

FRANKLIN PLANNING & COMMUNITY DEVELOPMENT

355 EAST CENTRAL STREET, ROOM 120
FRANKLIN, MA 02038-1352
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MEMORANDUM

TO: FRANKLIN TOWN COUNCIL
FROM: BRYAN W. TABERNER, AICP, DIRECTOR
RE: MIXED BUSINESS INNOVATION ZONING DISTRICT
FISHER AND HAYWARD STREETS
CC: JEFFREY D. NUTTING, TOWN ADMINISTRATOR; JAMIE HELLEN, DEPUTY TOWN
ADMINISTRATOR; MARK CEREL, TOWN ATTORNEY; AMY LOVE, PLANNER
DATE: FEBRUARY 6, 2019

Before Town Council on February 13th are six Zoning Bylaw Amendments, 19-829 through 19-834. The first four Amendments (19-829 - 19-832) establish zoning regulation for a new Mixed Business Innovation (MBI) Zoning District; the last two (19-833 and 19-834) rezone seven parcels on Hayward and Fisher Streets from Industrial (I) to the proposed Mixed Business Innovation (MBI) Zoning District.

The neighborhood proposed for rezoning includes the former Clark Cutler & McDermott property, and several adjacent industrially-zoned parcels that are either in need of redevelopment or are currently being utilized for non-Industrial uses. Rezoning the seven parcels to the new MBI Zoning District will increase the likelihood these properties will be redeveloped. The zoning regulations would permit continued medium and light manufacturing and warehouse/distribution uses, while allowing a much greater number of additional commercial uses.

Below is a quick summary of the six Zoning Bylaw Amendments.

Zoning Bylaw Amendment 19-829: Districts Enumerated. Creation of Mixed Business Innovation Zoning District. The Amendment creates the Mixed Business Innovation (MBI) Zoning District by adding its name and a description of intent to §185-4 of the Zoning Bylaw.

Zoning Bylaw Amendment 19-830: Mixed Business Innovation Zone Use Regulations. The Amendment adds the MBI Zoning District to the Use Regulations Schedule in Attachments 2 through 8 of the Zoning Bylaw. Heavy industrial uses and residential uses will not be permitted. In addition to adding a column for the MBI district to the Use Regulations Schedule, the Amendment adds three uses to the Use Regulations Schedule, and adds two notes, one related to stand-alone retail and restaurants, and the other prohibits certain hazardous materials.

Zoning Bylaw Amendment 19-831: Mixed Business Innovation Zone Dimensional Regulations. The Amendment adds the MBI Zoning District to the Schedule of Lot, Area, Frontage, Yard and Height Requirements in Attachment 9. Dimensional regulations for the proposed MBI Zoning District are the same as the current Industrial Zoning District with one exception. The MBI Zoning District would have a maximum building height of 50 feet by

Planning Board special permit, which is the same as allowed in the Business, Commercial I, and Commercial II Zoning Districts.

Zoning Bylaw Amendment 19-832: Changes to §185-20. Signs, Mixed Business Innovation Zoning District. The Amendment adds the new Mixed Business Innovation Zoning District to the Commercial and Business Corridor (CBC) Sign District.

Zoning Map Amendment 19-833: Zoning Map Changes from Industrial to Mixed Business Innovation an Area on or near Fisher and Hayward Streets. The Amendment changes seven parcels along Fisher and Hayward Streets from the Industrial Zoning District to the new MBI Zoning District.

Zoning Bylaw Amendment 19-834: Changes to Sign District Overlay Map, Mixed Business Innovation Zoning District. The Amendment updates the Sign District Overlay Map to reflect the Zoning Map changes in Zoning Map Amendment 19-833 above.

Town of Franklin

Town Administrator
Tel: (508) 520-4949



Fax: (508) 520-4903

355 East Central Street
Franklin, Massachusetts 02038-1352

Date: December 13, 2018

To: Town Council

From: Jamie Hellen

Re: Clark, Cutler, McDermott property and neighborhood Rezone

The following zoning bylaw amendment is to rezone the Clark, Culter, McDermott property and some adjacent properties from Industrial to a new zone called "Mixed Business Innovation District". The action requested of the Council tonight is to refer the zoning amendments to the Planning Board for a public hearing. The EDC voted 3-1 to refer this proposal to the full Council.

The Mixed Business Innovation District definition would expand the amount of uses substantially. The Mixed Business Innovation District (MBI) is intended primarily for a mix of light Industrial and Commercial uses in an older industrial neighborhood. A strong emphasis is placed on encouraging reuse and redevelopment of older manufacturing and warehouse buildings, providing for a wide range of light industrial, commercial, cultural, institutional, or entertainment uses, including business incubator, co-working space, studio space, artisanal or craft maker space, art galleries, public art, performance venues, restaurants, cafes and retail that create and support a diverse economically and culturally rich environment. Residential uses and heavy manufacturing uses are not allowed.

The district would constrict the current Industrial uses by taking out heavy manufacturing and hazmat and chemical related uses to reduce heavy traffic, noise and dangerous chemicals from any potential reuse on that site.

Given the great residential neighborhoods around downtown, and the new units on Dean Ave and throughout the Alpine neighborhood, we see a need for additional commercial activity for amenities in downtown. The Planning Department has spoken to all of the property owners affected (except one) and they support this concept. Also, the Downtown Partnership supports this zoning concept.

The Clark, Cutler, McDermott property is currently in bankruptcy court. As of this date, there are potential buyers who have made offers and are working through the court proceedings and with General Motors on the final price. The Trustees of the property are aware of this zoning proposal and are very much in favor of the concept, and "it's the right thing to do".

See attached planning department memo for specifics. Please feel free to call with any questions.

**TOWN OF FRANKLIN
ZONING BY-LAW AMENDMENT 19-830
MIXED BUSINESS INNOVATION ZONE USE REGULATIONS
A ZONING BY-LAW TO AMEND THE FRANKLIN TOWN CODE AT
CHAPTER 185, USE REGULATION SCHEDULE PART I THROUGH PART VII**

BE IT ENACTED BY THE FRANKLIN TOWN COUNCIL THAT:

Chapter 185 of the Code of the Town of Franklin is hereby amended by the following **additions** and **~~deletions~~** to §185, Attachment 2 through Attachment 8 Use Regulations Schedule Part I through Part VII:

185 Attachment 2
USE REGULATION SCHEDULE
PART I

Symbols in the Use Regulations Schedule shall mean the following:

- Y = A permitted use.
 N = An excluded or prohibited use.
 BA = A use authorized under special permit from the Board of Appeals.
 PB = A use authorized under special permit from the Planning Board.
 P/SP = Permitted as of right. A special permit from the Board of Appeals is required if the proposed project results in an increase in estimated water consumption of more than 15,000 gallons per day.

Principal Uses	District														
	RRI RVI	RRII RVII	SFRIII	SFRIV	GRV	NC	RB	CI	CII	DC	B	I	LI	O	<u>MBI</u>
1. Agriculture, horticulture and floriculture															
1.1 Nursery, greenhouse	Y	Y	Y	Y	Y	Y	Y	Y	Y	N	Y	Y	N	Y	<u>N</u>
1.2 Produce stand ¹	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	N	Y	<u>N</u>
1.3 Other, parcel of 5 or more acres	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	<u>Y</u>
1.4 Other, parcel under 5 acres:															
a. With swine or fur-bearing animals for commercial use	N	N	N	N	N	N	N	N	N	N	N	N	N	N	<u>N</u>
b. With other livestock or poultry	Y ²	Y ²	N	N	N	N	N	N	N	N	N	N	N	N	<u>N</u>
c. With no livestock	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	N	Y	<u>N</u>
1.5 Garden Center, Retail or Wholesale	PB	PB	PB	PB	PB	PB	PB	PB	Y	N	Y	PB	PB	PB	<u>PB</u>

NOTES:

- 1 For sale of produce raised or grown on the premises by the owner or lessee thereof.
- 2 Provided that any building or structure is at least 100 feet from the nearest street or property line.

185 Attachment 3
USE REGULATION SCHEDULE
PART II

Symbols in the Use Regulations Schedule shall mean the following:

- Y = A permitted use.
- N = An excluded or prohibited use.
- BA = A use authorized under special permit from the Board of Appeals.
- PB = A use authorized under special permit from the Planning Board.
- P/SP = Permitted as of right. A special permit from the Board of Appeals is required if the proposed project results in an increase in estimated water consumption of more than 15,000 gallons per day.

Principal Uses	District														
	RRI RVI	RRII RVII	SFRIII	SFRIV	GRV	NC	RB	CI	CII	DC	B	I	LI	O	MBI
2. Commercial															
2.1 Adult entertainment establishment	N	N	N	N	N	N	N	N	N	N	N	N ²	N	N	<u>N</u>
2.2 Animal kennel, hospital	BA	BA	BA	BA	BA	BA	N	BA	BA	N	BA	BA	BA	BA	<u>N</u>
2.21 Animal day care, training	BA	BA	BA	BA	BA	BA	N	BA	BA	N	BA	BA	BA	BA	<u>N</u>
2.22 Animal grooming	BA	BA	BA	BA	BA	BA	N	Y	BA	Y	BA	BA	BA	BA	<u>N</u>
2.3 Office, excluding office parks:															
a. Bank or credit union	N	N	PB	PB	PB	N	Y	Y	Y	Y	Y	Y	Y	Y	<u>N</u>
b. Medical or dental	PB	PB	PB	PB	PB	N	P/SP	P/SP	P/SP	P/SP	P/SP	P/SP	P/SP	P/SP	<u>P/SP</u>
c. Professional	PB	PB	PB	PB	PB	N	P/SP	P/SP	P/SP	P/SP	P/SP	P/SP	P/SP	P/SP	<u>P/SP</u>
d. Clerical, or administrative	N	N	N	PB	PB	N	Y ⁶	Y	Y	Y	Y	Y	Y	Y	<u>Y</u>
2.4 Funeral home, undertaking	N	N	N	N	N	P/SP	N	P/SP	P/SP	P/SP	P/SP	N	N	N	<u>N</u>
2.5 Hotel, motel	N	N	N	N	N	N	N	PB	PB	Y	PB	PB	PB	PB	<u>N</u>
2.6 Motor vehicle, boat, farm implement sales; rental and leasing:															
a. With repair service	N	N	N	N	N	N	N	N	PB	N	N	N	N	N	<u>N</u>
b. Without repair service	N	N	N	N	N	N	N	N	PB	N	PB	N	N	N	<u>N</u>
c. Other	N	N	N	N	N	N	N	N	PB	N	N	N	N	N	<u>N</u>
2.7 Motor vehicle service, repair:															
a. Auto body, painting, soldering, welding	N	N	N	N	N	N	N	N	PB	N	N	PB	N	N	<u>N</u>
b. Filling or service station	N	N	N	N	N	N	N	PB	PB	N	PB	PB	N	N	<u>N</u>
c. Other	N	N	N	N	N	N	N	PB	PB	N	PB	PB	N	N	<u>N</u>
2.8 Parking															
a. Parking facility	N	N	N	N	N	N	N	N	N	N	N	N	N	N	<u>N</u>
b. Off-street parking	N	N	N	N	N	N	N	N	N	PB	N	N	N	N	<u>N</u>
2.9 Restaurant, bar	N	N	N	N	N	<u>N</u>	N	P/SP ³	P/SP	P/SP ³	P/SP	PB	N ⁴	PB	<u>Y⁸</u>

185 Attachment 3
USE REGULATION SCHEDULE
PART II (Continued)

Principal Uses	District														
	RRI RV I	RRII RV II	SFR III	SFR IV	GRV	NC	RB	CI	CII	DC	B	I	LI	O	MBI
2.10 Shopping center	N	N	N	N	N	N	N	PB	PB	N	PB	N	N	N	<u>N</u>
2.11 Storage facility	N	N	N	N	N	N	N	N	N	N	N	PB	N	N	<u>N</u>
2.12 Tattoo parlor/body-piercing studio	N	N	N	N	N	N	N	N	N	N	N	PB	N	N	<u>N</u>
2.13 Tourist home	PB	PB	P/SP	P/SP	P/SP	N	P/SP	P/SP	N	P/SP	N	N	N	N	<u>N</u>
2.14 Office park	N	N	N	N	PB	N	PB	PB	N	PB	PB	PB	N	Y	<u>PB</u>
2.15 Other retail sales, services															
a. General	N	N	N	N	N	N	N	P/SP	P/SP	P/SP	P/SP	N ⁴	N ⁴	N ⁴	<u>Y⁸</u>
b. Personal	N	N	N	N	N	P/SP ⁵	N ⁴	P/SP	P/SP	P/SP	P/SP	N ⁴	N ⁴	N ⁴	<u>Y⁸</u>
c. Other	N	N	N	N	N	N	N	P/SP	P/SP	P/SP	P/SP	N ⁴	N ⁴	N ⁴	<u>Y⁸</u>
2.16 Vehicular service establishment	N	N	N	N	N	N	N	PB	PB	PB	PB	N	N	N	<u>N</u>
2.17 Trade center	N	N	N	N	N	N	N	N	N	N	N	N	P/SP	PB	<u>N</u>
2.18 Catering	PB	PB	PB	PB	PB	PB	N	PB	PB	PB	PB	Y	Y	N	<u>N⁴</u>
2.19 Function Hall	PB	N	PB	PB	PB	PB	N	PB	PB	PB	PB	Y	Y	N	<u>N⁴</u>
2.20 Psychic services/fortune-telling	N	N	N	N	PB	N	N	N	N	N	N	PB	N	N	<u>N</u>
2.21 Bed-and-breakfast	PB	PB	P/SP	P/SP	P/SP	N	P/SP	P/SP	P/SP	P/SP	P/SP	N	N	N	<u>N</u>
2.22 Country Store	N	N	N	N	Y	PB	Y	Y	N	Y	N	N	N	N	<u>N</u>
2.23 Non-Medical Marijuana Facility	N	N	N	N	N	N	N	N	N	N	N	PB ⁷	N	N	<u>N</u>
<u>2.24 Business Incubator and Co-working Space</u>	<u>N</u>	<u>N</u>	<u>N</u>	<u>N</u>	<u>N</u>	<u>PB</u>	<u>PB</u>	<u>Y</u>	<u>Y</u>	<u>Y</u>	<u>Y</u>	<u>Y</u>	<u>Y</u>	<u>Y</u>	<u>Y</u>
<u>2.25 Artisanal and Craft Maker Space</u>	<u>N</u>	<u>N</u>	<u>N</u>	<u>N</u>	<u>N</u>	<u>PB</u>	<u>PB</u>	<u>Y</u>	<u>Y</u>	<u>Y</u>	<u>Y</u>	<u>N</u>	<u>Y</u>	<u>Y</u>	<u>Y</u>
<u>2.26 Art Gallery</u>	<u>N</u>	<u>N</u>	<u>N</u>	<u>N</u>	<u>N</u>	<u>PB</u>	<u>Y</u>	<u>Y</u>	<u>Y</u>	<u>Y</u>	<u>Y</u>	<u>N</u>	<u>N</u>	<u>Y</u>	<u>Y</u>

NOTES:

1. If any part of a principal use is considered a VSE (see § 185-3, Definitions), the requirements for VSE must be met.
2. Except as permitted by a special permit within the Adult Use Overlay District as described in § 185-47.
3. Except BA if involving live or mechanical entertainment.
4. Only allowed as an accessory use to an otherwise permitted use as detailed in Use Regulations Schedule, Part VII, Accessory Uses.
5. Establishments are limited to a maximum gross building footprint of 2,800 square feet.
6. Not allowed on sidewalk level in multilevel development.
7. Non-Medical Marijuana Facilities may be permitted by Planning Board special permit in portions of the Industrial Zone which are in the Marijuana Use Overlay District, see §185-49.
- 8. Allowed as part of a commercial mixed-use development. Stand alone restaurants and retail establishments are not allowed.**

185 Attachment 4
USE REGULATION SCHEDULE
PART III

Symbols in the Use Regulations Schedule shall mean the following:

- Y = A permitted use.
- N = An excluded or prohibited use.
- BA = A use authorized under special permit from the Board of Appeals.
- PB = A use authorized under special permit from the Planning Board.
- P/SP = Permitted as of right. A special permit from the Board of Appeals is required if the proposed project results in an increase in estimated water consumption of more than 15,000 gallons per day.

Principal Uses	District														
	RRI RVI	RRII RVII	SFRIII	SFRIV	GRV	NC	RB	CI	CII	DC	B	I	LI	O	MBI
3. Industrial, utility															
3.1 Bus, railroad station	N	N	N	N	N	N	N	P/SP	P/SP	P/SP	P/SP	P/SP	N	P/SP	<u>N</u>
3.2 Contractor's yard															
a. Landscape materials storage and distribution	N	N	N	N	N	N	N ⁷	N	N	N	N ⁷	P/SP	N	N	<u>N</u>
b. Other	N	N	N	N	N	N	N	N	N	N	N ⁷	P/SP	N	N	<u>N</u>
3.3 Earth removal															
a. Earth removal, commercial ^{3,5,6}	N	N	N	N	N	N	N	BA	BA	N	BA	BA	N	BA	<u>N</u>
b. Earth removal, other ^{3,4}	BA	BA	BA	BA	BA	BA	BA	BA	BA	BA	BA	BA	N	BA	<u>N</u>
c. Rock quarrying	N	N	N	N	N	N	N	N	N	N	N	N	N	N	<u>N</u>
d. Washing, sorting and/or crushing or processing of materials	N	N	N	N	N	N	N	N	N	N	N	N	N	N	<u>N</u>
e. Production of concrete	N	N	N	N	N	N	N	N	N	N	N	N	N	N	<u>N</u>
f. Production of bituminous concrete	N	N	N	N	N	N	N	N	N	N	N	N	N	N	<u>N</u>
3.4 Lumberyard	N	N	N	N	N	N	N	N	N	N	N	PB	N	N	<u>N</u>
3.5 Manufacturing and Processing:															
a. Biotechnology ¹	N	N	N	N	N	N	N	N	N	N	N	Y	N	Y	<u>N</u>
b. Light	N	N	N	N	N	N	N	PB	PB	PB	PB	P/SP	N	PB	<u>Y⁸</u>
c. Medium	N	N	N	N	N	N	N	N	N	N	N	P/SP	N	N	<u>Y⁸</u>
d. Heavy	N	N	N	N	N	N	N	N	N	N	N	N	N	N	<u>N</u>
3.6 Printing, publishing:															
a. Under 5,000 square feet	N	N	N	N	N	N	N	P/SP	P/SP	P/SP	P/SP	P/SP	N	P/SP	<u>N</u>
b. Over 5,000 square feet	N	N	N	N	N	N	N	N	N	N	P/SP	P/SP	N	PB	<u>N</u>

185 Attachment 4
USE REGULATION SCHEDULE
PART III (Continued)

Principal Uses	District														
	RRI RVI	RRII RVII	SFRIII	SFRIV	GRV	NC	RB	CI	CII	DC	B	I	LI	O	MBI
3.7 Public utility	P/SP	P/SP	P/SP	P/SP	P/SP	N	N	P/SP	P/SP	P/SP	P/SP	P/SP	N	P/SP	<u>N</u>
a. Electric power plant	N	N	N	N	N	N	N	N	N	N	N	BA	N	N	<u>N</u>
3.8 Research and development:															
a. Biotechnology ¹	N	N	N	N	N	N	N	N	N	N	N	PB ²	N	PB ²	<u>N</u>
b. Others	N	N	N	N	N	N	N	N	N	N	P/SP	P/SP	N	P/SP	<u>P/SP</u>
3.9 Solid waste facility	N	N	N	N	N	N	N	N	N	N	N	BA	N	N	<u>N</u>
3.10 Warehouse, distribution facility	N	N	N	N	N	N	N	N	N	N	PB	Y	N	N ⁷	<u>Y</u>
3.11 Wholesale office, salesroom:															
a. With storage	N	N	N	N	N	N	N	N	P/SP	N	P/SP	P/SP	N	N ⁷	<u>Y</u>
b. Without storage	N	N	N	N	N	N	N	<u>P/SP Y</u>	<u>P/SP Y</u>	<u>P/SP Y</u>	<u>P/SP Y</u>	Y	N ⁷	N ⁷	<u>Y</u>
3.12 Conference center	N	N	N	N	N	N	N	N	PB	N	PB	PB	P/SP	PB	<u>P/SP</u>
3.13 Brewery, distillery, or winery production with tasting room	N	N	N	N	N	N	N	PB	PB	PB	PB	PB	PB	N	<u>PB</u>

NOTES:

1. Subject to § 185-42.
2. Biotechnology uses are permitted in the portions of the Industrial District and Office District which are in the Biotechnology Uses Overlay District.
3. See § 185-23, specifically, § 185-23A, Exemptions.
4. See § 185-44, "Administration and enforcement," for general special permit filing information, and § 185-23, Earth removal regulations, for specific filing information.
5. Any commercial earth removal is not permitted within a Water Resource District.
6. See § 185-3 for "commercial earth removal" definition.
7. Only allowed as an accessory use to an otherwise permitted use as detailed in Use Regulations Schedule, Part VII, Accessory Uses.
- 8. All forms, solid, liquid and gas, of the following classes of hazardous materials shall be prohibited from the zone: Corrosives; Organic Peroxides; Oxidizers Pyrophoric; Toxic and Highly toxic; Unstable; and Water Reactive.**

185 Attachment 5
USE REGULATION SCHEDULE
PART IV

Symbols in the Use Regulations Schedule shall mean the following:

- Y = A permitted use.
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- BA = A use authorized under special permit from the Board of Appeals.
- PB = A use authorized under special permit from the Planning Board.
- P/SP = Permitted as of right. A special permit from the Board of Appeals is required if the proposed project results in an increase in estimated water consumption of more than 15,000 gallons per day.

Principal Uses	District														
	RRI RVI	RRII RVII	SFRIII	SFRIV	GRV	NC	RB	CI	CII	DC	B	I	LI	O	MBI
4. Institutional															
4.1 Cemetery	Y		Y	Y	N	N	N	N	N	N	N	N	N	N	<u>N</u>
4.2 Hospital	N		N	N	N	N	N	N	PB	N	PB	PB	N	N	<u>N</u>
a. Medical Marijuana Treatment Facility	N		N	N	N	N	N	N	N	N	N	PB ⁴ PB ³	N	N	<u>N</u>
b. Medical Marijuana Testing Facility	N		N	N	N	N	N	N	N	N	N	PB ⁴ PB ³	N	N	<u>N</u>
4.3 Charitable institution	N		N	N	PB	PB	N	Y	Y	PB	N	N	N	N	<u>Y</u>
4.4 Correctional facility	N		N	N	N	N	N	N	N	N	N	BA	N	N	<u>N</u>
4.5 Library, museum, art gallery	N		Y	Y	Y	N	N	Y	Y	Y	Y	N	N	N	<u>Y</u>
4.6 Lodge, social nonprofit ¹	N		N	N	N	N	N	Y	Y	Y	Y	N	N	N	<u>Y</u>
4.7 Public use	Y		Y	Y	Y	Y	Y	Y	Y	Y	Y	N ³ <u>Y</u>	N <u>Y</u>	N ³ <u>Y</u>	<u>Y</u>
 a. Municipal public safety	Y		Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	
4.8 Religious or educational use:															
a. Exempt from zoning prohibition ²	Y		Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	<u>Y</u>
b. Dormitories	N		Y	Y	Y	Y	Y	Y	Y	Y	Y	N	N	N	<u>N</u>

NOTES:

- 1. But not including any use, the principal activity of which is one customarily conducted as a business.
- 2. See MGL c. 40A, § 3.

~~3. Except for municipal public safety-~~

~~4. 3.~~ Medical Marijuana Treatment Facilities and Testing Facilities may be permitted by Planning Board special permit in portions of the Industrial Zone which are in the Marijuana Use Overlay District, see §185-49.

185 Attachment 6
USE REGULATION SCHEDULE
PART V

Symbols in the Use Regulations Schedule shall mean the following:

- Y = A permitted use.
 N = An excluded or prohibited use.
 BA = A use authorized under special permit from the Board of Appeals.
 PB = A use authorized under special permit from the Planning Board.
 P/SP = Permitted as of right. A special permit from the Board of Appeals is required if the proposed project results in an increase in estimated water consumption of more than 15,000 gallons per day.

Principal Uses	District														
	RRI RVI	RRII RVII	SFRIII	SFRIV	GRV	NC	RB	CI	CII	DC	B	I	LI	O	MBI
5. Recreational															
5.1 Indoor commercial amusement, recreation, assembly [†]															
a. General	N	PB	PB	PB	PB	N	Y	Y	PB	Y	N	N	N	N	PB
b. Concentrated ¹	N	N	N	N	N	N	PB	Y	PB	Y	N	N	N	N	<u>N</u>
5.2 Golf course and/or club, public or private	PB	PB	N	N	N	N	N	N	N	N	N	N	N	N	<u>N</u>
5.3 Movie theater	N	N	N	N	N	N	Y	PB	Y	PB	N	N	N	N	PB
5.4 Outdoor commercial amusement, recreation															
a. Light	Y	Y	Y	Y	Y	N	Y	Y	Y	Y	Y	Y	N	N	<u>N</u>
b. General	PB	PB	PB	PB	PB	N	Y	Y	N	Y	Y	Y	N	N	<u>N</u>
c. Concentrated	N	N	N	N	N	N	N	PB	N	PB	N	N	N	N	<u>N</u>
5.5 Equestrian center	BA	BA	N	N	N	N	N	N	N	N	N	N	N	N	<u>N</u>
5.6 Public recreation	Y	Y	Y	Y	Y	N	Y	Y	Y	Y	Y	N	N	N	<u>N</u>
5.7 Automatic amusement device arcades	N	N	N	N	N	N	N	Y	N	N	N	N	N	N	<u>N</u>
5.8 Health club	N	N	N	N	N	N	Y	Y	Y	Y	Y	Y	N ²	Y	<u>Y</u>

NOTES:

1. Provided that the building is so insulated and maintained as to confine noise to the premises and the structure is located not less than 100 feet from a residential district boundary.
2. Only allowed as an accessory use to an otherwise permitted use as detailed in Use Regulations Schedule Part VII, Accessory Uses.

185 Attachment 7
USE REGULATION SCHEDULE
PART VI

Symbols in the Use Regulations Schedule shall mean the following:

Y = A permitted use.

N = An excluded or prohibited use.

BA = A use authorized under special permit from the Board of Appeals.

PB = A use authorized under special permit from the Planning Board.

P/SP = Permitted as of right. A special permit from the Board of Appeals is required if the proposed project results in an increase in estimated water consumption of more than 15,000 gallons per day.

Principal Uses	District														
	RRI RVI	RRII RVII	SFRIII	SFRIV	GRV	NC	RB	CI	CII	DC	B	I	LI	O	MBI
6. Residential															
6.1 Multifamily or apartment	N ¹	N	N	N	PB ³	PB ⁴	N	PB ³	N	Y ^{5,6}	N	N	N	PB ^{7,8}	<u>N</u>
6.2 Single-family	Y	Y	Y	Y	Y	Y	Y	Y	Y	N	N	N	N	N	<u>N</u>
6.3 Two-family															
a. New	N	N	Y ²	Y ²	Y ²	N	Y	Y	Y	N	N	N	N	N	<u>N</u>
b. By conversion	BA	BA	BA	BA	Y	Y	N	BA	Y	BA	N	N	N	N	<u>N</u>

NOTES:

1. Except PB in RVI District. (See § 185-38.)
2. Lot area must be at least 25% greater than that required for a single-family dwelling.
3. No more than one dwelling unit per 1,000 square feet of lot area may be permitted.
4. No more than one dwelling unit per 3,000 square feet of lot area may be permitted.
5. All dwelling units shall be located on floors above the street level floor.
6. No more than one dwelling unit per 2,000 square feet of lot area will be permitted; additional dwelling units may be allowed by Special Permit from the Planning Board.
7. All multi-family residential developments require a minimum of 5-acres.
8. No more than one dwelling unit per 3,000 square feet of lot area will be permitted.

185 Attachment 8
USE REGULATION SCHEDULE
PART VII

Symbols in the Use Regulations Schedule shall mean the following:

Y = A permitted use.

N = An excluded or prohibited use.

BA = A use authorized under special permit from the Board of Appeals.

PB = A use authorized under special permit from the Planning Board.

P/SP = Permitted as of right. A special permit from the Board of Appeals is required if the proposed project results in an increase in estimated water consumption of more than 15,000 gallons per day.

Accessory Uses	District														
	RRI RVI	RRII RVII	SFRIII	SFRIV	GRV	NC	RB	CI	CII	DC	B	I	LI	O	MBI
A1 Boarding	N		Y	Y	Y	Y	N	Y	Y	N	N	N	N	N	<u>N</u>
A2 Contractor's yard	N		N	N	N	N	N	N	N	N	Y	Y	N	N	<u>N</u>
a. Landscape materials storage and distribution	N		N	N	N	Y ³	Y ³	N	N	N	Y	Y	N	N	<u>N</u>
A3 Home occupation (See § 185-39B.)	Y		Y	Y	Y	Y	Y	Y	Y	Y	Y	N	N	N	<u>N</u>
A4 Manufacture, assembly, packing of goods sold on premises	N		N	N	N	Y ¹	N	Y ¹	Y ¹	Y ¹	Y	Y	N	Y ¹	<u>Y</u>
A5 Off-street parking (See § 185-39C.)	Y		Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	<u>Y</u>
A6 Professional office, studio (See § 185-39A.)	Y		Y	Y	Y	Y	Y	Y	Y	Y	Y	N	Y	Y	<u>Y</u>
A7 Restaurant, bar	N		N	N	N	N	N	Y	Y	Y	Y	Y	Y	Y	<u>Y</u>
A8 Retail sale of nonagricultural products manufactured, warehoused or manufactured, warehoused or distributed on or from premises	N		N	N	N	Y	N	Y	Y	Y	Y	Y ²	N	Y ²	<u>Y</u>
A9 Scientific use in compliance with § 185-37	BA		BA	BA	BA	BA	N	BA	BA	BA	Y	Y	Y	Y	<u>Y</u>
A10 Signs (See § 185-20.)	Y		Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	<u>Y</u>
A11 Single-family dwelling for personnel required for safe operation	Y		Y	Y	Y	Y	N	Y	Y	N	Y	Y	Y	Y	<u>N</u>
A12 Other customary accessory uses	Y		Y	Y	Y	Y	N	Y	Y	Y	Y	Y	Y	Y	<u>Y</u>
A13 Other retail sales, services	N		N	N	N	Y	N ⁴	Y	Y	Y	Y	Y	Y	Y	<u>Y</u>
A13.1 Animal grooming	BA		BA	BA	BA	BA	N	Y	BA	Y	BA	BA	BA	BA	<u>BA</u>
A14 Operation of not more than 5 automatic amusement devices	N		N	N	N	N	N	N	Y	Y	Y	Y	N	N	<u>Y</u>
A15 Warehouse/distribution facility	N		N	N	N	N	N	N	Y	N	Y	Y	N	Y	<u>Y</u>
A16 Wholesale office, salesroom															
a. With storage	N		N	N	N	N	N	Y	Y	Y	Y	Y	N	Y	<u>Y</u>
b. Without storage	N		N	N	N	N	N	Y	Y	Y	Y	Y	Y ²	Y	<u>Y</u>
A17 Catering	N		N	PB	PB	PB	N	Y	Y	Y	Y	Y	Y	Y	<u>Y</u>
A18 Function hall	N		N	PB	PB	PB	N	Y	Y	Y	Y	Y	Y	Y	<u>Y</u>

NOTES:

1. But N if occupying more than 50% of the floor area occupied by the principal use and not more than five persons employed on the premises in the DC District and CI District and not more than 10 persons in the CII District and O District.
2. Provided that no more than 25% of the total floor space is used for display or retailing.
3. Such uses shall be restricted to seasonal operations only.
4. Accessory retail sales within a Country Store, as defined in §185-3, shall not exceed 50% of the establishment's floor area open to the public.

The foregoing Zoning By-law amendment shall take effect in accordance with the Franklin Home Rule Charter and Massachusetts General Law Chapter 40A, Section 5.

DATED: _____, 2019

VOTED:

UNANIMOUS _____

A True Record Attest:

YES _____ **NO** _____

Teresa M. Burr
Town Clerk

ABSTAIN _____

ABSENT _____

Glenn Jones, Clerk

Town of Franklin



TOWN OF FRANKLIN
TOWN CLERK

2019 JAN 16 A 11:03

RECEIVED

Planning Board

The following notice will be published in the Milford Daily Newspaper on
Monday, January 21, 2019 and again on Monday, January 28, 2019

In accordance with the provisions of M.G.L. Chapter 40A, Section 5, notice is hereby given that the Planning Board will hold a Public Hearing on February 4, 2019 at 6:00PM and the Town Council will hold a Public Hearing on February 13, 2019 at 7:10 PM in the Town Council Chambers of the Municipal Building, 355 East Central Street, to consider amending the Code of the Town of Franklin as follows:

TOWN OF FRANKLIN ZONING BY-LAW AMENDMENTS

BE IT ENACTED BY THE FRANKLIN TOWN COUNCIL THAT: The Code of the Town of Franklin is hereby amended by making the following amendments:

Zoning Bylaw Amendment 19-829: Changes to §185-4 Districts Enumerated. Creation of Mixed Business Innovation Zoning District

Zoning Bylaw Amendment 19-830: Changes to §185 Attachments 2 through 8. Mixed Business Innovation Zone Use Regulations

Zoning Bylaw Amendment 19-831: Changes to §185 Attachments 9. Mixed Business Innovation Zone Dimensional Regulations

Zoning Bylaw Amendment 19-832: Changes to §185-20. Signs. Mixed Business Innovation Zoning District

Zoning Map Amendment 19-833: Zoning Map Changes from Industrial to Mixed Business Innovation an Area on or near Fisher and Hayward Streets

Zoning Bylaw Amendment 19-834: Changes to Sign District Overlay Map, Mixed Business Innovation Zoning District

The foregoing Zoning By-law amendment shall take effect in accordance with the Franklin Home Rule Charter and Massachusetts General Law Chapter 40A, Section 5.

The zoning changes, regulations and overlay map of said amendments may be reviewed in the Department of Planning and Community Development during normal business hours (Monday, Tuesday and Thursday - 8:00 AM to 4:00 PM, Wednesday - 8:00 AM to 6:00 PM, and Friday - 8:00 AM to 1:00 P.M).

Please contact the Department of Planning & Community Development at 508-520-4907 if you require further information or if you need to make arrangements to provide translation services for the hearing impaired or for persons with language barriers.

Anthony Padula, Chairman
Franklin Planning Board

Thomas Mercer, Chairman
Franklin Town Council
