

# **PROPOSED BRAINTREE-WEYMOUTH LANDING ZONING DISTRICT** **(“THE LANDING DISTRICT”)**

Weymouth and Braintree

Prepared by Metropolitan Area Planning Council

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## **Introduction**

The Braintree-Weymouth Landing District is a framework for achieving the vision of the Landing as vibrant, walkable village center spanning two towns. The Landing is an important focal point for neighborhoods in both Braintree and Weymouth who will benefit from a more vibrant, attractive, walkable, and useful village center. This zoning district encourages reinvestment and new construction compatible with the Landing’s historic role, the scale of nearby structures, and the Landing’s substantial capacity for new growth. Because of the Landing’s many assets (access, waterfront, infrastructure) and unique geography, this district includes dimensional requirements, special permit criteria, and other elements that are specific to the Landing. Such specific criteria will help to guide development more effectively than general town-wide standards that require additional interpretation and discretion within the Weymouth Landing context. The proposed district covers only areas between the Monatiquot River on the North and the U.S. Post Office to the South. Sections of Washington Street south of the Post Office are not included due to their different character and distance from the waterfront/MBTA station.

The District is a “mandatory overlay” district, which does not replace the current zoning, but applies to all new development. Existing uses consistent with current zoning may continue without becoming “nonconforming.”

The **Landing Center Subdistrict** encourages a mix of uses with an emphasis on first-floor commercial space and residential or office uses on the upper floors. Ground floor retail, restaurant, and other commercial uses are required to support a walkable and visually engaging shopping area. Various dimensional and design requirements require village-style development with buildings facing the street, parking in the rear, and multiple smaller storefronts. Development may exceed the 2 ½ story height limit in exchange for meeting specific criteria and providing specific public amenities. Well-designed buildings that cover multiple parcels on a block are allowed and encouraged.

The **Monatiquot Subdistrict** promotes a combination of open space and development with a mix of residential, office, or hotel uses and waterfront walkways and pedestrian connections open to the public. The Monatiquot is a gateway to the Landing and development should be designed to create an attractive and inviting entrance. Development may exceed the two-story height limit in exchange for meeting specific criteria related to open space, waterfront connections, retail space, historic preservation, and other public amenities.

MAPC’s recommended zoning framework for The Landing District is presented below. Further refinement and adjustments will be necessary in order to integrate this framework of each town’s existing zoning ordinance. Where necessary, notes below each section provide explanatory information about the various elements of the recommended zoning. Substantive discrepancies between the recommended zoning and the Weymouth Village Center Overlay District already in draft form (date 12/23/09 are also noted.

## **Purpose**

The purpose of the Braintree-Weymouth Landing District (hereafter referred to as “The Landing District”) is to establish reasonable standards that permit and control mixed residential, commercial, governmental, institutional, and office uses within the boundaries of the district. Furthermore, it is the intent of this district to:

1. Allow for an appropriate density of land uses and people to support a vibrant village center and public transportation.
2. Promote an active and publically accessible waterfront.
3. Limit and discourage development of highway-oriented strip commercial uses that create traffic hazards and congestion.
4. Create pedestrian and bicycle friendly environment so that commercial enterprises and consumer services do not rely on automobile traffic to bring consumers into the area.
5. Permit uses that promote conversion of existing buildings in a manner that maintains the visual character and architectural scale of existing development within the district.
6. Minimize visual and functional conflicts between residential and nonresidential uses within and abutting the district.
7. Allow for more compact development than may be permitted in other zoning districts to reduce the impacts of sprawl.
8. Allow mixed uses within the same structure.
9. Encourage consolidation of curb cuts for vehicular access and promote more efficient and economical parking facilities.
10. Encourage artist live/work or work/live space.
11. Encourage general retail and other active uses in first-floor storefronts.
12. Allow the continuation of existing uses in continued conformity with the base zoning.

*NOTE: Purposes 2 and 12 are not included in Weymouth’s Draft Village Center Overlay District (VCOD) dated 12/23/09.*

## **Braintree-Weymouth Landing District Applicability**

The Landing District and its subdistricts shall apply to all new development on land depicted as within the boundary of the Landing District and subdistricts as depicted on the official Town Zoning Map.

1. “New development” shall be defined as a change of use, addition of a new use, any increase in gross floor area, or any increase in impervious surface.
2. Existing uses and expansions of existing uses not exceeding the thresholds above are not subject to the provisions of the Landing District, with the exception of site plan review for applicable actions under the section “Site Plan Review.”

*NOTE: This section specifies which existing uses could continue with slight modification without being subject to the new zoning. Minor improvements would be subject to site plan review, but new uses and expansions would require conformity with zoning. This section is not included in Weymouth’s Draft Village Center Overlay District.*

## **Allowed Uses**

The following table identifies uses that are allowed within the Landing District. If a use is not listed, it is not permitted within the district unless the Planning Director finds the proposed use to be substantially similar to one of the uses listed:

Table 1: Allowed Uses

<b>Use</b>	<b>Landing Center</b>	<b>Monatiquot</b>
Retail and personal services	Y	Y
Bank	Y	N
Offices	Y	Y
Medical office / clinic	Y	Y
Hotel	Y	Y
Restaurant	Y	Y
Fast Food	N	N
Drive-through or drive-in associated with food service	N	N
Drive-through not associated with food service	SP	N
Print shop	Y	N
Artist studio, live/work space	Y	Y
Catering Service	Y	N
Veterinary Clinic	Y	N
Place of Amusement / Assembly	Y	Y
Trade School	Y	N
Club / Lodge	Y	Y
Single Family Residential	Y	Y
Multifamily housing	Y	Y
Residence above first-floor business	Y	Y
Townhouse	Y	Y
Research Facility	N	Y
Light Manufacturing	N	N
Commercial Recreation	N	SP
Commercial/Leased Parking up to 10 vehicles	Y	Y
Commercial/Leased Parking of more than 10 vehicles	SP	SP

Y = Allowed    SP = Special permit required    N = Not permitted

*NOTE: This is a general list of recommended uses that will need to be modified by each town to match the specific uses defined in the zoning bylaw.*

## **Dimensional Regulations**

**Table 2a: Dimensional Requirements - Setbacks**

<b>Subdistrict</b>	<b>Front (min - max)</b>	<b>Side</b>	<b>Rear</b>	<b>Waterway</b>	<b>Municipal Boundary (min – max)</b>
Landing Center	1' - 10'	---	--- / 15'	---	8' – 15'
Monatiquot	10' - 20'	---	---	15'	--
Monatiquot Special Permit	10' - 25'	---	---	15'	--
<b>NOTES</b>	(1)(2)		(3)	(1)(4)	(1)(5)
“---” indicates no dimensional requirement applies					

- (1) Landscaping, pedestrian walkways, outdoor dining or display, and up to five (5) feet of deck or balcony may be located within any setback area. Parking is prohibited within the front setback, with the exception of short-term dropoff/pickup parking in the Monatiquot subdistrict.
- (2) The front setback is presented as a range from minimum to maximum and applies only to those sections of building that qualify as “Street Wall,” as defined below.
- (3) 15’minimum setback applies in Landing Center district where parcel abuts residential zoning districts.
- (4) The Waterway setback is measured from the top of the bank as accepted by the Conservation Commission. The Monatiquot River and estuarine segment of Smelt Run (north of the MBTA tracks) are the only waterways to which this setback is applied.
- (5) Setback from municipal boundary applies only in Landing Center subdistrict east of Commercial Street.

*NOTE: Weymouth’s Draft Village Center Overlay District includes minimum lot sizes and minimum lot widths, which are not included here due to the extreme irregularity of parcel shapes and sizes in the Landing. The draft VCOD uses a formula to determine parcel-specific front setbacks, based on the existing setbacks on nearby lots, but not to exceed 10’.*

**Table 2b: Dimensional Requirements – Street Wall and Building Coverage**

<b>Subdistrict</b>	<b>Street Wall (Minimum % of linear frontage)</b>	<b>Street Wall Variation (max)</b>	<b>Max Building Coverage (max lot)</b>	<b>Effective Impervious (max lot)</b>
Landing Center	75%	48”	---	---
Landing Center Special Permit	75%	10’	---	---
Monatiquot	60%	10’	TBD	TBD
Monatiquot Special Permit	50%	15’	TBD	TBD
<b>NOTES</b>	(6)		(7)	(8)
“---” indicates no dimensional requirement applies				

- (6) Street wall refers to the linear extent of the front setback area that must be occupied by building. Where street wall variation is not specified, all sections of street wall within the setback area qualify as street wall. On corner lots the percentage shall be applied to the total frontage on both streets.

- (7) Maximum building coverage does not apply to parking areas, patios, balconies, decks, walkways or that portion of a building open to the general public.
- (8) “Effective Impervious” is defined as paved areas and buildings which generate runoff whose volume, rate, or quality does not meet Massachusetts Stormwater Standards.

*NOTE: Weymouth’s Draft Village Center Overlay District requires new buildings to be “oriented parallel to the front setback line” but does not include any minimum street wall frontage, meaning that a portion of the frontage could be occupied by a building façade and the remainder could be parking or landscaping. The draft VCOD also includes a Maximum Building Coverage of 80%.*

**Table 2c: Dimensional Requirements**

Subdistrict	Story Height (max)	Highest Floor Height (max above ground)	Roof Height (max)	Residential Units (max)	Non-residential floor area (max)
Landing Center	2.5	30'	40'	19	5,000 sq ft
Landing Center Special Permit	4	42'	54'	---	---
Monatiquot	2	---	40'	---	---
Monatiquot Special Permit	5	---	65'	---	---
<b>NOTES</b>	(9)				
“---” indicates no dimensional requirement applies					

- (9) The maximum height is measured in both stories and feet.
  - a. The building height is measured as the vertical distance of the highest point of the roof beam in the case of a flat roof and of the mean level of the highest gable of a sloping roof as measured from the mean ground level at all elevations of a building.
  - b. A half story is a finished living floor, which is contained wholly or predominantly within the roof of a structure and is subject to the regulations of the local building code.
  - c. Tower, widow’s walks, cupolas, and other similar building features may extend one story above the normal height limits.

*NOTE: Weymouth’s Draft Village Center Overlay District includes a Maximum Height of 50’.*

**Special Permits**

- I. Special permits are required for the following uses, design elements, or development dimensions
  - a. Variations in dimensional requirements as specified in Tables 2a, 2b, and 2c.
  - b. In the Landing Center Subdistrict, creation of new curb cut, widening of an existing curb cut, or relocation of an existing curb cut to a location closer to the nearest intersection
  - c. Creation of a drive through not associated with food service

*NOTE: Weymouth's Draft Village Center Overlay District does not require a special permit for new curb cuts. It does require a special permit for multi-family housing at a density of greater than one unit per 5,000 square feet or 4 units per lot.*

2. The Special Permit review shall consider the following issues related to the impacts of a proposed project: vehicular and pedestrian circulation, emergency access, impacts on neighboring properties, and other health and safety issues.
3. Specific considerations that shall be considered for Special Permit applications in the Landing District include:
  - a. Preservation and enhancement of the public's visual or physical access to the Monatiquot River Waterfront and the Smelt Run (including currently culverted segments.)
  - b. Consistency with the design recommendations of the town's adopted Design Guidelines.
  - c. Site design, materials, architecture, signage, and other features that enhance the village area as a unique destination in the region, particularly such features that would connect to the history of the area.
4. In the Landing Center subdistrict, the Special Permit Granting Authority may grant additional development rights over and above those allowed by the base zoning, up to the limits established in Tables 2a, 2b, and 2c, based on the extent to which the development satisfies the following criteria [LIST UNDER DEVELOPMENT]:
  - a. Creation of plazas, courtyards, or walkways open to the general public
  - b. Relocation of overhead utilities to underground
  - c. Contributions to improvement of public parking lot, smelt run daylighting, or canoe launch
  - d. Creation of retail spaces for small and independent businesses

*NOTE: Weymouth's Draft Village Center Overlay District enumerates the following general criteria for Special Permit review: 1) Impact on the neighborhood visual character...; 2) Degree to which the proposed use will share access with an adjacent use and avoids new curb cuts; 3) degree to which the proposed project complies with the goals of the Weymouth Master Plan...*

5. In the Monatiquot subdistrict, the Special Permit Granting Authority may grant additional development rights over and above those allowed by the base zoning, up to the limits established in Tables 2a, 2b, and 2c, based on the extent to which the development satisfies the following criteria
  - a. Provision of a publicly accessible waterfront walkway with direct connections to adjacent sidewalks and existing or potential walkways on adjacent properties. "Publicly Accessible" walkways and open space shall be defined as those which, whenever possible, shall be accessible to and usable by the public during daylight hours without undue restriction.
  - b. Provision of up to 50% of the lot area as publicly accessible open space. Open space shall be designed as an integral part of any development and shall enhance the development and the area in which the development is located. Open space shall not include paved streets,

sidewalks abutting streets, parking areas or recreational open space not open to the public. Open space may include pedestrian walkways and recreational open space open to the public.

- c. Provision of retail, restaurant, recreation, or other active uses generally open to the public, comprising up to one quarter of the ground floor area of the principal buildings
  - d. Preservation and reuse of historic buildings on the site.
6. For any project seeking a special permit under the provisions of the Landing District, the Special Permit Granting Authority having jurisdiction shall solicit and accept advisory comments from any Landing Joint Design Committee established through Memorandum of Understanding between the Mayors of Braintree and Weymouth.

### **Site Plan Review**

- I. The following activities in the Landing District shall be subject to site plan review, whether they occur in conjunction with “New Development” as defined in the section on Applicability, or whether occurring in conjunction with continuation of an existing use that does not qualify as New Development.
  - a. Any new construction or exterior alterations requiring a building permit, excluding replacement of existing roofing with similar materials
  - b. New and altered signs
  - c. Freestanding ground lighting
  - d. Fencing of any height
  - e. New paving for two or more vehicles
  - f. Creation of outdoor seating and dining areas for existing restaurants

*NOTE: Weymouth’s Draft Village Center Overlay District also requires site plan review for the following activities: interior and exterior alterations in conjunction with a change in use; curb cuts within 200’ of an intersection or wider than 30’; professional office for architect or attorney; medical office; and office building.*

- 2. Site plan review shall be conducted by the Director of the town’s Planning and Community Development Department in a manner consistent with any Memorandum of Understanding between the Mayors of Braintree and Weymouth regarding a joint design process.

The Planning Director shall lead the site plan review process and shall be responsible for approving or conditionally approving a site plan, based on its consistency with the provisions of the Landing District, other official plans for the District and surrounding areas, and the town’s design guidelines.

*NOTE: The Joint Design Committee is not referenced in Weymouth’s Draft Village Center Overlay District.*

**Parking and Site Access Regulations**

1. Site Access – New curb cuts on existing public ways shall be minimized. To the extent feasible, site access shall be provided through either a common driveway serving adjacent lots or through an existing side or rear street, avoiding the principal thoroughfare. Efforts should be demonstrated attempting to get cross access across neighboring properties. Access between parking lots across property lines is also encouraged. When access to rear parking must be from the principal thoroughfare, driveways shall be designed such that pedestrians crossing on sidewalks always have the right-of-way. New curb cuts in the Landing Center subdistrict require a special permit.
2. Parking Setback – Parking areas shall be no closer to the right-of-way than any existing or proposed primary structure on the lot, with the exception of short term parking and pick-up/drop-off areas in the Monatiquot River district, such as for commercial day care or hotel. Parking areas shall be located to the rear and/or side of the primary structures, as viewed from the right-of-way to which the lot abuts. On corner lots, the parking areas shall be located to the side or rear of the primary structure, and not between the structure and any rights-of-way that intersect at the corner.
3. Required Parking – Parking to serve uses within the Landing District are required as follows:

Table 3: Parking Requirements

Use	Within 1000' of a Commuter Rail Station	Bike Parking Requirements
Residential unit with 2 or fewer bedrooms	1 space per unit	1 space per unit
Residential unit with 3 or more bedrooms	2 spaces per unit	1.5 spaces per unit
Retail and personal service on first/principle floor of multi-story building	1 space per 900 square feet	1 space per 1,000 square feet
Retail and personal service on upper floors or in single-story building	1 space per 500 square feet	1 space per 1,000 square feet
Restaurant	1 space per 200 square feet	1 space per 500 square feet
Outdoor dining areas	0	1 space per 500 square feet
Offices and Professional Services	1 space per 400 square feet	1 space per 2,000 square feet
Hotel / Motel	1 space per room	1 space per 10 rooms

- a. Required parking for all other uses are as required by the underlying zoning.



*NOTE: Weymouth's Draft Village Center Overlay District requires 2 spaces per dwelling unit, 1 space per 250 square feet of retail/service uses, and 1 space per 75 square feet of restaurant use. Requirements are reduced 10% for any use within 600 feet of the municipal lot (requires site plan review). Parking requirements can be further reduced by an unspecified amount through shared parking (requires site plan review) or counting on-street spaces, spaces in municipal lot, and off-site parking (requires special permit).*

4. The number of public on-street parking spaces directly in front of the subject parcel, and on the same side of the street, may be counted towards the parking required for first floor uses.
5. Maximum Parking – The maximum parking located on any lot shall be 150% of the required parking.
6. Shared Parking – Required parking may be reduced by sharing parking facilities with adjacent parcels/uses according to the shared parking table reference. No portion of parking area used for shared parking shall be sold, deeded or otherwise restricted from shared use.

*NOTE: Weymouth's Draft Village Center Overlay District includes a detailed section on shared parking that should be incorporated here.*

7. Bicycle Parking – Bicycle parking facilities shall be provided equaling one per 10 of the required vehicle parking spaces or fraction thereof, with the exception of retail and personal service uses on the first floor of a multi-story building, which are required to provide one space per 1,000 square feet. Bicycle parking facilities shall consist of bike racks located in an area that is safely segregated from automobile traffic and parking. For residential uses, half of the required bicycle parking spaces shall be provided in weather protected locations.

*NOTE: These requirements are higher than those outlined in Weymouth's Draft Village Center Overlay District.*

8. Pedestrian Circulation – Provision for safe and convenient pedestrian access shall be incorporated into plans for new construction or significant renovation of buildings and parking areas and should be designed in concert with any required landscaping plans. Pedestrian access should be provided to buildings, public sidewalks, and public and private parking areas and should be designed with consideration for pedestrian safety, handicapped access, and visual quality. Where appropriate, applicants are encouraged to provide pedestrian connections between their site and abutting areas in order to promote pedestrian circulation and safety in the village.
9. Parking Screening –
  - a. Each parking area having more than five (5) spaces that abuts or is visible from one or more public streets abutting the lot on which the parking area is located shall be screened from the streets with opaque walls comprised of materials such as, but not limited to, masonry or board, at a height not to exceed four (4) feet. Opaque walls shall be augmented with landscape vegetation such as shrubbery, trees, or other vegetation.
  - b. Where a parking lot abuts a residential district it shall not be located within less than ten feet of the lot line and shall be screened with an opaque wall as described above at a minimum height of five feet, with continuous evergreen shrubs, or by a combination of evergreen shrubs and opaque walls. If evergreen shrubs are used as the screen, the shrubs shall measure at least twenty-four (24) inches in height at the time of planting, and at maturity shall be five (5) to eight (8) feet in height. Evergreen shrubs shall be planted between three (3) and five (5) feet on-center, depending upon the species selected.

## 10. Landscaping –

- a. Large parking areas with 20 or more parking spaces shall devote at least 5% of the interior parking lot to landscaping. At least one shade tree for every six parking spaces not enclosed in a garage or building shall be provided, spaced so as to maximize shading of the parking area at tree canopy maturity. Proponents are encouraged to create multi-purpose parking lot landscaping features that also provide stormwater infiltration (e.g., swales or rain gardens), pedestrian access, or other benefits.
- b. Trees shall be planted in protected pervious plots of at least 60 square feet of area. Landscaped areas may be below grade in order to allow for stormwater retention and infiltration.

## **General Standards**

1. Building Access - Primary pedestrian access for all buildings shall be from a public sidewalk at the front of the building. Entrances at building corners may be used to satisfy this requirement. Side and rear entrances may also be provided.
  - a. Building entrances may include doors to individual shops or businesses, lobby entrances, entrances to pedestrian oriented plazas, or courtyard entrances to a cluster of shops of businesses.
  - b. The primary business entrance to each ground floor business shall be accentuated by larger doors, signs, canopy, or similar means.
  - c. Where a building has a street frontage greater than 100 feet, doors must be placed an average of one door for every 50 feet of frontage.
2. Fenestration
  - a. In the Landing Center subdistrict, a minimum of 60% of a street-facing building façade on a commercial ground floor between two and eight feet in height shall be comprised of clear windows. The bottom edge of the window shall be no more than three feet above the adjacent sidewalk.
  - b. All residential, office, and upper story street facing facades shall have a minimum of 20% clear windows.
  - c. The street-facing fenestration standard, 2.a, shall also apply to commercial ground floor areas facing onto public pedestrian areas to the side or rear of any building.
3. Visual Character
  - a. Continuous length of flat, blank walls adjacent to streets, pedestrian pathways, parking areas, or open spaces shall not be permitted. Murals and similar decorative features shall not be treated as a blank wall.
  - b. Garage doors or loading docks are prohibited on the street facing façade of any building.
  - c. A single building with a width of more than 60 feet facing a public street shall be divided into visually distinct sub-elements, which, where appropriate, reflect the functional diversity within the building. Visually distinct sub-elements shall be spaced no further apart than 25% of the building length at street level.
  - d. Ground level mechanical equipment, dumpsters, and loading areas shall be screened from public view to the maximum extent possible using opaque walls and, where appropriate, landscaping, such that the screening is consistent with the overall project design.

4. Street Wall Breaks
  - a. There shall be a minimum of one street wall break for every 200 feet of street frontage, where necessary in order to provide access to rear parking or public spaces.
  - b. Each building street wall break shall provide either pedestrian access or motor vehicle and pedestrian access to the side and/or rear of the building. A building street wall break providing only pedestrian access shall be a sidewalk having a minimum width of ten (10) feet. A building façade break providing both motor vehicle and pedestrian access shall have a travelway at least twelve (12) feet in width and a sidewalk on at least one side having a minimum width of five (5) feet.
  - c. Buildings separated by a building street wall break shall have a minimum separation of the width of the pedestrian access or motor vehicle and pedestrian access.
  - d. Encroachments are allowed in pedestrian areas of street wall breaks as per those allowed in setback areas according to ###1. A five (5) foot minimum clear path for pedestrians shall be maintained.
5. Drive-Thrus – Drive-thrus are prohibited, except by special permit. Where permitted, a drive thru may only be located to the rear of a building. In the Landing Center subdistrict, a drive-through is prohibited from using a curb cut directly from the subject property onto Commercial Street as a primary means of access or egress to/from the drive through.
6. Utilities - Underground utility lines are required for new and redeveloped buildings unless physically restricted or blocked by existing underground obstructions.
7. Architectural Standards
  - a. Multi-story buildings should be divided into a base, middle, and top, separated by cornices, string cornices, stepbacks, or other articulating features.
  - b. An expression line should delineate the division between the first story and the second story. For flat roofed structures, a cornice should delineate the top of the façade. These should consist of either a molding extending a minimum of 4 inches, or a change in the surface plane of the building wall greater than 8 inches.
  - c. Building walls shall have perceivable thickness, visual interest, and character. This can be accomplished by using a selection of architectural details which include vertical and horizontal projections and recesses, changes in height, floor levels, roof forms, parapets, cornice treatments, belt courses, pilasters, window reveals, forms and color, etc.
  - d. Rooftop heating and cooling and similar mechanical equipment shall be screened from view to the maximum extent possible using architectural features. This provision does not apply to solar panels.