Acknowledgements

This document was produced with input from Town of Hull residents, the Planning Board, Hull Redevelopment Authority, Zoning Bylaw Committee, Director of Planning and Community Development, Board of Selectmen, and Town Manager. Professional technical assistance was provided by the Metropolitan Area Planning Council.

This project was undertaken with funds from the District Local Technical Assistance program. MAPC wishes to express our thanks to the Governor and the members of the Legislature for their continued support and funding of this program.

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Introduction

The Metropolitan Area Planning Council (MAPC), using District Local Technical Assistance (DLTA) funds, worked with the Town of Hull to develop new zoning regulations for the Nantasket Beach area. Composed of the area between Rockland House Road and Phipps Street, the Nantasket Beach area has received nearly a decade of thoughtful planning. Envisioned as a compact, mixed-use district, this DLTA project is one of several key implementation activities the Town is pursuing to make this vision a reality. Over the course of several months, MAPC worked with Hull to understand zoning issues, clarify development aspirations and translate these items into zoning recommendations and draft zoning language. The result is the Nantasket Beach Overlay District, intended to support a cohesive mixed-use area whose buildings and public spaces promote commercial activity, support a diversity of housing types and encourage buildings and sites that are sustainable and resilient to sea-level-rise–related flooding.

Background

PAST PLANNING

The Nantasket Beach area has been a consistent focus for the Town for almost a decade. Previous planning efforts have been critical to building an understanding of issues and opportunities, determining necessary next steps and needed resources, and setting the stage for more focused implementation efforts—like these zoning revisions—so that the overall vision for this area may be realized. The two significant visioning efforts described below comprise a planning process with both a broad, strategic focus and an intense look at possibilities on two particular parcels.

2004 Community Development Plan and Nantasket Focus Area Study (NFAS).
This study, led by the Cecil Group, examined the areas between Rockland House Road and Bay Street, and assessed a wide range of planning issues including infrastructure, parking and urban design. With regard to zoning and regulatory issues, the major recommendation of the NFAS was to establish an overlay district for the area to unify uses and provide for more mixed-use building opportunities.

Request for Development Proposals: Nantasket Beach Lease Parcels, September 28, 2011.
More recently, the Town conducted three community workshops to provide input on public preferences for redevelopment of two DCR ground-lease parcels that are located within the study area. The workshops surfaced priority uses for the parcels and also a range of zoning changes the Town might support to facilitate redevelopment. Participants voiced a strong general preference for some type of mixed-use development with varying primary uses. Specifically, there was interest in

- A retail/cultural complex with artist studios and galleries, live/work spaces, municipal uses such as a police station and restaurants.
- Mixed-use redevelopment with retail and restaurant/eating places (including a “market hall” first floor), residential components, public facilities, hotels, art galleries, and a movie theater.
- Mixed-use redevelopment with a satellite education/research center, with a possible focus on marine sciences/oceanography or culinary arts.
Participants’ suggestions for a regulatory framework to support this type of redevelopment included design guidelines, allowing five-story buildings by special permit, more flexible parking requirements, improved regulations for signage and better physical amenities such as lighting and sidewalks. There was also interest in density bonuses, both for LEED-ND certified development and low- and moderate-income housing.

OTHER PLANNING AND IMPLEMENTATION EFFORTS

In November of 2012, Hull was awarded $1,955,486 million grant from the State’s MassWorks infrastructure program to rebuild Nantasket Avenue with is a primary way through the study area. Modeled on a “complete streets” approach to roadway design, this project is a critical piece of increasing redevelopment opportunity in the Nantasket Beach area.

Project Overview

Phase I: Existing Conditions and Initial Recommendations

The project began with a thorough examination of Hull’s existing zoning regulations for the Study Area, defined as the area between Phipps Street to Rockland House Road. With a mix of seven zoning districts, the analysis looked at existing uses and dimensional regulations, with a particular focus on regulations that could impede mixed-use redevelopment efforts or redevelopment in general. Topics covered included the following:

- Advantages and disadvantages of overlay districts versus changing base zoning regulations
- How to provide for mixed-use buildings
- Approaches to unifying uses across the seven districts in the study area
- A close examination of Waterfront District zoning regulations and potential issues
- Opportunities for adjusting dimensional standards for compact development
- Adjusting parking standards
- Recommendations for including design guidance within the new zoning

The analysis also included general recommendations for improved organization and usability across the entire Hull Zoning Bylaw.

The Phase I analysis was included in a September 26, 2012 Issues and Options Memo to the Planning Board, which was accompanied by two base maps: Existing Zoning and Flood Plain Districts and Current Land Uses. (Both memo and base maps are included in Appendix A). On October 10, 2012, MAPC staff attended a Planning Board meeting, which also included members of the Hull Redevelopment Authority, Zoning Bylaws Committee and the general public, to discuss highlights from the memo and maps. A guide to this discussion is included as Appendix B.

One notable idea that emerged from this meeting was that the new zoning should provide an incentive for proponents to design buildings with non-habitable or “open” first floors. The genesis of this idea was the
2011 Community Forums on the potential uses for the ground-lease DCR parcels (see Background, above), where the idea of having a “market hall” first floor (similar to what existed in Hull’s historic buildings), emerged. This idea was carried forth to the public meeting in November, discussed below, and has since become an important aspect of the proposed zoning.

**Phase II: Public Outreach and Meetings**

On November 7, 2012, MAPC gave a presentation on general provisions of a proposed overlay district at a community forum in Hull (attached as Appendix C). Approximately 60 people came to the meeting (despite an early Nor’easter storm) including residents, commercial property owners, and Town officials and committee/board members. There ensued a robust discussion of the possible overlay zoning provisions. Overall, the public was supportive of a zoning overlay that provided for mixed-use development and unified districts and relaxed dimensional regulations. Areas of concern included parking challenges and height issues. Participants spent a considerable amount of time discussing how to incorporate an incentive for “open” or “market hall” first floors in new buildings in the proposed overlay district. The recent extreme weather events in other areas of the US and Hull’s efforts to deal with intense storm events and flooding informed the conversation. By the end of the meeting it was clear there was a mandate to include some type of provision or incentive for increased flood preparedness in the proposed zoning overlay district.

**Phase III: Final Zoning Recommendations and Draft Zoning**

With a considerable amount of public discussion and conferences with a range of Town boards and committees, MAPC—working with the Director of Planning and Community Development—advanced the zoning concepts discussed to date into a draft zoning article for a Nantasket Beach Overlay District. (Appendix D includes both the draft zoning overlay text and map with proposed overlay district boundaries.)

The draft overlay zoning includes the major provisions listed below.

### Zoning Recommendations

- Create an **overlay district** to implement the changes to Hull’s Zoning Bylaw in the Nantasket Beach study area, as opposed to making changes to base zoning.

- Within the overlay district, create a set of uses to unify the area that provide for commercial, mixed-use (addressed separately below), residential, hospitality, civic/cultural and recreation activities.

- Create a **mixed-use building provision** to enable a building to contain a combination of retail, office and/or residential uses.

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1 The draft boundary for the proposed Nantasket Beach Overlay District covers the land owned by the Hull Redevelopment Authority (HRA) between Water and Phipps Streets. Though this area is included in the study area for the overall zoning project, MAPC did not write the draft overlay zoning with this area in mind. We therefore caution the Town when it considers applying the overlay district to the HRA lands. At a minimum, a higher level of development review scrutiny should be used when reviewing projects that fall within this area. We suggest that the Town consider modeling alternative uses and designs for this area and selecting a preferred land use option for incorporation into a development RFP. Also, after completing scenario models, the Town should re-examine zoning regulations to determine whether they allow or impede the preferred alternative.
• Make the Planning Board the Special Permit Granting Authority for development in this overlay district.

• Create a set of alternative dimensional standards to enable more compact development, like those currently in place in the existing Business Districts.

• Include a "Design Guidelines" section in the proposed overlay district that includes a general clause on the quality and character of development, key attributes of design that the Design Review Board should note in its review and a statement that the Planning Board may promulgate more detailed design guidelines. This will allow the Planning Board and the Design Review Board to develop a more detailed and appropriate set of design guidelines.

• Provide an incentive for “adaptive” or “resilient” buildings that are designed to withstand increased flooding caused by sea-level rise by keeping the first floor “open” or non-habitable. The incentive is the right to build to higher maximum height without a special permit. To access this privilege, proponents would have to design a building with a non-habitable first floor, locate mechanical and HVAC equipment on upper stories or the roof, provide generator space/capacity on upper stories or the roof, achieve certain performance standards for energy efficiency and sustainable design, and other requirements.

### Additional Recommendations and Next Steps

The Town of Hull is committed to realizing the vision of the Nantasket Beach Area. While this DLTA project constitutes a critical implementation step, there are several areas of necessary action that rose to the surface during this work and could not be addressed in the current scope. They include:

**Create a design guidebook for the Nantasket Beach area.** While the proposed overlay district includes a section on Design Guidance with design criteria, Hull should consider developing a more detailed and illustrative design guidelines document to address the quality-of-development concerns in the Nantasket Beach area. The proposed zoning overlay district is designed with this in mind, with a provision that, “The Planning Board may promulgate more detailed design guidelines in addition to the criteria listed above,” included in the Design Guidance section.

Additional design guidelines could be structured to apply to the entire study area and even broken down into smaller districts to allow for fine-grained distinctions within the general overlay district. The design guidebook could be structured in any way Hull sees fit. However, in general, it is recommended that the guidelines adhere to the same general categories outlined in the proposed overlay district.

This type of project should be undertaken jointly with the Design Review Board, Planning Board and other relevant boards and committees.

**Undertake a parking management plan for this area.** Parking in the Nantasket Beach area will continue to be a major challenge as Hull pursues its redevelopment goals. To understand parking needs and devise accurate methods for accommodating vehicles while also creating more intense redevelopment and maintaining an active streetscape and pleasurable public realm, Hull will need a fine-tuned parking management strategy. Such a strategy will ensure that parking supply is in line with demand, that parking
is correctly priced, that parking facilities are well designed and that the Nantasket Beach area in general is able to handle the seasonal influx of tourist traffic. Also, and directly related to zoning provisions, this type of parking management strategy will be important for further adjusting parking requirements and other parking policy, including a more detailed shared parking provision.

Parking management strategies may include the following elements:

- Parking inventory including parking location, number of spaces and type of parking. Observations on current parking and circulation conditions, including pedestrian and cycling conditions.
- Parking occupancy and turn-over analysis to determine time-specific parking demands for different seasons.
- Review of parking requirements and regulations (partially completed in this DLTA project).
- Comprehensive parking needs assessment for current and future conditions.
- Strategies for accommodating and managing current and future parking demands.

Consider a comprehensive zoning recodification to improve organization and usability. While this project addresses specific zoning issues for the Nantasket Beach area, the supporting analysis revealed a number of issues with the existing Zoning Bylaw. For example, some sections are listed with the same section number, there are several instances of conflicting dimensional standards, uses are not consistent and are not defined, and there is one overlay district that is not mapped and apparently needs to be deleted from the Zoning Bylaw.\(^2\) Attending to these issues is important because they interfere with the overall efficiency of Hull's regulations.

Zoning Bylaws often become “cluttered” and more difficult to use over time as provisions are added or amended. The solution is often to do a comprehensive recodification where the Zoning Bylaw is reviewed and reordered to address usability problems while the substance of the regulations remains the same. The result is an easier-to-use set of regulations that provide more clarity and saves time for both proponents and those who administer the bylaw.

\(^2\) These issues are described in Appendix A, page 13.
Appendix A

Nantasket Focus Area Zoning Project: Issues and Options Memorandum and base maps
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The following memo lays out the planning background to and issues and options surrounding Hull’s zoning in the Nantasket Focus Area, described in our scope of work as the area between Rockland House Road and Phipps Street (also referred to in this document as “study area”). This memo, with accompanying base maps, is the deliverable for Task 1 of this project.

We ask that the Town review this document and provide one set of consolidated comments. After we have received comments we will meet with the Planning Board to discuss the memo and agree on the content MAPC will bring to the public meeting, which is Task 2 in our scope of work. The last task for this project is to generate final recommendations and draft zoning language.

**Study Area**

The study area encompasses the following zoning districts: Business, Commercial-Recreation Districts A, B and C, Waterfront and Public Open Space. The Multi-Family A district is within the boundaries of the study area, but is not part of the zoning analysis.
### Planning Framework

The Town of Hull has taken significant planning efforts for the Nantasket area, and these provide important background for this zoning work. A summary of these efforts follows.

**2004 Community Development Plan and Nantasket Focus Area Study (NFAS).**

This study, led by the Cecil Group, examined the areas between Rockland House Road and Bay Street, and assessed a wide-range of planning issues including infrastructure, parking and urban design. With regard to zoning and regulatory issues, the major recommendation of the NFAS was to establish an overlay district for the area to unify uses and create four sub-areas, each with its own objectives. The four sub-areas in the NFAS are:

- **The Business district**, in the northern-most areas of the current study area, between Bay and Phipps Streets. This area is to be the core commercial and retail business area that is dedicated to the bulk of local economic activity in this study area. Defining a complementary mix of uses, and establishing design guidelines and standards for this area are two regulatory opportunities that emerged from the study.

- **Cultural Village**, around Wharf Ave but not including the Pier. This area includes the two DCR-owned properties the Town is currently leasing, and also the Paragon Carousel and a mini-golf course, two recreational draws. Recommended uses include providing for retail shops and services, hotel, artist studios, and culturally oriented uses. The study recommended providing for limited housing types (for example, artist studios).

- **Nantasket Pier** (the current Waterfront District). Recommendations include introducing new land uses that are compatible with maritime uses and image of the pier and harbor.
Recommendations for physical development characteristics include organizing development to take advantage of views, waterfront access and proximity to the main road.

**Village District**, in the southernmost portion of the NFAS. The report recommended restricting additional large-scale residential development to small-scale townhouses and condo conversions of existing single-family units, and supporting additional uses such as hotels, drugstores, and other neighborhood retail and commercial uses along Nantasket Avenue.

**Request for Development Proposals: Nantasket Beach Lease Parcels, September 28, 2011.** The Town conducted three community workshops to provide input on public preferences for redevelopment of the two DCR ground-lease parcels. The workshops surfaced priority uses for the parcels and also a range of zoning changes the Town might support to facilitate redevelopment. Participants voiced a strong general preference for some type of mixed-use development with varying primary uses. More specifically, there was interest in

- A retail/cultural complex with artist studios and galleries, live/work spaces, municipal uses such as a police station, and restaurants.
- Mixed-use redevelopment with retail and restaurant/eating places (including a “market Hall” first floor), residential components, public facilities, hotels, art galleries, and a movie theater.
- Mixed-use redevelopment with a satellite education/research center, with a possible focus on marine sciences/oceanography or culinary arts.

Participants’ suggestions for a regulatory framework to support this type of redevelopment included design guidelines, allowing five-story buildings by special permit, more flexible parking requirements, improved regulations for signage and better physical amenities such as lighting and sidewalks. There was also interest in density bonuses, both for LEED-ND certified development and low-and moderate-income housing.

**Approaches to Changing the Zoning**

**Zoning Overlay District**

The NFAS recommended creating an overlay zoning district to implement the goals for the study area. This is one option to address both some of the problems with Hull’s existing zoning and to provide new development opportunities. An overlay district would be appropriate approach here because, for the most part, there is an emphasis on unifying (with minor distinctions) a number of moderately different, small zoning districts – the Business district and Commercial Districts A, B and C. Compared to changing zoning through base zoning amendments, an overlay zone expands rather than changes or restricts existing property rights, and it can be viewed holistically rather than as a list of separate amendments.

An overlay zone for the study area could be applied to the following base zoning districts: Business, Commercial-Recreation A, B and C, and the two recently ground-leased DCR properties that are currently zoned as Public Open Space. However, it would not have to cover all of this area. The overlay can address many of the issues and enable the many of the opportunities discussed below, including refining various uses (including residential uses), providing for mixed-
use, providing alternative setback and other dimensional regulations, refining parking requirements, and enabling a design guideline/design review process. To create distinction between the various areas along the lines described in the NFAS, the Town could consider adopting different design guidelines for different areas, or, if necessary, adding a sub-zoning-overlay that applies to a smaller area within the larger overlay district.

It should be noted that even with an overly district, some changes to the base zoning may be necessary. This includes adding definitions for important hospitality and restaurant uses, and possible amending multi-family uses in applicable zoning districts to ensure projects are of the desired scale and intensity.

**Base Zoning**

Another approach is to amend the existing base zoning to address issues and expand opportunity. This would involve text and map amendments to a number of existing districts, including:

- Expanding the Business District south to replace the existing CR-C district, the DCR parcels and a portion of the CR-B district.
- Amending the Business District to expand allowed uses, particularly allowing a mixed-use building provision.
- Possibly Business District dimensional regulations slightly.
- Adjusting off-street parking requirements, if necessary.

**Issues and Options**

The following table summarizes zoning issues within the study area and the method of resolution for each approach. A more detailed discussion of existing conditions, issues and options follows.
Summary

<table>
<thead>
<tr>
<th>Issue</th>
<th>Overlay District</th>
<th>Base zoning</th>
</tr>
</thead>
<tbody>
<tr>
<td>Mixed-use building provisions are limited or absent.</td>
<td>Include a mixed-use building provision.</td>
<td>Delete Business district’s “mixed multi-family residential and business” provision.</td>
</tr>
<tr>
<td>Multi-family uses could be better-defined so they are more in line with community goals.</td>
<td>Expand allowed housing types to include studio apartment and/or loft-style apartments; better define townhome and garden style apartments.</td>
<td>Consider adding additional housing types to applicable base zoning districts.</td>
</tr>
<tr>
<td>Hotels, motels and inns are not defined.</td>
<td>Add definition to overlay district for hotel, motels and inns.</td>
<td>Amend Article II to add definition for hotel, motels and inns.</td>
</tr>
<tr>
<td>Current definition for B&amp;B homes does not provide an economically viable business opportunity.</td>
<td>Add definition to overlay district for B&amp;B homes/establishment.</td>
<td>Amend Article II definition for bed and breakfast uses to include establishments with more than three rooms.</td>
</tr>
<tr>
<td>Business District is small and more commercial uses should be extended to the CR-C and parts of the CR-B district.</td>
<td>Overlay district would extend business uses to these areas.</td>
<td>Expand Business District to include the DCR parcels, CR-C district and parts of the CR-B district.</td>
</tr>
<tr>
<td>Business uses are satisfactory, but should be reviewed to ensure they are up to date and reflect desired activities in this area.</td>
<td>Include in overlay by-right commercial uses to include mixed-use buildings (see above), and cultural uses. Prohibit unwelcome uses such as drive-throughs and gas stations.</td>
<td>Amend Business district uses to include mixed-use buildings, more eating and drinking uses, cultural uses. Prohibit unwelcome uses such as drive-throughs and gas stations.</td>
</tr>
<tr>
<td>Dimensional standards in Business or CR districts could be reduced to allow more compact form.</td>
<td>Provide a different set of dimensional standards through overlay district as development option.</td>
<td>Amend dimensional regulations for Business District, assuming this would be expanded to larger area.</td>
</tr>
</tbody>
</table>

Mixed-use buildings

To create a mixed-use center, Hull needs to provide for mixed-use buildings. In the current ZBL, opportunities for mixed-use development are limited. For example, mixed-use buildings are not provided for specifically in the Commercial-Recreation districts (CR-A, CR-B and CR-C), though they are somewhat enabled in a limited way. Both CR-A and CR-C contain provisions for “…shops, personal services and accessory uses normally associated with permitted uses in paragraph 35-1A/C.a (hotels, motels, inns and marinas), within the confines of the building.” These descriptions suggest that additional commercial uses are allowed within hotel or inn buildings, likely on the ground floor. However, there is no by-right provision for a mixed-use building that does not contain one of the hospitality uses.

Hull’s Business District appears to allow “mixed multi-family residential and business” as of right. However there are a number of requirements for this type of development: 30% of the gross floor area must be for business uses such as those allowed by-right in the business district, and residential component must be rental, with no more than four and two bedrooms. Discussions with the Town indicate that this provision has been changed several times over the years. This suggests
a need for a well thought-out and clear mixed-use building provision. Discussions with the Town emphasized the need to incorporate design guidance into the requirements for mixed-use buildings.

Options for mixed-use development: A mixed-use building provision could be included in the overlay district or through an amendment to Business District zoning, assuming this district is enlarged. If the Town desires to have different mixed-use residential regulations for various sub-areas in the overlay district, these could be accommodated. For example, the Town may wish to allow a higher residential density in the area currently zoned Commercial-Recreation A and/or allow different housing types in some areas.

As part of improving its mixed-use provisions in general, Town should also consider removing existing mixed-use regulations. For example, the Business district’s “mixed multi-family residential and business” provision (described above) could be replaced with a new provision.

The Town could also consider adding a fifth floor by special permit to mixed-use buildings, as suggested at the community workshops for the DCR parcels, held in 2011. This would allow different configurations, such as a market floor, in new buildings, and would also create opportunity for designing buildings with parking on the first floor. The latter suggestion jettisons with two other major challenges facing Hull: off-street parking (see discussion below) and configuring buildings for the flood zone.

Multi-family uses

Within the study area, the Commercial Recreation districts allow multi-family residential uses, including garden apartments and town houses. For the CR and Business districts, dimensional and density standards differ by the number of floors in a structure (see Dimensional Standards, below). According to these standards, at five stories, the maximum density for these districts would be 19 units per acre. A five-story multi-family residential building would require a special permit from the planning board.

As mentioned above, the Business District allows multi-family uses through its “mixed-use multi-family residential and business” use, which we suggest be replaced by a new mixed-use building provision. Discussions with the Town indicate less interest in allowing exclusively multi-family uses in the Business District in order to support and protect land for commercial development.

In these regulations, there is little to specify the scale or character of the allowed multi-family uses. For example, though the zoning mentions townhomes or garden apartments, these are not defined and—more importantly—there are no standards as to the maximum number of units for building, which would control for mass and scale. Given the NFAS emphasized the preference for smaller-scale residential development in the study area, this should be addressed. Additionally, the regulations do not allow for smaller unit types such as studio apartments.

Options for multi-family development. There are a few major issues related to multi-family development zoning regulations within the study area.

- The Commercial Recreation district regulations could allow housing at a larger scale and intensity than is envisioned for some or all of the study area.
● The current provisions do not allow studio apartments, duplexes and/or loft-style units.
● Existing allowed unit types including townhouses and garden apartments are not defined.

The issues that reside in the Commercial-Recreation districts must be addressed through base zoning changes. Other changes could be addressed through an overlay zone as well as changes to base zoning regulations.

**Hotels, motels, inns and B&Bs**

Providing clear regulations for lodging uses will be an important part of supporting Hull's tourist economy while protecting local quality of life. Currently, there are no definitions for hotel, motel, or inn, yet these are by-right uses in a number of districts.¹

Several districts within the study area allow “Bed and Breakfast homes,” which Article II defines as “an owner occupied, detached single family dwelling unit where three or fewer bed and breakfast units are available for rent and a breakfast is included in the rent, as an accessory use, in which accommodations are available for overnight.” While this use is defined, the Town should consider increasing the number of rooms allowed under this use to create a more economically viable business opportunity.

**Options for hotels, motels and inns.** Hull should be provide clearer definitions for hotels, motels and inns, and also consider revising the definition for bed & breakfast homes. Definitions for these uses could be part of an overlay district bylaw, or added to Article II. Revising the definition for bed & breakfast home would require amending Article II.

**Business and Commercial Recreation Districts**

Hull’s current Business District currently allows the following by-right uses: office, bank, or establishment; restaurant, wholesale, retail or service business; manufacturing or industrial uses with restrictions based on noise or odor nuisances; gas stations and B&B homes. Although the district lacks a mixed-use building provision (discussed above), key business uses are represented. Hull may wish to add, update or refine some uses such as addition better eating and drinking place uses (and corresponding definitions), clarifying the type of office (for example, professional office, medical office), and possibly removing manufacturing and industrial uses. The Town should consider prohibiting gas stations and possibly other auto-oriented uses from the Business District, provided that there are other areas in town where these services are permitted.

Other Business District issues include its provisions for mixed multi-family residential and business and multi-family dwellings in business districts, both of which are discussed in the sections dealing with mixed-use buildings and multi-family development, above.

¹ This analysis does not include the Hotel Special Permit Development (34-1A.1.A).
There are three Commercial-Recreation districts in Hull’s ZBL, and all are present in the study area. CR-A is located between Bay and Phipps Streets, CR-B between Rockland House Road and Nantasket Avenue, and CR-C is a small pocket between George Washington Ave and Bay Street.

There are few differences between these districts, as shown in the table below. Differences that do exist do not have an obvious rationale. For example, museums are allowed uses in CR-A, but not in CR-B that is closer to cultural amenities and the wharf area, which would be complementary uses to museums.

<table>
<thead>
<tr>
<th>Commercial-Recreation Districts</th>
<th>A</th>
<th>B</th>
<th>C</th>
</tr>
</thead>
<tbody>
<tr>
<td>Hotels, motels, inns</td>
<td>X</td>
<td>X*</td>
<td>X</td>
</tr>
<tr>
<td>Marinas</td>
<td>X</td>
<td></td>
<td>X</td>
</tr>
<tr>
<td>Accessory uses associated with hotels, motels, inns and marinas within confines of building</td>
<td>X</td>
<td></td>
<td>X</td>
</tr>
<tr>
<td>Convenience shops – food, drug, etc.</td>
<td></td>
<td></td>
<td>X</td>
</tr>
<tr>
<td>Offices, banks, and other services</td>
<td>X</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Multi-family residential</td>
<td>X</td>
<td>X</td>
<td>X</td>
</tr>
<tr>
<td>Restaurants</td>
<td>X</td>
<td>X</td>
<td>X</td>
</tr>
<tr>
<td>Uses permitted in SF res. districts</td>
<td>X</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Flexible Plan Development</td>
<td>X</td>
<td>X</td>
<td></td>
</tr>
<tr>
<td>Bed and breakfast homes</td>
<td>X</td>
<td>X</td>
<td>X</td>
</tr>
<tr>
<td>Museums</td>
<td>X</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Places of amusement or assembly</td>
<td>X</td>
<td></td>
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</tbody>
</table>

*Inns not a specifically allowed use in CR-B.

Despite the name of the districts, commercial uses are limited within CR-A, -B and -C. In CR-A and CR-C, they are limited to accessory uses within the primary use. CR-B allowed uses are more expansive: “Hotels, motels, marinas, and multi-family dwellings. Convenience shopping including food, drugs, offices, banks, small hardware, variety and personal services designed to primarily serve the local shopping needs of the immediate neighborhood.” This district also permits “Places of amusement or assembly.”

For comments on the dimensional standards for this district, see Dimensional Standards, below.

**Options for business and commercial uses.** As discussed above, the Business district size within the study area is small and the differences between differences between the Commercial-Recreation districts are minor. These conditions suggest creating an over-arching structure that unifies these commercially oriented areas with a consistent set of regulations. This could be done through an overlay district, or by a zoning map amendment that changes the CR districts to Business district zoning.

Changes to allowed uses could include adding mixed-use buildings as a by-right use (discussed above), as refining both by-right and special permit uses (restaurants, office) and adding cultural uses such as museums and art galleries. Unwelcome commercial uses, such as drive-throughs and gas stations, could be prohibited. If the Town desires smaller businesses for this area, there could be a size threshold for commercial uses.
**Waterfront district**

Hull’s Waterfront District allows both water-dependent and non-water-dependent uses. It does not allow residential uses. The NFAS identified concerns for this area as introducing additional compatible land uses and ensuring development takes advantage of view and waterfront access.

For the most part, we find the existing use regulations for this area to be in line with NFAS objectives. There is the potential to adjust the height maximum if this is an issue. However, we find that 30-35 foot height maximums are appropriate for waterfront areas. Otherwise, if there are additional issues, we look to the Town for guidance. Any changes should be made through the base zoning.

Overall, the language for this zoning district goes into more detail than necessary when describing water-dependent and non-water-dependent uses that are consistent with M.G.L. Chapter 91. It would be sufficient to reference the statute and relevant regulations without additional description.

**Options for Waterfront District.** Section 33 could be edited to shorten the references to Chapter 91, which would result in an easier-to-read provision. The Town should consider if there are any other zoning-related issues to consider. These would be made through the base zoning.

**Dimensional standards**

Dimensional standards for the CR-A, -B and -C district and to some extent the Business district, could be amended to allow more compact development. For example, business uses in the Business and CR districts are subject to front setbacks of 10 and 25 feet respectively. In a commercially oriented, mixed-use area, these setbacks may not be necessary as development to the lot line is typical in traditional downtown areas. The Town could even consider setting a maximum front setback to discourage buildings from being placed too far from the street.

The minimum lot size in the Commercial-Recreation Districts is 10,000 sq. ft. and the minimum frontage is 100 feet. There is no minimum lot size or frontage requirement for the in the Business district. It is worth considering whether these are appropriate regulations for the CR districts as well.

Currently, multi-family residential development has a different set of dimensional standards for the Multi-Family and Commercial-Recreation and Business districts. In the CR and Business districts, the setback and density requirements increase with the number of stories, which has the effect of pulling increasingly taller buildings away from the street and detracting from a cohesive and connected urban fabric.

**Options for dimensional standards.** Changes to dimensional standards could be made through a new overlay district. One major benefit of this approach would be that it would not create
additional non-conforming properties. Making changes through the base districts would require amendments to Article 5 and could create non-conforming properties. (It is beyond the scope of this project to analyze the potential for non-conforming properties.) Changes to dimensional standards through base zoning would require amending Article V of Hull’s existing zoning bylaw. Potential changes include the following.

- Reducing the front setback requirement to zero feet and setting a maximum setback of 25 feet.
- Reducing or eliminating the minimum lot size and frontage for the CR districts, particularly for business uses. The Business district has neither of these requirements; the Town should consider its experience with this policy and assess whether it would be beneficial apply this to a larger area.
- Multi-family dimensional standards should be reviewed in tandem with the housing types proposed for the overlay district. Previous planning efforts indicate a preference for small unit types and smaller-scale residential structures, at least in some of the study area. Accordingly, the dimensional standards for these will be different than those for large-scale residential development.
- In the community workshops for the DCR parcels RFP, participants suggested allowing a fifth story by special permit. Currently, five-story multi-family residential development is allowed by-right in the MF-A district and by special permit in the CR districts. For the DCR parcels, the Town should consider whether this provision should apply to the Business and Commercial-Recreation districts as well.

**Flexible Plan Development**

This special development provision applies to the CR-A and CR-C—zoned land in the study area. However, because the minimum size for a project under this bylaw is ten acres, it would not be possible in the small CR-C-zoned pocket of land. The intended application for this provision is the Hull Redevelopment Authority-owned land in the CR-A district.

As currently written, this provision allows multi-family residential; hotels, motels, inns and marinas; convenience commercial; accessory uses; and public open space and recreation. The maximum height is 70 feet, mandatory open space is 25 percent and the parking requirement is 1.5 spaces per unit for residential uses, and for other uses it follows the requirements in Section 35-4 (see Parking Regulations, below). A 20-foot setback along the project edge is required. The residential density is 10 units per acre.

**Options for Flexible Plan Development.** Per conversations with the Town, the Flexible Plan Development provision should stand largely unchanged. However, we recommend the minimum project size be reduced. Defining the minimum lot size will require further discussions with the Town.
Parking Regulations

Section 52, Table 55 summarizes parking requirements for various uses. We note some issues with the current regulations, both generally and specifically in terms of their appropriateness to the study area, which include:

- They do not distinguish between retail and professional office uses, nor do they distinguish between different types of office uses, which typically have different parking demands.
- There are not specific requirement for restaurant uses, which will be particularly important within the study area.
- Lower residential parking requirements for studios and one-bedroom units, will be important for the study area, should the Town decide to allow these smaller unit types.
- There are no regulations for mixed-use buildings, which will be important if the Town decides to provide for this type of development.
- There is no provision for shared parking.

<table>
<thead>
<tr>
<th>Town of Hull Existing Off-Street Parking Requirements (Section 52)</th>
</tr>
</thead>
<tbody>
<tr>
<td>1-2-family residential</td>
</tr>
<tr>
<td>Multi-family residential*</td>
</tr>
<tr>
<td>Boarding/rooming house</td>
</tr>
<tr>
<td>Offices, business, services, retail stores, service</td>
</tr>
<tr>
<td>establishments and restaurants</td>
</tr>
<tr>
<td>Halls/assembly places</td>
</tr>
<tr>
<td>Hotel, motel</td>
</tr>
<tr>
<td>Public/semi-public use</td>
</tr>
<tr>
<td>Day care centers</td>
</tr>
</tbody>
</table>

* We assume this applies to multi-family residential buildings with more than three units.

An important feature of Hull’s parking regulations that particularly affects the study area is that retail and offices uses are exempt from parking requirements if the legal distance between the now-DCR-owned public parking lots and the main pedestrian entrance of the establishments is no more than 500 feet. However, this exemption stops at Wharf Road, which means that the DCR parcels are not included in the exemption. One possible change would be to extend the “500-foot” rule to Bay Street.

Options for off-street parking requirements. The Town can address some parking challenges by refining the existing regulations. If the Town does not wish to affect parking requirements town-wide, the revised requirements could be applied through an overlay district. We suggest the following off-street parking requirements for the study area.
<table>
<thead>
<tr>
<th>Suggested Off-Street Parking Categories and Requirements</th>
</tr>
</thead>
<tbody>
<tr>
<td><strong>Studio and 1-bedroom residential units</strong>***</td>
</tr>
<tr>
<td><strong>Eating and drinking establishments</strong></td>
</tr>
<tr>
<td><strong>Hotels, motels, inns and bed and breakfasts</strong></td>
</tr>
<tr>
<td><strong>Medical, dental, or professional office building</strong>*</td>
</tr>
<tr>
<td><strong>Offices (general)</strong></td>
</tr>
<tr>
<td><strong>Retail business and service establishments</strong></td>
</tr>
<tr>
<td><strong>Theaters, auditoriums/halls, places of assembly</strong></td>
</tr>
<tr>
<td><strong>Mixed-uses in a single building/development</strong></td>
</tr>
</tbody>
</table>

* Assumes these uses will be added within the study area.
** Precise requirements will depend on the type of allowed eating and drinking establishments within the study area, for example eat-in versus take-out facilities.

While these changes may help some of the current and expected parking challenges, discussions with the Town indicate that parking management is Hull’s biggest challenge. There are many opportunities for shared parking arrangements, for example. However, we recommend undertaking a more thorough parking study to create such a provision.

**Design guidance**

The NFAS emphasized the need for design and landscaping standards across the study area. Currently, design guidelines and criteria are scattered throughout the zoning bylaw. For example, Waterfront District dimensional regulations contains a few design guidelines, including encouraging sloped roofs and structures such as pergolas and open, roof-like structures such as awnings and pavilions. While perhaps a valuable addition to the regulations for the Waterfront District, guidelines such as these are not consistently present for other zoning districts, nor are they comprehensive or particularly clear. There is also a list of criteria in Section 40, Site Plan Review, that are categorized as design guidelines, but are really focused on planning and environmental performance rather than issues of building form and aesthetics, which is the usual realm of design guidelines.

Hull may want a more complete set of guidelines to address the quality-of-development concerns that have been identified for the study area. These could be structured to apply to the entire study area (or the area included in a potential overly district, see below), and even broken down into smaller districts to address some of the sub-area recommendations included in the NFAS. However, discussions with the Town indicate that the current Design Review Board is involved in the majority of development projects through site plan review and does a good job of ensuring design quality. With Hull’s architectural diversity, the Town may not wish to regulate building style. We look to the Town for further guidance on the level of formalization it wishes to impose on its design guidance system.

**Options for design guidelines.** Should Hull want to create new design guidelines, these could be applied through the proposed zoning overlay district. Conversely, they could be created for
relevant zoning districts, such as the Business District (particularly if it is extended to other parts of the study area), or the guidelines could address one type of development (e.g., commercial). Some aspects and issues to consider when creating design guidelines for the study area include:

- Whether the guidelines will be part of the new zoning or referenced and implemented as rules and regulations of the Planning Board. The latter option gives more flexibility for adjusting the guidelines later.
- Whether buildings not subject to Site Plan Review (buildings of three or more units and new development or renovation of 5,000 sq. ft. or more) should be subjected to design guidelines.
- The role and procedure of the Design Review Board, and the overall design review process.

**Organization and general usability**

While not specifically within the scope of this effort, this analysis revealed a number of general organization and usability issues that interfere with the effectiveness of Hull zoning bylaws. Through the course of this review, the following issues were uncovered.

- The Arts District Overlay is not mapped. Discussions with the Town indicate it should be deleted from the by-law. Additionally, it is listed as Section 40, which is cited elsewhere in the ZBL as Site Plan Review.
- There are several instances where use regulations also contain dimensional standards that are often repeated elsewhere in the bylaw. This duplication is unnecessary, and it also puts the entire bylaw at risk for inconsistency if only one instance of the regulations is changed. This occurs in the following locations:
  - CR-C use regulations have a provision for multi-family residential uses, similar to that in the use regulations for CR-A. However, there is additional language specifying the height restriction of 40 feet. Again, this duplicates and possibly conflicts with information in Table 51.
  - R-B use regulations include an item for height limit of 40 feet and density control of 18 dwelling units per acre. These regulations are repeated in Table 51.
  - Section 34-3 f. sets out dimensional standards for non-residential buildings in the Business District. These partially repeat regulations in Table 51.
- There is a conflict between the text regulations for Commercial-Rec B and the regulations in Table 51. The text states that heights are limited to 40 feet and density to a maximum of 18 dwelling units per acre. However, Table 51 appears to allow five stories as of right.
- There is a conflict between the text for Business District dimensional standards and Table 50. The text stipulates a 10-foot front and 12-foot rear setbacks, and Table 50 calls for a 10-foot front setback and no rear setback.
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Appendix B

Discussion guide to October 10, 2012 Planning Board Meeting
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Nantasket Focus Area Zoning Project

Boards Meeting | October 10, 2012

Overview of Approaches, Issues and Options

- There are two main approaches to addressing the issues outlined in the memo:
  - Create an overlay district that would cover the majority of the study area (with the exception of the Waterfront and Multi-Family A district).
  - Amend the base zoning districts. Specifically, consider replacing some or all of the Commercial-Recreation districts with the Business district and amend business district regulations.

Each of the following issues should be thought of in terms of these two options (see chart on following page).

Issues and Options

- The current zoning lacks a clear mixed-use building provision. The new zoning should allow mixed-use buildings, either by-right or as a special permit use, either in applicable base zoning districts or through an overlay district.

- Multi-family uses are allowed in the Commercial-Recreation districts, but these may be at densities and scales larger than envisioned for the study area.

- Multi-family uses do not include smaller housing types such as studio apartments, a point which was brought up in the 2004 Nantasket Focus Area Study (NFAS). Overall, there could be more attention to the housing types desired and densities to ensure the zoning captures the correct residential character.

- Hotels, motels, inns and B&Bs are important hospitality uses but are not defined in the zoning bylaw. Doing so would provide greater clarity to developers or applicants and would help ensure the Town gets the type of development it wants in the study area (and beyond).

- Hull’s Business district uses provide for a decent set of commercial uses, but they could be refined to better specify the types of uses Hull wants to allow. These include specifying eating place types (e.g., eat-in, take-out), specifying office types (e.g., professional, medical) and prohibiting auto-related uses (e.g., gas stations and drive-throughs).
The three variations of the Commercial-Recreation zone in the study area (A, B and C) are very similar to each other. Overall, the Town should consider whether these areas should in fact become part of the Business district. This could be accomplished either through an overlay district or by changing some of the CR districts to Business districts.

The Waterfront District supports the NFAS vision for the waterfront area, though there may be some interest in adjusting the height limit to be less than the current 30 feet to protect views.

Dimensional standards could be amended to allow for more compact development, particularly setbacks for commercial uses in the Business and CR districts. This would be largely keeping with the form of existing commercial development.

Parking regulations should be adjusted as Hull adds new uses to zoning districts (whether a base or overlay district). Examples of this include parking requirements for studio or one-bedroom residential units and mixed-use buildings.

Design guidelines are not well codified in the zoning bylaws – but this is not necessarily a problem. The Design Review Board may already do a good job of overseeing design quality. If the Town does want more formal design guidelines or regulations, these could be applied through an overlay district or apply to different development types, for example, commercial development guidelines.

Discussion Questions

- What are board-members’ thoughts about the two approaches to amending the zoning – base zoning amendments versus an overlay district?
- What are thoughts on the idea of extending the existing Business district to areas currently zoned as Commercial-Rec C and B?
- Is the Town open to considering a by-right mixed-use building provision?
- What is the experience with the accessory mixed-uses in the CR districts?
- Is the concept for lower-scale and lower-density residential development as expressed in the Nantasket Focus Area Study accurate? Are there other thoughts on residential uses for this area?
- Should there be exclusively multi-family uses in the Business districts (as opposed to multi-family uses through a mixed-use building?)
- What are thoughts on reducing or eliminating minimum lot size and frontage requirements for other commercial areas in the study area?
- What are thoughts on the existing design guidance system?
- What did we miss?
## Summary of Zoning Issues by Implementation Method

<table>
<thead>
<tr>
<th>Issue</th>
<th>Overlay District</th>
<th>Base zoning</th>
</tr>
</thead>
<tbody>
<tr>
<td>Mixed-use building provisions are limited or absent.</td>
<td>Include a mixed-use building provision.</td>
<td>Delete Business district’s “mixed multi-family residential and business” provision.</td>
</tr>
<tr>
<td>Multi-family uses could be better-defined so they are more in line with community goals.</td>
<td>Expand allowed housing types to include studio apartment and/or loft-style apartments; better define townhome and garden style apartments.</td>
<td>Consider adding additional housing types to applicable base zoning districts.</td>
</tr>
<tr>
<td>Hotels, motels and inns are not defined.</td>
<td>Add definition to overlay district for hotel, motels and inns.</td>
<td>Amend Article II to add definition for hotel, motels and inns.</td>
</tr>
<tr>
<td>Current definition for B&amp;B homes does not provide an economically viable business opportunity.</td>
<td>Add definition to overlay district for B&amp;B homes/establishment.</td>
<td>Amend Article II definition for bed and breakfast uses to include establishments with more than three rooms.</td>
</tr>
<tr>
<td>Business District is small and more commercial uses should be extended to the CR-C and parts of the CR-B district.</td>
<td>Overlay district would extend business uses to these areas.</td>
<td>Expand Business District to include the DCR parcels, CR-C district and parts of the CR-B district.</td>
</tr>
<tr>
<td>Business uses are satisfactory, but should be reviewed to ensure they are up to date and reflect desired activities in this area.</td>
<td>Include in overlay by-right commercial uses to include mixed-use buildings (see above), and cultural uses. Prohibit unwelcome uses such as drive-throughs and gas stations.</td>
<td>Amend Business district uses to include mixed-use buildings, more eating and drinking uses, cultural uses. Prohibit unwelcome uses such as drive-throughs and gas stations.</td>
</tr>
<tr>
<td>Dimensional standards in Business or CR districts could be reduced to allow more compact form.</td>
<td>Provide a different set of dimensional standards through overlay district as development option.</td>
<td>Amend dimensional regulations for Business District, assuming this would be expanded to larger area.</td>
</tr>
</tbody>
</table>
Appendix C

Presentation on Nantasket Focus Area Zoning Recommendations for November 7, 2012 Public Meeting with discussion guide
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Nantasket Focus Area Zoning

Project purpose

Support revitalization of Nantasket Beach area
Nantasket Focus Area Zoning

Project purpose

• Create a more vibrant commercial area
• Expand the commercial tax base
Study Area
Study Area – Land Use
Study Area – Existing Zoning

Zoning districts, percentage of total area

- Business: 16.13%
- CR-A: 14.81%
- CR-B: 28.78%
- CR-C: 30.29%
- Multi-Family A: 4.50%
- Public Open Space: 2.05%
- Waterfront: 3.44%
- Waterfront: 3.44%

MAPC
## Existing Zoning

- Many districts, different uses, different requirements, minor differences

<table>
<thead>
<tr>
<th>Use</th>
<th>CR-A</th>
<th>CR-B</th>
<th>CR-C</th>
<th>Business</th>
</tr>
</thead>
<tbody>
<tr>
<td>Hotels, motels, inns</td>
<td>X</td>
<td>X</td>
<td>X</td>
<td></td>
</tr>
<tr>
<td>Marinas</td>
<td></td>
<td>X</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Accessory uses associated with hotels, motels, inns and marinas</td>
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<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Convenience shops – food, drug, etc.</td>
<td></td>
<td>X</td>
<td>X</td>
<td></td>
</tr>
<tr>
<td>Offices, banks, and other services</td>
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<td></td>
<td>X</td>
<td></td>
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<tr>
<td>Newspaper or job printing establishment</td>
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<td></td>
</tr>
<tr>
<td>Multi-family residential</td>
<td>X</td>
<td>X</td>
<td>X</td>
<td></td>
</tr>
<tr>
<td>Restaurants</td>
<td>X</td>
<td>X</td>
<td></td>
<td>X</td>
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<tr>
<td>Uses permitted in single-family residential districts</td>
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<tr>
<td>Flexible Plan Development</td>
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<td></td>
<td>X</td>
<td></td>
</tr>
<tr>
<td>Bed and breakfast homes</td>
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<td>X</td>
<td>X</td>
<td>X</td>
</tr>
<tr>
<td>Museums</td>
<td>X</td>
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<td></td>
<td></td>
</tr>
<tr>
<td>Places of amusement or assembly</td>
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<td></td>
<td></td>
<td>X</td>
</tr>
<tr>
<td>Wholesale, retail or service business</td>
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<td>X</td>
</tr>
<tr>
<td>Manufacturing/industrial uses (BOA special permit)</td>
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<td>X</td>
</tr>
<tr>
<td>Gas stations (BOA special permit)</td>
<td></td>
<td></td>
<td></td>
<td>X</td>
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<tr>
<td>Mixed multi-family residential and business</td>
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<td></td>
<td>X</td>
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<tr>
<td>Hotel use special permit</td>
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<td></td>
<td>X</td>
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<tr>
<td>Multi-family dwellings (Planning Board special permit)</td>
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</tbody>
</table>
## Existing Zoning

- **No clear mixed-use provision**

<table>
<thead>
<tr>
<th>Use</th>
<th>CR-A</th>
<th>CR-B</th>
<th>CR-C</th>
<th>Business</th>
</tr>
</thead>
<tbody>
<tr>
<td>Hotels, motels, inns</td>
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<td></td>
</tr>
<tr>
<td>Marinas</td>
<td>X</td>
<td></td>
<td>X</td>
<td></td>
</tr>
<tr>
<td><strong>Accessory uses associated with hotels, motels, inns and marinas within confines of building</strong></td>
<td>X</td>
<td></td>
<td>X</td>
<td></td>
</tr>
<tr>
<td>Convenience shops – food, drug, etc.</td>
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<td>X</td>
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<td>Restaurants</td>
<td>X</td>
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</tr>
<tr>
<td>Uses permitted in SF res. Districts</td>
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</tr>
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<td>Flexible Plan Development</td>
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<td></td>
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</table>
Existing Zoning

• Dimensional standards for commercial uses

<table>
<thead>
<tr>
<th>District/use</th>
<th>Min lot size</th>
<th>Min frontage</th>
<th>Setbacks (F, S, R)</th>
<th>Height</th>
</tr>
</thead>
<tbody>
<tr>
<td>CR-A</td>
<td>10,000</td>
<td>100</td>
<td>25, 10, 20</td>
<td>40 ft</td>
</tr>
<tr>
<td>CR-B</td>
<td>10,000</td>
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<td>25, 10, 20</td>
<td>40 ft</td>
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<tr>
<td>CR-C</td>
<td>10,000</td>
<td>100</td>
<td>25, 10, 20</td>
<td>40 ft</td>
</tr>
<tr>
<td>Business</td>
<td>None</td>
<td>None</td>
<td>10, None, None</td>
<td>40 ft</td>
</tr>
</tbody>
</table>

In the CR districts, setback requirements pull buildings away from the street.

Four residential units over retail, Scituate, MA.
Zoning Overlay – What is it?

- A new zoning district that is super-imposed on existing underlying zones
- All of the regulations of the underlying zones are still in place
- Provides an alternate set of uses and/or development standards
- Adjust and refine what is already there
Zoning Overlay – Possible Area
Zoning Overlay – Major Objectives

• Allow mixed-use buildings
  ▪ Combination of retail, office, residential, cultural

Washington Place – Canton, MA
Zoning Overlay – Major Objectives

• Allow mixed-use buildings
  ▪ Combination of retail, office, residential, cultural

Summer Street Housing – Manchester-by-the-Sea, MA
Zoning Overlay – Major Objectives

• Allow mixed-use buildings
  ▪ Combination of retail, office, residential, cultural

New Construction – Lexington, MA
Zoning Overlay – Major Objectives

• Allow mixed-use buildings
  ▪ Combination of retail, office, residential, cultural
Zoning Overlay – Major Objectives

• Allow mixed-use buildings

• Considerations
  • What uses?
  • Special permit vs. by-right?
  • How high?
Zoning Overlay – Major Objectives

- Adjust dimensional standards

- Business district allows more tight-knit development appropriate for a commercial district

- Overlay district could extend this to a larger area

<table>
<thead>
<tr>
<th>Min lot size (sf)</th>
<th>Min frontage (ft)</th>
<th>Setbacks</th>
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</thead>
<tbody>
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</tr>
<tr>
<td></td>
<td></td>
<td>Rear</td>
</tr>
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<td></td>
<td></td>
<td>Side</td>
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<td>10</td>
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<td></td>
<td>n/a</td>
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<td></td>
<td></td>
<td>n/a</td>
</tr>
</tbody>
</table>
Zoning Overlay – Major Objectives

• Appearance – Providing for design guidance

• Design guidelines provide more detailed instruction on architectural form and detail

• Can also be used to clarify and formalize role of the Design Review Board
Zoning Overlay – Major Objectives

• Appearance – Providing for design guidance

• Zoning can provide a framework for new design guidelines – some options:

  • Add a section within Site Plan Review that refers to external design guidelines document

  • Edit, amend existing Site Plan Review Design Guidelines

  • Include design guidelines specific to the overlay district area to the overlay district bylaw

  • Refer to external design guidelines document in overlay district text
Zoning Overlay – Major Objectives

• Incentivize creating adaptive buildings
• Possible streamlined permitting or by-right use for
  ▪ Non-habitable first-floor uses
  ▪ Energy-efficient design
  ▪ Rooftop mechanical and HVAC
Zoning Overlay – Parking

• Hull has substantial parking challenges

• Zoning overlay cannot solve all of them, but can help by….
  ▪ Reducing the number of spaces required for smaller residential units (studio or 1-bedroom units)
  ▪ Adjusting parking requirements for other uses, such as office, retail and restaurant

• A shared parking provision and parking management plan will be key!
Discussion Questions

• Feedback on proposed area for overlay?
• Apply business district dimensional standards to overlay district?
• Do people support a special permit approach in the mixed-use district or an as-of-right approach?
• Should the overlay district allow five stories by special permit?
• Are there uses that are not allowed that should be? Uses that are allowed or that we want to allow that should not be?
Overall purpose of this work

- Create a development framework to support commercial and mixed-use development in the Nantasket Beach area that will:
  - Contribute to a stronger, more vibrant commercial district.
  - Diversify and increase the local tax base.
  - Contribute to overall revitalization efforts in this area.

- Hull can do this by making moderate adjustments to its existing zoning regulations.

What are some of the issues with existing zoning in the study area?

- There is no clear, predictable way to create mixed-use buildings.
- There are many districts in study area, often with only minor differences among them. This creates many different sets of “rules” for development within a small area.
- Dimensional standards (setbacks, frontage, lot size) for commercial uses could be restrictive in the Commercial-Recreation districts (see Zoning Map, attached). Making these areas consistent with the Business district’s dimensional standards could provide more flexibility for redevelopment efforts.

How could an overlay district address these issues?

- Allow mixed-use buildings – a building that combines two or more uses, which might include retail, residential, office and/or cultural uses. This could be done by-right or by special permit.
- Provide an alternate set of dimensional standards that mirror what is already allowed in the Business district. This includes reducing setbacks, minimum lot size and minimum frontages to create more compact development.
- Provide a framework for incorporating design guidelines for commercial and mixed-use buildings. Design guidelines can help promote the community’s vision and values for the built environment, addressing issues such as building scale and massing, architectural detail and style, color, materials, landscaping and lighting.
- A zoning overlay could incentivize creating buildings that are adaptive to sea level rise and attendant storm surges. One example of this is offering streamlined permitting for developers of buildings that have no habitable first-floor use, incorporate energy-efficient design, and provide roof-top mechanical and HVAC systems.
- Help address parking constraints by providing lower parking requirements for some uses, such as one-bedroom apartments and certain commercial uses.
# Reference Materials

## Allowed uses in Commercial-Recreation A, B and C district and Business districts

<table>
<thead>
<tr>
<th>Use</th>
<th>CR-A</th>
<th>CR-B</th>
<th>CR-C</th>
<th>Business</th>
</tr>
</thead>
<tbody>
<tr>
<td>Hotels, motels, inns</td>
<td>X</td>
<td>X</td>
<td>X</td>
<td>X</td>
</tr>
<tr>
<td>Marinas</td>
<td>X</td>
<td></td>
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<tr>
<td>Accessory uses associated with hotels, motels, inns and marinas within confines of building</td>
<td>X</td>
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</tr>
<tr>
<td>Convenience shops — food, drug, etc.</td>
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<td></td>
<td></td>
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<tr>
<td>Offices, banks, and other services</td>
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<td>X</td>
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<tr>
<td>Newspaper or job printing establishment</td>
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<td></td>
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<tr>
<td>Multi-family residential</td>
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<td>X</td>
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<td>X</td>
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<tr>
<td>Restaurants</td>
<td>X</td>
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<tr>
<td>Uses permitted in single-family residential districts</td>
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<tr>
<td>Flexible Plan Development</td>
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<td></td>
</tr>
<tr>
<td>Bed and breakfast homes</td>
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<td>Museums</td>
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<td>Places of amusement or assembly</td>
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<td>Wholesale, retail or service business</td>
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<tr>
<td>Manufacturing/industrial uses (BOA special permit)</td>
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<tr>
<td>Gas stations (BOA special permit)</td>
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<td>X</td>
</tr>
<tr>
<td>Bed and breakfast homes</td>
<td></td>
<td></td>
<td></td>
<td>X</td>
</tr>
<tr>
<td>Mixed multi-family residential and business</td>
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<tr>
<td>Hotel use special permit</td>
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<tr>
<td>Multi-family dwellings (Planning Board special permit)</td>
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</tr>
</tbody>
</table>
Appendix D

Nantasket Beach Overlay District Proposed Zoning Final Draft and Proposed Overlay District Map
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Nantasket Beach Overlay District

1. **Purpose.** The purpose of the Nantasket Beach Overlay District is to spur redevelopment of under-utilized commercial and multi-family property at scales and densities appropriate for historic beachfront community in order to balance the commercial and residential tax base; support environmentally and commercially sustainable development; promote a creative mix of uses and architecture so that commercial, residential and cultural opportunities may be developed in close proximity to one another in a pedestrian and bicycle friendly community; provide landowners with the opportunity to pursue more flexible forms of development in exchange for advancing community goals and supporting community values; enhance the value of land and buildings, and create incentives for new development that can withstand the effects of sea level rise and increased flooding.

2. **Scope of Authority.**

   2.1. The Nantasket Beach Overlay District shall be considered as overlying other districts and shall be described by and include the areas included in the Nantasket Beach Overlay District on the Town of Hull Zoning Map.

   2.2. The owners of property in the Nantasket Beach Overlay District shall continue to possess all current underlying zoning rights and be subject to the requirements applicable in those Districts, except as provided in Section 5.3.

   2.3. If a proponent requests to develop in accordance with the regulations in this section, the rules and regulations of the Nantasket Beach Overlay District shall apply. If the proponent elects to develop under the zoning provisions of the underlying district, the zoning bylaws applicable in that district shall control and the provisions of the Nantasket Beach Overlay District shall not apply. If it is not clear as to whether the Nantasket Beach Overlay District provisions or the underlying district provisions apply, then the provisions of the Nantasket Beach Overlay District can supersede.

3. **Permitting Procedures**

   3.1. The Planning Board shall act as Special Permit Granting Authority, following the procedures specified in Section 80-2 c. of this Zoning Bylaw.

   3.2. To facilitate a streamlined permitting process under the Nantasket Beach Overlay District, the Planning board shall conduct Site Plan Review, as specified in Section 40, and where appropriate shall conduct this Site Plan Review process concurrently with the Special Permit process for this overlay district, including holding a joint public hearing for Site Plan Review and Special Permit Review.

4. **Definitions.**

   ADULT USE: An adult bookstore, an adult motion picture theater, an adult dance club, an adult paraphernalia store, an adult video store and such other uses as defined and provided for by G.L. c. 40A Section 9A.
Appendix D: Proposed Zoning Final Draft

DRIVE-THROUGH RETAIL ESTABLISHMENT: Any commercial use which utilizes a vehicular drive-up window including but not limited to banks and the sale of food.

HABITABLE SPACE: An area of any structure that is legally accessible and intended for human occupancy for permanent residential or commercial uses. Mechanical rooms, parking areas, storage areas, other passive accommodations or temporary uses shall not constitute habitable space.

HEIGHT OF BUILDING: The vertical distance from the top of the lowest horizontal structural support member (excluding grade beams, cross-bracing and other foundations elements) as stipulated by the State Building Code for construction in the flood hazard zone in which the property is located, to the highest point of the roof beams of a flat roof or to the top of the rafters at a ridge of a sloping roof. The reference elevation for the lowest horizontal structural support member shall be based on the minimum height so stipulated by the State Building Code, even if the actual elevation of the lowest horizontal structural support member is higher.

MARKET HALL: The first floor of a multi-story structure that is not designed as a habitable space, is without permanent walls and is for uses including but not limited to temporary commercial or retail uses, cultural uses and parking.

MIXED-USE BUILDING: A combination of office, retail and/or residential uses arranged vertically in multiple stories of buildings. A combination of commercial parking facilities and residential uses shall not constitute a mixed use.

GREEN BUILDING: Structures and site that incorporate the following performance elements:

- Minimum impact on ecosystems and water resources and use water both inside and out
- Highest possible energy-efficiency and use of alternative energy sources
- Use of sustainable building materials and reduction of solid waste
- Have indoor environmental quality elements which promote better indoor air quality and access to daylight and views
- Compact site layouts that enable and promote walking and provide physical connections to a range of transportation modes, open space and other amenities
- Incorporation of features for on-site retention, detention and treatment of stormwater runoff

5. Permitted uses

  5.1. As of right uses

    5.1.1. All uses and accessory uses allowed as of right in underlying zoning district unless otherwise prohibited or limited below.

    5.1.2. Retail store including convenience stores and stores selling specialty or custom goods.
5.1.3. Business or personal service establishment.

5.1.4. Bank or other financial institution excepting drive through service which is prohibited.

5.1.5. Professional or business office.

5.1.6. Day care center.

5.1.7. Restaurant or other place for serving food to be consumed on or off the premises areas.

5.1.8. Inn.

5.1.9. Hotel or motel.

5.1.10. Commercial amusement including but not limited to indoor recreation or movie theater, but not including video arcades unless this use is pre-existing on site prior to Special Permit request to develop a mixed-use building through the Nantasket Beach Overlay District.

5.1.11. Municipal facility.

5.1.12. Public or non-profit education or research use.

5.1.13. Public or non-profit library, museum, performing arts space or art gallery.

5.2. Special Permit uses

5.2.1. The following uses are only permitted through the Special Permit process as specified in Section 80-2 c. of this Zoning Bylaw, requiring a public hearing and related public and abutters’ notices.

5.2.1.1. Mixed-use building consisting of office, retail and/or multi-family dwelling uses in a mixed use building.

5.2.1.2. Multi-family residential building.

5.2.1.3. Commercial parking garage or similar parking structure open to the public for automobiles or other light motor vehicles.

5.3. Prohibited uses. The following uses are prohibited within the boundaries of the Nantasket Beach Overlay District whether or not said uses are allowed in the underlying zoning.

5.3.1. Adult uses.

5.3.2. Drive-through retail establishment.

5.3.3. Automobile and motorcycle repair, sales, and service establishments, including gasoline or diesel fueling stations.
5.3.4. Car wash

5.3.5. Storage of chemicals or other hazardous materials, except for household hazardous waste stored in accordance with the Town’s Residential Hazardous Materials guidelines.

6. Dimensional, lot and density regulations

6.1. The following requirements shall apply to development carried out under the provisions of this bylaw.

6.2. Setbacks and yards

6.2.1. Minimum lot size: None

6.2.2. Minimum frontage: Twenty-five (25) linear feet

6.2.3. Minimum front yard: Ten (10) linear feet, provided however, if there are already buildings fronting on the same street in the same block, the Planning Board may as an exception by Special Permit waive this requirement and establish a frontage to conform to the other buildings. Existing buildings shall not attain non-conforming status because of this setback requirement.

6.2.4. Minimum side yard: None, except where the subject property shares a lot line with a residential parcel in a single family residential district in which case the minimum side yard is twenty (20) feet. Additionally, areas abutting any residential area shall provide screening along the common property line in the form of an opaque fence, wall or evergreen shrubbery at least six (6) feet in height.

6.2.5. Minimum rear yard: None, except where the subject property shares a lot line with a residential parcel in a single family residential district in which case the minimum rear yard setback is twenty (20) feet. Additionally, areas abutting any residential area shall provide screening along the common property line in the form of an opaque fence, wall, or evergreen shrubbery at least six (6) feet in height.

6.2.6. Height in the Nantasket Beach Overlay District the maximum height shall be forty (40) feet and four (4) habitable stories. A maximum height of (60) feet and five (5) habitable stories may also be allowed through the process specified in Section 9. The Planning Board may approve a Special Permit for developments of fifty (50) feet and five (5) habitable stories.

7. Off-Street Parking and Loading Requirements

7.1. Off-street parking. Parking requirements in the Nantasket Beach Overlay Zone are specified in Table 1.

Table 1: Off-Street Parking Requirements
7.2 Shared Parking. Parking required for two (2) or more buildings or uses may be provided in combined parking facilities where such facilities will continue to be available for the several buildings or uses. The total number of required spaces may be reduced by up to one-half (1/2) if it can be demonstrated that the hours of days of peak parking need for the uses are so different that a lower total will provide adequately for all uses served by the facility. Proposals for shared parking shall be reviewed under Site Plan Review, Section 40. The following requirements shall be met:

7.2.1 The proponent shall provide documented evidence of reduced parking needs based on accepted planning and engineering practice satisfactory to the Planning Board.

7.2.2 The Planning Board shall determine how a combined or multiuse facility shall be broken down into its separate (constituent) components.

7.2.3 If a lower total is approved, no change in any use shall thereafter be permitted without further evidence that the parking will remain adequate in the future, and if the evidence is not satisfactory, then additional parking shall be provided (either on- or off-site, or via a fee-in-lieu of parking) before a change in use is authorized by the Planning Board.

7.2.4 Evidence of continued availability of common or shared parking areas shall be provided to the Planning Board and reviewed and approved by Town Counsel and shall be documented and filed with the Site Plan if applicable and at the Registry of Deeds.

7.3 Fee-in-lieu of parking. All or a portion of the required off-street parking for commercial, non-residential uses may be waived by a special permit from the Planning Board when the property is located within the Nantasket Beach Overlay District, provided the following conditions are met:

<table>
<thead>
<tr>
<th>Use Type</th>
<th>Parking Requirement</th>
</tr>
</thead>
<tbody>
<tr>
<td>Studio and 1-bedroom residential units</td>
<td>1 space/unit</td>
</tr>
<tr>
<td>2 or more bedroom residential units</td>
<td>2 spaces/unit</td>
</tr>
<tr>
<td>Eating and drinking establishments</td>
<td>1 space/4 seats or 2 spaces/150 sq. ft gross floor area (GFA)</td>
</tr>
<tr>
<td>Hotels, motels, inns and bed and breakfasts</td>
<td>0.75 spaces/guest room; add 1 space/500 sq ft. meeting or banquet area</td>
</tr>
<tr>
<td>Medical, dental, or professional office building</td>
<td>1.3 spaces/200 sq. ft. GFA</td>
</tr>
<tr>
<td>Offices (general)</td>
<td>1 space/300 sq. ft. GFA</td>
</tr>
<tr>
<td>Retail business and service establishments</td>
<td>1 space/250 sq. ft. GFA on 1st floor; 1 space/500 sq. ft. GFA thereafter on other floors (excluding basement storage)</td>
</tr>
<tr>
<td>Theaters, auditoriums/halls, places of assembly</td>
<td>1 space/5 seats or per 8 linear ft. bench seating; OR 1 space/100 sq. ft. floor area if there are not fixed seats</td>
</tr>
<tr>
<td>Mixed-uses in a single building/development</td>
<td>Sum of individual uses; shared parking provision may apply</td>
</tr>
</tbody>
</table>
7.3.1 The proponent provides evidence that there are sufficient publicly owned parking spaces in the vicinity of the property to justify the waiver without detriment to the public health, safety and welfare.

7.3.2 The Town is paid a fee equal to the fair market value of the waived parking spaces (the area of which shall be determined by the number of waived spaces times 200 square feet) plus the cost of converting such spaces into a parking lot, or parking garage as estimated by the Planning Board with the advice of the a consulting engineer whose fees will be paid through an escrow account funded by the proponent. The owner (or occupant) of the property subject to the waiver is responsible for the payment.

7.3.3 If the property owner donates to the Town a public right-of-way providing an important pedestrian or vehicular linkage, or to contributes to the capital or operating expenses of a public trolley system in accordance with a parking management or circulation plan adopted by the Planning Board, the Board may reduce the fee specified in the paragraph above by an amount equal to the value of the donation, up to the total amount of the fee.

7.3.4 Any waiver of off-street parking approved under this section shall run with the land, and any subsequent changes of use that calls for more parking shall necessitate subsequent action to satisfy the additional parking requirement. No refund of any payment shall be made when there is a change to a use requiring less parking. Such payment and/or donation shall be made to the Town in total prior to the issuance of a building permit.

Off-street parking related to residential uses must be accommodated for on-site or nearby in a specific off-site lot.

7.4 Bicycle parking

7.4.1 Bicycle parking shall be provided for all new development, and shall be at least fifty (50) percent sheltered from the elements, and shall be located as close as possible to the building entrance(s).

7.4.2 One (1) bicycle parking space shall be provided for each twenty (20) off-street parking spaces required.

7.4.3 Each will be a minimum of two (2) feet wide by six (6) feet long.

7.4.4 Rack(s) will be provided that allow for the bicycle frame and one to be locked to the rack and that support the bicycle in a stable position without damage to wheels, frame or components. All bicycle racks and lockers shall be securely anchored to the ground or building structure.

7.4.5 Any property required to have bicycle parking may establish a shared bicycle parking facility with any other property owner within the same block.

8 Design Guidance

8.2 The purpose of this section is to guide the development of buildings and renovations in the Nantasket Beach Overlay District with human-scale, pedestrian oriented and high-quality
design that contributes to the Nantasket area’s visual interest and vibrancy and relates to the historic architectural types found in the community.

8.3 The Design Review Board (DRB) shall consider all development in accordance with the processes set forth in Chapter 15 of the Town of Hull General Bylaws and in Section 40, Site Plan Review, of this Zoning Bylaw.

8.4 In addition to the criteria established in the Chapter 15 of the Town of Hull General Bylaws and Section 40 of this Zoning Bylaw, the Design Review Board shall consider the following development attributes when evaluating development proposed in the Nantasket Beach Overlay District:

8.4.1 Facade and openings. All primary commercial and residential building entrances shall be visible from the right-of-way and the sidewalk, and shall have an entrance directly accessible from the sidewalk.

Doors shall not extend beyond the exterior facade into pedestrian pathways.

8.4.2 Scale, massing and spacing of buildings. The size and detailing of buildings shall reflect the community preference for moderate-scale structures that do not resemble “big box shopping centers.” New buildings and/or substantial alterations shall incorporate features to add visual interest while reducing the appearance of bulk or mass, such as varied facades, rooflines, roof heights, materials, and details such as brick chimneys or shutters appropriately designed and proportioned.

Buildings shall relate to the pedestrian scale by:

- Including architectural details to add visual interest along the ground floor of all facades that face streets, squares, pedestrian pathways, parking lots or other significant public open spaces.
- Articulating the base, middle and top of the facade separated by cornices, string cornices, step-backs or other similar features.
- Avoiding continuous lengths of flat, blank walls adjacent to streets, pedestrian pathways, or open spaces shall not be permitted.

8.4.3 Site design. The qualities and performance of building sites may be included in any design guidelines adopted by the Planning Board and may include the following areas for review:

a. All attributes included in the definition of Green Buildings.

b. Use of natural lighting.

c. Maximization of solar gain, including passive solar gain.

d. Prevailing and dominant winds and natural ventilation.

e. Identify natural and man made storm and flood protection

f. Low impact design for drainage, identify flood elevation and drainage sized for the design flood
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8.4.4 Exterior architectural details, materials, colors. Traditional materials or materials visually indistinguishable and compatible with traditional materials are encouraged, such as cement fiber clapboards without artificial wood texture. Vinyl siding is strongly discouraged. PVC trim, moldings and railings are permitted within the established guidelines.

Awnings and canopies shall be compatible with the architectural style of the building. Colors and patterns used for awnings and canopies shall be subdued and compatible with existing awnings on adjacent buildings.

Except for minor trim, the building shall avoid the appearance of reflective materials such. Glazing for windows and doors shall be non-reflective.

Ground floor commercial building facades facing streets, squares, or other significant pedestrian spaces shall contain transparent windows. Ground floor facades should generally avoid blank walls. Wherever possible, existing historic structures on the site shall be preserved and renovated for use as part of the development.

Any alteration of or addition to an existing historic structure shall employ materials, colors and textures as well as massing, size, scale and architectural features that are compatible with the original structure. Distinctive features, finishes, and construction techniques or examples of craftsmanship that characterize a historic property shall be preserved.

8.4.5 Roof slopes and shapes. New construction, including new development above existing buildings and/or substantial alterations, shall incorporate gables or other traditional pitched roof forms which will be consistent with the historic architecture of the Town of Hull. Flat roofs are discouraged, but if used, traditional cornice and parapet details shall be incorporated.

Mechanical equipment located on roofs shall be screened, organized and designed as a component of the roof design, and not appear to be a leftover or add-on element.

8.4.6 Pedestrian amenities. To the maximum extent possible development in the Nantasket Beach Overlay District shall provide pedestrian amenities, such as
wide sidewalks/pathways, outdoor seating/benches, plazas, squares or courtyards.

Pedestrian pathways/sidewalks that connect parking areas with adjacent developments are encouraged.

8.5 The Planning Board after consultation with the Design Review Board may promulgate more detailed design guidelines in addition to the criteria listed above.

9 Incentives for constructing buildings that are adapted to and resilient to the impacts of global warming on coastal communities in designated floodplain districts

9.2 The purpose of this section is to encourage the construction of new buildings and those undergoing substantial improvements (costs of which equals or exceeds 50 percent of the market value) that will withstand the increased flood elevations and frequency of storm events.

9.3 This section provides the following incentives:

9.3.1 The Planning Board will permit these projects under the simplified permit process of a Site Plan Review (Section 40) where projects can be conditioned rather than a Special Permit where projects can be denied and;

9.3.2 The Planning Board shall allow building heights of sixty (60) feet and five (5) habitable stories without obtaining a Special Permit.

9.3.3 In order to receive these incentives, the project must incorporate the following elements into the proposed development:

a. All buildings must comply with existing Floodplain Regulations as set forth in Section 42 of this Zoning Bylaw.

b. The first floor or story of a building shall not contain habitable space, regardless of the property’s location within the Floodplain Districts set forth in Section 37 and 42 of this Zoning Bylaw and the property’s designation within special flood hazard areas by the Plymouth County Flood Insurance Rate Map (FIRM) issued by the Federal Emergency Management Agency (FEMA) for the administration of the National Flood Insurance Program. Instead, open commercial first-floor space will be used for temporary non-habitable uses as inspired by the traditional Market Hall that provide utility and ideally, contribute to economic and social activity of the Nantasket Beach Overlay District. First floor uses may include but are not limited to:

- Farmer’s markets, vendor stalls, art galleries and performance art
- Department of Conservation and Recreation Visitors’ Center and Park Museum.
• Temporary outdoor eating spaces, such as café tables or seasonal restaurants.

• Parking, provided that the space allotted to parking does not occupy more than 50 percent of the total first-floor square footage. Mechanical, electrical service and HVAC equipment shall not be located on the first floor, but rather shall be located on roof or upper stories.

• Facilities to access the habitable floors of the structure, including enclosed stairways, foyers, elevators and similar facilities.

c. Generators sized to meet the emergency electrical demands of the building are located on roof or upper stories.

d. Underground utility lines and submersible electrical transformers are required where appropriate and feasible.

e. To the greatest extent possible and where applicable, buildings will be constructed to the highest storm and flood resistant standards for the Coastal A Zone, as described in the most recent version of FEMA’s Design and Construction in Coastal A Zones.

f. To the greatest extent possible, proponents shall incorporate in their buildings and developments the extensive energy-efficiency standards for architecture and site design for “GREEN BUILDING.”

9.4 For the purposes of this Section 9, the height of a building shall be the vertical distance above the curb grade to the highest point of the roof beams of a flat roof or to the top of the rafters at a ridge of a sloping roof. However, if the natural grade of the ground contiguous to the building is not at the curb grade, the height shall be measured from the mean finished grade at the foundation of the building.