

Planning Board shall use its discretion to determine the amount of parking to be required.

Section 313. ⁵HAMLET MIXED-USE DISTRICT REGULATIONS

1. Purpose. The Town of Washington values the historic architectural character of its largest settlement, the hamlet of Mabbettsville, and wishes to encourage continued residential and commercial growth in this area while maintaining the historic architectural fabric that exists. It is the goal of the Town of Washington that development of the Mabbettsville hamlet should occur in a manner that follows the principles of traditional village planning, exemplified by the pattern of development found in the Village of Millbrook. To that end, the Hamlet Mixed-Use (HM) District is intended to be an area of mixed residential and non-residential uses in which historic and residential character predominates, pedestrian activity is encouraged, and suburban “strip” shopping center development is discouraged.
2. Limitation on Non-Residential Development.
 - a. In order to preserve the mixed-use character of the District, the Planning Board shall limit the proportion of new non-residential development to fifty percent (50%) of the total square footage of floor space of all new residential building construction within the HM District over any two-year period.
 - b. The Planning Board shall deny any application for a Special Permit allowing a non-residential use that would result in exceeding this fifty percent (50%) threshold for the two (2) years immediately preceding the date of submission of such an application. In the event that two (2) or more of such applications are before the Planning Board and not all of such applications can be approved without violating this limitation, the Planning Board shall give preference to that use or those uses that best achieve the purposes of the HM District as set forth in this Section 313.
 - c. “New Residential building construction” shall include interior living space contained in new residences, additions to or enlargements of existing residences, and conversions of non-residential structures to residential use. It shall not include non-residential accessory structures, decks, or garage space.
 - ⁶d. “New non-residential development” shall include interior floor space of new non-residential principal and accessory structures and new non-residential uses in structures converted from residential use after the date of this Local Law. It shall not include non-residential accessory structures used in connection with residential uses, interior or exterior areas used for home occupations, changes in non-residential use of structures already used for non-residential

⁵ Section 313 amended; Local Law # 3 of the year 1990 on 10/11/90.

⁶ Section 313, paragraph 2 subsection d. amended; Local Law #4 of the year 1999 on 12/2/99.