

## **Mixed Use Zoning by Town as of Spring 2006:**

(Areas identified in each town with mixed use zoning by right or by special permit)

By John Lipman, Cape Cod Commission

Mixed-use zoning, meaning zoning that concentrates a variety of commercial, residential, and institutional uses in downtowns and other village-like settings, can be used as one measure of smart growth. As you can see from the chart below, a number of towns have instituted some type of mixed-use zoning in their downtowns and other areas. What these findings tell us is the extent to which different towns on the Cape are accommodating growth in a form that is considerably more beneficial from a land-use perspective than suburban sprawl. What these findings cannot easily tell us is the amount of additional growth these bylaws allow, their effectiveness in stimulating real estate investment, whether the areas zoned for mixed-use contain the infrastructure to properly accommodate additional density, and the extent to which development potential and sprawl development is being prevented outside of these areas. This is simply a snapshot of one aspect of smart growth, albeit an essential one from a land-use perspective. It thus serves as a useful basis for further research and public dialogue.

Barnstable	Hyannis allows height of 3 stories, residential uses on upper floors; allowed amnesty for illegal apartments if made affordable in perpetuity; downzoned much of Barnstable to 2-acre zoning; clustering allowed.
Bourne	Allows mixed use; no height restriction on buildings (controlled by special permit).
Brewster	Allows apartments in commercial/industrial zones.
Chatham	Allows mixed use (apartment incidental to a commercial use) in the GB1, GB2 and GB3 districts by special permit, and by right in Industrial districts.
Dennis	Dennisport allows mix of retail, commercial, professional; upper floor residential/commercial mix; residential units required for new commercial development (25% affordable); reuse encouraged thru permit streamlining; purchased outlying open space to reduce density outside of downtown.
Eastham	No areas identified

<u>Falmouth</u>	Allows mixed use on Main Street; in areas zoned for business; in industrial zones.
Harwich	Allows mixed use in all commercial districts by special permit.
Mashpee	Mixed-use allowed through TDR in almost all of the Town through Open Space Incentive Development (OSID) zoning by-law and in all commercial zoning districts through TDR of residential units allowed through Commercial Center by-law.
Orleans	Allows mixed use town-wide in commercial districts and village centers.
Provincetown	Allows mixed use throughout commercial center of town.
Sandwich	Property owner can apply for special permit to allow mixed use.
Truro	No areas identified
Wellfleet	Mixed use allowed in C1 and C2 commercial districts; mixed use allowed in the Main Street Overlay District.
Yarmouth	Hotel conversion bylaw allows mixed use with 3 stories/35 feet and up to 16 residential units per acre with 25% affordable housing.  Mixed use allowed in certain situations by right.