

Minor Amendments to the Village Center Bylaw

Amendment #1: Clarifying the Applicability Section.

Article ##: To see if the Town will vote to amend Item B (Applicability) of Section 205-39 (Village Center Regulations) to make clear that only those lots wholly located within the Village Center can utilize the Village Center Regulations.

205.39 – Village Center District Regulations

B. Applicability and Severability

The regulations within this section shall apply to those lots located ~~completely whole or part~~ within the Village Center Zoning District ~~as of the date of the Village Center Bylaw's adoption at Town Meeting (May 7, 2016)~~. The regulations established herein shall be considered controlling wherein they should be found in conflict with other sections of this bylaw. The invalidity of any section or provision of this bylaw, or its application to any development proposal, shall not invalidate any other section, provision or application of this bylaw.

Planner's Note: Over the summer, the Planning Board received a couple plans showing "creative" interpretations of the Village Center Bylaw that highlighted a problem with the Applicability section. The problem created by the "whole or part" language is that people owning property just *outside* of the VC district were combining these properties with properties located *within* the VC district, and then arguing that the VC dimensional regulations were applicable to the entire combined parcel, thus expanding the VC district outside of its current boundaries. This was never the Planning Board's intention and, working with Town Counsel, we believe the above amendment will settle the matter.

Amendment #2: Establishing a minimum lot size and frontage requirement for the Village Center.

Article ##: To see if the Town will vote to amend Section 205 Attachment 2 (Land Space Requirements) to establish a minimum lot size and frontage requirement for the Village Center.

205 Attachment 2

**Town of Westminster
Land Space Requirements
Chapter 205, Zoning**

Zoning District	Minimum Lot Size (square feet)	Minimum Lot Frontage ⁴ (feet)	Minimum Yard Depth ²			Maximum Building		Maximum Percentage of Lot Coverage ^{4a}
			Front ^{4,5} (feet)	Rear ⁴ (feet)	Side ⁴ (feet)	Stories	Feet	
Residence Districts								
R-I	50,000 ¹⁰	150 ^{4,10}	25	20	15	2½	35	20% ⁴
R-II	60,000 ¹²	175 ^{4,12}	30	20	15	2½	35	20% ⁴
R-III	86,000	200	30	20	15	2½	35	20%
Commercial Districts								
C-I	40,000	150	40	40	20 ⁶	2	30	--
C-II	10,000	100	25	20	20 ⁶	2	30	--
VC ⁷	7,500	50	15	20	10 ⁶	2	30	80%
Industrial Districts								
I-I	40,000	150	25	50	25 ⁸	4	50	65%
I-II ¹¹	40,000	100	20	30	25 ⁸	4	50	65%
Floodplain and/or Wetland Protection Districts ⁹								

Planner's Note: The revisions above are an attempt to establish a minimum lot size requirement and a minimum frontage requirement for the Village Center zoning district. Currently, there are no such requirements.