.
Article 5.03.4.B	Conversion of single family home to apartments	<ul style="list-style-type: none"> • Consideration could be given to change a single family home to other uses, such as offices, minor retail, etc. • If considered, define conditions for a non-residential use and modify section accordingly
Article 2.03.1	<u>Public Nuisance</u> Specific hazards affecting the public are discussed	<ul style="list-style-type: none"> • If the mixed-use district is modified, what are the implications on residents, etc.? <ul style="list-style-type: none"> ○ Reference 6.02.C of Master Plan Housing Chapter ○ Consider adding definitions to the environmental impacts that are listed ○ Consider adding stormwater runoff to protect abutting landowners
Residence A and B Districts	<u>Density</u>	<ul style="list-style-type: none"> • Consider modifications in regulations to allow density flexibility in Residence A and B districts • Opportunities: <ul style="list-style-type: none"> • Walkable/bike-able to Oval • Proximity for those with jobs downtown • Affordable to those who can’t purchase in Residence R • Accomplish master plan goals • Strategies/Modifications: <ul style="list-style-type: none"> ○ Higher Density by location: If the opportunity exists to utilize town services/other potential services, encourage

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Applicable Zoning Articles(s)	Subject	Comments/Recommendations
		<p>higher density residential use.</p> <p>➤ HOLD A DENSITY WORKSHOP, OPEN TO THE PUBLIC WHICH IDENTIFIES INCREASED DENSITY BY LOCATION AND POTENTIAL MIXED-USE AREAS</p>
All Zoning Districts	<p><u>Acceptable Uses</u></p> <p>In general, if changes are made to the acceptable uses or those allowed by special exception or a conditional use permit, the applicable sections should be modified</p>	<ul style="list-style-type: none"> • Residence “A” District Considerations: <ul style="list-style-type: none"> ○ Manufactured homes on single lot ○ Cluster neighborhoods ○ Conversion to multi-family by special exception ○ Multi-family, restricted by number of units ○ Accessory dwelling units allowed by right (with certain restrictions) ○ Inclusionary housing • Residence “B” District Considerations: <ul style="list-style-type: none"> ○ Multi-family ○ Condominiums ○ Town Homes ○ Cluster neighborhoods ○ Could the district be expanded? If not expanded, could more flexibility be allowed in other districts? CCD? ○ Section 5.03.5.A.2 discusses minimal lot sizes for lots not serviced by municipal/water sewer. Since multi-family uses not serviced by municipal water/sewer were not listed as an acceptable use, it appears that multi-family is excluded. Consideration could be made to allow multi-family if a wastewater treatment plant was constructed. • Residence “R” District Considerations <ul style="list-style-type: none"> ○ Reduced lot size and frontage requirements ○ Cluster Development

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Applicable Zoning Articles(s)	Subject	Comments/Recommendations
		<ul style="list-style-type: none"> ○ If there are feasible areas, consider rezoning to allow higher density ○ Consider allowing some of the uses in other residential districts, maintain larger lot sizes ● Commercial “C” District Considerations <ul style="list-style-type: none"> ○ Single parking lot, green houses, floral shops, landscape businesses? ○ Consider allowing senior housing by special exception ○ 5.05.1.GG lists mixed use dwellings as acceptable uses. Add design guidelines to achieve goals of master plan (see CCD district) ○ 5.05.5 Yard Requirements ● Industrial “I” District Considerations <ul style="list-style-type: none"> ○ Consider mixed use development to support workforce housing ● Limited Commercial-Business “LCB” District Considerations <ul style="list-style-type: none"> ○ Acceptable Uses: Neighborhood Store, landscape business? ○ Special Exception: Redevelopment of existing home to business? ○ Reference a parking requirement section? ● Integrated Commercial-Industrial “ICI” District <ul style="list-style-type: none"> ○ Consider Intent related to vehicle oriented business and if other uses are encouraged. ○ Reference a parking requirement section? ○ For larger parcels, open space requirements could meet the goals of the master plan, particularly since water bodies and farmland is in close proximity. Consider the quality of open space in addition to limits on impervious surfaces.

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Applicable Zoning Articles(s)	Subject	Comments/Recommendations
		<ul style="list-style-type: none"> • Integrated Commercial-Industrial 2 “ICI-2” District Considerations <ul style="list-style-type: none"> ○ Special Exception: Expansion of an existing commercial/industrial establishment? Alteration of an industrial establishment- approval by Planning Board? ○ Reference parking section. ○ See open space suggestions in “ICI” District above. ○ Consider allowing work force housing as the primary residential use in this area.
All Zoning Districts	<u>Lot Sizes and Frontages, Yard Requirements</u>	<ul style="list-style-type: none"> • It may make sense for some of the allowed uses to have flexibility in dimensional criteria. • After uses are considered in each zoning district, it is recommended that the dimensional criteria be carefully examined and updated accordingly. • Section 5.02.4.A and B. Should this section mention that lot areas should exclude wetland and land contained in the 100 year floodplain? •
All Zoning Districts	<u>Height Requirements</u>	<ul style="list-style-type: none"> • If other densities are required in the districts, height requirements should be considered. • Consider adding a requirement for number of stories • Consider requirements associated with capability of Town’s Fire Trucks.

6.03 Topic 3: Housing Affordability

Determine how Milford should support the continued development of housing that meets the needs of our population from entry level housing to aging in place.

Applicable Zoning Article(s)	Subject	Comments/Recommendations
Article V, Definitions, Article 10.02.6	<p><u>Accessory Dwelling Units</u></p> <ul style="list-style-type: none"> • Accessory Dwelling Units (ADU's) are acceptable uses in the Residence A, B and R districts. • ADU's are allowed by special exception in the C, I, LCB, ICI, and ICI-2 districts. 	<ul style="list-style-type: none"> • Section 10.02.6 Accessory Dwelling Units • Issues: <ul style="list-style-type: none"> ○ Users are undefined. Can an ADU be rented privately to a non-family member? Can an ADU be specifically rented to low-moderate income tenants? ○ Consider defining intent, which could include: <ul style="list-style-type: none"> ❖ Promotes housing that is affordable to a variety of users ❖ Alternative to multi-family housing ❖ Diversity housing stock without changing neighborhood character or district intent • Strategies/Modifications: <ul style="list-style-type: none"> ○ Allow ADU's in all districts as an allowable use, regardless of underlying zoning ○ Develop a separate ADU Ordinance with requirements for users, number of bedrooms allowed (if more than 1), design criteria, parking, residential density requirements. Etc.
Article IV, Definitions	<ul style="list-style-type: none"> • Accessory Dwelling Units (ADU's) • Accessory Uses and Structures • Non-conforming uses and structures 	<ul style="list-style-type: none"> • Reference the attached memo prepared by Bill Parker, Community Development Director, on October 20, 2012 regarding a conflict between 'Accessory Uses and Structures' and 'Accessory Dwelling Units,' non-conforming uses and structures

6.03 Topic 3: Housing Affordability

Determine how Milford should support the continued development of housing that meets the needs of our population from entry level housing to aging in place.

Applicable Zoning Article(s)	Subject	Comments/Recommendations
Article V, Definitions, Article 7.07	<u>Senior Housing Development</u> <ul style="list-style-type: none"> • Senior Housing Developments are acceptable uses in the B, C, and LCB districts. • Senior Housing Developments are allowed by special exception in the A and ICI districts. 	<ul style="list-style-type: none"> • Consider amending the Senior Housing Development Ordinance • Opportunities: <ul style="list-style-type: none"> ○ Prevent surplus in Senior Housing in future ○ Allow future market trends to determine need ○ Continue to serve needs of persons 55+ • Strategies/Modifications: <ul style="list-style-type: none"> ○ Allow via special exception <ul style="list-style-type: none"> ❖ Require market analysis as part of application ❖ Amend ordinances accordingly ○ Re-evaluate eligibility requirements <ul style="list-style-type: none"> ❖ Location dependent ❖ Re-evaluate density, open space, buffer, setback requirements based on projected effect on Town ❖ Amend Section 7.07 accordingly • Create Senior Housing Overlay District – location dependent
Various	<u>Streamlined Approval Process</u>	<ul style="list-style-type: none"> • Consider adopting a streamlined approval process to achieve goals of the master plan. • Opportunities: <ul style="list-style-type: none"> ○ Developers commitment to building affordable housing ○ Construction of sidewalks, other Town goals
N/A	<u>Inclusionary Housing</u>	<ul style="list-style-type: none"> • Consider Inclusionary Housing • Opportunities: <ul style="list-style-type: none"> ○ Increase the supply of housing stock in Milford that is available and affordable to qualified low-income and moderate-income households ○ Greater housing options for municipal residents ○ Increased supply of workforce housing ○ Employment and economic development opportunities

6.03 Topic 3: Housing Affordability

Determine how Milford should support the continued development of housing that meets the needs of our population from entry level housing to aging in place.

Applicable Zoning Article(s)	Subject	Comments/Recommendations
		<ul style="list-style-type: none"> • Strategies/Modifications <ul style="list-style-type: none"> ○ Determine incentives (density bonuses, expediting permitting, flexibility in housing type, etc.) ○ Determine if a separate ordinance is applicable, if a conditional use permit/special exception would apply, or if a variance is needed to make units affordable ○ Determine where the greatest incentive for inclusionary housing would be (all residential areas, those that are compatible mixed-use/commercial zones, etc.) ○ Require a certain amount of low-income/moderate-income housing units for a certain number of market rate units in a proposed development (regardless of the zoning or overlay district). ○ Smaller developments projects under a determined number of dwellings (say 4, for example) may be exempt. ○ Attach deed restriction to require units to be affordable as long as possible. ○ In lieu of creating an affordable unit, the Town could add a provision to allow for payment of a fee, sidewalks, etc. as an alternative. ○ Consideration compatible architecture/design guidelines ○ Local Examples: Amherst, Nashua
	<u>Cluster Open Space Development</u>	<ul style="list-style-type: none"> • See Master Plan Topic 2 regarding multi-family cluster housing
	<u>Redevelopment</u>	<ul style="list-style-type: none"> • Allow redevelopment of underutilized properties to encourage housing opportunities for a wide variety of incomes

6.04 Topic 4: Neighborhood Character

Evaluate how Milford can encourage the creation of interconnected, functional neighborhoods that support the Town's sense of community character.

Zoning Article	Subject	Comments/Recommendations
All Zoning Districts	<u>Lot Sizes and Frontages, Yard Requirements</u>	<ul style="list-style-type: none"> • 5.05.5 (Commercial District) Consideration could be given to the certain look of the buildings, common setback, and desirable characteristics. If reasonable, setbacks could be lenient to match the surrounding character (with restrictions). •
	Parking	<ul style="list-style-type: none"> • Recommended to add parking section to the zoning districts to achieve the neighborhood character goals of the master plan. • Or reference subdivision regulations • Consider if parking should be allowed in the front yard in certain districts. • Consider if parking should have a setback to property lines • Consider shared parking
	Access and Curb Cuts	Mention this in zoning criteria or make reference to the subdivision regulations
	<u>Oval District</u> Section 5.05.7 discusses exemptions from yard and open space requirements in the Oval Sub district	<ul style="list-style-type: none"> • In specific cases, it may be appropriate for certain design criteria to apply to multi-family residences to match the form of surrounding uses in the commercial district. In this case, the yard requirements for this use could be more flexible for a certain set of design standards could be developed. • Consider if there are other areas other than the Oval District where leniency in yard and open space requirements would apply. Consider how the leniency would tie to mixed use.

6.04 Topic 4: Neighborhood Character

Evaluate how Milford can encourage the creation of interconnected, functional neighborhoods that support the Town’s sense of community character.

Zoning Article	Subject	Comments/Recommendations
	<u>Industrial District Special Exception under 5.06.3</u>	<ul style="list-style-type: none"> • If applicable, consider if the reduced setback by special exception would have an adverse impact on surrounding residential areas. •
	<u>Industrial District 5.06.4.A</u> Discusses lot sizes and frontages. It states that no minimum lot sizes and frontage shall be required other than related to open space, etc.	<ul style="list-style-type: none"> • By allowing for flexible dimensional criteria, the requirements are left undefined. <ul style="list-style-type: none"> ○ To prevent poor development, a statement could be added to ensure that good development practices are being exercised for the developable/redevelopable portion of the land. ○ Other criteria, above obtaining access to water and sewer, could be considered • Consider buffer requirement to surrounding uses • Consider requesting a traffic study to understand impact
	<u>5.08.0 Integrated Commercial-Industrial “ICI” District</u>	<ul style="list-style-type: none"> • There are a lot of shops, restaurants, etc. along 101A. <ul style="list-style-type: none"> ○ Consider meeting transportation oriented goals in this area for residents to travel <u>safely</u> to jobs ○ Consider strategies to bring down the scale of 101A and create linkages to the Oval Area.
6.05	<u>Nashua and Elm Streets Corridor District Language</u>	<ul style="list-style-type: none"> • The language “additions or alterations to a site plan or buildings used for non-residential or multi-family purposes which significantly alter the visual appearance of the site or façade visible from a public way” could be added to all underlying districts. • Significantly alter: Provide a definition • 6.05.0 Consider requiring a site analysis to demonstrate an understanding of the performance standards, prior to development review. • 6.05.6.C.4 Landscaping: Sometimes lists can prohibit proper

6.04 Topic 4: Neighborhood Character

Evaluate how Milford can encourage the creation of interconnected, functional neighborhoods that support the Town’s sense of community character.

Zoning Article	Subject	Comments/Recommendations
		planting (sun/shade exposure, water requirements, etc.). Consider requiring a Registered Landscape Architect’s stamp.

6.05 Topic 5: Relationship between residential development and other planning goals

Strive to make residential development compatible with other planning, natural resources, code enforcement, transportation and economic development goals of Milford.

Zoning Article	Subject	Comments/Recommendations
	<u>Natural Resource Limitation</u>	<ul style="list-style-type: none"> Confirm that any modifications that result from this audit report require that all new development complies with relevant local, state and federal laws and regulations, specifically related to protecting natural resources.
	<u>Open Space</u>	<ul style="list-style-type: none"> Cluster housing to preserve open space Focus higher density development in appropriate areas Encourage redevelopment Convert existing housing to housing that is affordable for many users Provide incentives for existing land owners
	<u>Public Land</u>	<ul style="list-style-type: none"> Identify private land to acquire for the purposes of achieving master plan goals, preserving open space, etc. Identify private land for the purposes of development/housing types identified in the Housing Chapter. Use Brox property as an example.
Article 6.04.0	<u>Open Space and Conservation District (OSCD)</u>	<ul style="list-style-type: none"> Consider allowing higher densities if more open space is provided than is required by this section (Cluster Development) Consider a reference in the underlying base districts that references this section.

6.05 Topic 5: Relationship between residential development and other planning goals		
Strive to make residential development compatible with other planning, natural resources, code enforcement, transportation and economic development goals of Milford.		
Zoning Article	Subject	Comments/Recommendations
		<ul style="list-style-type: none"> • Clarification between the meaning of open space and permanent open space is suggested. • Discretion of the Planning Board is noted in several locations under 6.04.4 Location and Scope of Authority <ul style="list-style-type: none"> ○ Similarly to the Nashua and Elm Street Corridor District, the applicant could be encouraged to meet with the Town Planner prior to submittal of a plan to ensure that the OSCD criteria are being met. • Under objectives, recreational opportunities could be added. For non-permanent open space, an exclusion easement(s) could be considered to meet the goals of public open spaces, parks, playgrounds, recreational trails, etc.

6.06 Topic 6: Long-term impact of development on Town infrastructure		
New housing development should be designed to minimize the Town's long-term costs in providing services.		
Zoning Article	Subject	Comments/Recommendations
	Town Water/Sewer	<ul style="list-style-type: none"> • If water expanded, will need to modify aquifer protection district • Consider if there would be incentives to developers to expand Town Water/Sewer beyond what is allowed in the current regulations. • Most districts limit lot densities by access to municipal water and sewer. If a wastewater treatment plant were proposed, a section could be added regarding general rule, studies to be performed, permits to obtained, etc.

6.06 Topic 6: Long-term impact of development on Town infrastructure

New housing development should be designed to minimize the Town's long-term costs in providing services.

Zoning Article	Subject	Comments/Recommendations
		<ul style="list-style-type: none"> As stated in the master plan, work with water and sewer departments to evaluate potential areas for infill and increased residential density
	Town Wastewater	<ul style="list-style-type: none"> Limits opportunities for higher density housing in some areas of Town, precluding goals of master plan (such as pedestrian oriented development patterns, etc). Can be impediment to residential development because of lot size, septic location, soil suitability Can limit redevelopment of single family to multi family Recommendation: Higher density/affordable housing developments address infrastructure constraints, require subsidies in project, to make sure that the proper service is provided and the environment is protected
	Commerce and Community District	<ul style="list-style-type: none"> Consider costs of new roads Consider requiring an infrastructure/utility assessment report as part of development requirements to determine impact on the larger Town system.

General Considerations

Zoning Article	Subject	Comments/Recommendations
Article 3.02.0 Districts	<u>Zoning Map</u>	<ul style="list-style-type: none"> Any modifications to zoning districts or overlay districts will require changing the zoning map and Section 3.01.0
Article IV	<u>New Definitions</u>	<ul style="list-style-type: none"> The following definitions may be considered, depending on

General Considerations		
Zoning Article	Subject	Comments/Recommendations
Definitions	The modifications to the ordinance that consider the goals of the Housing Chapter of the master plan will likely require modifications to definitions	<p>ordinance changes:</p> <ul style="list-style-type: none"> ○ Affordable Housing, Infill Housing ○ Applicant ○ Buffer (if buffers are part of new development strategies) ○ Building, non-conforming ○ Cluster Housing ○ Cohousing ○ Condominium ○ Easement ○ Green Building Code, Green Development, etc. ○ Landscaping, Master Plan ○ Mobile Home, Mobile Home Park ○ Multigenerational housing ○ Off-street parking ○ Redevelopment or Alteration ○ Rooming House or Rental ○ Town Home ○ Zoning Map
Article IV Definitions	<p><u>Modified Definitions</u></p> <p>The modifications to the ordinance that consider the goals of the Housing Chapter of the master plan will likely require modifications to definitions</p>	<ul style="list-style-type: none"> ● The following definitions may be considered for <u>modification</u>, depending on ordinance changes: <ul style="list-style-type: none"> ○ Density: depending on decisions on density changes ○ Driveway/Private Way: depending on decisions relative to density, this definition may require modification to allow a different number of residential lots allowed ○ Dwelling, Mixed-Use: If the number of dwelling units allowed is reconsidered, change definition ○ Open Space: Should the definition reference “usable land?” Does it exclude the use of wetlands, slopes, etc.? ○ Senior Housing: Consider after re-evaluation of this use

General Considerations		
Zoning Article	Subject	Comments/Recommendations
		<ul style="list-style-type: none"> ○ Structure: A common question is if parking falls under this category. If not, define otherwise. Is there a setback to parking? (Review SD Regs) ○ Usable Land: Currently usable land is defined as land that does not consist of wetland... In a cluster/open space type development, open space may be considered as an exclusion to usable land.
All Zoning Districts	<u>Open Space requirement for all districts other than residential</u>	<ul style="list-style-type: none"> ● Open space is required in all districts for uses other than residential. ● The concept of open space is often associated with an area that is dedicated to conservation land (permanently protected), land that protects environmental features, recreational land, landscaped areas, etc. <ul style="list-style-type: none"> ○ The definition could be confused with the intent of open space in the Open Space and Conservation District. ○ 6.04.3.B states that all open space shall be dedicated as permanently preserved from future development. ● The definition of open space in Article IV defines open space as a “permeable surface on a lot that is unoccupied by building....” <ul style="list-style-type: none"> ○ It appears that the definition of open space fits the context of Article V (Zoning Districts and Regulations). ○ If landscape islands qualify as open space, the definition could say so. ○ If a lot contains wetlands, severe slopes, etc., it should be evaluated whether this land is counted towards meeting the open space requirement ● Instead of defining open space that is required in the zoning districts, a limit on the amount of “impervious surface, structures, etc.” could be incorporated, which limits the confusion on the

General Considerations		
Zoning Article	Subject	Comments/Recommendations
		<p>intent of open space.</p> <ul style="list-style-type: none"> Alternatively, it is recommended to further define the intent of open space in the base zoning districts and regulations. <ul style="list-style-type: none"> A certain amount could be required in the yard setbacks, islands could be a certain size, and other goals could be incorporated to design open space to meet planning goals (check subdivision regs) Floor area ratios are also common tools in many zoning bylaws.
	<u>Expedited Review</u>	<ul style="list-style-type: none"> In the CCD, there is an expedited review committee. Consider if an expedited review committee could be formed to assist review in other districts to expedite the review process/cut down on costs for the Developer/Town.
6.06.6.B.1. a	<u>Commerce and Community District</u>	<ul style="list-style-type: none"> Illustrative Plan: Consider specifying what the illustrative plan should include. Board could receive a plan that is vague/hard to review.
6.07.0	<u>West Elm Street Gateway District</u>	<ul style="list-style-type: none"> Difficult to find a map for this district. Guidelines could potentially be cumbersome to an applicant. Suggest adding a section for conceptual consultation with the Town Planner.

OTHER APPLICABLE SUGGESTIONS

Article V: Zoning Districts and Regulations (p. 18)

In Article V of the existing Zoning Ordinance, each zoning district is broken out by section with accompanying regulations. Regulations that list out requirements can often be repetitive and difficult to maneuver through from the perspective of the applicant. As an alternative, the Town of Milford may consider condensing Article V, by creating two tables; one for allowable uses by district and one that lists the dimensional regulations (frontage, setbacks, height, etc.). Tables are visual and easy to follow. Additionally, all of the language pertaining to the zoning districts can be spelled out in one location rather than multiple sections. The Planning Board may consider reaching out to previous applicants for feedback to help inform this format change.

To expand on this concept, other front end information pertinent to this section would be listed here. For example: A description of zoning districts established, purpose of districts, purpose of the table of uses, designation of permitted uses, symbols etc.

The following is an example of tables that would be comparable to the Town of Milford.

Principal Uses		Base Districts										Supplemental Standards
Use #	Use Category and Description	CO	A	R-1	R-2	RSBO-1	RSBO-2	VC	C	CHZ	I	(For all uses, refer first to Section 4, Dimensional Standards)
A	Residential											
1	Single family dwelling	P	P	P	P	P	P	P	-	-	-	
2	Two-family dwelling	-	P*	P	P	P	P	P	-	-	-	
3	Multi-family dwelling	-	-	SE	SE	CU	CU	CU	-	-	-	Section 5.15, Section 5.9 and Section 5.21
4	Manufactured home	-	-	-	-	-	-	-	-	-	-	Section 9
5	Manufactured Home Park	-	CU	-	-	-	-	-	-	-	-	Section 9
6	Dwelling units as part of a mixed-use (residential and nonresidential) building or project	-	-	-	-	CU	P	P	CU	CU	-	Section 5.15 and Section 5.9

* Two-family dwellings are allowed where a lot has 3 acres and 300-feet of frontage, or otherwise meets Section 4.3, the Table of Dimensional Regulations.

Additionally, where necessary, some of the uses defined in the table may require clarification. In this case, clarification can be provided in the definitions section of the regulations.