

TOR-2023-3

AN ORDINANCE TO AMEND CHAPTER 180 OF THE CODE OF THE TOWN OF AGAWAM REGARDING PERMITTED USES IN BUSINESS A DISTRICTS

(Sponsored by Mayor William P. Sapelli)

WHEREAS, Chapter 180 of the Code of the Town of Agawam is the municipal zoning ordinance; and

WHEREAS, Section 44-A of Chapter 180 permits any residential use in a Business A district; and

WHEREAS, there have many residential multi-family developments in Business A districts instead of commercial businesses; and

WHEREAS, Business B districts prohibit the development of a new residential building but allows the alteration, modification or reconstruction of existing residential structures; and

WHEREAS, it is in the best interest of the Town of Agawam to modify §180-44 (Business A) and be consistent with permitted uses with §180-48 (Business B) in order for parcels to be developed to their highest and best use; and

WHEREAS, based on parcel size and set back restrictions, single family dwellings shall still be permitted in Business A districts; and

WHEREAS, this amendment to Chapter 180 will promote a healthier balance between residential and commercial development and strengthen the tax base in Town.

NOW THEREFORE, the Agawam City Council hereby resolves, ordains, amends and enacts the following insertions to Chapter 180 of the Code of the Town of Agawam:

§180-44

A. Insert before “Any”, “Except as otherwise provided in this article,”

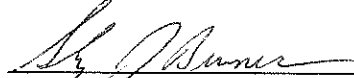
F. Insert “Residential buildings and appurtenant buildings such as garages, sheds, barns, etc., presently existing in Business A Districts may be added thereto, altered or rebuilt. No new building or other structure shall be erected for residential purposes, except for a one-family dwelling for one housekeeping unit only or, unless the land so located in the Business A District is part of a subdivision plan duly recorded prior to the enactment of this section or unless individual building lots have been similarly recorded.”

Dated this ____ day of _____, 2023.

PER ORDER OF THE AGAWAM CITY COUNCIL

Christopher C. Johnson, President

APPROVED AS TO FORM AND LEGALITY



Stephen J. Buoniconti, City Solicitor