



## Town of Milton **East Milton Square Mixed-use Zoning**

### **Commentary Memorandum**

November 20, 2024



## Background and Context

This memo serves as a companion to the recommended draft zoning language for East Milton Square. It follows the sequence of the draft zoning section and provides commentary, context, and justification for the zoning recommendations. It also articulates additional recommendations for potential future zoning modifications. The proposed zoning language is included in this memo and is available as a separate document. Design guidelines for East Milton Square have been prepared to supplement the proposed zoning and are available as a separate document.

Developing zoning for East Milton Square is the final implementation step of years of study, community visioning, and planning. Milton's Townwide Master Plan in 2015 highlighted East Milton Square as part of Goal 4 "Promote Economic Development" including "revitalize commercial districts" and "improve East Milton Square." Among the "Top 20 Key Recommendations" of the Milton Master Plan is 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."

Following the Townwide Master Plan, East Milton Square has been the subject of a series of connected community visioning and planning processes that have built on each other. In 2019, East Milton Square was the subject of an Urban Land Institute Technical Assistance Panel and Report. The program provides expert, multidisciplinary, and non-partisan advice on land use and real estate issues to public agencies and nonprofit organizations. The recommendations of the report focused on "building community consensus, refining a vision for East Milton Square, providing the regulatory and design tools needed to realize that vision, and developing a predictable approvals process to facilitate private investment."

Building on these recommendations in 2019 the Milton Planning Board engaged the Barrett Planning Group and Dodson & Flinker to develop a vision plan for East Milton Square. The vision plan was documented in the 2021 report entitled, "Looking Forward: East Milton Square." The recommendations included working with the Planning Board or Master Plan Implementation Committee to draft regulatory changes in East Milton Square and to encode the vision statement, vision plan, and design principles for East Milton Square in the Town's zoning. Specially, the zoning recommendations of this study included, in part, establishing an overlay district, expanding the business district to incorporate existing businesses, reducing parking requirements, and allowing mixed-use by site plan approval.

In 2023, the Planning Board engaged the Metropolitan Area Planning Council to prepare zoning language and design guidelines. The recommended zoning language builds on the recommendations of the extensive previous efforts and reflects feedback that was received from members of the public through a distinct community process to support preparation of the zoning recommendations. Due to the similarities shared between East Milton Square and Milton Village, the recommended zoning section is modeled on current Milton Zoning Bylaw Section 275.3.21 "Milton Village Mixed-use Planned Unit Development." Additionally, the recommended Design Guidelines for East Milton Square follow the model of Milton Village to provide parallel organization for the guidance and to facilitate familiarity as an instrument of Planning Board review.

The recommended zoning language for East Milton Square is presented below. A brief commentary is provided following each section of the zoning to provide additional background and context for the zoning language.

### **Section 275-3.22 East Milton Square Mixed-Use Overlay District**

In East Milton Square, mixed residential and business uses may be permitted by right with site plan review through the Planning Board for up to 3-stories and 45 feet subject to reasonable terms and conditions based on the standards defined herein. The boundary of the East Milton Square Overlay District is shown on the current Milton Zoning Map.

- A. Purpose. This section's purpose is to allow high-quality mixed-use development that enhances East Milton Square. Successful mixed-use development shall:
- a. Strengthen walkability and safe and convenient circulation for all travel in East Milton Square
  - b. Proactively and intentionally guide commercial district investment
  - c. Enhance the sense of place and district identity
  - d. Leverage private investments to add community amenities while reducing impacts
  - e. Encourage mixed-use redevelopment and an increased variety of housing options
  - f. Improve environmental sustainability and resilience in the district

***Commentary:** The purpose statement builds on the community vision identified in the “Looking Forward” public process. As stated, the purpose of the zoning is to ensure that new development in East Milton Square strengthens the square’s walkability, sense of place, community amenities, housing options, and sustainability. Community feedback was sought on each goal identified in the purpose statement. During the process to support the zoning recommendations, all six goals were discussed with the community. The most frequent response of the community was that including all six goals was the best approach and most appropriate for East Milton Square. The goals are listed in order of the priorities that were expressed by the community with “strengthening walkability and safe and convenient circulation” prioritized at the top of the list. Only 6% of participants thought that none of the purpose statements were appropriate for East Milton Square.*

- B. Allowable Uses.
- a. Allowed uses. Mixed-use development is required with non-residential and residential uses.
  - b. Non-residential uses. All business uses otherwise permissible in the East Milton Square Business District shall be allowed by-right with site plan review. Except for drive-through food service facilities, filling stations, garages, sales rooms and repair shops for motor vehicles, storage warehouses, and undertakers which are prohibited.
  - c. Residential uses. Residential use shall be allowed by-right with site plan review in conjunction with one or more Non-residential uses identified in Section B.b. The permissible residential use shall be multi-family housing, which is defined as having more than one housing unit in a building or in multiple buildings on a lot. A housing unit is defined as that

portion of a building providing complete housekeeping and cooking facilities for one family, as defined in § 275-1.1.

- d. Ground Floor Uses. At least 50% of the usable ground floor area of the building must be designed for and occupied by Non-residential uses identified in Section B.b. Where possible, this area should be designed to accommodate individual business of 1,500 square feet or less. As used in this Section § 275-3.22, the "ground floor" shall be the story directly above the basement or, if there is no basement, the story directly above the foundation, which generally coincides with the elevation of the adjacent sidewalk at the frontage of the property.

**Commentary:** *The primary purpose for revising the zoning for East Milton Square is to allow mixed-use development. Mixed-use development, although desired in the community, is currently not allowed by zoning in East Milton Square. The recommended zoning allows mixed-use development which includes non-residential including business uses on the ground floor in combination with residential uses. Mixed-use development is allowed by right with site plan review by the Planning Board. This means that the Planning Board must allow the combination of uses but may impose reasonable conditions on a project. The language requires at least 50% of the ground floor to be one of the non-residential uses to promote a vibrant and active business district in East Milton Square. Allowing mixed-use development with site plan review was the most preferred approach by the community. The recommended overlay district does not allow uses that are incompatible with the purpose of the zoning, such as drive-through food service facilities, filling stations, and storage warehouses; however, those uses remain allowed in the base zoning district (Business). The recommendations are focused on strengthening the business district as a vibrant and walkable place and providing a viable pathway for desirable development. By not allowing mixed-use development today, the current zoning forces potential development through processes to seek variances or alternative means of entitlement approvals, such as Chapter 40B.*

### C. Dimensional Requirements

#### a. Setbacks.

- i. Front Yard Setbacks. The primary frontage of new buildings and new additions to existing buildings shall be located no less than zero (0) feet and no more than ten (10) feet from the lot line.
- ii. Side Yard Setbacks. Side yard setbacks are not required when the abutting use is an existing business or mixed-use. When the abutting use is an existing residential-only use, the minimum side yard setback is ten (10) feet.
- iii. Rear Yard Setbacks. The minimum rear yard setback is twelve (12) feet when the abutting use is an existing business or mixed-use. When the abutting use is an existing residential-only use, the minimum rear yard setback is twenty (20) feet.

***Commentary:** The proposed setback requirements mirror historic development patterns of existing buildings in East Milton Square. The front yard setback is expressed as a range between 0 feet (i.e., at the back of the sidewalk) and 10 feet to allow for variation in parcel condition and flexibility in development. For example, a 10-foot setback would allow a property to expand the front sidewalk area in front of the building to provide space for outdoor seating. Historically, buildings have had little to no setback between each other, with many buildings sharing a party wall; as a result, the proposed zoning does not require side yard setbacks for most uses. However, side yard setbacks are required when the property next door is an existing residential-only use, such as someone's house. This approach to setbacks which are consistent with the historic characteristics of the district while providing additional buffers to residential abutters was the most preferred by the community.*

**b. Building Height.**

- i. **Maximum Height.** No building shall be erected or altered to exceed three (3) stories and forty-five (45) feet in height.
- ii. **Definitions.**
  1. 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, as such ground exists at the sidewalk elevation. Existing structures may retain their existing heights and number of stories.
  2. The term "story," as used in this Paragraph C(b), shall not include a basement provided that the finished floor height of the ground story shall at no point be more than four (4) feet above the mean grade of the adjacent sidewalk and provided that convenient and accessible entry to commercial spaces be provided at the ground floor from the sidewalk. A basement may be used for parking, storage, utilities and commercial space, but not for residential units. If reasonably necessary and appropriate for good design or to address the existing conditions on site, the Planning Board can modify the requirements in this subparagraph.
  3. 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 context. 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:** Setting a maximum building height was a contentious issue during discussions with the community. The tallest existing buildings in East Milton Square are 2 1/2 stories. The current zoning allows for 3-story buildings by-right and 5-story buildings by special permit. However, the current zoning applies to commercial uses only and the market has not responded with commercial development at that scale. The “Looking Forward” report recommended mixed-use development with a maximum height of 5 stories in the center of East Milton Square and a maximum height of 4 stories in the remainder of the district. Through the community process associated with the zoning recommendations, community members made it clear that they did not support 4 or 5-story buildings. Community support is present for 3-story mixed-use buildings. As result, the maximum building height in the proposed zoning is 3 stories/45 feet.

- c. Ground Story Height. The minimum ground story height in a new building shall be twelve (12) feet clear for properties with frontage on Adams Street, Granite Avenue, Bryant Avenue, and Bassett Street.

**Commentary:** The minimum ground story height requirement mirrors historic development patterns of existing buildings in East Milton Square. This requirement only applies to properties that are in the main commercial center of the Square. This taller ground story height will contribute to the desire for an attractive and inviting commercial district.

- d. Open Space. All properties must provide a minimum of 10% open space. Minimum open space may include hardscape pedestrian plazas, extensions of the sidewalk/public realm, planting of street trees, pocket parks, balconies, roof decks, or off-site improvements to existing open space amenities.

**Commentary:** Open space is not currently required in the Business District for any building use. The proposed zoning requires open space for all new development, regardless of the building use. It provides flexibility for how that requirement is met by listing a variety of types of allowed open space. Open space amenities help the district to serve the needs of residents and also help to create attractive outdoor amenities that would positively contribute to the sense of place and attraction of the business district.

- D. Historic Preservation. Buildings constructed in whole or substantial part before 1940 shall be preserved as part of an adaptive reuse mixed-use redevelopment.
  - a. Purpose. The preservation of buildings of historical significance and an expansion of the economic options for historic properties in East Milton Square.
  - b. Definitions. Preservation shall include preservation or restoration of a building's exterior appearance and may include renovation, rehabilitation, restoration or re-creation of



features or elements of the building. The exterior elements of a building shall be historically compatible and appropriate to the preserved historic structure.

- c. Guidance. Preservation plans shall be guided by the Secretary of the Interior's Standards for the Treatment of Historic Properties and shall be submitted to the Historical Commission for comment. Notwithstanding the foregoing, a building constructed before 1940 need not be preserved if the Planning Board, after seeking the advice of the Historical Commission, determines that the building lacks substantial architectural significance and is not historically important or that the building is in an advanced stage of deterioration and is not able to be preserved at a reasonable financial cost. Buildings listed in the National and State Registers of Historic Places or identified in the Massachusetts Cultural Resource Information System shall be deemed historically important.
- d. Approval. Project approval may allow the restoration, rehabilitation, renovation, repair, adaptive reuse, or addition to historic structures in the district. In order to grant project approval, the proposed restoration, rehabilitation, renovation, repair, adaptive reuse, or addition shall preserve, to the maximum extent feasible, the historical and architectural features of the building, structure, or element.
- e. Waivers. At the discretion of the Planning Board through site plan review, relief from dimensional or parking requirements may be granted for good cause, to accommodate the preservation of a historic structure and property.

*Commentary: Historic buildings in East Milton Square contribute to the character of the district and provide a sense of place. The proposed zoning provides safeguards for buildings built before 1940, which includes 368-380 Granite Avenue, 524-530 Adams Street, 532-550 Adams Street, and the Post Office. All these structures have been noted as important historic features of the district. Under the recommended zoning, these buildings can still be redeveloped, but with an extra layer of consideration by both the Planning Board and the Historical Commission. This language is based on similar language in the Milton Village zoning. It is important to provide future opportunities for investment, maintenance, and renewal of historic resources in the district.*

- E. Design Standards. Each building and site shall be designed to positively contribute to the legacy and character of East Milton Square while enhancing livability for surrounding residents. The building design and site layout shall define street frontage by occupying street edges with an active ground floor and filling gaps between existing buildings. The building design and site layout shall configure the building layout and building massing to shape outdoor spaces by placing buildings at the edges of the outdoor space and located active ground floor uses, and transparent ground floor facades at those locations. The building design and site layout shall also be used to define streets edges, corners, and intersections. Site layouts shall consolidate and share off-street parking efficiently across lot lines, improve streetscapes and walkability by minimizing curb cuts, and contribute to livability through the creation of pocket parks, additional outdoor spaces, and new outdoor amenities. The architectural design shall be composed to be

visually attractive and compatible with the context of the East Milton Square Business District and nearby buildings.

a. In addition, each building shall meet the following design standards:

- i. Context sensitive – New building and site layouts, including side and rear setbacks, shall respond to the context of neighboring properties. Buildings shall be positioned on their site to provide buffers for abutting existing single- and two-family residences.
- ii. Public realm expansion – New building and site layouts, including front setbacks, shall respond to the context of the adjacent sidewalk. Where the sidewalk width is less than or equal to 6 feet at the building frontage, new buildings shall provide a setback within the build-to range defined in Section C.a. to expand the width of the sidewalk to a minimum of 10 feet to allow for additional outdoor amenities and activity.
- iii. Historical context, heritage and legacy – The building form, scale, proportion, massing, roof lines, and architectural design shall recognize and complement the historic buildings and styles of the East Milton Square Business District and positively contribute to the district's character. Particular attention shall be paid to reinterpreting design elements found in the context of the district through façade design, proportion and location of windows, location and ornamentation of entrances, and complementary building materials and colors.
- iv. Context-sensitive height and scale – The building form shall provide step-backs in the facade that respond to the surrounding context, as the Planning Board deems appropriate. The step backs shall provide a vertical change in the plane of the facade to reduce the perceived building height. For example, if a 3-story building is adjacent to a 2-story existing building, the facade of the third story shall step back from the facade of the lower two stories to reduce the visual prominence of the upper floor.
- v. Context-sensitive width and scale – Buildings more than forty (40) feet wide shall be broken down into a series of smaller bays to evoke the rhythm of historic shop fronts, add visual character, and maintain the pedestrian scale of the streetscape. No uninterrupted length of any facade shall be permitted to exceed twenty (20) horizontal feet without incorporating at least one of the following massing elements: horizontal setbacks or vertical step-backs, architectural projections, recesses, and at least one of the following design elements: color change, material change, or texture change.
- vi. Active ground floor at active sidewalks – The building facade shall integrate a higher proportion of transparent glass in the ground level frontage oriented to Adams Street, Granite Avenue, Bryant Avenue, and Bassett Street including business and entryway storefronts, display windows, or other glazing elements.
- vii. Highlight windows and doors as design features – Windows and doors shall be integrated with appropriate architectural elements that highlight them as facade features. When integrated with the design of the facade, recessed doorways are



preferred, to break up the building facade, provide a welcoming space, provide protection from sun and rain, and reduce conflict between an external door swing and sidewalk circulation. Where a recessed doorway is not used, an awning can have a similar effect.

- viii. Attractive from all sides – 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. Where windows are not possible or appropriate to the intended use on the side or rear, facade articulation in the form of raised or recessed surfaces shall be used to break up blank walls.
  - ix. Integrate and conceal mechanical equipment – Mechanical equipment and other utilitarian features, including metal chimneys and elevator penthouses, shall be integrated into the overall architectural design of the building by use of screening materials, placement, roof shape or form, or other means.
  - x. Reduce visual impact of parking – If parking is provided on-site, it shall be to the rear of the primary building underneath the building. If a parking structure is provided it shall be unobtrusive and designed to integrate with the building and the district. Garage doors or other forms of vehicular access shall be integrated into the architectural design of the building. Surface parking areas shall be designed to be used as flexible plaza space that could be temporarily used for other private purposes or events. These parking areas shall use permeable pavers and shall include landscape islands, or other design features to add visual interest and flexibility to parking areas while enhancing stormwater mitigation and reducing the heat island effect.
  - xi. Reduce impact of vehicular access – Vehicular access to the site shall be integrated with the design of the public realm and property frontage to minimize the access width and potential negative impacts on the pedestrian environment.
  - xii. Integrate site landscape – Landscaping shall be used to enhance the building's design, strengthen attractive outdoor features, and to provide shade. Street trees shall be integrated with the design of sidewalk extensions or creation of pocket parks with 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.
  - xiii. Integrate site and building lighting – Lighting fixtures shall be appropriate to the architecture and provide suitable lighting without detriment to nearby residences. Light fixtures including site and streetlights shall match existing standards in the Town, for example matching streetlights recently installed.
  - xiv. Integrate signs into building design – Signs shall be integrated with the building design and placed consistently on the building with a sign band integrated into the façade design of the ground floor and coordinated among multiple tenants.
- b. The Planning Board has the discretion to allow changes to one or more of the design standards if the project proponent can show that with such changes the project would

- remain architecturally coherent, well sited on its lot, visually attractive and compatible with the district and nearby context.
- c. In addition to the required Design Standards in this Section, the Milton Planning Board may adopt additional design guidelines for development in the East Milton Square Mixed-use Overlay District.

**Commentary:** *Design standards in the zoning bylaw give the Planning Board the ability to require high quality design. All new development must follow these standards, and the site plan review approval would be based, in part, upon them. The design standards are further illustrated by the additional design guidelines. The design guidelines exist outside of the zoning bylaw and are therefore not required but expand on the design standards in the zoning with specific examples and additional guidance. This is similar to the approach in the Milton Village zoning.*

F. Sign Approval. Sign approval shall be determined as provided in § 275-3.3.

**Commentary:** *The existing town-wide sign bylaw adequately serves the purpose of the East Milton Square zoning. The design guideline document does give additional design guidance and examples.*

G. Affordable Housing Units.

- a. In the East Milton Square Mixed-use Overlay District, twelve (12) percent of the total housing units for a project with less than 25 units, or fifteen (15) percent of the total housing units for a project with 25 units or more (computed to the nearest whole number) shall be affordable housing units, subject to perpetual deed restrictions, and if applicable, a regulatory agreement ensuring permanent affordability. Should the calculation result in a remainder of 0.5 or above an additional on-site unit shall be required. Should the remainder be below 0.5 a contribution to the Affordable Housing Trust shall be required in an amount to be determined by the Planning Board. These units shall be affordable to households whose annual income shall not exceed 80% of the then current Area Median Income (AMI) for the Boston-Cambridge-Quincy, MA-NH HUD Metro FMR Area as determined by the United States Department of Housing and Urban Development ("HUD") adjusted for household size and these units shall qualify for inclusion in the Subsidized Housing Inventory (SHI) maintained by the Massachusetts Executive Office of Housing and Livable Communities ("EOHLC").
- b. All affordable units shall be integrated with and distributed throughout the development and shall be comparable in design, floor area, number of bedrooms, appearance, construction and quality of materials with market rate units.
- c. To the maximum extent permissible, preference shall be given to Milton residents and employees of the Town of Milton in the rental or purchase of affordable units. A site plan approval issued under this section shall state that final occupancy permits shall not be issued until the affordable housing restrictions, and, if applicable, the

regulatory agreements have been recorded with the Registry of Deeds and copies of the recorded documents have been provided to the Planning Board and the Building Commissioner.

**Commentary:** *The affordable housing requirements and language is based on similar language in the Milton Village zoning.*

#### H. Parking

- a. **Business Parking.** In the East Milton Square Mixed-use Overlay District, minimum parking requirements for business uses shall follow Parking Requirements in Business Districts § 275-11.3 provided that, upon a determination that a greater or lesser number of parking spaces would be reasonably necessary so as to be adequate for the business use in a particular project, the Planning Board may increase or decrease the minimum number of business parking spaces required for the project. In the event of a restaurant use, at least one parking space shall be provided for each four patron seats provided that, upon an applicant showing that a lesser number of spaces would be adequate for the restaurant use, the Planning Board may reduce the required amount of parking.

**Commentary:** *Parking requirements were also a contentious issue during discussions with the community with concern that not enough parking will be available in the future. The “Looking Forward” report recommended requiring one parking space for every 1,000 square feet of commercial uses. As part of the zoning process, MAPC suggested reducing requirements to one space for every 1,500 square feet. A majority of community participants opposed reducing the parking requirement. As a result, the proposed zoning references the existing town-wide parking requirements. An additional provision based on the Milton Village zoning has been added to provide flexibility for the Planning Board to allow more or less of the required parking based on the context of an individual site or development. This will ensure that adequate parking is required while making sure that high parking requirements do not prevent new development that otherwise serves the purpose of the East Milton Square zoning.*

- b. **Residence Parking.** There shall be a minimum of one parking space for each residential unit.

**Commentary:** *The “Looking Forward” report recommended requiring one parking space for each dwelling unit. Community members were split on this recommendation, with nearly half in support, and nearly half in opposition. Given that the Milton Village zoning also requires one space per dwelling unit and that there was support for this recommendation, the proposed zoning follows the parking ratio recommended by “Looking Forward.” In combination with the business parking requirements, future development proposals may have difficulty both physically fitting all required parking on site and establishing financial feasibility to support the parking costs.*

- c. Off-Site Parking. Safe and convenient parking may be provided off-site within or adjacent to the East Milton Square Business District for the parking required to support business uses at other properties in the East Milton Square Business District. Off-site spaces used to fulfill parking requirements shall be associated with a parking agreement between the applicant and the owner of the property where the off-site spaces are proposed to be located. The parking agreement shall be submitted as part of the application.

**Commentary:** *This language is from the Milton Village zoning. It provides flexibility for where parking is provided but does not change the amount of required parking.*

- d. Shared Parking Reductions. Off-street parking requirements may be reduced if they collectively serve different uses within the same mixed-use development or collectively serve multiple uses across multiple sites, where such collective use of the parking facilities is based on a written agreement that: 1) assures the continued collective use; 2) states the number of parking spaces allocated to each participating use and the anticipated peak parking demand days and times for such uses; and 3) assures access to and maintenance of the common parking facility. The parking spaces provided through the collective use of parking facilities shall be counted towards the minimum required parking spaces as approved by the Planning Board.

**Commentary:** *This language allows for reduced parking requirements as the discretion of the Planning Board. The applicant is required to show, through written agreement, that the peak demand for parking occurs at different days and times for different uses. This would allow the most efficient and effective use of the parking supply by allowing the same parking space to serve multiple uses without overlapping use.*

- e. Other Parking Reductions. A reduction in the calculated parking requirement may be allowed as deemed appropriate by the Planning Board through a special permit upon demonstration of the features of the project that reduces automobile dependence for the development. These features may include the provision of on-site dedicated parking space(s) to car-share vehicles, increased bicycle parking and amenities beyond the requirements of § 275-11.12, on-demand shuttle services, or other transportation demand management techniques, and shall be appropriately scaled to the scale of the development and the requested reduction in parking.

**Commentary:** *This language is based on similar language in the Milton Village zoning. It allows additional parking flexibility granted through a special permit by the Planning Board. The language highlights additional project features that would reduce automobile use among the building's occupants and should be considered as part of a request to reduce the amount of required parking.*

- f. Bicycle Parking. § 275-11.12 applies to residential components of projects. Projects involving business uses shall also provide adequate exterior parking of bicycles for customers and employees.

*Commentary: The town-wide bicycle parking requirements only apply to residential development. This language expands those requirements to business uses. Convenient and safe parking for bicycles is another simple way to encourage daily travel without a vehicle. Every daily vehicle trip that is shifted to another form of transportation helps to reduce traffic, congestions, and parking demand.*

#### I. Application Requirements

- a. An application shall include a plan meeting the requirements for site plan specified in § 275-12.4 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 or Registry District of the Land Court, as applicable, at the applicant's expense. Any relevant special permits shall also be recorded with the plan at the applicant's expense. The recorded plan shall be a part of the site plan approval. 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 or filed with said Registry at the applicant's expense. The applicant shall promptly provide to the Planning Board evidence of recording of each approved plan, amendment, or modification. The applicant shall promptly provide a copy of all recorded or filed documents to the Planning Board, showing the book and page or document number.
- b. An application involving a property, on which there is a building constructed in or before 1940, shall be referred to the Milton Historical Commission for consideration of its historical and architectural significance and of the desirability and feasibility of its preservation, rehabilitation, or restoration in the proposed development. After consideration, the Milton Historical Commission may issue a report, which may include comments and suggestions, to the Planning Board on these matters and any associated matters pertinent to the Commission's responsibilities, and the Planning Board shall consider any such report in its evaluation of the application.
- c. An application involving a property, on which there is a building constructed in or before 1940, shall include a narrative describing compliance with the Secretary of the Interior Standards with the application materials. The application shall include a narrative prepared by the project architect describing the project relative to the historic context of East Milton Square including a statement of the positive contributions the project will make to the character of the East Milton Square Business District by preserving its history and strengthening its streetscape and vitality.
- d. The application shall include professional studies calculating the impact of the development on town services, on parking in the East Milton Square Business District and adjacent neighborhood streets, on traffic in district and surrounding areas of the

town, on existing nearby businesses, and on future business development. If there is a material adverse impact projected, mitigating strategies shall be proposed.

- e. 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.
- f. The application shall include a narrative describing compliance with the Design Standards.
- g. The application shall include architectural renderings, building elevations, an existing conditions survey with structures, retaining walls, parking areas, trees and topography, existing condition photos of the site and adjacent properties, proposed site plan with structures, retaining walls, parking areas, topography, landscape plan and details, site/building sections with accurate topographic depiction, building material specifications and other pertinent details regarding the project architecture and site plan.

**Commentary:** *This language is based on similar language in the Milton Village zoning with irrelevant sections removed. It ensures that the project applicant, the Planning Board, and the public understand what is required as part of a development application. The requirement for traffic analysis and mitigation was especially important based on community feedback received through the zoning process. For example, 93% of respondents to a community survey that was part of the process supported such a requirement.*

- J. **Application Review Fees.** When reviewing an application for a site plan review or special permit, 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. 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 section and with other Town of Milton bylaws, 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 language is from the Milton Village zoning. It requires the applicant to pay for an independent review of the development proposal by a consultant, if requested by the Planning Board.*

- K. Notice, Procedures and Standard for Decision. The notice and procedural requirements set out in § 275-13.2 and § 275-13.3 and the standard to be used in rendering a decision set out in § 275-13.3 shall apply to site plan review for mixed-use development under this section.

**Commentary:** *This language is from the Milton Village zoning. It states the requirements for posting public notices, holding public hearings, and making a final decision on a development proposal.*



## Recommendations for Potential Future Zoning Changes

As the regional planning agency for Greater Boston, MAPC not only supports local planning projects, such as this work in East Milton Square, but also works to implement MetroCommon 2050, the region's long-range regional plan. This plan was developed over three years and its goals reflect the input of professional planners, external advisors, state and local officials, and, most importantly, thousands of people from all over the region. While the proposed zoning for East Milton Square is consistent with the goals of MetroCommon, MAPC is of the opinion that it may not go far enough to accomplish the stated goals of the various local planning processes noted at the beginning of this memo. In addition, a part of this purpose the zoning changes is to provide a financially viable pathway for mixed-use development through the local zoning. The recommendations as currently codified in the zoning language may not create this pathway. The best way to test this important question is to adopt the zoning and observe its impact on future development over a period of a few years. If the recommended zoning changes have no impact on attracting mixed-use development proposals seeking approval through the zoning, then additional zoning changes may be warranted. This section outlines additional recommendations for future zoning changes that the Town of Milton may want to pursue to more fully implement both Milton's Townwide Master Plan, local East Milton Square planning efforts, and to attract mixed-use development investment to the district.

### Maximum Building Height

Part of the impetus for revising the zoning for East Milton Square was to capture the increasing development interest in the area and guide it to meet community goals. Recent development proposals in East Milton Square have shown that the existing zoning does not provide enough development potential to incentivize development. For example, the 40B application for 440 Granite Avenue proposed a 4-story, mixed-use building, which is not currently allowed in the zoning.

As part of the public process for the East Milton Square zoning project, MAPC proposed a maximum building height of 5 stories in the center of the Square and a maximum height of 4 stories in the rest of the district, which is what was recommended in the "Looking Forward" report. Residents made it clear that they did not support 4 or 5-story buildings, so the recommended zoning sets the maximum building height to 3 stories in all situations. A 3-story height limit may not allow enough density to make development projects financially feasible. As the "Looking Forward" study notes:

*"The cost of land and the cost of construction in the Boston metro area are both quite high. The result is that generally taller buildings are required [for] projects to be economically viable. Though projects vary ... buildings are quite often in the four to six story range. This is especially true for projects with affordable housing. Planning for East Milton Square cannot ignore this market reality while it continues to struggle with competing desires: some development to meet Town goals and keeping the area looking as it does now."*

If the proposed zoning as currently recommended is not successful in attracting future development. For example, future development projects may still seek entitlements through alternatives such as Chapter 40B. Then, MAPC recommends that the Town increase the maximum building height. Specifically, MAPC recommends adding an option to allow height greater than the recommended 3 stories by-right, to allow

4 stories by special permit from the Planning Board. By allowing this additional height by special permit, the Planning Board would retain discretionary approval to determine the appropriateness of the additional height within the context of the property and proposed development. Another approach is to only allow additional height as a bonus for projects that meet the historic preservation and/or affordable housing provisions that are currently proposed. Either way, all projects would still have to meet the design standards and design guidelines for East Milton Square, which could be amended to require a building stepback after the third story.

### Required Parking

As the “Looking Forward” study notes, the high parking requirements that currently apply to development in the Business District make it difficult to redevelop at a greater, or even the same, level of intensity compared to what currently exists. In fact, most of the historic buildings that provide East Milton Square with its sense of place do not have any off-street parking on-site. Requiring off-street, on-site parking is not only out of character with the historic development pattern of East Milton Square, but it also contributes to the traffic congestion in the neighborhood.

At the March 14, 2024, Planning Board meeting, MAPC presented data from the agency’s Perfect Fit Parking study to demonstrate that the people who live in multifamily housing in locations like East Milton Square consistently do not use all the parking that is available to them. The lowest rate of parking utilization was 0.28 parked vehicles per dwelling unit; the highest rate was 1.06 vehicles per unit. Requiring developers to provide more parking than is needed by their tenants drives up development costs and limits the amount of new tax revenue that new development could provide.

The “Looking Forward” study recommended requiring 1 parking space per dwelling unit and 1 parking space for every 1,000 square feet of commercial building area. It also recommended allowing parking spaces to be shared across residential and commercial uses to prevent overbuilding parking. The proposed zoning includes the minimum parking recommendation for residential uses, which had support from the public and the Planning Board, and the allowance for shared parking. It does not reduce the amount of required parking for commercial uses from what is currently allowed in the town-wide parking requirements.

As additional development occurs in East Milton Square, MAPC recommends that the studying parking utilization patterns to inform what a more appropriate parking requirement may be. If that is not feasible, we recommend either adopting the business parking requirement for Milton Village – § 275-3.21(l) – and/or reducing the amount of required commercial parking to 1 space per 1,500 square feet. Another potential change would be to shift the residential parking requirement from a minimum to a maximum to allow the assessment of parking needs to occur based on the needs of each individual project while promoting a walkable district. We also recommend improving both on-street and off-street parking regulation to ensure that people who need to park can do so without negatively impacting other community goals. For example, parking studies performed in 2011, 2015, and 2021 in East Milton Square have found the supply of parking in East Milton Square to be adequate. Parking challenges in the district have not been attributed to a lack of parking supply, but to a need for improved parking management and enforcement.

If the zoning as currently recommended, or future zoning with additional changes is found to be successful in attracting the type of mixed-use development that is positive for the district and community, then the boundary of the zoning district could be expanded. There are existing commercial properties on the west side of the district that are not included in the recommended zoning boundary. Most of the additional properties are on Adams Street. The diagram below shows these potential future parcels noted as “non-residential parcels in context.”

