ARTICLE  : To see if the Town will vote to amend the Zoning Bylaw, Section 5.4.1 Special Permits in the Central Business District (new text in **bold**, deleted text in **strikethrough**) as follows:

5.4.1 Special Permits in the Central Business District

In the Central Business district, the following provisions shall apply to uses allowed by special permit and are also available for applicants for uses permitted by right in order to propose a flexible site design.

A. **Purposes**

1. To further the goals of the Medway Master Plan

2. To encourage mixed-use development in the Central Business District with a balanced and vibrant mix of compatible business uses and multi-family residential development.

3. To encourage revitalization and economic investment in the Central Business District in a manner which represents the qualities of a traditional New England town center.

B. **Applicability**

1. A Mixed-Use Development may be allowed in the Central Business District by special permit from the Planning and Economic Development Board to include a combination of uses allowed by right and uses allowed by special permit as specified in Table 1 – Schedule of Uses.

2. The provisions of this Section are available by special permit from the Planning and Economic Development Board for uses permitted by right in order to achieve a flexible site design.

3. All development projects considered under this Section are subject to site plan review pursuant to Section 3.5 herein and the Medway Design Review Guidelines.

C. **Definitions:**

Mixed-Use Development: See definition in SECTION 2 DEFINITIONS

Multi-Family Building: See definition in SECTION 2 DEFINITIONS

A. **D. Dimensional Requirements.**

1. Minimum lot size: 10,000 square feet

2. Minimum continuous frontage: 50 feet
3. Minimum front-yard setback: Principa le buildings shall be set back a minimum of 10 feet from the front lot line. Architectural features such as bay windows, porches, balconies, porticos, canopies, etc. shall not be subject to the 10-foot minimum setback.

4. Minimum side-yard and rear-yard setback: For lot lines abutting a residential zoning district, 25 feet of which the first 10 feet nearest each lot line shall not be used for the parking or storage of vehicles and shall be suitably landscaped. There is no side-yard or rear-yard setback for properties abutting other properties within the Central Business district.

5. Maximum building height: 60 feet

B. E. Residential Uses in a Mixed-Use Development.

1. Except for assisted living residence facilities, a building comprised of multi-family dwelling units only shall not be permitted.

2. In a two-story building, no more than 50 percent of the gross floor area shall be comprised of multi-family dwelling units. In a three-story building, no more than 67 percent of the gross floor area shall be comprised of multi-family dwelling units. In a four-story building, no more than 75 percent of the gross floor area shall be comprised of multi-family dwelling units.

3. Multi-family dwelling units may not be located on the ground floor of a mixed-use building or development unless:
   a. The building with the multi-family dwelling units is set behind another building which has business uses on the ground floor and a front façade that faces a public way or primary access drive; or
   b. The residential portion of the ground floor is set behind the business uses within the same building which has a front façade that faces a public way or primary access drive.

4. No more than 10 percent of the total number of a mixed-use development’s residential dwelling units shall have more than two bedrooms.

5. The provisions of Section 8.6 Affordable Housing shall apply to Mixed-Use Developments.

C. F. A minimum of 15 percent of the site shall function as landscaped or public space. The landscaped or public space shall be architecturally integral to the site or, as appropriate and practical, to abutting sites. No space that is used for vehicular parking or circulation, or loading shall be included as landscaped and/or public space.

D. G. Special Permit Review Criteria.

1. Special permits granted under this Section 5.4.1 are not subject to the special permit criteria under Section 3.4.
2. Before granting a special permit for a mixed-use development or flexible site design of a permitted use in the Central Business District, the special permit granting authority, Planning and Economic Development Board, shall find that all of the following criteria are met:

   a. The proposed uses and site design represent the qualities of a traditional New England town center;

   b. The proposed site design is environmentally sound and is readily accessible to and useable by pedestrians;

   c. The proposed site design reflects and advances the goals and objectives of the Medway Master Plan as updated;

   d. Adequate pedestrian and (where applicable) vehicular linkages are provided within the site and connecting to abutting properties;

   e. Streets, driveways, sidewalks, landscaped areas and public services are laid out in a safe manner;

   f. Any detrimental impacts of the use on abutting properties and/or residential neighborhoods have been adequately mitigated; and

   g. The site design incorporates the site’s existing topography and protects natural features to the maximum extent possible.

E. H. Design Requirements – The Planning and Economic Development Board shall adopt Central Business District Special Permit rules and regulations to administer this Section 5.4.1 including submission requirements and procedures and Central Business District design guidelines. Such guidelines may include any or all of the following:

1. Façade design for buildings visible from public ways

2. Vehicular or pedestrian connections to abutting commercial or residential areas;

3. Provision of pedestrian amenities; and

4. Sustainability, i.e., efficient resource use throughout a building’s life cycle from siting to design, construction, operation, maintenance, renovation and deconstruction.

Or to act in any manner relating thereto.