



## Town of Milton Master Plan Implementation **Milton Village Mixed-use Zoning Study**

### **FINAL SUMMARY REPORT**

**June 1, 2018**



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**Milton Village Mixed-use Zoning Study**

**Acknowledgments**



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Study funded by the Town of Milton and MAPC with a Barr Foundation grant



Document Prepared by the  
**Metropolitan Area Planning Council**

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## INTRODUCTION

### Purpose of Study

This study is focused on the implementation of recommendations that were put forward as part of the Town of Milton Master Plan process. The Executive Summary of the Master Plan states create mixed-use districts – it is recommended that the existing commercial districts be made more vibrant by making streetscape improvements, encouraging additional retail and restaurants, and locating housing above shops.

Additionally, the Executive Summary of the Master Plan states, increase range of housing – there is a need for more variety in housing types, including smaller, more affordable housing located in walkable neighborhoods where walking is safe and pleasant. Lastly, the purpose of this follow up implementation effort is clearly articulated as one of the “Top 20 Key Recommendations” of the Master Plan to create a vision for each commercial district involving residents and business-owners and encourage mixed uses and more activity (vibrant business districts) by passing a Mixed Use Overlay District provision that encourages housing over retail, additional retail and dining opportunities, pocket parks, streetscape improvements as well as increases the size of the area in which commercial activity is allowed.

### Scope of the Study

In the spring of 2017, the Town of Milton commissioned a study of the Milton Village/Milton Landing area with the Metropolitan Area Planning Council (MAPC). The study has been coordinated by the Town’s Planning Department and overseen by the Master Plan Implementation Committee (MPIC). The study has explored zoning recommendations and the drafting of a recommended draft amendment to the zoning bylaw. This study is part of the Town of Milton’s Master Plan Implementation efforts. The scope of the study was initially outlined to include:

- *Review of the existing zoning bylaws* – MAPC has reviewed the Town of Milton’s existing zoning bylaw with particular focus on the existing bylaw for Milton Village, the Central Avenue Business District, and the Planned Unit Development bylaw. The characteristics of the existing zoning are provided in this summary to compare to recommended changes.
- *Historic preservation strategy, to include potential zoning incentives or tools to accomplish goal* – Historic preservation has been a major theme in the discussion of zoning throughout this study and is a primary component of the zoning recommendations.
- *Up to 3 meetings with the Planning Board and/or Master Plan Implementation Committee* – as part of the zoning study process, MAPC attended MPIC meetings on 11/20/17, 12/19/17, 1/16/18, 2/12/18, and 4/30/18.
- *Up to 5 additional meetings/phone calls with Town Planner regarding zoning* – In addition to the MPIC meetings listed above, MAPC has participated in coordination calls or meetings on 9/21/17, 10/10/17, 11/8/17, and 11/29/17.
- *Preparation of draft amendment to zoning bylaw* – draft zoning information has been presented in the form of a draft zoning amendment outline since early in the process, beginning on 10/2/17.
- *Up to 2 re-drafts/edits based on meetings with the Town Planner and Planning Board, and input from Town Counsel* – an updated working draft amendment was among materials presented on 11/20/17, a draft was presented on 1/16/18, and again on 2/12/18.
- *Preparation of base map and, if necessary, a zoning boundary map* – a consistent base map was prepared for the Milton Landing area and is drawn to scale based on the information provided by the Town’s Geographic Information Systems (GIS). The base map was used to illustrate existing conditions, patterns of use, and potential future zoning concepts in Milton Village.
- *With zoning diagrams/photos of sample visions* – photographs, diagrams and examples of potential zoning outcomes have been used in presentations to the MPIC and Community Forum to illustrate the concepts under consideration.

- *Plan, lead and participate in up to two public forums/hearings regarding bylaw amendments* – MAPC facilitated a joint meeting of the Planning Board, Board of Selectmen, and MPIC on October 16, 2017 that was attended by over 40 people and a Community Forum on December 6, 2017 that was attended by over 50 community members. A community survey was also posted online to gather feedback on the zoning concepts. The survey received 138 responses.

## Master Plan Summary

This study is part of the implementation efforts of the comprehensive town-wide Milton Master Plan. The Master Plan process concluded in 2015. Implementation of Master Plan recommendations has been guided by the Town's Master Plan Implementation Committee (MPIC). The MPIC has members appointed by the Board of Selectmen/Planning Board and includes Cheryl Tougas (Chair), Richard Burke, Kathleen Conlon, Elizabeth Miller, and Taber Keally. As part of the Master Plan implementation, this study has been closely coordinated with the MPIC.

Milton Village was highlighted in the Milton Master Plan recommendations. The Master Plan states that for each commercial district a vision should be created. The following statements are from the Milton Master Plan and frame a vision for Milton Village:

- The *Executive Summary* states as an underlying theme – preserve Milton's character while guiding desirable change, ensuring that the town's physical character is respected, while at the same time providing a wider range of housing options, creating vibrant commercial districts for increasing the tax base, more places for retail and dining, and preserving open space.
- The *Executive Summary* states as an important highlight of the plan concept to:
  - *Create mixed use districts* – it is recommended that the existing commercial districts be made more vibrant by making streetscape improvements, encouraging additional retail and restaurants, and locating housing above shops.
  - *Increase range of housing* – there is a need for more variety in housing types, including smaller, more affordable housing located in walkable neighborhoods where walking is safe and pleasant.
- The *Executive Summary* states as a Top 20 Key Recommendation to create a vision for each commercial district involving residents and business-owners and encourage mixed uses and more activity (vibrant business districts) by passing a Mixed Use Overlay District provision that encourages housing over retail, additional retail and dining opportunities, pocket parks, streetscape improvements as well as increases the size of the area in which commercial activity is allowed.
- From the *Master Plan Introduction*, a number of changes are recommended to help align the existing bylaw with the vision and goals of the master plan that express resident's expressed desired future. These changes include: Mixed Use Overlay District (for commercial districts).

## Milton Landing Stakeholders and Engagement Process

As part of the study process, stakeholders of Milton Village were engaged by MAPC through telephone or in-person interviews to better understand how each stakeholder views the future and potential of Milton Village. The interviews occurred at the start of this planning process in August and September of 2017. Milton Village was visited by MAPC staff on several occasions at different times of the day.

This study has been pursued transparently and with a robust schedule of posted public meetings with the MPIC to involve the stakeholders and community throughout the process. MAPC presented information relative to the study at MPIC meetings on 9/18/17, 10/2/17, 11/20/17, 12/19/17, 1/16/18, and 2/12/18. Each of these meetings was well attended by community members and included a period for public questions and comments. Additionally, a joint meeting of the Planning Board, Board of Selectmen,

and MPIC was held on 10/16/17 and attended by over 40 community members. A Community Forum was held on 12/6/17 with engagement exercises facilitated by MAPC to solicit feedback on criteria and alternative approaches presented zoning in Milton Village. Lastly, an online survey was prepared to invite broader public feedback on the engagement exercises and resulted in responses from 138 individuals.

An appendix to this report outlines the agenda for each MAPC presentation for these meetings. The meeting presentations and MPIC meeting notes are available through the Town of Milton website.

In order to facilitate a discussion about zoning in Milton Village, the following sequential process was undertaken:

- First, an analysis of the existing conditions and zoning was performed;
- Second, the potential redevelopment characteristics of several key sites in the district were explored to analyze potential zoning characteristics and outcomes;
- Third, a proposed set of characteristics was proposed as a draft zoning amendment;
- Fourth, zoning approaches were refined through discussion with the MPIC and presented to the community for feedback
- Fifth, a recommended approach to zoning in Milton Village is presented in this summary

## COMMUNITY VISION

In addition to the statements highlighted from the Milton Master Plan, this study brings additional detail to framing the community vision for Milton Village. Several unique characteristics of Milton Village were identified through the existing conditions analysis and discussion with the community. These characteristics of the existing district are important to highlight from the perspective of exploring useful zoning characteristics and how redevelopment investment may occur in the future. Existing characteristics include:

- Small lot sizes
- Historic buildings and a focus on preservation
- A lack of continuity of ground floor commercial uses
- Strong walkability, district traffic safety, and transit access
- A constrained parking supply
- Significant topographical change
- Community desire for a greater range of retail options, i.e. coffee shop
- Community concern about traffic and specifically cut-through traffic
- Community concern about scale of new development and fitting into the context

Beyond the unique characteristics of the district today, the discussion with the community and the MPIC through this process established additional goals that add a level of detail beyond the Master Plan. These goals are consistent with the Master Plan, but add a new level of detail to the recommendations.

### Goals:

- **Enhance the character of the district** – Attract new investments that bring new life and vitality to the district, but use the recommended zoning characteristics to target certain types of opportunities that will be appropriate and consistent with the current scale of the district.
- **Invite investment and economic development** – Use the new zoning characteristics to increase the feasibility of redevelopment activity increasing flexibility by adding housing as an allowed use. Promote a high level of quality that enhances walkability and amenity in the district through incentives and design standards that will create a positive environment for investment.
- **Promote mixed-use investment** – Allow for new mixed-use development with commercial ground floor and residential on upper floors, a mix of uses that is not currently allowed in the district. Remove other allowed uses that are inconsistent with the stated vision and goals for Milton Village including sales rooms and repair shops for motor vehicles, garages, filling stations, storage warehouses, and drive-through's (of any kind) from future development. This requires a change to the underlying zoning.
- **Strengthen district vitality** – Use the new zoning characteristics to require future investments to include commercial ground floor uses. Use design standards in the zoning to define district characteristics to frame street frontages and improve streetscape conditions
- **Preserve significant history and legacy** – Use the new zoning characteristics to reduce pressure on historically significant structures as much as possible, provide bonus incentives in the overlay district for the preservation of significant structures. While the recommended zoning has been created to avoid targeting the redevelopment of historic properties, it is an optional zone that incentivizes positive outcomes. Therefore, additional preservation activity in the district would offer the best preservation protections. For example, pursuing the adoption of a local historic district for Milton Village would offer the most protection for historic resources in the district.

Local Historic Districts offer the strongest form of protection for the preservation of historic structures in Massachusetts. In a local historic district, any proposed changes to exterior architectural feature visible from a public way are reviewed by a locally appointed Historic District Commission. In a local historic district, the Historic District Commission would hold a public hearing to review proposed exterior investments and determine whether the work was

appropriate. If the proposal is deemed appropriate the commission issues a certificate allowing the work to proceed. Local Historic Districts may be established under Massachusetts General Law Chapter 40C. The process to create a district begins with the Board of Selectmen appointing a Local Historic District Study Committee. The Study Committee is responsible for compiling a Preliminary Study Report that would be submitted to the Massachusetts Historical Commission and Milton Planning Board, and then would be the subject of a public hearing. If proceeding successfully, a warrant article and final report would then be prepared for Town Meeting approval, Attorney General Review, and bylaw filing.

- **Increase range of housing types** – Use the new zoning characteristics to allow smaller unit sizes in mixed-use redevelopment that is near transit and walkable amenities. Require at least 10% of the units constructed as part of the new zoning are affordable units.
- **Strengthen tax base** – Increase new opportunities for reinvestment by increasing allowed amount of ground floor commercial space, increasing the frequency of upper story uses and housing units, reduce the amount of land devoted to free parking.
- **Mitigate potential impacts** – Establish requirements for the new investments to study and mitigate traffic impacts, safety impacts, parking impacts, or historic preservation impacts, while providing incentives through bonuses for streetscape improvements, public amenities, or preservation.

## **FINDINGS AND RECOMMENDATIONS**

The recommendations for zoning in Milton Village have been approached iteratively with adjustments and improvements to the recommendations throughout this study process. The process has been data-driven based on the analysis of the district and potential zoning outcomes. The zoning has been responsive to the community feedback and MPIC conversation that has occurred throughout this process. A companion to the recommended zoning bylaw amendment is provided below with commentary about the recommendations within each section of the zoning. The recommended zoning bylaw amendment is provided in full as part of the Appendix.

The structure of the amendment is based on the model of the Central Avenue Planned Unit Development section of the Milton Zoning Bylaw.

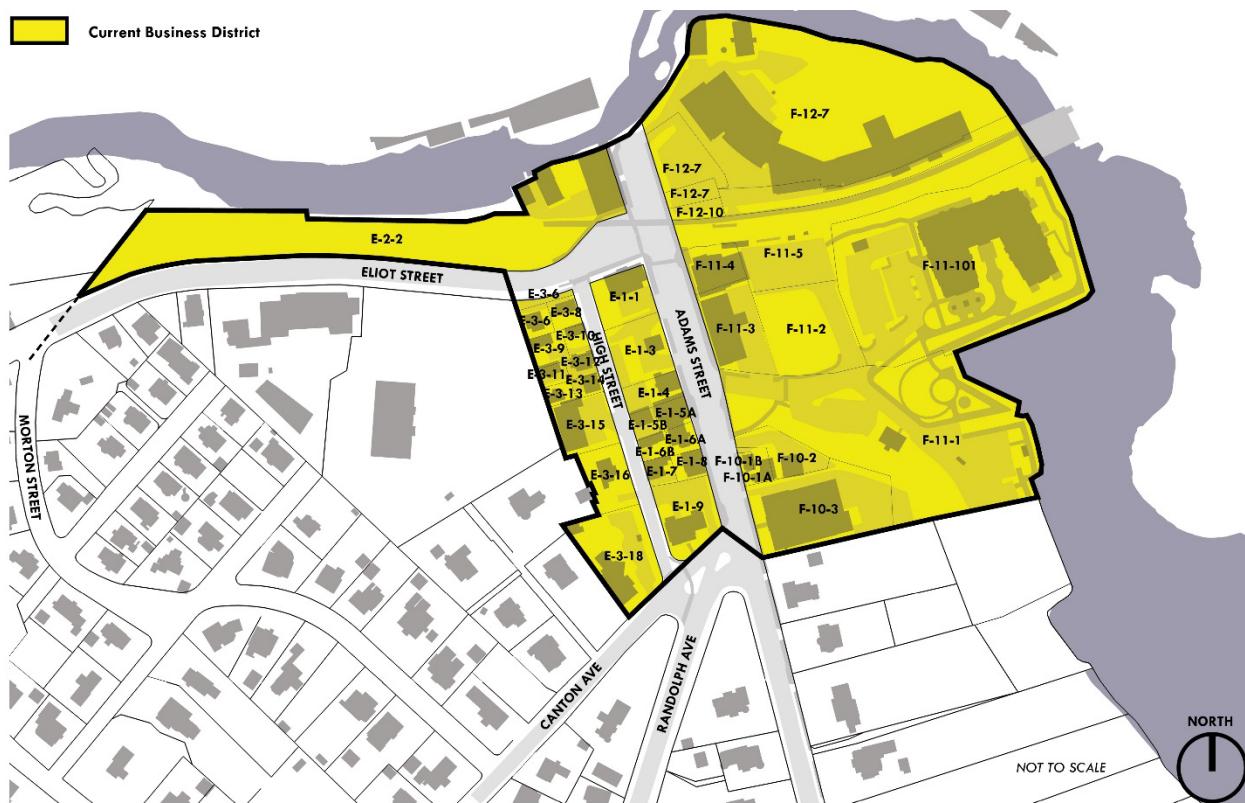
### ***Milton Village Mixed-use Planned Unit Development***

**Commentary:** *A new planned unit development district is recommended for Milton Village to open new opportunities for mixed-used development in the district under certain conditions. The existing zoning remains and existing uses that do not wish to change or reinvest in the property should not be impacted by the zoning. This zoning is also a model that is familiar to the Town of Milton in that it was used for the Planned Unit Development zone under which 88 Wharf Street was developed and the Central Avenue Planned Unit Development zone under which 36 Central Avenue was developed.*

In the Milton Village Business District on a lot of no less than 3,500 square feet of land, a mixed residential and business use may be permitted by a special permit for planned unit development issued by the Planning Board upon reasonable terms and conditions subject to the standards set out herein. In the event that special permit for the Milton Village Mixed-use Planned Unit Development shall be issued for a lot of land, no use of the lot may be made except as specifically authorized by the special permit. As used in this subsection X, the “lot” shall be deemed to include a combination of adjacent lots in one ownership. As used in this subsection the Milton Village Business District shall mean that portion of the Milton Village/Central Avenue Business District which is to the east of a

North/South line drawn through the point on Eliot Street which is equally distant from the points where Morton Road and High Street intersect Eliot Street. No lot outside of this boundary may be combined with a lot inside of this boundary to qualify as a Milton Village Mixed-use Planned Unit Development.

**Commentary:** This introductory paragraph outlines the geographic boundary of the district shown graphically below. Note that the distance the district travels down Eliot Street is less than the yellow parcel (the trolley corridor) highlighted on Eliot Street. The location specified is the point on Eliot Street that is equidistance between Morton Road and High Street.



**Commentary:** The introductory paragraph also establishes the applicability of the recommended zone in terms of minimum lot size. The minimum lot size was studied in detail to establish a minimum size that would open the opportunity for small lots in the district. No minimum lot size is defined in the existing Zoning Business District. A Planned Unit Development is required to establish a minimum lot size. It also establishes that the mixed use development will be approved by a special permit issued by the Planning Board. The written geographic description that differentiates the Milton Village portion from the Central Avenue portion of the Business District should be depicted as a Milton Village Mixed-use Planned Unit Development district and added to the official Town of Milton zoning map. A figure showing parcel size is shown below. As shown, the small minimum parcel size allows the opportunity offered by the PUD to be available to most parcels in the district. If parcels smaller than the minimum lot size were to be combined, then the new combined parcel would also be eligible for opportunities offered by the PUD.



## 1. Purpose

The purpose of this subsection is to allow high quality mixed-use development that is compatible with Milton Village's historic context, combines new residential and commercial uses, encourages new investment near transit access, expands business district vitality, strengthens district amenity, supports preservation in the district, increases the range of town housing types, and strengthens the Town tax base.

**Commentary:** The purpose clearly describes the goals articulated by the Master Plan and though this study as part of the recommended zoning district.

## 2. Allowable Uses

- Business use otherwise permissible in the Business District shall be required in conjunction with residential use by a special permit for Milton Village Mixed-use Planned Unit Development except that none of the following uses shall be permitted: drive-through food establishments, used car lots, motor vehicle dealerships, gasoline stations, body shops, motor vehicle repair shops and sexually oriented businesses.
- Residential use shall be permitted in conjunction with business use by a special permit for the Milton Village Mixed-use Planned Unit Development.

**Commentary:** The allowable uses reduce the auto-oriented uses that are currently allowable in the Business Districts to enhance compatibility with the goals for Milton Village. By including this language in the Milton Village Mixed-use Planned Unit Development, no proposal under the PUD would be permitted to include these uses as a part of a mixed-use development. MAPC also recommends removing from the allowed uses of the

underlying Business District, as new uses of this type would be counter to the vision and goals stated for the Business Districts in the Milton Master Plan. The allowable uses for the PUD also permit residential use, but only in combination with a business use to prevent the commercial district from being redeveloped for higher density residential use without retaining or creating ground floor commercial use.

### 3. Use and Dimensional Requirements

- a. Business Use. In a Milton Village Mixed-use Planned Unit Development business use shall be required in at least half of the ground floor of the building. The ground floor may also include separate entrances for upper level uses, common areas, or lobbies. All such business use areas shall be designed so as to be appropriate and rentable space for use as either a retail store, restaurant, or other allowable business use. In no event shall the business use area be less than 50% of the net ground floor area of the building.

**Commentary:** The required business use is further defined as required to be in the ground floor of buildings. The ground floor may accommodate other needs for access, lobbies, or circulation, but shall not be less than 50% business use.

- b. Lot Coverage. In a Milton Village Mixed-use Planned Unit Development, buildings exclusive of parking structures used solely for parking, shall not cover in excess of 60% of the lot in the business district. The total coverage of parking structures, which are used solely for parking, together with other buildings shall not cover in excess of 90% of the lot in the business district. The area of historic structures preserved on site shall not be included in the calculation of lot coverage.

**Commentary:** An increased allowable lot coverage is provided to provide small and modest lots with the potential to create reasonably sized building footprints without the need for parcel assembly. Historic districts, such as Milton Village, are characterized by increased lot coverage reflecting the construction of historic buildings. Strengthening this historic pattern is desirable in a compact, walkable, transit-oriented context. For example, the lot coverage of the historic Masonic Building (50-64 Adams Street) is about 54%. The lot coverage of the Bank of America Building (2 Eliot Street) is about 34%. The lot coverage of the Verizon Building (114 Adams Street) is about 44%. The lot coverage at 7 High Street is about 32%.

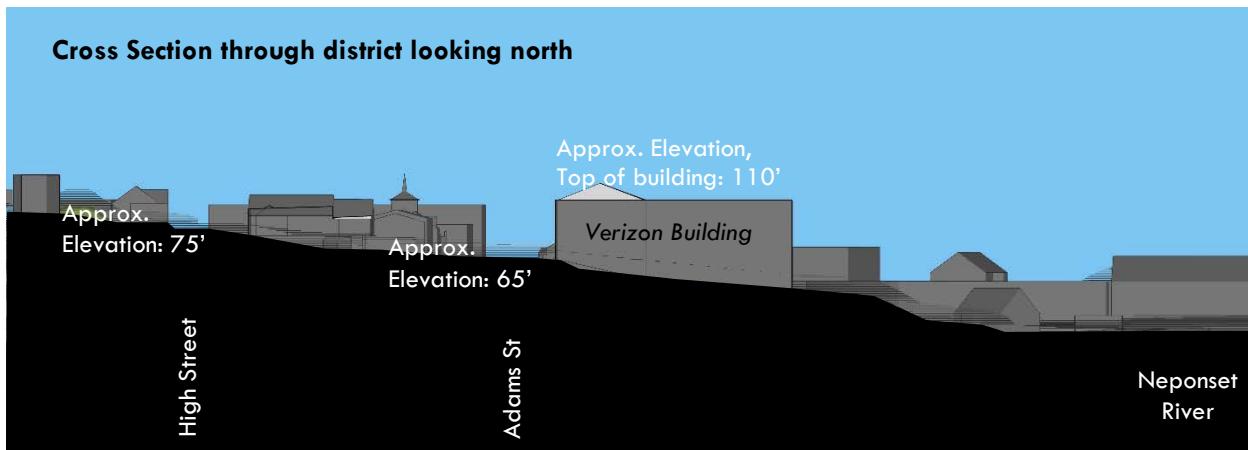
- c. Building Height. In a Milton Village Mixed-use Planned Unit Development, no building shall be erected or altered to exceed three (3) stories or forty-five (45) feet in height, whichever is less. The height of the first floor shall be a minimum of eleven (11) feet clear to encourage and facilitate the use of the space for retail or restaurant use. The height of any building shall be measured from the mean grade of the natural ground contiguous to the building at the property's street frontage with the lowest elevation, as such ground exists prior to construction. For example, a property between Adams Street and High Street would measure height from the Adams Street frontage.

Height shall be measured to the midpoint of the slope of a pitched roof, or the parapet of a flat roof, excluding the items specifically defined as allowable projections herein. The Planning Board may permit protrusions of up to eight feet above the roofline, such as elevator shaft housings or chimneys, so long as the appearance of the building remains architecturally coherent, visually attractive and appropriate to its setting. The Planning Board may allow a cupola or clock tower up to fifteen feet above the roofline so long as it has been shown to add significant merit to the building's design.

**Commentary:** The base allowable building height of the recommended Milton Village Mixed-use Planned Unit Development is the same base height of the Existing Zone B. The recommended zoning adds more specific language about the desired height of the first floor and clarification for properties with grade changes that height is measured from the street frontage.

*The height would allow for a minimum 11' ground floor, 3' floor structure/mechanic space above that, and two 9' upper floor with two 2' floor structure/mechanic spaces above them, and a 4:12 roof pitch above all floors within the maximum height.*

*The cross section below illustrates the change in topography across the district at about where the Verizon Building is located on Adams Street. The section shows the major changes in elevation from High Street, down to Adams Street, and then continuing down to the Neponset River.*



#### **4. District Improvement Incentive on Adams Street**

In a Milton Village Mixed-use Planned Unit Development with property frontage on Adams Street, a bonus of additional allowable building height may be granted at the discretion of the Planning Board in exchange for district benefits in the form of streetscape improvements or improvement of district access to the Neponset River at Milton Landing. The bonus of additional allowable height shall not exceed (1) additional story for a total of (4) stories or fifty-five (55) feet in height, whichever is less. The height of the first floor shall be a minimum of eleven (11) feet clear. Including the bonus of additional allowable building height, a Milton Village Mixed-use Planned Unit Development exclusive of parking structures, shall have a maximum floor area ratio (FAR) of 1.65. A total gross building area that is a maximum of 1.65 times the area of the lot.

The bonus of additional allowable building height may be granted at the discretion of the Planning Board for district streetscape improvements commensurate to the scale of the proposed development. The district streetscape improvements should significantly improve and enhance the appearance and amenities of the public realm within a portion of the Milton Village Business District including the frontage of the property subject to the redevelopment investment. Streetscape improvements may include, but are not limited to new sidewalks, new special features and pavers, new street trees, new street lights, new street furniture (trash receptacles, bike racks, benches, etc.), and new crosswalks. Streetscape improvements should match other recent improvements in the district.

A bonus of additional allowable building height may also be granted at the discretion of the Planning Board for improvements benefitting public access to the Neponset River at Milton Landing including public realm improvements for paths or connections to the River. Or, if a payment is made into a district fund, such as the Town's "Cooperative Tree Planting Account", to support public water access at Milton Landing to support improvements consistent with the Town's vision and improvement plans for Milton Landing and commensurate to the scale of the proposed development.

**Commentary:** This section provides a bonus in allowable building height for redevelopment on Adams Street to increase height to the same maximum building height as the Central Avenue PUD, 4-stories or 55'. An additional 10' were added to allow for flexibility with grade changes. This additional height is provided in exchange for district improvements to streetscape in the district or waterfront access improvements in the district. The maximum FAR is intended limit the scale and bulk of buildings to be consistent with the larger historic structures in the district. For example, the historic Masonic Building (50-64 Adams Street) has a FAR of about 1.63. Even below this maximum, the Planning Board would have discretion as to whether a project is "compatible with Milton Village's historic context" as stated in the Purpose.

The height would allow for a minimum 11' ground floor, 2.5' floor structure/mechanic space above that, and three 9' upper floor with two 2' floor structure/mechanic spaces above them, and a 4:12 roof pitch above all floors within the maximum height.

## **5. Affordable Housing Unit Incentive**

In a Milton Village Mixed-use Planned Unit Development with property frontage on Adams Street, a bonus of additional allowable building height may be granted at the discretion of the Planning Board in exchange for including additional affordable housing units to achieve an inclusionary amount between fifteen and twenty percent of the total number of units. Eligibility for the bonus requires between five and ten percent more than the ten percent baseline affordable housing unit requirement with the increase proportion to the scale of the project and/or a contribution to the Town's Affordable Housing Trust. The bonus of additional allowable height shall not exceed (1) additional story for a total of (4) stories or fifty-five (55) feet in height, whichever is less. The height of the first floor shall be a minimum of eleven (11) feet clear. Including the bonus of additional allowable building height, a Milton Village Mixed-use Planned Unit Development exclusive of parking structures, shall have a maximum floor area ratio (FAR) of 1.65. A total gross building area that is a maximum of 1.65 times the area of the lot.

**Commentary:** This section provides a bonus in allowable building height for the inclusion of additional affordable housing units to increase height to the same maximum building height as the Central Avenue PUD, 4-stories or 55'. An additional 10' were added to allow for flexibility with grade changes.

## **6. Historic Preservation Incentive**

In a Milton Village Mixed-use Planned Unit Development with property frontage on Adams Street, a bonus of additional allowable building height may be granted at the discretion of the Planning Board in exchange for preservation of a historic structure. The bonus of additional allowable height shall not exceed (1) additional story for a total of (4) stories or fifty-five (55) feet in height, whichever is less. The height of the first floor shall be a minimum of eleven (11) feet clear. Including the bonus of additional allowable building height, a Milton Village Mixed-use Planned Unit Development exclusive of parking structures, shall have a maximum floor area ratio (FAR) of 1.65. A total gross building area that is a maximum of 1.65 times the area of the lot. The area of historic structures preserved on site shall not be included in the calculation of maximum floor area ratio.

The height bonus shall be allowed for an addition to an existing historic structure on the property that preserves the exterior appearance of the structure and that is historically compatible according to the Secretary of Interior's Standards for Treatment of Historic Properties. The height bonus shall also be allowed for a new free-standing structure that is on the same property as a historic structure, but is independent from and complementary to the existing building. Or, the height bonus shall be allowed for new construction on a site with no historic structure if a payment is made into a district fund to support historic preservation activity in Milton Village.

**Commentary:** This section provides a bonus in allowable building height for support of historic preservation in Milton Village to increase height to the same maximum building height as the Central Avenue PUD, 4-stories or 55'. An additional 10' were added to allow for flexibility with grade changes.

## 7. Historic Preservation

Historic preservation is an important aspect of investment in Milton Village. Preservation is intended for any historic element, if it is included on any of the following lists or surveys: National Register of Historic Places, Massachusetts Cultural Resource Information System (MACRIS), or pending nominations in good standing to the National or State Register.

The purpose of the preservation incentive is to encourage the preservation of buildings, structures, sites and settings, and elements of historical or architectural significance and expand the economic options for historic properties in Milton Village. In addition to the height bonus, historic structures are also eligible for the permitted uses allowed under the Milton Village Mixed-Use Planned Unit Development district. The special permit may allow the renovation, repair, adaptive reuse, or addition to historic structures in the district. In order to grant a special permit, the proposed renovation, repair, adaptive reuse, or addition shall preserve, to the maximum extent feasible, the historical and architectural features of the building, structure, or element. At the discretion of the Planning Board, relief from dimensional or parking requirements may be granted, to accommodate the historic structure and property.

Priority in granting special permits under these historic preservation incentives shall, in all cases, be placed upon keeping buildings and structures in place, rather than moving them to other locations, provided that the existing siting can be shown to represent valid historical setting and context. Moving of buildings, structures and elements to other locations shall be considered only if no other preservation measures are practical or reasonable on the existing site, or if the proposed removal is to return a building, structure or element to an original or more historically accurate location. The Planning Board shall determine validity of any such requests.

**Commentary:** This section clarifies the district goals for historic preservation. The reference to the National Register of Historic Places and MACRIS allows for historic resources to be updated automatically as per those listings. Currently, MACRIS lists the Masonic Building (50-64 Adams Street), Joseph Feno House (65-71 Adams Street), Edmund Baker Building (85 Adams Street), Capt. John Swift Hat Shop (98 Adams Street), the New England Telephone Company Building (114 Adams Street), Howard Gill House (7 High Street), Dunmore House (11 High Street), Lynes House (13 High Street), Campbell House (15 High Street), Campbell Carpentry Shop (17 High Street), McDermott House (19-21 High Street), Bennett House (21A High Street), Capt. Lewis Vose House (30 High Street), and the Daniel Vose House (36 High Street) within the district. These resources would be the target of historic preservation in Milton Village. Other resources not currently listed, but deemed important historic resources should be added to one of these listings.

## 8. Design Standards

In a Milton Village Mixed-use Planned Unit Development, each building shall be designed to be architecturally coherent, well sited on its lot, visually attractive, and compatible with its neighborhood and nearby buildings. In addition each building shall meet the following design standards. The Planning Board has the discretion to accept design exceptions for any design standard, if a project design can justify an alternative form of compliance with the intent of the standards.

a. Buildings shall provide a continuous building façade at the street frontage, a street wall, which is consistent with the surrounding context and reinforces the continuity of buildings in this historic district.

- b. Where the sidewalk width is less than 6 feet at the building frontage, provide a setback for expansion of the sidewalk width to a minimum of 10 feet to allow for additional sidewalk seating or activity.
- c. The building form, massing and roof line shall recognize the historic buildings and styles of the Milton Village district and shall complement the character of the district.
- d. The building form shall provide a step-back in the front façade that responds to the surrounding context. The step-back shall provide a change in the plane of the façade to provide visual relief to reduce the perceived building height. For example, if a building a 4-story building, after building height incentive, is adjacent to a 3-story existing building. The front façade of the fourth story would step back from the front façade of the lower three stories to reduce the visual prominence of the upper floor.
- e. The building façade shall integrate a higher proportion of transparent glass in the ground level frontage oriented to Adams Street including business and entryway storefronts, display windows, or other glazing elements.
- f. Windows and doors shall be surrounded by appropriate architectural elements highlighting the windows and doors as features of the façade.
- g. The back and sides of each building shall be given as much architectural care as the front. The building, whether observed from the front, rear or sides shall present an attractive appearance and offer a unified architectural approach.
- h. Building materials shall be of a high quality. Traditional materials, such as red brick and granite, shall be favored as primary building materials, unless there is a sound basis for different treatment using high quality and durable materials.
- i. Parking structures shall be unobtrusive and designed to blend with the building and the neighborhood. There shall be convenient access from a parking structure to the business and residential uses which it serves.
- j. Surface parking areas shall be designed as flexible plaza space that could be temporarily used for other purposes or events. This may include using permeable pavers, integrating landscape islands, or other design approaches to adding visual interest and flexibility to parking areas.
- k. Vehicular access to the site shall be integrated with the design of the public realm and property frontage to minimize the width and potential negative impacts on the pedestrian environment.
- l. Landscaping shall be used to enhance the design of the building, provide attractive outdoor features, and help to integrate the Milton Village Business District with nearby residential districts. Street trees shall be integrated with the design of extensions of the sidewalk at the Adams Street frontage with the use of flush tree grates or permeable pavers. Where space is limited, window boxes, trellises, green walls, or other compact landscape features shall be integrated with the building design.
- m. Lighting fixtures shall be appropriate to the architecture and provide suitable lighting without detriment to nearby residences. Light fixtures including site and street lights should match existing standards in the Town, for example matching street lights already installed in the Central Avenue Business District.
- n. Signs shall be integrated with the building design and placed consistently on the building at the top of the ground floor and coordinated among multiple tenants.

**Commentary:** The design standards are written to be as self-explanatory as possible with a focus on creating redevelopment that is context sensitive and that strengthens the sense of vitality in the district. All proposed projects would be required to comply with the design standards.

## 9. Affordable Housing Units

In a Milton Village Mixed-use Planned Unit Development, ten percent of the total housing units (computed to the nearest whole number) shall be affordable housing, subject to long-term deed restrictions and a regulatory agreement; these units shall be affordable to and occupied exclusively by households whose annual income shall not exceed 80% of the area median income as determined by the United States Department of Housing and Urban Development adjusted for household size with reasonable asset limits, so that insofar as reasonably possible the housing qualifies for inclusion on the Subsidized Housing Inventory (SHI). The units must be subject to use restrictions to ensure they remain in the affordable housing stock, and must be sold or rented on a fair and open basis.

As a condition for granting of a Special Permit, all affordable housing units shall be associated with documentation sufficient for compliance with the “Requesting New Units Form” of the Massachusetts Department of Housing and Community Development. The form states that documentation evidencing the following must be submitted: the zoning or permitting mechanism under which the housing development is authorized; the units are subsidized by an eligible state or federal program; the units are subject to a long term use restriction limiting occupancy to income eligible households for a specified period of time (at least thirty years or longer for newly created affordable units, and at least fifteen years for rehabilitated units); the units are subject to an Affirmative Fair Housing Marketing Plan; and the last appeal has been fully resolved (where applicable).

Affordable Housing Units shall be subject to an affordable housing restriction and a regulatory agreement, such as an affordable housing deed rider, in a form acceptable to the Planning Board. The regulatory agreement shall be consistent with any applicable guidelines issued by the Department of Housing and Community Development and shall ensure that affordable units can be counted toward the town’s Subsidized Housing Inventory. The regulatory agreement shall record the restrictions in a manner recognized by the Commonwealth with the content varying depending on the type of housing (rental or ownership), the method of property transferal, the income limits, and the town’s housing administrative structure. Each affordable ownership unit created in accordance with this bylaw shall have limitations governing its resale through the regulatory agreement. The Special Permit shall not take effect until the restriction, the regulatory agreement and the special permit are recorded at the Registry of Deeds and a copy provided to the Planning Board and the Inspector of Buildings.

**Commentary:** This requirement focuses on providing a variety of housing choices in Milton, specifically retaining affordable options. This affordability requirement is based on the Central Avenue PUD requirement of 10% affordable inclusionary already in use with language designed to add new units to the Milton’s Subsidized Housing Inventory (SHI). It is worth noting that discussions with the MPIC included considering a Smart Growth Zoning Overlay District under M.G.L. Chapter 40R. This approach would have required at least 20% of the new units be affordable. The approach also prescribes density ranges, requires as of right housing, and is associated with bonus payments that would be made to the Town based on the production of new units in the zone. It was decided that the model of the Central Avenue PUD was more appropriate and should be used because of its familiarity and success resulting in investment on Central Avenue.

## 10. Business Parking

In a Milton Village Mixed-use Planned Unit Development, parking for business use shall be dependent on the type of business use. In the absence of specification of the business use in the application for a special permit, two spaces per 1,000 square feet of business floor area shall be required; thereafter, each business use undertaken shall have the number of parking spaces specified in Section VII.C or a lesser number of spaces determined to be adequate for the particular use by the Planning Board considering all relevant circumstances. In the event of a restaurant use (without a bar area) one parking space shall be provided for each four patron seats in the restaurant or such lesser number determined to be adequate for the particular restaurant use by the Planning Board considering all relevant circumstances.

If a particular business use is specified in an application, each such use shall have the number of parking spaces specified in Section VII.C or a number of spaces determined to be adequate for the particular use by the Planning Board considering all relevant circumstances. If a business use is changed, a new determination of an adequate number of parking spaces shall be made by the Planning Board in like manner. One circumstance, which may be considered, is any availability of residence parking vacant and available for business use during normal business hours, sharing of residential parking spaces for business uses is allowed to reduce the number of required business parking spaces when determined that it is appropriate by the Board of Appeals.

**Commentary:** The recommended business parking requirement represents a reduction in business parking requirements from the current Zoning B district requirement of 1 space per 250 square feet or 4 spaces per 1,000 square feet. This reduction is viewed as necessary to increase the feasibility of development on small lots. Milton Village is a walkable and transit-oriented district that can be accessed by a variety of modes of transportation, not just by driving to the district and parking. Parking resources at Milton Landing may also provide relief for some parking for Milton Village through the sharing of parking during off-peak times.

## 11. Residence Parking

In a Milton Village Mixed-use Planned Unit Development, there shall be a minimum of one parking space for each housing unit provided on-site.

**Commentary:** The recommended residential parking requirement represents a reduction in residential parking requirements from the current Central Avenue PUD requirement of 1 space per bedroom. This reduction is viewed as necessary to increase the feasibility of development on small lots. Milton Village is a walkable and transit-oriented district that can be accessed by a variety of modes of transportation, not just by driving to the district and parking.

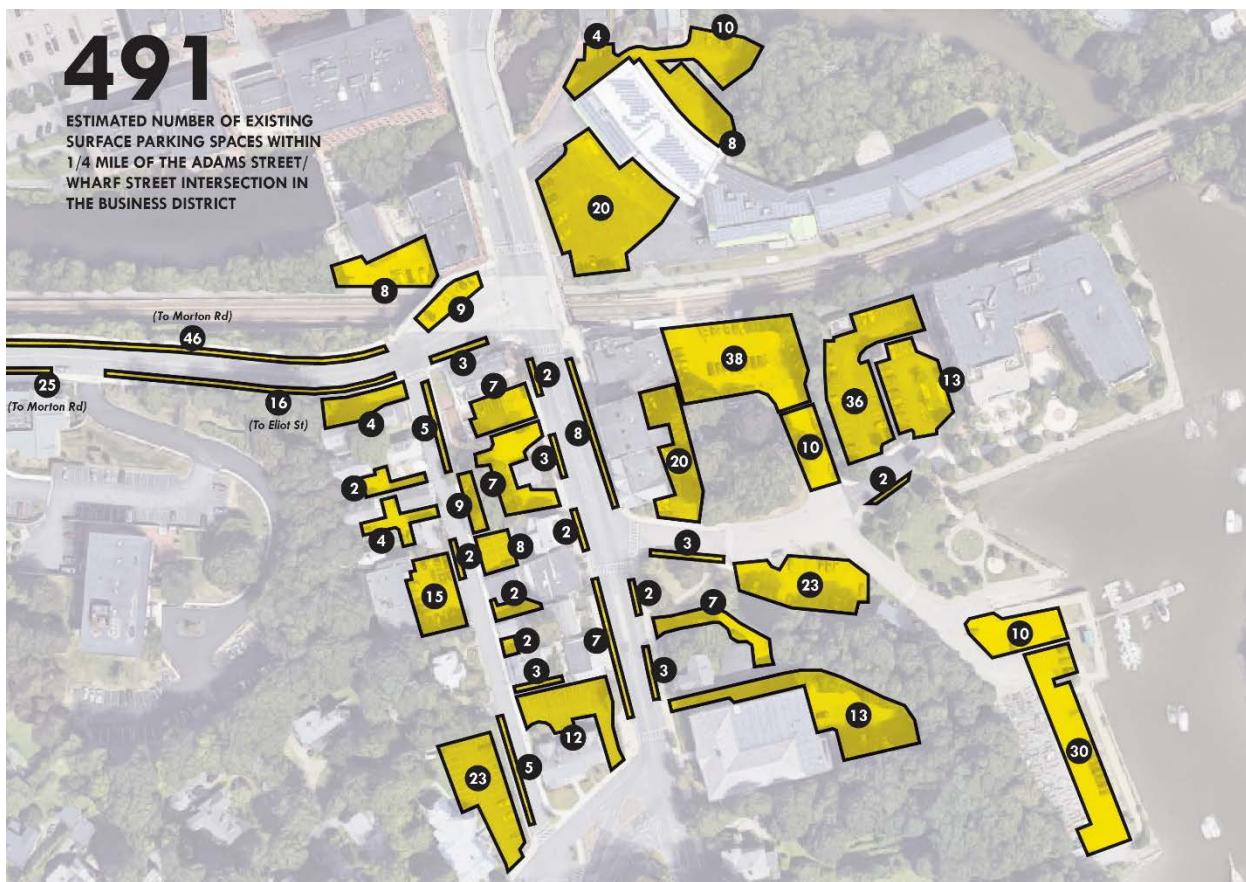
## 12. Off-Site Parking

In a Milton Village Mixed-use Planned Unit Development, safe and convenient parking may be provided off-site within the Milton Village Business District for the parking required to support business uses at other properties in the Milton Village business district. Off-site spaces used to fulfill parking requirements must be associated with a parking agreement between the project proponent and the property owner where the off-site spaces are proposed to be located. The parking agreement shall be submitted with the Site Plan Requirements.

**Commentary:** In addition to the reduction in parking requirements, this language also allows on-site parking requirements to be reduced if an agreement can be reached for the use of parking off-site, but within the Milton Village district. This would allow the parking supply of the district to be used more efficiently and provide a mechanism for higher demand uses to push the use of parking to parts of the district which are less busy. For example, the self-storage parking areas may be great locations for this type of off-street parking

agreement. Overnight use of on-street parking may be another way to increase the efficient use of existing parking resources in the district. For example, an overnight residential parking permit program could use the large existing on-street parking supply to support new residential units. The parking could be associated with time restrictions so that cars would be moved from the spaces during daytime or hours of peak demand.

The illustration below shows the extent of surface parking locations in Milton Village with locations highlighted and number of spaces counted. The diagram below shows all on-street or off-street surface parking areas in the Business District within one quarter mile of the Adams Street and Wharf Street intersection. The count does not include parking in structures or below buildings. The basic count does not account for existing restrictions that may be placed on parking spaces (pay by hour, time restrictions, service vehicle restrictions, accessible parking space restrictions, etc.) The parking lot at the waterfront is not fully within the Business District. This count estimates that about 491 parking spaces currently exist within this geography. This supply of existing parking could be used in support of the off-site parking reduction provision of the zoning.



### 13. Other Parking Reductions

A reduction in the calculated parking requirement may be allowed as deemed appropriate by the Planning Board for the provision of features which reduce automobile dependence for the development. These features may include the provision of on-site dedicated parking space(s) to car-share vehicles, such as Zipcar, the provision of protected bicycle storage dedicated to building tenants, or the provision of monthly transit passes for tenants who do not drive. The provisions shall be appropriately scaled to the scale of the development and the requested reduction in parking.

**Commentary:** Milton Village is well-suited to attract new tenants, residents and businesses that do not rely primarily on driving for travel. Supporting alternative modes of travel and reduced automobile ownership should be linked to a further reduction in the amount of parking required on a particular property.

## 14. Site Plan Requirements

An application for a mixed-use planned unit development shall include a plan meeting the requirements for site plan specified in Zoning Bylaw Section VIII.D.2 and such other requirements as may be specified by the Planning Board. The plan shall be contained in various sheets, all of which, after approval, shall contain the written approval of the Planning Board and shall be recorded with the Norfolk County Registry of Deeds at the applicant's expense. The plan on record shall be a part of the special permit. The plan shall show the development in all material detail. Any amendments or modifications to the plan shall be approved by the Planning Board and recorded with the Registry of Deeds at the applicant's expense. The applicant shall promptly provide to the Planning Board evidence of recording of each approved plan, amendment or modification. When each such recorded document has been returned to the applicant, the applicant shall promptly provide a copy thereof to the Planning Board, which shows the book and page of recording.

An application involving a property with a historic element shall be referred to and reviewed by the Milton Historic Commission. The Milton Historic Commission will offer findings that are advisory to the Planning Board.

The application shall also include professional studies calculating the impacts of the development on town services, on parking in the Milton Village business district and adjacent streets, on traffic in the town, on existing nearby businesses, and on future business development.

The application shall include a narrative by an appropriate professional describing the project relative to the historic context of Milton Village including how the project positively contributes to the character of the district, preserves the history of the district, and strengthens its streetscape and vitality. The application must include architectural renderings, elevations, existing conditions survey, photos, site plan, landscape plan and details, site/building sections with accurate topographic depiction, building material specifications and other pertinent details regarding the project architecture and its compliance with the Design Standards. A narrative describing the integration of the Design Standards and compliance with the Design Standards should accompany the application materials. The application shall include a narrative describing the parking, ride sharing, bicycle storage, and other similar transportation infrastructure elements integrated with the project. This narrative shall include discussion of off-site transportation impacts, including a district parking impact analysis and traffic impact analysis for the proposed project. The narrative shall describe potential district mitigation that may be proposed to address the impacts identified.

Proposals seeking a District Improvement Incentive must submit detailed plans and supporting information on the proposed streetscape and public realm improvements that support granting the bonus. Proposals seeking a Historic Preservation Incentive must submit a historic building report documenting the condition of the historic structure with drawings and photographs as well as the proposal for re-use of that structure. All studies and narratives submitted to the Planning Board must be supported by reliable data. The penalty for unsupported statements in the application is denial of the application. The three narratives required in this paragraph must reliably establish what is requested to be shown. If any of these narratives fails to do so, that failure should be cause for denial of the application.

**Commentary:** The potential impacts and mitigation of impacts was a primary concern raised by the community repeatedly through this process. The impacts highlighted included town services, parking in the district, traffic,

*and businesses in the district. This section outlines the specific application requirements to ensure that adequate information is provided by the proponent to understand potential impacts of the proposed project. If required, potential mitigation for these proposed impacts would be negotiated based on the information provided. As noted in the next section, this information, its review and potential mitigation discussion may require assistance for the Town from outside consultants with expertise in certain specialties that pertain to the issues which may be the focus of the proposed project.*

## **15. Application Review Fees**

When reviewing an application for a special permit for a Milton Village Mixed-use Planned Unit Development, the Planning Board may determine that the assistance of outside consultants is warranted due to the size, scale or complexity of the proposed project or due to the project's potential impacts. In accordance with M.G.L. Chapter 44 Section 53G, the Planning Board may require that an applicant pay a review fee, consisting of the reasonable costs incurred by the Planning Board for employment of outside consultants engaged by the Planning Board to assist in the review of an application. In hiring outside consultants, the Planning Board may engage disinterested engineers, planners, architects, urban designers or other appropriate professionals who can assist the Planning Board in analyzing a project to ensure compliance with this bylaw and with other laws, regulations and requirements. Expenditures may be made at the direction of the Planning Board and shall be made only in connection with the review of the specific project for which the review fee has been collected from the applicant. Failure of an applicant to pay a review fee shall be grounds for denial of the application. At the completion of the Planning Board's review of a project, any excess amount of the review fee shall be repaid to the applicant. A final report of expenditures shall be provided to the applicant.

**Commentary:** This section outlines a procedure that may require the proponent to pay for professional peer review services that will be provided to assist the Town in the review of a proposal.

## **16. Notice, Procedures and Standard for Decision**

The notice and procedural requirements set out in Section IX.B and C and the standard to be used in rendering a decision set out in Section IX.C shall apply to special permits for mixed-use planned unit development under this subsection.

**Commentary:** This section references the Town of Milton Zoning Bylaw for standard practices giving notice for a Special Permit, standards for granting special permits, procedures for public hearings, and the period of lapse for a Special Permit.

## **APPENDIX**

### **COMMUNITY PROCESS**

#### **9/18/17 – MPIC Meeting**

##### MAPC Agenda

- Study Introduction
- Discussion of Existing Conditions Analysis

#### **10/2/17 – MPIC Meeting**

##### MAPC Agenda

- Study Introduction
- Milton Village Zoning
- Milton Landing Waterfront Access
- Next Steps

#### **10/16/17 – Joint Meeting Planning Board, Board of Selectmen, MPIC**

##### MAPC Agenda

- Study Introduction
- Milton Village Zoning
- Milton Landing Waterfront Access
- Next Steps

#### **11/20/17 – MPIC Meeting 11/20/17**

##### MAPC Agenda

- Feedback from October Joint Meeting
- Zoning Work Session
  - Goal and Purpose
  - Boundary and Type of District
  - Similar Districts
  - District Characteristics
  - Zoning Test Diagrams
- Community Meeting – December 6<sup>th</sup> 7:00pm

#### **12/6/17 – Community Forum**

##### MAPC Agenda

- Welcome and Project Introduction
- Milton Village Zoning Presentation
- Milton Village Zoning Discussion
- Milton Landing Waterfront Presentation
- Milton Landing Waterfront Discussion
- Next Steps and Meeting Conclusion

**12/19/17 – MPIC Meeting 12/19/17**

MAPC Agenda

- Review feedback from 12/6/17 Forum and setup online survey

**1/16/18 – MPIC Meeting 1/16/18**

MAPC Agenda

- Compiled Feedback/Survey Results
- Applying Feedback to Waterfront Recommendations
- Applying Feedback to Zoning Recommendations
- Discussion and Final Steps

**2/12/18 – MPIC Meeting 2/12/18**

MAPC Agenda

- Final Recommendations

**4/30/18 – MPIC Meeting 4/30/18**

MAPC Agenda

- Review of Draft Final Report

**5/21/18 – MPIC Meeting 5/21/18**

MAPC Agenda

- Review of Draft Final Report