CMRPC
Central Massachusetts Regional Planning Commission

Janet A Pierce — Executive Director
Chris J. Ryan — Community Development
Mary Ellen Blunt — Transportation
Trish Settles — Municipal Collaboration
Dianna Provencher — Business Manager
Denny Drewry — Commission Chair

TO: Board of Selectmen, Planning Board, ZBA, Town Manager, Department Coordinator

FROM: Jeff Bagg, Principal Planner/CMRPC

DATE: August 18, 2016

RE: Draft Village Center Development Bylaw dated August 18, 2016

The following memo is intended to be an outline of the significant changes to the draft Village Center Development Zoning Bylaw for the Town of Upton. The draft Zoning Bylaw and map are revised as of August 18, 2016. It is our understanding that the Board of Selectmen, Planning Board, and Zoning Board of Appeals will meet on August 23, 2016 to discuss interest in pursuing this zoning amendment at your fall Town Meeting. We plan to attend to be of any assistance with questions. Lastly, we note that there is still work to be done to complete this draft text prior to and after any public hearing with the Planning Board and to assist in the preparation of a frequently asked question document. We anticipate additional comments or recommended changes.

Removal of zoning change along stretch of Main Street

After discussion here in CMRPC, we are proposing for your consideration the removal of the Village Center District from the majority of the stretch along Main Street. One of the primary reasons is to provide a more concise focus on the center areas. In addition, it is recognized that the central Main Street corridor requires additional thought and consideration to ensure any changes protect it's largely residential character.

In this draft, we are maintaining two districts (A & B). We have changed the name of the areas so that the "A" District represents the larger, more commercial areas which will allow greater densities and mix of uses. The "B" district has been extended out to create smaller transitional areas between the "A" districts and the single family residential district along the Main Street corridor.

Changes to the proposed density

After reviewing the previously proposed language, some of the provided comments, and testing several existing properties, we have reduced the proposed zoning density from 20 units per acre to a maximum of 12 units per acre in the VCD-A district. The current language allows 12 units per acre with a Special Permit from the Planning Board and six (6) units per acre by-right (with Site Plan Approval).

The density of 12 units per acre is proposed based on a review of other allowed densities in Upton's Zoning Bylaw. The new Village Center Districts replaces the existing Planned Village Development option, which allowed eight units per acre by Special Permit. We believe that allowing at least six units per acre by-right will provide a level of predictability for a developer and result in new economic development activity.

Janet A Pierce Executive Director
Chris J. Ryan Community Development
Mary Ellen Blunt Transportation
Trish Settles Municipal Collaboration
Dianna Provencher Business Manager
Denny Drewry Commission Chair

A few preliminary calculations for reference are as follows:

20 units per acre
43,560/20 = 2,178 sq. ft. per unit
21,780 sq. ft./ 2,178 sq. ft. = 10 units

12 units per acre
43,560/12 = 3,630 sq. ft. per unit
21,780/3,630 sq. ft. = six units

Townhouse/Garden Apartments
SRA = 43,560/15,000 = 2.9 units/acre
SRB = 43,560/25,000 = 1.8 units/acre

Planned Village Development
(replaced by VCA & B)
8 units per acre

New parking requirements added
Mainly, the draft creates a requirement of 1.5 parking spaces for any unit with two bedrooms or more and creates a shared parking provision. Numerous other design related requirements are added.

New sign requirements added for Village Center Districts
Mainly, the draft creates a specific set of sign regulations intended to be more compatible with smaller, more pedestrian oriented, and village center scale designs.

Design standards are incorporated for building and site work
Mainly, the goal was to trigger building and site design requirements for larger redevelopment projects. The concept of design criteria is identified as an important objective of the Master Plan and is a key component in creating a village center.

Allow conversion from single family to two family "by-right" in both districts
This is more applicable in the VCD-B transition areas which are suitable for this small increase in density and reflect an existing pattern. This is an objective of the Master Plan. To truly encourage this type of conversion, the additional lot area provision should be removed. However, in the draft the requirement for double lot area remains.

Provision of affordable units is required for any new development with 10 or more units
This section requires the provision of affordable units (as defined by DHCD) for any project with 10 or more units. It requires that a project with 10 units or greater shall provide 10% of the units as affordable. This is a goal of the Town's Housing Production Plan. It is noted that providing affordable units as part of a new development will increase the costs for a developer.

Waiver/modification provision added
While the draft sets out strict requirements and expectations, the ability for the Planning Board to waive or modify a requirement will be essential to create necessary flexibility for both the Planning Board and a desirable project that may not meet certain provisions. This section is common in many progressive Zoning Bylaws including Sturbridge, Sutton, and Amherst.

Janet A Pierce Executive Director
Chris J. Ryan Community Development
Mary Ellen Blunt Transportation
Trish Settles Municipal Collaboration
Dianna Provencher Business Manager
Denny Drewry Commission Chair

Other notes/disclaimers

This is a draft for your preliminary review
There are elements and sections that will need to be revised and edited for consistency of terms. Formatting will be corrected as draft is refined and other changes may be needed after the August 23, 2016 meeting.

Several new use categories are proposed (additional definitions will be required)

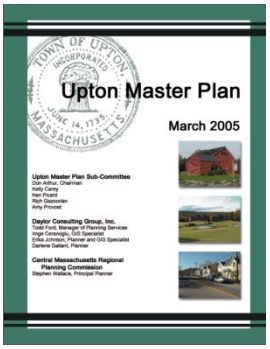
- Mixed use development
- Mixed use building
- Village center multifamily housing
- Movie or live performance theatre
- Village center retail stores (note: 15,000 square foot limit)
- Village center eating establishments
- Outdoor markets
- Live work spaces

Next steps
If a decision is made to pursue this zoning amendment for Fall Town Meeting, the Planning Board would be required to hold one or more public hearings to more thoroughly review the proposed bylaw and make any needed or desirable changes. During this time, public outreach and input is completed. After the public hearing the Planning Board would then determine whether or not include the amendment on the Town Meeting warrant.

CMRPC
Central Massachusetts Regional Planning Commission

Janet A Pierce Executive Director
Chris J. Ryan Community Development
Mary Ellen Blunt Transportation
Trish Settles Municipal Collaboration
Dianna Provencher Business Manager
Denny Drewry Commission Chair

Upton Master Plan (excerpts) related to the Rt. 140 corridor



"The town centers, with their unique attributes and historic character, are zoned exactly the same as the business district along Rt. 140. Traditional town center development, with its pedestrian orientation, strong street-facing façade, and mixture of uses, is essentially prohibited by mandated setbacks and use codes that were designed to create strip style development along the major roadways. Over time, the town centers could look more and more like other business zones in town unless the zoning is altered to reflect the center's unique attributes."

<u>Create Village Scale Zoning District for Town Centers and West Main Street -</u> Upton cherishes the village feel of the town center and the connecting neighborhoods along West Main Street. However, the existing zoning mandates a strip commercial style of development that is inconsistent with the traditional village scale and design of the area. The neighborhood could see continued disinvestment, particularly if the Planned Village Development west of the two town centers creates a new destination for shopping and services. Therefore, in an effort to preserve the existing neighborhood, create additional and appropriate economic development, and to permit small scale mixed use structures, complete with apartments on the upper stories, the town should create a new zoning district for the town centers and the connecting segment of West Main Street. This new zoning district would allow for small scale commercial and mixed use structures with minimal front yard and side yard setbacks. Parking should be on street or to the side or rear of the structures. Drive-Throughs should be prohibited, and the overall landscape should be one of pedestrian scale and design.

Encourage compatible combination of small businesses and residence along Route 140 between Upton Center and West Upton with the long term goal of a more integrated and accessible town center.

Land use trends in Upton suggest a town that is moving away from its traditional New England roots and towards the modern incarnation of a suburban bedroom community. Over the past three decades, the once compact development pattern found within the historic centers has transformed to a less dense suburban pattern spread throughout the entire town.

<u>Establish retail and business size limitations</u> - Uses that have a footprint between 5,000 sq. ft. and 25,000 sq. ft. should be regulated through a special permit process due to their potential impact on the community. Uses over 25,000 sq. ft. should be prohibited in every zoning district. A special definition and permit process should be created for those uses over 25,000 sq. ft. if the town would like to leave the door open for this type of use. This would ensure that large scale development is of a design and scale that matches the goals of the people of Upton and provides a significant improvement over conventional commercial development patterns.

<u>Conversion of existing single-family homes into two family homes</u> - Upton's zoning bylaw currently allows the conversion of single-family homes into two-family homes in all of its residential zoning districts, upon authorization from the Zoning Board of Appeals and if the lot in question is twice the size of the underlying zoning requirement for a single-family dwelling. We recommend the double lot size requirement be dropped in Residential A and B districts to promote less expensive housing options, particularly where the town provides both municipal water and sewer.

<u>Multi-family dwellings</u> - The town currently allows multi-family dwellings in Residential A district under a Special Permit authorization from the Zoning Board of Appeals. The town should relax the Special Permit criteria to encourage more multi-family dwellings in the Residential A district where town water and sewer are supplied. This will promote less expensive housing options. If the town is concerned about how a particular site would be developed, then design standards could be built into a site plan review process.

<u>Create Design Review Guidelines, Bylaw, and Review Committee -</u> The town should establish a Design Review Committee and an accompanying set of Design Review Guidelines to guide the design of all new signs, commercial projects and multi-family projects in the town. This process would not apply to single family dwellings…Design Review focuses on aesthetic criteria. The Design Review Guidelines is a written document that identifies what types of building designs, building materials, and landscape treatments are preferred in the town. In Upton's case, preferred designs would probably be consistent with the rural development patterns and historic structures. The Guidelines give developers an up-front idea of what the town is looking for and ensures that the Design Review process is as objective as possible."

Suggested Elements of Design Review

- *Architectural Standards that address building materials, roof lines, windows, facades, and other elements.*
- *Sign standards that give preference to pedestrian scale monument signs over tall, highway scale internally lit signage. Materials and lighting should also be addressed.*
- *Landscape standards that give preference to native species.*