





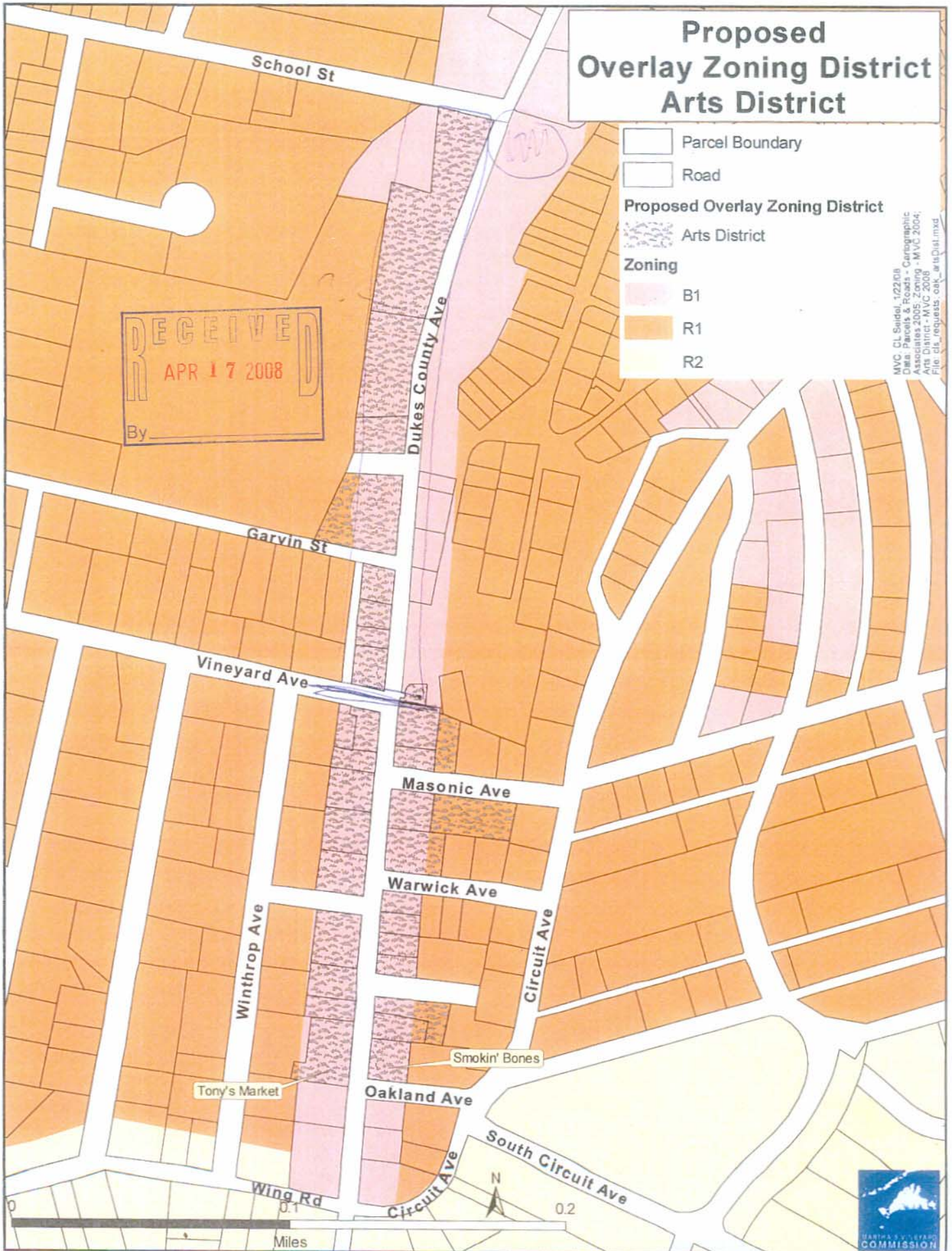


Proposed Overlay Zoning District Arts District

-  Parcel Boundary
-  Road
- Proposed Overlay Zoning District**
 -  Arts District
- Zoning**
 -  B1
 -  R1
 -  R2

MVC CL Sidel, 12/2/08
 Data: Parcels & Roads - Cartographic
 Associates 2005; Zoning - MVC 2004;
 Arts District - MVC 2008
 File: ds_requests_oak_artsDist.mxd

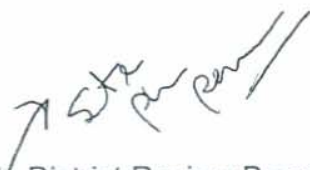
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If the boundary of the district is in dispute, the rules on interpretation of district boundaries found in Section 2.3 of the Zoning Bylaw of the Town of Oak Bluffs shall apply.

4.0

ARTS DISTRICT REVIEW BOARD



The Selectmen shall establish an Arts District Review Board, whose purpose will be to review any applications for changes of architecture, appearance or use of any of the buildings in the Arts District.

The Board shall consist of five members, selected by the Selectmen. Whenever possible, preference in selecting Board members shall be given to artists, owners of businesses in the Arts District, residents of the Arts District, and others who show appreciation for the aims and development of the Arts District.

5.0

REGULATIONS

The following additional regulations shall apply to parcels within the Arts District:

5.1 Site Plan Review

All new principal and accessory buildings, expansions of existing principal and accessory building and any change to an existing parking area, loading area, or access way, shall require site plan approval by both the Planning Board and the Arts District Review Board.


The Arts District Review Board may develop such requirements as it deems necessary to determine whether new construction is consistent with the character and appearance of the Arts District.

5.2 Dimensional Regulations shall conform to the regulations of the underlying zoning district for each property within the Arts District.

5.2.4

Legal non-conforming structures may be altered, reconstructed, or extended if the Planning Board and the Arts District Review Board, in approving a site plan, find that the alteration, reconstruction, or extension is not more detrimental to the neighborhood than the existing non-conforming structure.

5.3 Parking Regulations



Notwithstanding Section 5.1 of the Zoning Bylaw of the Town of Oak Bluffs, there shall be no minimum parking space requirements in the Arts District. Site plans shall show existing parking areas on the premises and adjacent lots.

Notwithstanding Section 5.1 of the Zoning Bylaw of the Town of Oak Bluffs, within the Arts District, whenever an existing building is being redeveloped for another permitted use, no additional parking will be required so long as there is no increase in the net floor area. If the building is enlarged, then increased parking requirements will apply.

Provision of additional parking for residents and visitors shall be encouraged, whenever consistent with existing design and architecture of the Arts District

5.4 Streetscape

The Arts District contains many fine examples of tall shade trees and flowering ornamental trees and shrubs that add to the beauty and aesthetics of the public streetscape. Property owners are encouraged to contribute to this effect when developing or re-developing property. Applicants shall submit a landscaping plan that contains landscaping elements for reinforcing the streetscape and framing public spaces and building entrances with ornamental plantings. Applicants shall use consistent materials and design details for paving, planting, and site furnishings in order to establish a unified design approach for the property.

5.5 Use and Design Regulations

5.5.1

Properties containing a mix of commercial and residential uses are allowed by right and are encouraged in the Arts District. First floor space may contain retail uses, restaurants and the like that attract visitors to the area and promote pedestrian activity. Architects shall design buildings with extensive use of windows at street level to create visual interest for passers-by.

5.5.2

Dwelling units are encouraged, but not required, on upper floor space. Preference shall be given to low cost housing wherever possible.

5.5.4

To add to an active street life, the front setback may be used for outdoor seating, display areas, sidewalk cafés, awnings, and similar features.

5.5.5

The applicant shall demonstrate, through submission of proposed building elevations and photographs of existing buildings, that the proposed exterior appearance is consistent with existing architectural themes in the Arts District or that it substantially contributes to the concept of an Arts District.

5.5.6

An applicant considering a change of use for a property must demonstrate to the Arts District Review Board that the proposed new use is not inconsistent with the concept of an Arts District.

5.5.7

Any new owner of a property must demonstrate to the Arts District Review Board that the proposed use of the property is not inconsistent with the concept of an Arts District.

5.5.8

In reviewing proposed changes in ownership or use, the Arts District Review Board will use broad standards that allow diversity within the general concept of the District

6.0 RENUMBERING

If this overlay bylaw is adopted by the vote of Town Meeting, its provisions shall be re-numbered to be consistent with the numbering of the Zoning Bylaw of the Town of Oak Bluffs.