



MEMORANDUM

TO: John Charbonneau, Town of Stoughton
FROM: Jeff Davis
DATE: June 21, 2021
RE: Summary of Changes Between the SCMUOD and the Proposed SCD

The Horsley Witten Group (HW) completed four drafts of the new Stoughton Center District (SCD) zoning before finalizing a draft for public review that was discussed at a public meeting on June 7. A few changes have been made to that draft in response to comments made at the public meeting. Six people responded to an online survey about the draft, but none of the comments were substantive and did not lead to changes. This draft may continue to evolve between now and the next public meeting expected for some time in September.

The purpose of this memo is to summarize the major changes between the current SCMUOD and the latest draft of the proposed SCD, and the purpose of these changes. Please also see the presentation provided for the June 7 public meeting for more information on the rationale behind certain changes. Edits were generally made for one or more of the following reasons:

- Ensure the new zoning does a better job of requiring and encouraging development in Stoughton Center that meets the Town's goals
- Codify a process that is easier and more predictable for applicants
- Make the text easier for Town staff and Boards to understand and enforce

9.3.1. Purpose and Intent

This section remains in the new draft but has been amended to more closely follow the vision for Stoughton Center described in the Town's Master Plan and related documents. It also reflects the intent of the three proposed Subdistricts. All decisions about development in the SCD need to tie back to the Purpose and Intent, so it is important these were changed to reflect the Town's current desires.

9.3.2. Scope of Authority

This section is no longer needed, because the zone is changing from an overlay to a base zoning district. This change serves two important purposes:

- Avoids confusion for applicants between the overlay and the underlying zoning.
- Provides more consistent outcomes for the Town, since ALL development will be subject to the standards in the SCD (whereas today, an applicant can choose to develop under the standards of the SCMUOD *or* the underlying zoning).

9.3.3. Definitions

This section is now called 9.3.2 SCD Definitions. All definitions in Sec. 11.1 Definitions continue to apply to this section. However, there are several definitions that will ONLY apply within the SCD, and those are included here. All the new definitions are uses that are only allowed or relevant within the SCD. These uses deal with either “maker spaces” – light production of handicrafts, food, and beverage – parking, medical facilities, or mixed use.

9.3.4 District Areas

This section is now called 9.3.3. Subdistricts. The purpose and intent of each of the three proposed Subdistricts is described in the draft zoning text. Being very explicit about what the Town wants to see in each Subdistrict should make it easier for applicants to submit development proposals that meet the Town’s vision, minimizing time-consuming “back and forth” with staff and the Planning Board.

9.3.5 Special Permit Granting Authority

This section is now 9.3.5. Site Plan Approval and Special Permits. The changes here are not substantial but are meant to provide greater clarity for applicants. The intent is to ensure that the Planning Board serves as the SPGA for any use in the SCD Use Table that requires a Special Permit, regardless of how that use would have been reviewed under the Table of Use Regulations (Attachment 2) (with the exception of Communications and television towers which will continue to be reviewed by the Zoning Board of Appeals). HW has also clarified that applications are subject to Site Plan Approval per Sec. 10.6.

9.3.6 Uses

This section is now 9.3.4. Allowable Uses. A Stoughton Center District (SCD) Table of Use Regulations has been added here so that cross reference to the town-wide Table of Use Regulations (Attachment 2) is not required. A major issue in the current Uses section is that many things the Town wants to promote in Stoughton Center (mixed-use, retail, restaurants, etc.) require a Special Permit. The new draft zoning tries to minimize Special Permits and allow most uses with Site Plan review. This will streamline development review for desirable uses, and avoid the time and costs associated with the Special Permit process.

The SCD Table of Use Regulations used the Table of Use Regulations (Attachment 2) as a baseline. As discussed above, the most significant change is that many uses currently requiring a Special Permit are proposed to be permitted by right and marked with a Y in the table (still requiring Site Plan Approval). Uses prohibited in the SCMOUD continue to be prohibited in the proposed SCD.

Property owners in the SCD are encouraged to compare the current uses in the Table of Use Regulations (Attachment 2) with the draft SCD Table of Use Regulations to see how the uses allowed on a particular parcel are proposed to change. In general, parcels in the Core will have the same use allowances they have today, if not more. Parcels in the Flex will have more use allowances. Parcels in the Transition, particularly those currently zoned GB, will have reduced

use allowances. In these areas, non-residential uses will largely be limited to services, small-scale retail, and other lower intensity commercial uses.

9.3.7 Special use provisions for ground floor uses

This section has been eliminated, but the concepts are addressed in Sec. 9.3.4. Allowable Uses. Dwelling units are proposed to be allowed on the ground floor in the Flex and Transition Subdistricts. Residential uses continue to be prohibited on ground floors within the Core Subdistrict. With high demand for residential and demand for commercial on uncertain ground (prior to the pandemic, but even more so now), allowing ground floor residential outside the Core will offer very important flexibility for redevelopment. Prohibiting this in the Core will ensure that the heart of Stoughton Center maintains active, street-level commercial uses.

9.3.8 Special permit criteria

This section has been maintained but moved up to Sec. 9.3.6 to be right after the section on Site Plan Approval and Special Permits. The criteria are clearer, and the treatment of historic structures has been removed.

9.3.9 Dimensional requirements

This section has been maintained but moved up to Sec. 9.3.7. Today, there is a mix of standards that apply within the SCMOUD and cross referencing to standards for the underlying zoning. This new draft contains a single table with all dimensional regulations in one place. It is somewhat difficult to summarize how dimensional standards are proposed to change, because currently a development can be built under the SCMOUD *or* under the underlying zoning district. For example, the minimum lot size in the CBD today is 2,500 SF. However, if developing under the SCMOUD, the minimum lot size is 10,000 SF. Also, there are several exceptions, such as when a parcel in the SCMOUD abuts a parcel outside the SCMOUD. However, the table below attempts to lay out the differences.

The primary rationale behind the proposed changes in dimensional regulations include:

- Minimum Lot Area
 - Keep minimum lot area small to maximize flexibility, knowing that lots can always be combined for larger developments.
 - Attempt to reduce non-conformity (many existing lots are smaller than what is required today).
 - Have required lot sizes increase moving from the Core to the Transition subdistrict.
- Minimum Lot Width and Frontage: Keep minimum lot width and frontage small (same as the SCMOUD today) to maximize flexibility.
- Minimum Lot Depth: Maintain or decrease minimum lot depth to maximize flexibility.
- Minimum Yards: To allow for zero setbacks in the Core (with some exceptions), minimal (5-10 feet) setbacks in the Flex and slightly larger (10-15 feet) setbacks in the Transition.

- Height: Allowing 45 feet in height allows for a more viable four-story building. Provision of community benefits allows buildings to go taller in the Core, offering more flexibility for the developer and benefits the community would not otherwise receive.
- Building Area: Increased slightly from the underlying zoning to increase flexibility.

As noted, the current zoning districts do not align with the proposed SCD Subdistricts, so it is impossible to directly compare, for example, the current CBD with the proposed Core, even though they are designed to play similar roles as the densest part of Stoughton Center. The table below shows in gray columns the proposed SCD Subdistricts, in white columns the existing underlying zoning districts, and the existing SCMUOD in the blue column.

SCD vs. SCMUOD Dimensional Requirements

Requirement	Core	CBD	Flex	GB	Transition	RU	SCMUOD
Min. Lot Area (SF)	2,500	2,500	3,500	10,000	5,000	25-35K	10,000 A 7,000 B
Min. Lot Width (feet)	20	20	20	50	20	80-120	20
Min. Lot Frontage (feet)	20	20	20	50	20	80-120	20
Min. Lot Depth (feet)	60	75	75	75	75	80-100	-
Min. Front Yard (feet)	0 (2)	0	10 (2)	15	15 (2)	25	0 in CBD Underlying
Min. Side Yard (feet)	0 (3)	0	5	5	10	15	0 25 at res.
Min. Rear Yard (feet)	0 (4)	10	10 (4)	30	10 (4)	40	10 (4)
Max. Height (feet)	45 (1)	40	45	40	35	35	40
Max. Stories (number)	4 (1)	3	4	3	3	2.5	-
Max. Bldg. Area (%)	90	90	80	70	50	30	Underlying
Min. Open Space (%)	0	0	10	10	40	50	40

Notes:

- (1) See additional requirements under Sec. 9.3.8 Increased Height Special Permit.
- (2) Within the SCD, there is also a required *maximum* front yard depth of 20 feet.
- (3) Zero-foot side yards are allowed where abutting another lot within the SCD. Where abutting a lot outside the SCD, the required side yard is 10 feet.
- (4) Where abutting a lot outside the SCD, the required rear yard is 15 feet.

9.3.10 Affordable housing

This section has been maintained but moved to Sec. 9.3.9. The only changes are:

- The threshold is now developments of 10 or more units rather than 5 or more units.
- Units are now available to low- and moderate-income households rather than just moderate income.
- The affordability requirement does not apply within the Core Subdistrict.
- Clarification has been made for rounding the calculation of affordable units and for closing any loopholes for developers who build fewer than ten units and then build more later in hopes of avoiding the affordability requirement.

9.3.11 Accessory buildings and structures

Accessory buildings and structures must conform to other sections of the Zoning Bylaw. This is redundant and has been removed.

9.3.12 Open Space and 9.3.13 Public Space

Both sections are confusing for developers to understand and for staff and the Planning Board to enforce. They can also lead to awkward, unusable, or even unsafe open spaces. These sections have been deleted. Open space and public space are addressed in Stoughton's existing design guidelines, as discussed in Sec. 9.3.13 Design Guideline Regulations.

9.3.14 Landscaping requirements

Landscaping is addressed in Stoughton's existing design guidelines, as discussed in Sec. 9.3.13 Design Guideline Regulations.

9.3.15 Vehicular Access, Parking and Loading Requirement and 9.3.16 Special parking provisions

These sections are now 9.3.11. Circulation, Parking and Loading Requirements. Significant changes include:

- Rather than cross referencing the main off-street parking regulations and other parking requirements in the zoning bylaw, all parking requirements are listed in this section of the SCD.
- Recent amendments to the SCMUOD related to parking and shared parking have been incorporated into this draft.
- Residential parking requirements are no longer based on number of bedrooms but simply by Single/Two Family Dwellings and Multifamily Dwellings. Single/Two Family Dwellings in any Subdistrict and Multifamily Dwellings in the Flex and Transition Subdistricts still require one space per unit. Multifamily Dwellings in the Core Subdistrict now require 0.5 spaces per unit rather than one. There is no requirement for guest parking.
- Bicycle Parking requirements have been clarified but remain largely the same.

9.3.17 Loading and waste disposal

This section remains the same but is now found at Sec. 9.3.12.

9.3.18 Lighting

Lighting is addressed in Stoughton's existing design guidelines, as discussed in Sec. 9.3.13 Design Guideline Regulations.

9.3.19 Stoughton Center Design Review and 9.3.20 Design Review Standards

These sections have largely been removed in preference to Stoughton's existing design guidelines, as discussed in Sec. 9.3.13 Design Guideline Regulations. HW and the Town explored options for expanding design standards (things a developer *must* do) in Stoughton Center, but found that hard and fast design standards will never be able to be applied fully throughout such a dense, already built up area. There would be so many exceptions to each rule, the Town decided to stick with its existing Design Guidelines. The goal is to get the best design possible without discouraging development.

HW reviewed the Stoughton Center Design Review Guidelines and Storefront Design Guidelines and found them to be very consistent with the goals of the proposed SCD bylaw. As described in Sec. 9.3.13 Design Guideline Regulations, these two existing documents are proposed to be slightly modified and combined as the Stoughton Center District Design Regulations, serving as regulations in support of the SCD bylaw.

The Town did, however, decide to develop design standards for signage (discussed further below).

New Sections

HW has added three new sections to the SCD zoning not discussed above.

9.3.8. Increased Height Special Permit

The Town expressed an interest in having a policy that would allow buildings to be built higher than 45 feet in the Core Subdistrict if certain community benefits are provided by the developer. See the draft zoning text for details.

9.3.10. Applicability of other Zoning Bylaw Standards

This is a housekeeping effort meant to ensure there is no confusion about other sections of the zoning bylaw that may conflict with the SCD.

9.3.14. Signage

As noted above, Signage is the one area of design for which the Town thought it was important to have standards vs. guidelines. This new section provides standards for sign compatibility, size, number, positioning, lighting, and other design features.