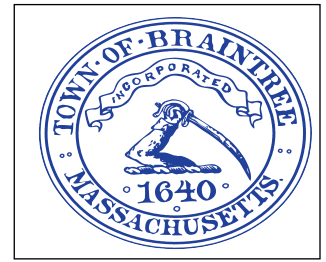


TOWN OF BRAINTREE
PLANNING BOARD MARCH 25, 2019
COMPREHENSIVE ZONING PUBLIC HEARING



Is Multi-Family Allowed Everywhere? Will 4-Story High Density Apartment Buildings be built by-right with no public input in my Neighborhood next to Single Family Homes? The Answer is **NO**, Residence A and Residence B prohibits the construction of new Two-Family Dwellings, Small Scale Multi-Family Dwellings, Multi-Family Dwellings or Residential Dwellings in a Mixed Use Development.

However, as is Allowed By Special Permit in the Current Bylaw, the conversion of Single Family Dwellings in the Residence B Zoning District that were built prior to 1940, may seek to obtain a Special Permit to be converted within the existing footprint and dwelling size to a Two-Family Dwelling.

All **NEW RESIDENTIAL DEVELOPMENTS** in the Residence C District, the Braintree Weymouth Landing District, the proposed Transition District, the proposed Village Center District, the General Business District and the Highway Business District of 3 or more units that fall into the small scale multi-family, multi-family or dwelling units in a mixed use development **that are allowed by-right and do not require a Special Permit are subject to Full Site Plan Review.** Full Site Plan Review is the same abutter and public notification process as a Special Permit.

Notes and Clarifying Statements in all pertinent Sections will be added to the Text to ensure the clarity of this Requirement.

PLEASE NOTE: Some Non-Conforming Uses in Non-Conforming Structures in any Zoning District may be converted with permission from the Zoning Board of Appeals, this process has the same abutter and public notification process as a Special Permit.

What is Floor Area Ratio (F.A.R.)? The measurement of a building's floor area in relation to the size of the lot that the building is located on. FAR is expressed as a decimal number.

Dwelling Unit in Mixed-Use Development: Any residential use included in a mixed-use development. Such uses are typically, but not exclusively, above the ground floor of commercial space.

Dwelling, Single-Family Detached: A detached dwelling intended and designed to be occupied by a single household. Can be stick-built construction or modular construction, but not including a trailer whether detached or attached to the ground.

Dwelling, Two-Family: A residential structure divided horizontally or vertically into two single-family living units that have separate entrances into each structure and is located on one lot. Typically, two stories in height.

Dwelling, Two-Family, Conversion: A former single-family dwelling converted into a two-family dwelling, per the requirements of § 6.3 of this zoning ordinance.

Dwelling, Multifamily: A building or portion thereof containing six or more dwelling units.

Dwelling, Multifamily Small-Scale: A building or portion thereof containing between three and five dwelling units.

DISTRICT INFORMATION

Residence A District (Res A)

- Same Lot Size 25,000 Sq. Ft.
- Increased Frontage From 75 Ft. to 100 Ft.
- Increased Minimum Lot Width Requirement to help reduce PORK CHOP LOTS
- Side Setbacks relate to height. Taller Dwellings have greater Side Yard Setbacks
- Residential Building Size regulated by Floor Area Ratio (FAR) = A Floor Area of .30 or 30% of the Lot Area
- Dwelling Height reduced from 3 Stories to 2.5 Stories with ½ Story Definition and Criteria
- Increased Side Setbacks for Accessory Structures from 5Ft. to 10 Ft.
- Increased Front Setbacks for Accessory Structures from 20 Ft. to 25 Ft.
- New Requirement of Maximum Height for Accessory Structures is 18 Ft./1.5 Stories
- NO INCREASE IN LOT COVERAGE AND NO DECREASE IN OPEN SPACE REQUIREMENT PROPOSED
- Driveway location and sizes better regulated, NO FRONT YARD PARKING ALLOWED
- Flexible Development Section 6.5 Allowed By Special Permit
- Accessory Dwelling Units Section 6.7 Allowed By Special Permit (**Only on Compliant Lots/Dwellings (Except Frontage)**)
- Home Occupation Section 6.8 Allowed By Right (Some Uses will be Prohibited)
- Long Term Care Facility Conversion Section 6.4 Allowed by Special Permit (**None Exist Currently**)
- Continuing Care Retirement Community Allowed By Special Permit
- **DOES NOT ALLOW THE CONSTRUCTION OF NEW:**
 - **TWO-FAMILY DWELLINGS**
 - **SMALL SCALE MULTI-FAMILY DWELLINGS**
 - **MULTI-FAMILY DWELLINGS**

Residence B District (Res B)

- Same Lot Size 15,000 Sq. Ft.
- Increased Frontage From 50 Ft. to 75 Ft.
- Increased Minimum Lot Width Requirement to help reduce PORK CHOP LOTS
- Side Yard Setbacks relate to height. Taller Dwellings have greater Side Yard Setbacks
- Residential Dwelling Size regulated by Floor Area Ratio (FAR) = A Floor Area of .35 or 35% of the Lot Area
- Dwelling Height reduced from 3 Stories to 2.5 Stories with ½ Story Definition and Criteria
- Increased Side Setbacks for Accessory Structures from 5Ft. to 10 Ft.
- Increased Front Setbacks for Accessory Structures from 20 Ft. to 25 Ft.
- New Requirement of Maximum Height for Accessory Structures is 18 Ft./1.5 Stories
- NO INCREASE IN LOT COVERAGE AND NO DECREASE IN OPEN SPACE REQUIREMENT PROPOSED
- Driveway location and sizes better regulated, NO FRONT YARD PARKING ALLOWED
- Flexible Development Section 6.5 Allowed By Special Permit
- Accessory Dwelling Units Section 6.7 Allowed By Special Permit (Compliant Lots and Dwelling (Except Frontage)
- Home Occupation Section 6.8 Allowed By Right (Some Uses will be Prohibited)
- Long Term Care Facility Conversion Section 6.4 Allowed by Special Permit
- Continuing Care Retirement Community Allowed By Special Permit
- Existing Single Families Constructed Prior to 1940 Converted to a Two-Family has been Allowed By-Right in the Residence B Zoning District from 1940 to 1986 and has been Allowed by Special Permit since 1986
- **DOES NOT ALLOW THE CONSTRUCTION OF NEW:**
 - **TWO-FAMILY DWELLINGS**
 - **SMALL SCALE MULTIFAMILY DWELLINGS**
 - **MULTI-FAMILY DWELLINGS**

Residence C District (Res C)

- Lot Size decreased from 43,560 Sq. Ft. to 25,000 Sq. Ft.
- Front Setback Decreased from 50 Ft. to 30 Ft.
- Side Setbacks Decreased from 30 Ft. to 25 Ft. and Rear Setbacks Decreased from 50 Ft. to 40 Ft.
- Height Increased to from 35 Ft./3 Stories to 40 Ft./3.5 Stories with ½ Story Definition and Criteria
- Residential Building Size regulated by Floor Area Ratio (FAR) = A Floor Area of .80 or 80% of the Lot Area
- Increased Minimum Lot Width Requirement to help reduce PORK CHOP LOTS
- Increased Side Setbacks for Accessory Structures from 5Ft. to 15 Ft.
- Increased Front Setbacks for Accessory Structures from 20 Ft. to 35 Ft.
- New Requirement of Maximum Height for Accessory Structures is 18 Ft./1.5 Stories
- NO INCREASE IN LOT COVERAGE AND NO DECREASE IN OPEN SPACE REQUIREMENTS PROPOSED
- Driveway location and sizes better regulated.
- Flexible Development Section 6.5 Allowed By Special Permit
- Accessory Dwelling Units Section 6.7 Allowed By Special Permit (Compliant Lots and Dwelling (Except Frontage)
- Home Occupation Section 6.8 Allowed By Right (Some Uses will be Prohibited)
- Long Term Care Facility Conversion Section 6.4 Allowed by Special Permit
- Continuing Care Retirement Community Allowed By Special Permit
- Please See Table of Principal Uses Page 23 in the March 11, 2019 Draft
- Two-Family Dwellings and Multi-Family Dwellings have been allowed in the Residence C Zoning District Since 1940
- **DOES ALLOW BY-RIGHT THE CONSTRUCTION OF NEW:**
 - **TWO-FAMILY DWELLINGS (Building Permit)**
 - **SMALL SCALE MULTIFAMILY DWELLINGS (Requires FULL Site Plan Review)**
 - **MULTI-FAMILY DWELLINGS (Requires FULL Site Plan Review)**

General Business District (GB)

- All dimensional requirements are the same except the Reduction in Height from 50 Ft. to 40 Ft.
- Residential Building Size regulated by Floor Area Ratio (FAR) = A Floor Area of 1.0 or 100% of the Lot Area
- NO INCREASE IN LOT COVERAGE AND NO DECREASE IN OPEN SPACE REQUIREMENTS PROPOSED
- Long Term Care Facility Conversion Section 6.4 Allowed by Special Permit
- Continuing Care Retirement Community Allowed By Special Permit
- Long Term Care Facility Allowed by Special Permit
- Please See Table of Principal Uses Page 23 in the March 11, 2019 Draft
- Multi-Family Dwellings have been Allowed By-Right in the General Business Zoning District from 1940 to 1978 and has been Allowed by Special Permit since 1978
- **DOES ALLOW BY-RIGHT THE CONSTRUCTION OF NEW:**
 - **DWELLING UNITS IN A MIXED USE DEVELOPMENT (Requires FULL Site Plan Review)**
- **DOES ALLOW BY SPECIAL PERMIT THE CONSTRUCTION OF NEW:**
 - **SMALL SCALE MULTI-FAMILY DWELLINGS**
 - **MULTI-FAMILY DWELLINGS**

Transition District (TD) **(New District)**

- Located along Washington Street to link up the Village Center Districts
- New District Boundary Replaces mostly Residence C and General Business Zoning along Washington Street as well as some Residence B Zoned Properties/Spilt Lots adjacent to the Corridor.
- Proposed Dimensional Requirements are more reflective of the actual lots and scale of development and coverage that currently exists within the District. The Proposed Building Coverage of 40% is the same or less than what is currently allowed on these lots. The Proposed Height of 35 Ft. is the same or less than what is currently allowed on these lot and the same as the existing and proposed Residence A and B District Requirement
- Current Uses on the Properties proposed to be included in the district include: Single, Two, Small Scale and Multi-Family Dwellings; gas stations, personal services body related, educational, medical, office, retail, funeral home, religious and retail. Most of these uses are currently non-conforming and not allowed in a Residential District. The proposed Table of Uses for the New TD Zoning District takes into account the existing corridor as well as promoting an extension of the Government and Historic Areas located adjacent to the District, as well as uses you would typically see on Main Street USA. The proposed uses for the most part are daytime orientated and were chosen because they have less of an impact on the neighborhoods abutting the proposed district as most of the uses currently exist, are similar too and or would complement the existing uses in the corridor.
- New TD Zoning District allows for Single and Two-Family Dwellings By-Right, as currently allowed within the existing Residence C Zoning District.
- New TD Zoning District Requires a Special Permit for all Small Scale Multi-Family and all Multi-Family Dwellings, as current Residence C Zoning allows for Multi-Family Dwellings By-Right.
- Continuing Care Retirement Community Allowed By Special Permit
- Long Term Care Facility Conversion Section 6.4 Allowed by Special Permit
- Residential Building Size regulated by Floor Area Ratio (FAR) = A Floor Area of .80 or 80% of the Lot Area
- New TD Zoning District allows for a variety of Uses, Some By-Right and Some By-Special Permit such as: Institutional /Semi-Public Uses, Recreation, Small Retail/Craft and Artisan (<10,000 Sq. Ft.), Gas Station, Public, Personal and Business Services Uses, Banks, Medical, Art Gallery and Live Theaters. (Please See Table of Principal Uses Page 23 in the March 11, 2019 Draft)
- Town Land Use Departments and Boards have more discretion and permitting requirements as outlined in Section 3.9 Special Permits, Section 3.10 Site Plan Review and Section 4.8 Non-conforming Uses and Structures and Lots.
- **DOES ALLOW BY-RIGHT THE CONSTRUCTION OF NEW:**
 - **TWO-FAMILY DWELLINGS (Building Permit)**
 - **DWELLING UNITS IN A MIXED USE DEVELOPMENT (Requires FULL Site Plan Review)**
- **DOES ALLOW BY SPECIAL PERMIT THE CONSTRUCTION OF NEW:**
 - **SMALL SCALE MULTI-FAMILY DWELLINGS**
 - **MULTI-FAMILY DWELLINGS**

Braintree Weymouth Landing District BWLD

- Still evaluating proposed changes from original Adoption in 2011, in relationship to the Transition District and the Village Center Zoning.
- Dimensional requirements are still under review from the current draft given the proposed expansion of the District Boundary and the Built Environment. Height requirements will be revised to match the Village Center and General Business Zoning Districts, with the same overlay Height exceptions still Allowed by Special Permit.
- Long Term Care Facility Conversion Section 6.4 Allowed by Special Permit
- Long Term Care Facility Allowed by Special Permit
- Expansion of District to include more of Quincy Avenue and an extended portion of Allen Street to the bridge
- Allows for opportunity for redevelopment along the River, improved Public Access and additional Riverwalks
- Please See Table of Principal Uses Page 23 in the March 11, 2019 Draft
- **DOES ALLOW BY-RIGHT THE CONSTRUCTION OF NEW:**
 - **DWELLING UNITS IN A MIXED USE DEVELOPMENT (Requires FULL Site Plan Review)**
- **DOES ALLOW BY SPECIAL PERMIT THE CONSTRUCTION OF NEW:**
 - **TWO-FAMILY DWELLINGS**
 - **SMALL SCALE MULTI-FAMILY DWELLINGS**
 - **MULTI-FAMILY DWELLINGS**

Village Center District (VC) **(Now a Zoning District not an Overlay District)**

- Dimensional requirements for lots similar to requirements of current zoning overlay, with the same provisions for waivers to allow decreased setbacks for continuity of future development within North and South Braintree Square.
- Reduction in Height to 40 Ft. when compared to current underlying zoning of General Business and Commercial which is 50 Ft.
- Residential Building Size regulated by Floor Area Ratio (FAR) = A Floor Area of 1.0 or 100% of the Lot Area, several buildings in the North and South Braintree Squares currently exceed this proposed Ratio.
- Expansion and alteration of the District Boundaries to remove Commercial Zoning along and adjacent to South Braintree Square, create symmetry in blocks and depth from the Washington Street, to allow for a progression of village uses that allows a transition of Washington to the Single, Two and Multi-Family Dwelling located in the abutting neighborhoods
- Revised District Boundary includes mostly Residence C, General Business and Commercial Zoning as well as some Residence B Zoned Properties/Spilt Lots adjacent to the current Overlay District.
- Allows for more compatibility and consistency in development and re-development than an Overlay provides.
- Uses can now be restricted to the Village Center District rather than allowing for the Uses in the various zones
- Limits the size of a single business to 10,000 Sq. Ft.
- Please See Table of Principal Uses Page 23 in the March 11, 2019 Draft
- **DOES ALLOW BY-RIGHT THE CONSTRUCTION OF NEW:**
 - **DWELLING UNITS IN A MIXED USE DEVELOPMENT (Requires FULL Site Plan Review)**
- **DOES ALLOW BY SPECIAL PERMIT THE CONSTRUCTION OF NEW:**
 - **TWO-FAMILY DWELLINGS**
 - **SMALL SCALE MULTI-FAMILY DWELLINGS**
 - **MULTI-FAMILY DWELLINGS**

Highway Business District (HB)

- Increase in Building Coverage from 25% to 40%
- Maintains current Building Height of 4 Stories/50 Ft. with exceptions by Special Permit for 6 Stories/75 Ft.
- NO INCREASE IN LOT COVERAGE AND NO DECREASE IN OPEN SPACE REQUIREMENTS PROPOSED
- Updated Use and Parking Table (Business Uses) to allow clarity rather than the lumping of uses into larger categories
- No Outdoor Storage allowed
- Please See Table of Principal Uses Page 23 in the March 11, 2019 Draft
- Multi-Family Dwellings have been Allowed Special Permit since 1986
- **DOES ALLOW BY-RIGHT THE CONSTRUCTION OF NEW:**
 - **DWELLING UNITS IN A MIXED USE DEVELOPMENT (Requires FULL Site Plan Review)**
- **DOES ALLOW BY SPECIAL PERMIT THE CONSTRUCTION OF NEW:**
 - **MULTI-FAMILY DWELLINGS**

Commercial District (Comm. or C)

- No Changes are proposed to the dimensional requirements for the Commercial District
- Updated Use Table (Commercial Uses) to allow clarity rather than the lumping of uses into larger categories
- Created Separate Overlay District for Citgo and Clean Harbors so they cannot expand beyond the limits of the overlay to other Highway Business Zoned Areas
- **ALL Residential Uses are proposed to be prohibited**
- No Outdoor Storage allowed by right, must obtain Special Permit
- Eliminated a fair amount of Commercial Zoning District in areas Adjacent to the Rivers and Resource Areas
- Please See Table of Principal Uses Page 23 in the March 11, 2019 Draft

ZONING MAP REVISIONS and UPDATES

- A lot of Corrective measures to fix/rezone Spilt Lots to one Zoning District
- Watershed Protection District Remained the SAME to Match Current and Future Water Supply Protection Zone
- Zoned existing 40B/Comprehensive Permit Developments to the closest residential district
- Eliminated Cluster Zoning and Re-Zoned those Areas to closest Residence A or B District.
- Open Space Conservancy Zone expanded 400++ Acres
- Expanded the BWLD to portions of Allen Street to the Mill Lane Bridge and further up Quincy Avenue to Gordon Road
- Introduction of a New (Transition District) Zoning to run along Washington Street and link up the Village Centers
- Expanded the Village Center District in South and North Braintree Square
- Created an Overlay District for Citgo and Clean Harbors (SIMA District)
- Rezoned several properties along Commercial Street and Allen Street to Residence C to clean up spilt lots and to remove Commercial zoned areas along the River and those that abut residential developed and zoned areas

WHAT'S NEW and UPDATED

- Clarified Roles and Responsibilities of the Various Land Use Staff and Boards in Braintree
- Improved and Clarified Standards for Non-Conforming Structures and Uses
- Site Plan Review for all Exempt Uses (MGL 40A Section 3)
- Administrative Site Plan Review and Full Site Plan Review Thresholds and Triggers
- Updated Site Plan Submission Requirements
- Updated Use Table with Definitions and Parking Requirements for all Uses
- Inclusionary Zoning
- Improved Landscaping Standards
- Flexible Development
- Accessory Apartments
- Home Occupation
- Medical Marijuana Dispensary (Recreational Totally Prohibited by Council)
- Drive-Thru Service requires Separate Special Permit
- Outdoor Dining Standards
- Updated Parking Requirements, including design, ratio's and landscaping requirements in parking lots