

# Town of Franklin

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## DEPARTMENT OF PLANNING AND COMMUNITY DEVELOPMENT

### MEMORANDUM

**DATE:** December 15, 2021  
**TO:** Economic Development Subcommittee  
**FROM:** Department of Planning & Community Development  
**CC:** Jamie Hellen, Town Administrator; Franklin Planning Board; Franklin Zoning Board of Appeals: Gus Brown, Zoning Enforcement Officer; Alecia Alleyne, Assistant to the Town Administrator; Lily Rivera, Marketing and Communications Specialist  
**RE:** Franklin For All: Rezoning Franklin Center for Economic Growth and Diverse Housing Opportunities

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The Town of Franklin is launching a community-driven process to identify a vision for Franklin Center, and make changes to the zoning for the area to unlock development potential and foster a vibrant, mixed use neighborhood. This will contribute to further revitalization of the downtown and surrounding areas while also expanding housing choices for existing Franklin residents, particularly for renters, seniors, low-income households and other who currently have limited housing opportunities.

The Town has contracted with the Metropolitan Area Planning Council (MAPC) to perform a three phase project: an initial phase focused on a zoning diagnostic; a second phase focused on a community visioning process and development of proposed zoning changes; and a third phase focused on actually rezoning the study area.

The Department of Planning & Community Development (DPCD) is providing project management and grant management services, as well as providing MAPC with assistance with gathering information and conducting outreach. To fund the project DPCD applied for and received two State planning grants:

- \$75,000 grant through the Community One Stop for Growth's new Community Planning Grant Program; and
- \$45,000 grant through the Executive Office of Energy and Environmental Affairs' Planning Assistance Grant Program.

Town funds will be utilized as a match for one of the grants, and to provide additional consulting services, including a community survey which was not part of the original scope of work.

Senior Planner Emma Battaglia is dedicated to the project and the project manager for MAPC. Attached are two documents that MAPC recently provided to the Town as a project update: the Community Engagement Plan; and a Zoning Diagnostics Summary.

The substantial community engagement portion of the project includes creating a project Steering Committee, and holding several focus groups and public forums. The Community Engagement Plan includes dates for the focus groups and proposed Steering Committee meetings, and a summary of outreach plans, including development of a project website and other outreach materials. Input received throughout the outreach process will be gathered and considered in the zoning transformation.

Steering Committee. To assure sufficient input is received from the community during the community engagement process, MAPC has asked the Town to establish a Steering Committee. The group would assist DPCD and MAPC with outreach efforts to assure public events are well attended, and provide input on document content. The Town Administration has recommended the Steering Committee consist of the four Economic Development Subcommittee members, two Planning Board members, and one Zoning Board of Appeals member.

MAPC and DPCD staff will be in attendance at your January 5<sup>th</sup> meeting to further introduce the project and answer questions.

## Franklin For All

Memo: Public Process Update  
December 17, 2021



### Community Engagement Plan

MAPC has developed a Community Engagement Plan to clearly delineate the approach for community engagement throughout the process. The purpose of community engagement for this project is to:

1. Inform residents and business stakeholders (business owners, landlords, developers) about how zoning can be a tool for equitable land use to meet housing demands, develop vibrant neighborhoods, and support economic revitalization.
2. Solicit feedback on stakeholders' visions for Franklin Center and develop a plan for rezoning the area to best achieve the overall vision.
3. Engage and educate members of relevant boards/commissions who will be tasked with approving and implementing the rezoning strategy.

The Community Engagement Plan provides a stakeholder analysis that identifies populations or groups that may be underrepresented or hard to reach when the Town is engaging stakeholders through typical community engagement techniques. The plan includes an engagement strategy chart detailing specific approaches for each of the groups who have been identified for more proactive engagement with the aim of ensuring diverse participation.

Project outreach will be town-wide with a special effort to reach groups who may be most impacted by zoning changes as it relates to housing affordability. It is assumed that populations and groups that are already active and engaged in Franklin will be reached through more typical engagement techniques and that additional efforts or techniques are not required to actively engage them in this planning process. In order to get in touch with historically less-engaged groups, the project team will coordinate with local conveners and/or local media as two potential outreach sources.

In addition, the Community Engagement Plan outlines the specific tools that will be used throughout this process to conduct outreach and engagement, including print, digital, and on-the-ground engagement tools like focus groups and forums along with how they will be used.

## Logo & Branding

A consistent and visible brand for the planning process has been developed to make connections between promotional materials, meetings, and content and allow the community to easily recognize the engagement efforts. The branding for the plan includes the name of the plan, logo, colors, fonts, and tagline. The purpose of this effort is to develop well-executed branding guidelines and products to create an understanding from the public, project partners, and implementers on what the plan hopes to accomplish and also to create a cohesive look that is recognizable and creates buzz for the process and implementation. The branding and consistent formatting features will be used throughout the process on the website, flyer materials, event posters, content summaries, and draft and final reports. See below for the logo and branding concept that MAPC created.

### LOGO & BRANDING FRANKLIN FOR ALL



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## **Engagement Opportunities**

### **Steering Committee**

The Steering Committee will consist of key stakeholders involved in the planning and zoning proposal process. Members will offer their perspective and feedback to help guide the direction of the project. They will play an important role supporting with outreach and promoting the process within their networks. Four Steering Committee meetings are scoped throughout different stages of the project. They will occur roughly once a month depending on the schedule. Membership will include four Town Councilors on the Economic Development Subcommittee, two Planning Board members, and one ZBA member.

The first Steering Committee meeting scheduled for 5:30PM on January 5, 2022, will cover the findings from the zoning analysis and the plan for public engagement and communications. This will be the unofficial public kick-off for the project. Additional meetings will be held once a month in February, March, and April in accordance with the Economic Development Subcommittee's schedule.

### **Town Staff & Leadership Engagement**

This project is scoped to include in-depth conversations with municipal leaders and staff. Their feedback and perspective are important as they have a strong knowledge base regarding the people who live and work in Franklin as well as the opportunities and constraints regarding redevelopment in Franklin Center. They also will be the ones tasked with implementing the final zoning proposal.

MAPC attended a Technical Review Meeting in Franklin on November 3, 2021, to hear from Town staff about the kind of housing and businesses needed in Franklin Center, barriers to housing and mixed-use development, and their priorities for this process. Additional engagement will likely include some combination of interviews and/or a presentation at a public meeting to members of the Town Council, Planning Board, ZBA, and others as appropriate.

### **Focus Group Meetings**

Focus group meetings provide an opportunity to have more in-depth conversations with specific stakeholder groups to better understand their perspectives and inform them of the potential impacts zoning changes could have. Four focus group meetings are scoped for the public process with business owners/commercial landlords, developers, housing service providers/activists, and residents living in downtown and Franklin Center.

Meetings will take place after the first Steering Committee meeting in January 2022 and will occur remotely via Zoom due to the ongoing COVID-19 pandemic. The timing of meetings will vary based on the stakeholder group. Most stakeholders are likely available in the morning with the exception of residents who should be engaged in the evening after work hours.

**Scheduled meeting dates/times:**

- Business/property owners: Monday, January 24, 9-10:30AM
- Housing service providers/activists: Monday, January 31, 9-10:30AM
- Developers/real estate: Monday, February 7, 9-10:30AM
- Residents: Tuesday, February 15, 6:30-8PM

**Public Forums**

This project is scoped to include a public soft launch and two public forums. The public soft launch occurred on October 2 at the annual Harvest Festival where MAPC staffed a table to discuss the project with people who passed by. Two more formal forums will be held to have a wide public conversation about this process, capture the community's vision for Franklin Center, and to present potential zoning changes and recommendations.

The first formal public forum will likely take place at the very end of February or the beginning of March. We should avoid the week of February 21 due the President's Day holiday. The second public forum will likely take place in April or May and will cover the recommendations that have been proposed.

**Potential dates for the first public forum include the following evenings:**

- Monday, February 28
- Tuesday, March 1
- Thursday, March 3
- Monday, March 7
- Tuesday, March 8
- Wednesday, March 9

If there are concerns about meeting attendance, the Town may decide that it is more advantageous to conduct an asynchronous "online open house" instead of a forum that takes place at a set date and time. The online open house activity would mimic a traditional forum in terms of the information presented and the feedback gathered, but it would allow people to take part when it is most convenient for them. Participants would be able to go at their own pace and also pause and return to the activity at any point. The project budget can accommodate this change without needing to modify the contract.

## **Project Webpage**

The project webpage will be launched at the latest by January 4, 2022, in preparation for the first Steering Committee meeting. The webpage will be hosted on MAPC's website and updated on an as-needed basis throughout the course of this process. Information will include background about the project, how zoning can be a tool for neighborhood enhancement, and details for participating in public engagement opportunities. Text for the webpage will be reviewed in advance with Town staff.

## **Communications Materials**

Based on findings from the planning process and through consultation with the Steering Committee, the project team will identify common concerns, misperceptions, and unanswered questions surrounding zoning and housing development in Franklin. MAPC will create up to five digital and print materials to proactively address these items and communicate how rezoning can be a tool to meet housing need and demand, foster vibrant neighborhoods, and support economic revitalization of the commercial center. Materials will be consistent with project branding and will be designed for simplicity and clarity. They may be presented in the form of a post card, pamphlet, poster hung at high-traffic locations, graphics for use on social media platforms, email newsletter, or other desired formats.

The release of communications materials will be timed to coincide with public forums and other project milestones so they can help with promotion. Materials will be released in the weeks leading up to an event to drum up participation while also serving as an educational tool. After the launch of the website and the conversation with the Steering Committee on January 5, MAPC will begin producing communications materials to increase awareness of this project amongst the wider public.

## **Potential for Additional Engagement**

Depending on how many people are reached through the public process that has been scoped, the Town may decide to fund additional community engagement work for later in the project schedule. This could include an additional forum/online open house activity or additional focus group meetings to check back in with stakeholders after recommendations have been proposed. Any additional work would need to be scoped and approved by MAPC to ensure that adequate staffing resources are available at that time.

## Franklin For All

Memo: Zoning Diagnostic Summary  
December 17, 2021



## Project Boundary

The boundary should include all parcels in the following zoning districts: Commercial I (CI), Downtown Commercial (DC), Mixed Business Innovation (MBI), Single-Family Residential IV (SFRIV), and General Residential V (GRV). It should also include any parcels within a half-mile of the Commuter Rail station and pockets of other zones where it makes sense.

In discussion with the Steering Committee, we should decide if the goal of the rezoning is to concentrate efforts on the downtown or expand walkability and downtown character. If the answer is the former, we probably want to keep the boundaries relatively tight. We should present the proposed project boundary at the first public forum before we finalize it.

**A map of the proposed study area is included at the end of this document.**

## Parking & Dimensional Regulations

### Parking Regulations

Based on conversations with the Town, local developers seem to identify high parking requirements as a barrier to redevelopment and minimum parking requirements is one of the more common places zoning relief is sought. On the other hand, business owners complain about a lack of parking in the downtown area. It is important that the right balance is struck to not overload on-street parking while also reflecting the transit-oriented nature of the area.

The Planning Board appears to generally grant parking waivers. While encouraging less parking is a good thing from a smart-growth perspective, it should be codified in a way that is clear upfront. One option is to include parking requirements in an inclusionary zoning program by which a developer can provide less parking if they include Affordable Housing units in their development. This would serve dual purposes of promoting less parking and increasing affordability. Research also shows that residents of buildings with Affordable Housing units tend to utilize less parking than market-rate buildings.

There are other non-zoning ways to manage parking in Franklin Center. Utilizing wayfinding signage and shared parking programs can go a long way at making use of existing parking. The parking lot behind Rockland Trust in particular has potential to support parking for residential units during the evening hours when most businesses in the downtown are closed.

| District        | Residential Uses                              | Nonresidential Uses    |
|-----------------|-----------------------------------------------|------------------------|
| DC              | 1.5 spaces per unit in mixed-use developments | 1 space per 500 SF GFA |
| CI              | 1.5 spaces per unit                           | 1 space per 500 SF GFA |
| Other Districts | 2 spaces per unit                             | Varies by use          |

### **Lot Area**

Minimum lot areas vary widely depending on the zoning district, ranging from 5,000 SF in the DC and CI Districts to 40,000 SF in the MBI District. A 5,000 SF lot area is an ideal number for a downtown area with multifamily and mixed-use. Larger lot size requirements are likely to conflict with historic development patterns which current zoning would not allow but which contribute to overall vibrancy.

| District | Lot Area  |
|----------|-----------|
| DC       | 5,000 SF  |
| CI       | 5,000 SF  |
| MBI      | 40,000 SF |
| SFRIV    | 15,000 SF |
| GRV      | 10,000 SF |

Based on the review of recent ZBA cases, it appears that there have been no requests for lot area relief so this may not be much of a barrier to redevelopment.

### **Minimum Frontage**

Minimum continuous frontage requirements also vary widely, ranging from 50 ft in the DC and CI Districts to 174 ft in the MBI District. Like with large lot areas, large frontage requirements make small infill developments difficult and would restrict existing parcels in Franklin Center. A 50 ft frontage is an ideal number for a downtown area.

| District | Frontage |
|----------|----------|
| DC       | 50 ft    |
| CI       | 50 ft    |
| MBI      | 175 ft   |
| SFRIV    | 100 ft   |
| GRV      | 100 ft   |

It appears that there has been only one recent ZBA case where applicants sought frontage relief. The ZBA denied the Variance but that was for a single-family home, not a multifamily or mixed-use building. Like with minimum lot area, this may not be much of a barrier to redevelopment.

### **Minimum Setback Dimensions**

Setbacks are prohibitively restrictive across the board in terms of encouraging multifamily and mixed-use redevelopment. A downtown area can theoretically support properties with no setbacks at all, especially if there is little to no onsite parking.

Front setback requirements are overly onerous in every district other than the DC District when it comes to creating an active streetwall in a downtown area. The setback in the DC District works because it effectively extends the sidewalk. Any setback larger than that will reduce the pedestrian experience.

Side yards over 10 ft should be discouraged in a downtown area in order to optimize the pedestrian experience and reduce walking time between buildings.

Rear yard requirements for all districts seem to assume that there will be parking in the rear of a building. This may not be the case if there is no onsite parking or the parking is under the building. Parking under the building is generally a positive thing from a density and urban design standpoint but is not being encouraged.

| District | Front Yard                               | Side Yard                                                                  | Rear Yard                                                              |
|----------|------------------------------------------|----------------------------------------------------------------------------|------------------------------------------------------------------------|
| DC       | 5 ft on first floor only                 | 0 ft, 20 ft if abutting a residential district                             | 15 ft                                                                  |
| CI       | 20 ft, but not deeper than existing yard | 10 ft but only on one side, 20 ft on abutting side of residential district | 15 ft                                                                  |
| MBI      | 40 ft                                    | 30 ft, increases by building height if it abuts a residential district     | 30 ft, increases by building height if it abuts a residential district |
| SFRIV    | 30 ft                                    | 20 ft                                                                      | 20 ft                                                                  |
| GRV      | 20 ft                                    | 15 ft                                                                      | 20 ft                                                                  |

### **Maximum Height/Stories of Building**

A Special Permit from the Planning Board is required to construct a building with more than three stories in any district. Based on conversations with the Town, applicants do not want to have to file a Special Permit for building height and would prefer if this were by right. Given these anecdotes, building height requirements appear to be a barrier to new multifamily and mixed-use development.

Maximum heights of 50 ft encourage four-story buildings with tall first floor ceilings, and it appears that areas of Franklin Center can support this typology. Increasing the maximum allowable height as of right may encourage more redevelopment if there was more certainty around the development process. If the Town does not want to “give away” extra height, this could be a good element of an inclusionary zoning program. That is, a developer would be able to build to 50 ft tall if their project included a minimum number of Affordable Housing units.

The 15-foot front setback required for 50-foot buildings in the DC District seems to be particularly restrictive given that this is the downtown core and should have the most pedestrian activity.

| District | Stories | Height | Notes                                               |
|----------|---------|--------|-----------------------------------------------------|
| DC       | 3       | 40 ft  | Up to 50 ft allowed by SP if front setback is 15 ft |
| CI       | 3       | 40 ft  | Up to 50 ft, regardless of stories, allowed by SP   |
| MBI      | 3       | 40 ft  | Up to 50 ft, regardless of stories, allowed by SP   |
| SFRIV    | 3       | 35 ft  |                                                     |
| GRV      | 3       | 40 ft  |                                                     |

### **Maximum Impervious Coverage**

Maximum impervious coverage requirements appear to be overly onerous for a downtown area where density is encouraged. Instead of requiring considerable open space on each privately-owned site, it may be preferable to identify common areas for open space that can be accessed publicly.

Density is especially limited in the SFRIV and GRV Districts because of very low coverage maximums.

| District | Impervious Coverage (Structures + Paving) |
|----------|-------------------------------------------|
| DC       | 90%                                       |
| CI       | 90%                                       |
| MBI      | 80%                                       |
| SFRIV    | 35%                                       |
| GRV      | 35%                                       |

## **Use Regulations**

### **Multifamily Use**

Multifamily use is defined as everything over two units, so three- and four-unit buildings fall under the same use restrictions as large multifamily buildings. Creating a separate definition for three- and four-unit buildings could provide an opportunity for slight increases in density in residential areas just outside of the downtown area where multifamily use is currently not allowed at all, such as the MBI and SFRIV Districts.

The lot area restrictions associated with multifamily uses are overly prohibitive in the downtown core and may be restricting development. This could be another item to incorporate into an inclusionary zoning program, whereby the lot area restrictions are not applied if the building contains Affordable Housing units.

| District | Multifamily Allowed?      | Notes                                                                                       |
|----------|---------------------------|---------------------------------------------------------------------------------------------|
| DC       | Allowed by right          | DUs must be above first floor, each DU requires 2,000 SF of lot area but more allowed by SP |
| CI       | Allowed by Special Permit | Each DU requires 1,000 SF of lot area                                                       |
| MBI      | Not allowed               |                                                                                             |
| SFRIV    | Not allowed               |                                                                                             |
| GRV      | Allowed by Special Permit | Each DU requires 1,000 SF of lot area                                                       |

### **Mixed-Use**

The Zoning Bylaw does not include a definition for mixed-use. Residential and commercial uses are defined individually and treated separately. If both residential and commercial are allowed by right in a particular zone, the project can be approved by right, otherwise it must get approval for the non-by-right uses. This seems to overly complicate the process.

It is confusing trying to determine if mixed-use is allowed in a specific district because there are many commercial uses and different districts allow different uses. A developer might not know what commercial business will be occupying the first-floor space until that building has been constructed. The Town should consider creating a specific definition of mixed-use and then determine what districts it should be allowed in. Given that mixed-use development is what is sought in the downtown, it should be much easier to build.

The definition of mixed-use should be clear about what commercial uses are allowed in mixed-use developments. For example, the Town has noted that the downtown is flooded with service-related businesses. In order to incentivize the establishment of retail stores and restaurants, the Town may choose to exclude commercial establishments such as offices or salons from the by right definition. Instead, they could be allowed by Special Permit.

It appears that only the DC District is the only one that allows mixed-use by right, as long as the estimated water consumption for the project does not result in an increase in of more than 15k gallons per day. The CI District allows mixed-use by Special Permit while the MBI, SFRIV, and GRV Districts do not allow it at all.

| District | Multifamily Allowed?      | Retail or Restaurant Allowed?                                                                                             |
|----------|---------------------------|---------------------------------------------------------------------------------------------------------------------------|
| DC       | Allowed by right          | Allowed by right, but Special Permit required if project results in water consumption increases above 15k gallons per day |
| CI       | Allowed by Special Permit | Allowed by right, but Special Permit required if project results in water consumption increases above 15k gallons per day |
| MBI      | Not allowed               | Allowed as part of a commercial mixed-use development; stand-alone restaurants and retail establishments are not allowed  |
| SFRIV    | Not allowed               | Not allowed                                                                                                               |
| GRV      | Allowed by Special Permit | Not allowed                                                                                                               |

### **Accessory Dwelling Units**

According to the Town, zoning relief for Accessory Dwelling Units (ADUs) is almost always granted. ADUs are a great “missing-middle” housing option to increase density outside the downtown core and have not posed issues in the past. The Town should consider allowing them by right in desired districts.

## **Process & Roles of Town Boards**

Land use policy seems to be reactive to developer requests rather than proactively advancing a vision for the area. The Town should zone for what it wants to see and then let developers build that. The vision created through the public process will be particularly important for this reason. Based on the vision, zoning should be modified to allow those desired uses and densities by right or at least with fewer approvals.

Many communities require applicants to obtain approvals from both the Planning Board and ZBA for the same multifamily or mixed-use project. Developers likely expect this and it is not an issue in and of itself. However, it needs to be very clear what zoning relief is required from what board, otherwise it could pose a barrier to new development.

There should be more of a dialogue/consensus between the two boards about the roles they fill and how they can work together to support high-quality projects in good locations. If the Planning Board has a lot of design expertise, then the ZBA could defer to that expertise when determining what Variances to grant. It may be beneficial for the Planning Board to make a recommendation to the ZBA during their review process for multifamily and mixed-use projects to promote consensus early on in the process. Hopefully the Steering Committee, with members on both the Planning Board and ZBA, can help with this.

## **Potential Rezoning Directions**

The Town may decide to move forward with one or a combination of the following potential zoning directions. This is only the beginning of the list of options. Ideally the public process will elucidate more potential avenues for rezoning.

### **Inclusionary Zoning**

Despite there not being much enthusiasm for inclusionary zoning in the past, the tide may have turned with the election of new Planning Board members. Inclusionary zoning can serve multiple purposes, the most obvious being that it leads to the creation of new Affordable Housing units. A good inclusionary zoning program can also introduce flexibility into the development review process by allowing more density in exchange for more affordability. Though flexible, it is also proactive and not reactive on a case-by-case basis.

### **Chapter 40R Smart Growth Zoning Overlay District**

Chapter 40R encourages the creation of dense residential and mixed-use zoning overlay districts that include affordable housing units (20% required) and are located close to public transit. A district around the Commuter Rail station could certainly meet the requirements for a 40R Smart Growth District if that were a desired approach. 40R Districts must allow densities of 8 units/acre for single family homes, 12 units/acre for townhouses, and 20 units/acre for

condominiums and apartments. Projects must be developable as of right or through a limited review process like site plan review.

In exchange for adopting a 40R Smart Growth District and streamlining the development review process, the Town can get between \$10k and \$600k in state funding, plus an additional \$3,000 for every new unit created. Under the Chapter 40S companion legislation, qualifying communities will be reimbursed for the net cost of educating students living in new housing in smart growth districts.

### **Standard Overlay Zoning District**

The Town may decide to create a standard overlay zoning district covering the desired downtown area as opposed to going the 40R route. This could allow a more tailored approach, but the Town would lose out on the 40R financial incentives.

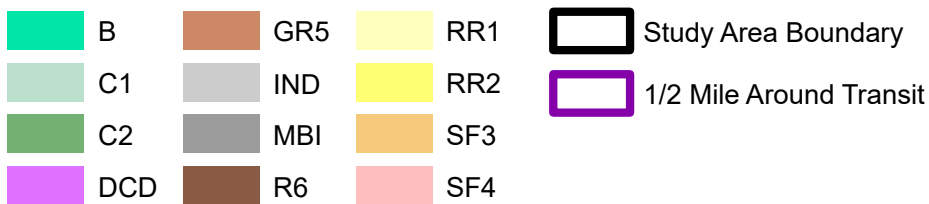
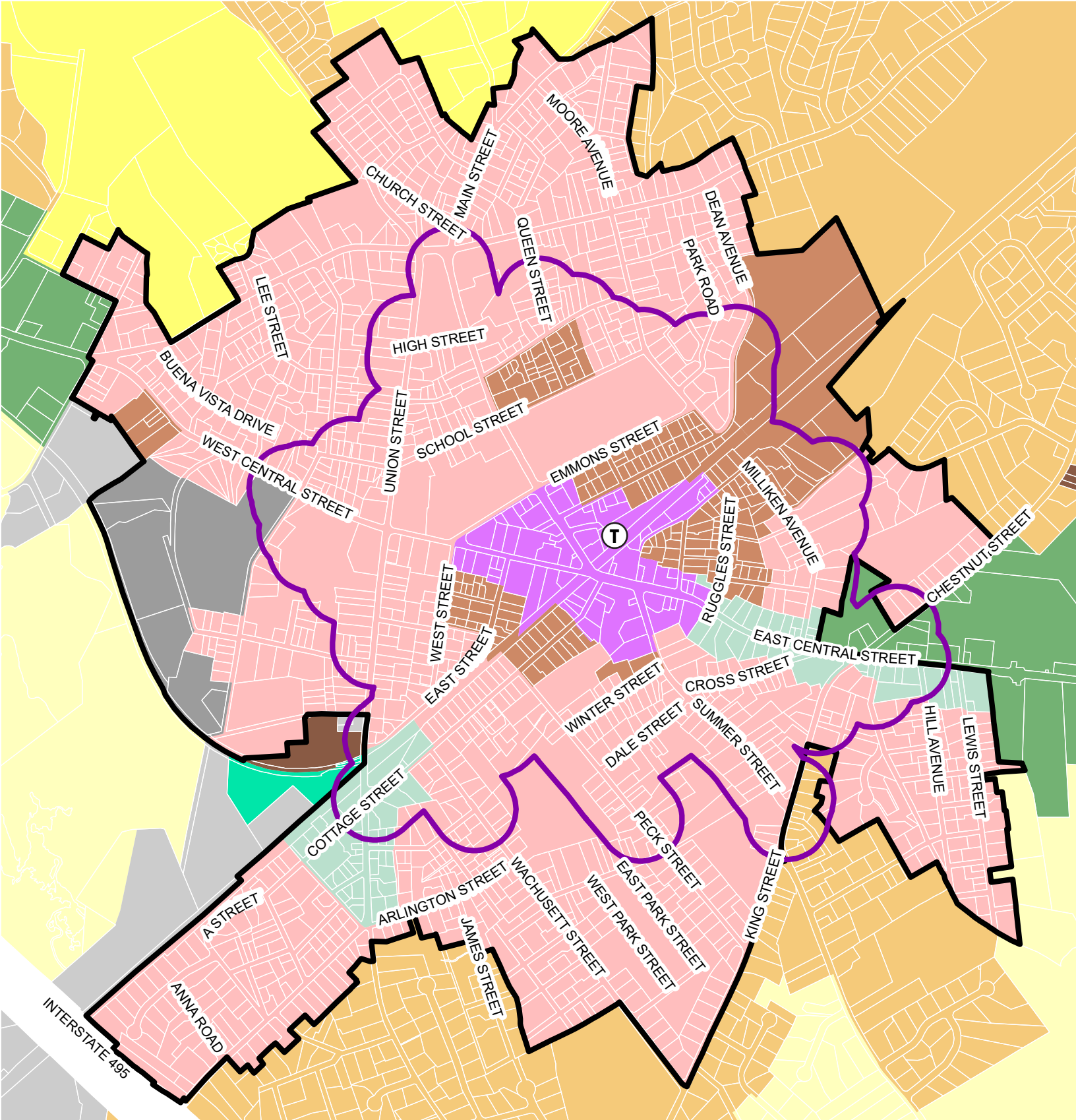
Having a single zoning overlay district encouraging smart growth development could help decrease barriers to redevelopment and allow the Town to dictate exactly what it wants new development in Franklin Center to look like. This would also allow the inclusion of some but not all parcels in the base zoning district.

### **DIF/TIF**

Both DIF and TIF utilize tax increments, the difference between the current assessed value of a property and the assessed value over time as improvements to the district take place. The Assessor calculates the tax on the added value of the new construction and rehabilitation. With DIF, the Town would pledge all or a portion of tax increments to fund district improvements over time. DIF provides financial benefits to developers by providing infrastructure and surrounding amenities to support their projects and minimizing risk. With TIF, the Town would grant property tax exemptions to landowners of up to 100% of the tax increment for a fixed period. This provides up-front benefits to developers in the form of tax relief that helps pay the project's construction costs.

### **Urban Renewal Plan**

This is one of the more extreme avenues but could be an option if landlords cannot be motivated to redevelop dilapidated properties in the downtown. Urban Renewal allows municipalities to address "disinvested and underutilized neighborhoods and substandard, decadent and blighted conditions" by promoting growth and private investment. An Urban Renewal Plan would first need to be prepared for the area and approved by DHCD. If it is approved, the municipality (most likely via a Redevelopment Authority) would be able to take private property by eminent domain and dispose of it to another private entity for redevelopment.



*Rezoning Franklin Center for economic growth and diverse housing opportunities*