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# Millis Town Center Zoning Amendments

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## Prepared for

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# 1. Introduction

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## Project Overview

The Millis Town Center Zoning Amendments project follows up on the 2011 to 2013 *Millis Town Center Properties Study*, which undertook a market analysis to determine the economic viability of alternative land uses for the center of Millis, and hosted a public forum to gather input from the public regarding their goals for the redevelopment of the downtown. This study also pointed out several issues with the existing zoning that could prevent the type of desired redevelopment. Based upon this work, MAPC began working with the Downtown Zoning Committee in 2013 to prepare new zoning that addressed the goals of the townspeople and fixed impediments built into the previous zoning. MAPC met with the Downtown Zoning Review Committee, discussed and reviewed alternative options for the bylaw, prepared and presented multiple drafts, and worked with town counsel to prepare the final zoning text and map amendments. The zoning was presented to Spring Town Meeting on May 12, 2014, and was approved.



## Study Area

The Town Center properties (as defined in the 2013 *Millis Town Center Properties Study*) include two large, formerly industrial parcels in Millis' commercial center along Route 109, as well as a series of smaller parcels nearby these two larger properties.

The northern property (fronting on Curve Street) is known as the GAF parcel due to its current owner, the GAF Company, one of the largest manufacturers of residential and commercial roofing materials in the US. At 11.6 acres, it has been used for heavy industry for the past several decades.

The Clicquot/Ann & Hope property (used interchangeably in this report, as well as the previous *Millis Town Center Properties Study*) is situated along Main Street/Route 109. Owned by the Ann & Hope company (which owns and operates discount home good retail stores and currently occupies a portion of the parcel's existing building) the 19.6-acre parcel was previously occupied by the Clicquot beverage company's manufacturing facility. The existing building still sports the well-known chimney that bears the Clicquot name.

In addition to these two larger parcels, several other properties, including the Herman Shoe site and an automotive repair station, were included in the areas considered for re-zoning.

## Previous Planning

In addition to the extensive market analysis and public outreach undertaken as part of the 2011 to 2013 *Millis Town Center Properties Study*, this study builds on years of planning and zoning work that was designed to promote mixed-use development in Millis's Town Center area.

The Town's 2000 master plan sets forth recommendations for mixed-use development in the Town Center with an emphasis on increasing the amount of commercial development. In 2004, the Town began to implement these goals by approving a mixed-use overlay district for the area west of



Plain Street. These new regulations allowed the development of Centennial Place, a development at the western end of the village that contains retail, office and residential spaces.

In 2006, the Town approved a similar mixed-use zoning overlay for the eastern end of the downtown. The intent was to extend the provisions that had produced such good results in the western end of the Town Center to the study area parcels.<sup>1</sup> In addition to creating new regulations for mixed-use development, the Town also purchased additional sewer

capacity from a neighboring town to support new development on the Town Center properties. However, since the time of this 2006 zoning, market forces have had an adverse impact on the ability of those regulations to yield the desired results. Because of the lack of development proposals, the Town requested assistance in re-examining the downtown zoning; this request resulted in the study that led to the recommendations in the *Millis Town Center Properties Study*.

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<sup>1</sup> For a full description and analysis of this zoning, see *Millis Town Center Properties Study*, 2013.

## 2. Zoning

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### Overview

Zoning is the primary municipal lever to implement land use and is also a powerful tool for economic development. In Millis' case, since it does not own the Town Center properties, it is a critical lever to shape development outcomes on these parcels.

See *Millis Town Center Properties Study, 2013*, for an extensive analysis of the underlying zoning and various overlay districts that were in place in the Millis Town Center prior to 2014. That report also highlighted several elements of the zoning that were acting as impediments to redevelopment of the town center area. These included:

- The arrangement of two base zones and three overlay districts created a confusing regulatory environment for the Town Center properties.
- Although mixed use was allowed, it was by special permit only, and all developments under the Overlay Zoning were required to be mixed use. Single use developments were not allowed. Also, there was not a provision that allowed for phasing of various single use elements into an overall mixed use development.
- The Zone A of the Groundwater Protection Overlay was redundant from the standpoint of water resource protection (since there was also a Zone I and Zone II groundwater protection regulation in place), but it was a significant impediment to development.
- Although there was a Mixed Use Overlay District option available, the underlying zoning allowed for industrial or commercial options, which may have adverse impacts on potential residential elements of the mixed use developments.

The goal of the 2014 zoning amendments was to address the above issues, add some uses desired by town residents, and provide incentives for developers to re-develop the downtown, while still maintaining the design principles and community character cited as important by town residents.

## Zoning Amendments Process and Results

### Zoning Districts and Provisions

The Town of Millis established the Downtown Millis Zoning Review Committee to work with MAPC to prepare zoning that would achieve the goals established through the public process of the *Millis Town Center Properties Study, 2013*. The Committee met roughly on a monthly basis from July 2013 to April 2014 to provide input to the MAPC staff, review alternative ways of addressing issues, discuss specific zoning language, and host the public hearing regarding the proposed zoning changes.

The Committee reviewed alternatives, and decided that the best way to address the confusion related to the multiple overlays and underlying districts in this area was to change the underlying zoning and eliminate some of the overlay zones (while incorporating the desired elements of the overlays into the proposed base zoning). The Committee therefore worked with MAPC to establish a new Residential Village Center (RVC) District which had the primary purpose of allowing higher density residential development, and the Commercial Village 2 District, which had as a primary purpose commercial development. The industrial land uses previously allowed under zoning were not included in either of these two districts. In addition, the portion of the Zone A that was under the downtown area, and which was redundant, was de-mapped.

The public input from the 2013 *Millis Town Center Properties Study* indicated that the residents did not want significant commercial or industrial development along Curve Street, which borders residential areas. The RVC District therefore is primarily a residential district, with single family residences allowed by right and multi-family by special permit, although some limited amount of commercial is allowed via a Special Permit process.

The portion of the study area fronting along Route 109 had previously been split between commercial and industrial uses. The residents' goals as expressed during the 2013 *Millis Town Center Properties Study* were to have this area be primarily focused on commercial uses with some residential allowed, but with no heavy industrial uses. This area was therefore proposed as the Commercial Village Two (CV2) District, which allows retail and restaurants by right, multi-family and mixed uses by special permit, and limited small-scale artisan manufacturing and other specialized businesses such as a winery or micro-brewery by Special Permit.

Both the RVC and the CV2 districts allowed for increases in density through the Village Center Special Permit process. The goal of this special permit process is to allow for a suitable increase in the density of uses to improve the vibrancy of the village center and to provide incentives for redevelopment. In exchange for this increase in density, the developer must adhere to design guidelines and also provide other public benefits.

The density of the residential may be increased up to 25 units per acre in the RVC and up to 22 units per acre in the CV2 if the developer provides some or all of the following public benefits:

- an increase in the amount of open space (beyond the base amount required),
- an increase in the number of affordable residential units in the development (beyond the base amount required),
- preserving significant historic structures as part of the development,
- making significant improvements to storm-water management (over the existing conditions), and/or
- providing for significant transportation demand management measures.

A significant increase could also be allowed in the Floor Area Ratio (FAR) of the commercial development in the CV2 district if a development met some combination of these same development bonus provisions.

Several additional development incentives were included in the amended zoning, including:

- Phasing of Development was allowed, such that if a future phase did not differ from the original special permit, then the future phases could proceed with only site plan review approval.
- The Planning Board became the Special Permit Granting Authority for permits related to the Groundwater Protection Districts in the Millis village area, in order to simplify the review process.
- Mixed uses were encouraged, but not required, by the special permit density provisions of the zoning.
- Additional uses, such as wineries, cideries and micro-breweries, were added to the uses allowed in the downtown districts.
- The bylaw facilitates a comprehensive and coordinated review of all project criteria under one application including all special permits, site plan, and other criteria subject to Planning Board review, and provides a single point of contact (SPC) to coordinate reviews and expedite the permitting process with any other Boards that may have review authority. The SPC was established as the Town Building Inspector.

Because of the nature of this zoning amendment, changes were required throughout the zoning bylaw. The edition of the bylaw in Appendix 1 therefore includes the entirety of the Millis Zoning Bylaw, showing the proposed changes as tracked changes. Appendix 2 shows the summarized version of the bylaw changes, as well as the proposed map changes, as they were presented to, and approved by, the Millis Town Meeting in May 2014.

# 0. Appendices

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1. Final proposed zoning changes prepared by MAPC and presented to Millis Downtown Zoning Committee and Town Counsel 4-8-14 showing all proposed changes as tracked changes
2. Minutes of Millis Annual Town Meeting May 12, 2014, showing Millis Town Center Zoning Amendments (Article 5) and Millis Zoning Map Changes (Article 3) and associated votes