

**MEMORANDUM**

TO: Town Plan and Zoning Commission  
FROM: Jonathan E. Mullen, Planner  
DATE: October 28, 2022  
RE: Town Center Regulations

Please see the attached revised regulations for retention of commercial square footage in a mixed-use development in the Town Center Zone. The revisions are based on Commissioners’ comments from our October 18, 2022 meeting. The following is a complete list of changes made to Section 4.13 Town Center Zone:

- 4.13.1 Purpose and Intent
  - Removed references to specific documents. Inserted language that clarifies that Town Center is a mixed-use zone.
- 4.13.2 Permitted Uses and Use Categories
  - Inserted reference to new section 4.13.6(k)
  - Added language clarifying that the new section applies only to residential/commercial mixed use developments
- 4.13.6 Development Requirements
  - Added new section 4.13.6.(k)
    - The amount of existing commercial square footage that must be maintained on a site with existing development that is adding residential use, or a site that will be partially or completely demolished and redeveloped as a mixed-use commercial/residential development can be reduced in exchange for a pre-determined public benefit.
    - Sets minimum of commercial space to be retained as a percentage (either 50 or 60) or square footage (either 6,000 or 7,200) whichever is greater.
    - Provides a list of public benefits and corresponding reductions in the amount of commercial space to be maintained (in percentages).

The proposed regulation allows a developer to seek a reduction in the amount of commercial space required to be maintained as part of a mixed used development in exchanged for a public benefit. See the table below:

Percent Reduction	Percent Commercial Space Retained
75*	25*
50	50
40	60

*\*As amendment was originally drafted*

The TPZ should consider the following items:

- Is the one-for-one replacement of commercial space (the regulation as existing) appropriate?
- What is an appropriate minimum requirement for commercial space retention? 60%? 50%?
- Should preservation of historic buildings be further incentivized? If so how?
  - Example: Adjust the percentages such that a developer can get no more than a 25% reduction without preservation of a historic structure.