

Intent of this Section:

- (a) To allow the economic reuse of buildings that may be substantially out of compliance with the dimensional requirements of the zoning district within which they are located, especially as they are converted to residential use.
- (b) To encourage the preservation of buildings of historic or cultural significance by providing opportunities for reuse of the structures.
- (c) To establish a framework of development standards and criteria within which existing non-residential buildings that are out of scale and character with surrounding residential uses can be converted to housing of an appropriate style and density while limiting potential negative impacts on neighbors.

#### **5.28.20 Allowed Uses**

The Planning Board may permit uses not otherwise allowed in the base zoning district, subject to the following conditions and limitations:

- (a) The permitted uses shall be limited to the following:
    - (1) All residential uses listed in Section 4.31 (a-h), but specifically excluding Transient Accommodations and Trailer Park or Mobile Home Park listed in Section 4.31 (i-j).
    - (2) The following institutional uses: Religious uses (4.33.a); Public or non-profit educational uses (4.33.b.1); Private preschool, day care, kindergarten (4.33.b2); Local government or other government facility (4.33.f, 4.33.g); Private museum, library, non-commercial gallery (4.33.h.2).
    - (3) The following office uses: Office of an accountant, attorney, or other non-medical professional (4.34.b); Real estate, insurance or other agency office (4.34.c); General office use (4.34.d).
    - (4) Any uses allowed as accessory uses to the permitted principal uses.
  - (b) All permitted non-residential uses shall be limited to the ground floor or basement of the building. The Planning Board may permit non-residential uses to occupy other floors of the building only after determining that the location and design of such spaces, including access and egress, will not impact the privacy or security of residential occupants. However, the total floor area occupied by non-residential uses shall not exceed the floor area of the ground floor and basement.
  - (c) The Planning Board shall determine that any proposed non-residential uses are generally compatible with residential uses in the area, including the dwelling units located within the same building, and will not cause harm or nuisance to surrounding uses.
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