



Memorandum

To: Barney S. Heath, Director of Planning and Development;
Jennifer Caira, Deputy Director

From: Councilor Pam Wright

Re: Proposed amendments to zoning

Date: July 28, 2023

Approval process:

1. 2.4.B.1.i change special permit from 30,000 sf to 15,000 sf and add priority streets special permit to 10,000 sf or larger. *Priority streets are not counted in MBTA Act and we get more control on what our village centers will be.*
2. 2.4.B.1.ii replace “except as modified through Adaptive Reuse” to “except for one additional building as modified through Adaptive Reuse”.
3. 2.4.B.2.i change site plan review from 20,000 sf to 10,000 sf.
4. 2.4.B.2.ii Add public hearing for site plan and design reviews. *Brookline is having public hearings for site plan and design review in their zoning proposal.*

Dimensional Standards Site:

1. 2.5.A special permit: change special permit from 30,000 sf to 15,000 sf and add priority streets special permit to 10,000 sf or larger. *Priority streets are not counted in MBTA Act and we get more control on what our village centers will become. Through my calculations, proposed zoning will allow over 18,300 units by right plus additional units in multiple buildings and lot separation (~2000 units+). Lowering the special permit to 15,000 sf still allows over 14,300+ units by right and over 9000 units in the MBTA communities areas. Lowering special permits on priority streets give us more control over the village centers.*
2. 2.5.A Change site plan review from 20,000 sf to 10,000 sf. And add public comment requirement. Brookline will do this too.

3. Change Usable open space from 30% to 50% for MRT and VC1 on all lot sizes per our present zoning. For adaptive reuse, usable open space for all lots to 40%. *This will allow for trees and green space and not all pavement and parking. Presently our zoning is 50% to 70% usable open space depending on the lot designation. This still doesn't limit the size of the house – FAR does.*
4. Front building setbacks: change from “10’ or average” to “25’ or average”. *Presently zoning is 25’ (MR2), 30’ (SR2 and SR3) to 40’ (SR1).*
5. Change required front setback abutting a residential district in MRT from 7.5’ to 12.5’. *Presently this is one of the biggest complaints – that the new house is too close to the street. Also, this greatly limits trees and green space in side yards.*
6. Add: when abutting a non residential lot used as residential, abutting residential district setbacks will be used. *Some BU lots are used as homes and will not get any protection from zoning when abutting VC districts.*
7. Change VC1, 2, 3 side and rear setbacks to abutting residential districts to present zoning – “½ building height or 15’, whichever is larger”. *The proposed zoning could have a 62’ building only 15’ away from a residential district. In the present zoning it would have to be 31’ away or a 30’ tall building could be 15’ away. Depending on the orientation of buildings, residential yards could be in shadows much of the day.*
8. Change MRT building separation from 15’ to 25’ as in the present zoning. *A building separation of 15’ will present as a bigger mass in the residential neighborhoods.*

Dimensional Standards Building:

1. Limit VC2 and VC3 developments within 50’ of lot line abutting a residential district to 3.5 stories with the present zoning setback of “½ building height or 15’, whichever is larger”
2. Lower maximum MRT pitched roof height to 40’
3. *I would like a discussion on the active use depth minimum. Is 25’ too large? Would 12’ be OK for a pop up?*

Site Design Standards:

1. In 2.6.A.1 add additional setback required to eliminate blocked site lines to landmarked and prominent village center buildings.
2. Add 2.6.A.2.a.ii - additional buildings in public view will be designed in keeping or compatible/compliment original building (**embolden text**). Wording can be something similar to: 6.7.1.E.3 Rules for detached ADU: 3. Exterior alterations to an existing accessory structure or the creation of a new accessory structure are permitted **provided they are in keeping with the architectural integrity of the existing structure and/or the**

principal dwelling on the lot and the residential character of the neighborhood. The exterior finish material should be the same or visually compatible in type, size, and placement, as the exterior finish material of the principal dwelling unit on the site.

3. Add 2.6.A.4.d - Usable open space 50% for MRT and VC1 on all lot. For MRT adaptive reuse, usable open space for all lots 40%. *This will allow for trees and green space and not all pavement and parking. Presently our zoning is 50% to 70% usable open space depending on the lot designation. This still doesn't limit the size of the house – FAR does.*
4. Add 2.6.A.6 – Rear lot definition from previous proposal.
5. Add 2.6.A.7 – MRT and VC1 lot subdivision as per the present zoning. *Presently no restrictions and a 4 unit building could be built on a 3400sf lot. This will increase tear downs, and remove many trees and open space in MRT and VC1.*



Building Design Standards:

1. Add 2.6.B.7.a ground story active uses: if footprint is >9500 sf (negotiable number) than 20% for local, non-chain, non – bank or nail salon (use Trio's wording)
2. Add 2.6.B.7.b.viii brewer/brewpub.
3. Remove 2.6.B.8.b.i "must have at least two (2) stories in height.
4. Remove 2.6.B.8.b.ii "must have at least one-and-a-half (1.5) stories in height.
5. Add 2.6.B.8.d.i – Additional height on existing landmarked buildings are not allowed within 25' of the front plane of the building
6. Change 2.6.B.8.d.iii to "There are no open space requirements for VC2 and VC3. For MRT and VC1 40% usable space is required."
7. Add back language on retaining existing trees in 2.6.B.7
8. In 2.6.B.7.f Add back "10% of paved lots must be landscaped"
9. Add in 2.6.B.10.a "Require trash storage enclosed in building footprint or if outdoors in locked enclosures".

10. Add 2.6.B.5 element design standards like Brookline. Objective design standards integrated into dimensional requirements, Architectural Preservation standards, Site Plan and Design Review for as of right. We should review their work. One example below. <https://www.brooklinema.gov/DocumentCenter/View/43167/Harvard-St-Select-Board-0725-2023>

11-4.06 Exterior Finishes and Materials	
Description Material selection impacts sustainability and durability and the way in which materials are selected and applied responds to existing architectural context.	
Applicability All new buildings and facade modifications.	
Durability Standards Exterior timber shall be protected from decay by application of a stain and sealant or paint. Exterior ferrous metals shall be protected from corrosion by at least one of the following: a. Painting or other impermeable coating; and/or b. Metallurgical properties, including galvanized steel, stainless steel (matte effect finish only), and/or weathering steel (e.g., COR-TEN)	
Allowed Materials	
Element	Allowed Materials
Exterior Walls	
Wall Cladding, house scale buildings	Wood, fiber cement, brick
Wall Cladding, block scale buildings	Brick 
Base	
Base or Foundation	Brick, cast stone, wood, fiber cement, treated concrete (block scale buildings only)
Roof and Roof Elements	
Sloped roof forms shall be used on house scale buildings. Mansard roof forms shall be allowed on block-scale buildings but shall not be required; no other sloped roof forms shall be allowed on block-scale buildings.	
Roofing, mansard	Slate shingles or metal
Roofing, sloped	Asphalt or slate shingles
Rake and Eave	Wood, composite wood, stucco, metal
Cornice	Wood, composite wood, stucco, fiberglass
Brackets	Wood, composite wood, fiberglass
Gutter	Metal ogee, half-round, or box
Windows, Bay Windows, and Entry Doors	
Lintel	Stone, concrete, brick
Allowed Materials (Cont'd)	
Trim or Surround	Cast iron, Composite wood, wood, fiber cement
Entry Door	Wood, fiberglass, composite wood, wood-clad aluminum
Window Frames	Wood, fiberglass
Window Sill	Wood, composite wood, fiber cement, cast stone
Glazing	Clear glass; shall not be tinted, mirrored, or colored
Balconies	
Guard/Railing	Metal, glass
Fascia	Metal, wood, composite wood
Porches and Galleries	
Columns	Wood, composite wood, fiberglass, cast stone
Guard/Railing	Metal, wood, composite wood, metal, glass
Storefronts	
Storefront	Brick, wood, composite wood, metal
Columns	Wood, composite wood, fiberglass, metal
Storefront Base/Bulkhead	Wood panels, brick, stone, cast stone, tile, fiber cement, stucco
Change in Facade Color and/or Material	
Color and/or material change shall occur only at the following locations on a facade: a. At inside corners rather than outside corners. b. At a horizontal articulation such as a string course c. At the boundaries between vertical divisions.	
	
<i>Note: Images are illustrative, not regulatory.</i>	

Parking Requirements:

1. Add back in Applicability (2.6.C.1) to Parking Design Standards
2. Change 2.6.C.1.a to “There are no motor vehicle parking minimum within the VCOD” to “There are no motor vehicle parking minimums within the MBTA designated VCOD areas except on priority streets. 0.5 parking space required per unit on non MBTA designated VCOD and on priority streets. *(Since priority streets do not count in the MBTA units, parking requirement will not affect the final unit count required by the state)*
3. Add electric bike parking requirements.

Allowed Uses:

1. Add Brewery/Brewpub to VC2 and VC3
2. Refine VC1 to only allow low car trip businesses in VC1 in 2.2.B. *Limited trips in and out of Rt9 with many driveways on Rt 9 creating unsafe entry*

Affordable Housing Bonus:

1. Option 1 only
2. Add a line under AMI in table for another option – lower AMI and then lower number of units needed to meet that. Need discussion on the right number.

General

1. **Remove references to the Comprehensive Plan** since it states a maximum of 35,995 units for the city (p. 15). VCOD zoning will provide a much higher number of units. We’re near 35,995 with present built and approved units.
2. Please explain the change in 2.4.A.1 from “except as exempted” to “except as expressly exempted”. What does this mean or imply? Was it a typo originally? This appears to be a 180.