

# **FRANKLIN PLANNING & COMMUNITY DEVELOPMENT**

355 EAST CENTRAL STREET, ROOM 120  
FRANKLIN, MA 02038-1352  
TELEPHONE: 508-520-4907  
FAX: 508-520-4906

## **MEMORANDUM**

**TO:** JEFFREY D. NUTTING, TOWN ADMINISTRATOR  
**FROM:** BRYAN W. TABERNER, AICP, DIRECTOR  
**RE:** ZONING BYLAW AMENDMENT 18-805, CHANGES TO §185-21 PARKING,  
LOADING AND DRIVEWAY REQUIREMENTS  
**CC:** JAMIE HELLEN, DEPUTY TOWN ADMINISTRATOR  
AMY LOVE, PLANNER  
**DATE:** APRIL 23, 2018

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Over the last several years Zoning Bylaw amendments related to the Commercial I (CI) Zoning District have been proposed several times, including while developing the Town's Master Plan. The proposed Zoning Bylaw amendments fall into three categories:

- Parking Requirements;
- Parcel Dimensional Regulations; and
- Density of Residential Development.

The Department of Planning and Community Development (DPCD) recently developed a zoning bylaw amendment (Zoning Bylaw Amendment 18-805) related to the parking requirements within the CI district, which is the purpose of this memo. Later in the calendar year additional Zoning Bylaw amendments related to parcel dimensional regulations and the density of housing units allowed within the CI District will be developed.

Changes to parking requirements within the Commercial I Zoning District have been discussed since 2010 when much of the CI district was rezoned to a new Downtown Commercial Zoning District. The issue was put aside at that time so it could be addressed during the Master Plan development process. Land Use Objective 3.3 from the Implementation section of Franklin's 2013 Master Plan addresses the issue, and is shown below for reference.

Land Use Objective 3.3: Amend the Town's Zoning Bylaw to require sufficient parking in the Commercial I zoning district.

Currently the Commercial I Zoning District is exempt from the Town's parking regulations outlined in Section 185-21 of the Town's Zoning Bylaw, which means there are no parking requirements in the Commercial I Zoning District for any use. In addition, off-road parking spaces are only required for residential uses in the Downtown Commercial District.

The Zoning Bylaw states the intent of Section 185-21 as: "that adequate off-street parking must be provided within a reasonable distance to service all parking demands created by new construction, whether through new structures or through additions to existing ones, or by change of use creating higher parking demand".

DPCD believes off-road parking should be required for the CI Zoning District, and at least some off-road parking should be required for all uses in the Downtown Commercial District, not only residential.

DPCD has developed Zoning Bylaw Amendment 18-805, which if approved would do the following:

- Require 1.5 parking spaces per housing unit within the Commercial I Zoning District, which is the same as currently required within the Downtown Commercial Zoning District.
- Require 1 parking space per 500 square feet of gross floor area of non-residential development within the Commercial I Zoning District and the Downtown Commercial Zoning District.
  - Note: 1 parking space per 500 square feet is fifty percent or less than other zoning districts.
- Makes minor changes to the wording in 185-21 to improve readability and clarify requirements.

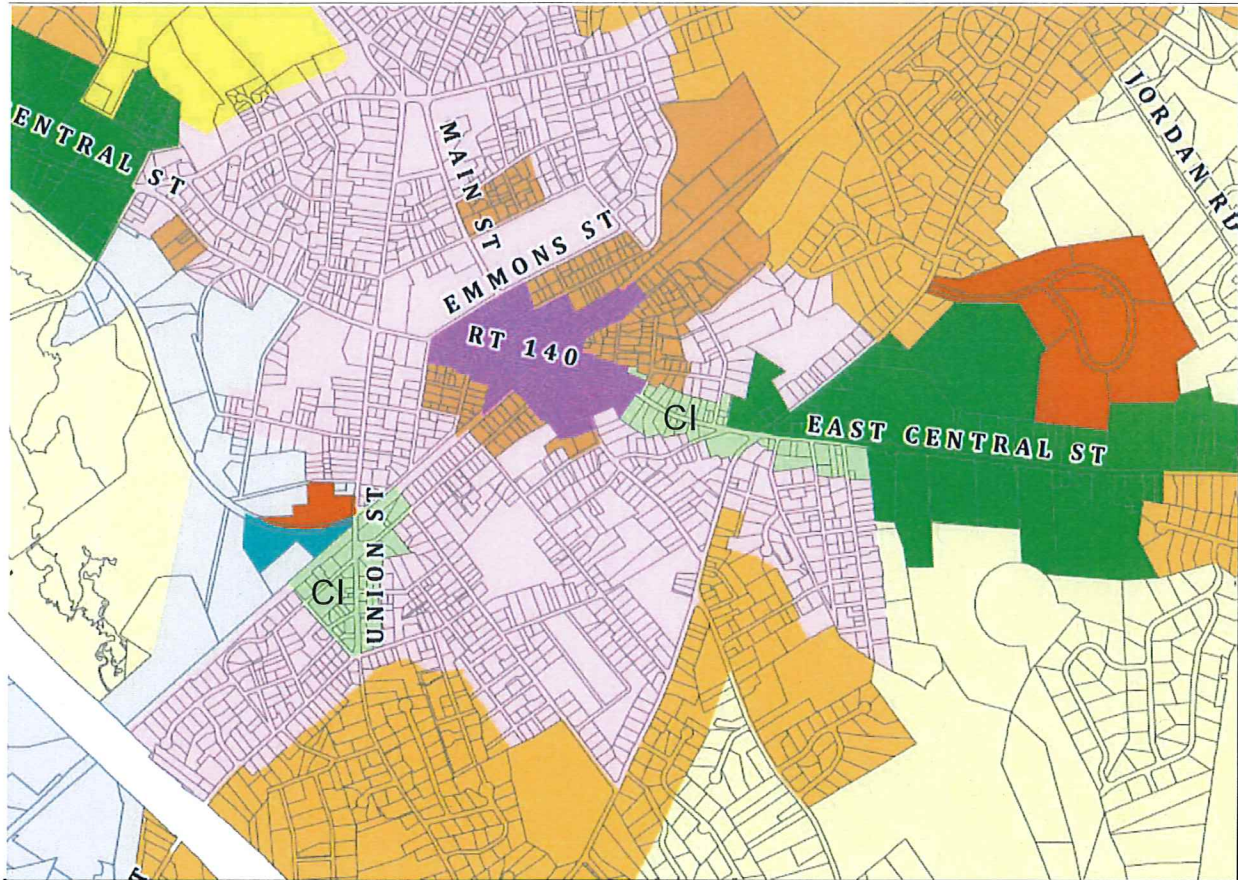
The Economic Development Committee discussed the proposed parking regulations changes at their April 11, 2018 meeting, and voted to send the Zoning Bylaw Amendment to Town Council for further consideration. If Town Council supports the proposed zoning bylaw amendment, DPCD recommends they refer Zoning By-law Amendment 18-805 to the Planning Board for a Public Hearing.

Attached are the following:

- Diagram showing the location of the Commercial I Zoning District;
- Zoning Bylaw Amendment 18-805, which if approved would add parking requirements to the Commercial I Zoning District, and add non-residential parking requirements in the Downtown Commercial Zoning District.

Please let me know if you have questions or require additional information.

### Location of Commercial I (CI) Zoning District



January 3, 2018

Business	General Residential V	Rural Business
Commercial I	Industrial	Rural Residential I
Commercial II	Office	Rural Residential II
Downtown	Residential VI	Single-Family III
Commercial District	Residential VII	Single-Family IV

TOWN OF FRANKLIN

ZONING BY-LAW AMENDMENT 18-805

Changes to §185-21 Parking, Loading and Driveway Requirements.

A ZONING BY-LAW TO AMEND CHAPTER 185 SECTION 21  
OF THE CODE OF THE TOWN OF FRANKLIN

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 §185-21. Parking, Loading and Driveway Requirements, subsections A and B:

A. Parking requirements.

- (1) It is the intent of this section that adequate off-street parking must be provided within a reasonable distance to service all parking demands created by new construction, whether through new structures or through additions to existing ones, or by change of use creating higher parking demand, ~~except in the CI and DC Districts, which is are exempt from this section, with the exception of mixed use developments as described in section 185-21.B(3) below.~~
- (2) Buildings, structures and land uses in existence on the effective date of these provisions are not subject to these off-street parking requirements and may be rebuilt, altered or repaired but not enlarged or changed in use without becoming subject to these requirements.
- (3) In applying for building or occupancy permits, the applicant must demonstrate that the minimum parking requirements set forth in Subsection B of this section will be met for the new demand without counting existing parking necessary for existing uses to meet these requirements.
- (4) The number of required spaces may be reduced below that determined under § 185-21B by the Planning Board for places subject to site plan review or by the Building Commissioner in other cases, upon determination that a lesser provision would be adequate for all parking needs because of such special circumstances as shared parking for uses having peak parking demands at different times, unusual age or other characteristics of site users, company-sponsored car pooling or other trip-conserving measures.

B. Parking schedule. The number of parking spaces required for a particular use shall be as follows:

~~(1) Residential buildings:~~

- ~~(a) Dwelling units, regardless of the number of bedrooms: two spaces.~~

~~(b) Guest houses, lodging houses and other group accommodations: one space.~~

~~(c) Hotels and motels: 1 1/8 spaces per guest unit.~~

~~(2) Nonresidential buildings. (Gross floor area is measured to the outside of the building, with no deductions for hallways, stairs, closets, thickness of walls, columns or other features.)~~

~~(a) Industrial buildings, except warehouses: one space per 400 square feet of gross floor area.~~

~~(b) Retailing, medical, legal and real estate offices: one space per 200 square feet of gross floor area, plus one space per separate enterprise.~~

~~(c) Other offices and banks: one space per 250 square feet of gross floor area.~~

~~(d) Restaurants, theaters and assembly halls: one space per 2.5 seats; if seats are not fixed, one space per 60 square feet of gross floor area.~~

~~(e) Recreation facilities: 0.8 space per occupant at design capacity.~~

~~(f) Warehouses: one space per 1,000 square feet of gross floor area.~~

~~(3) Mixed-use development in the Downtown Commercial Zoning District.~~

~~(a) Residential dwelling units: 1.5 parking spaces per residential unit.~~

~~(b) Nonresidential uses within a mixed use development in the Downtown Commercial Zoning District are exempt from this section (§ 185-21).~~

~~(4) Other facilities: as determined by the Building Commissioner upon advice of the Planning Board, based on usual industrial standards, if any.~~

(1) In the Downtown Commercial Zoning District:

(a) Residential dwelling units: one and a half (1.5) parking spaces per residential unit in a mixed use development.

(b) Non-residential uses: one (1) space per 500 square feet of gross floor area.

(2) In the Commercial I Zoning District:

(a) Residential dwelling units: one and a half (1.5) parking spaces per residential unit.

(b) Non-residential uses: one (1) space per 500 square feet of gross floor area.

(3) All Other Zoning Districts:

(a) Residential buildings:

i. Dwelling units, regardless of the number of bedrooms: two spaces.

ii. Guest houses, lodging houses and other group accommodations: one space per guest unit.

iii. Hotels and motels: 1 1/8 spaces per guest unit.

- (b) Nonresidential buildings: (Gross floor area is measured to the outside of the building, with no deductions for hallways, stairs, closets, thickness of walls, columns or other features.)**
- i. Industrial buildings: except warehouses: one space per 400 square feet of gross floor area.**
  - ii. Retailing, medical, legal and real estate offices: one space per 200 square feet of gross floor area, plus one space per separate enterprise.**
  - iii. Other offices and banks: one space per 250 square feet of gross floor area.**
  - iv. Restaurants, theaters and assembly halls:**
    - a) One space per 2.5 fixed seats.**
    - b) One space per 60 square feet of gross floor area, if seats are not fixed.**
  - v. Recreation facilities: 0.8 space per occupant at design capacity.**
  - vi. Warehouses: one space per 1,000 square feet of gross floor area.**

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:** \_\_\_\_\_, 2018

**VOTED:**

**UNANIMOUS** \_\_\_\_\_

**A True Record Attest:**

**YES** \_\_\_\_\_ **NO** \_\_\_\_\_

**ABSTAIN** \_\_\_\_\_

**Teresa M. Burr  
Town Clerk**

**ABSENT** \_\_\_\_\_

**Glenn Jones, Clerk**



# Town of Franklin



TOWN OF FRANKLIN  
TOWN CLERK

2018 MAY 25 A 10: 07

RECEIVED

## Planning Board

The following notice will be published in the Milford Daily Newspaper on  
Monday, June 4, 2018 and Monday, June 11, 2018

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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 June 18, 2018 at 7:05 PM and the Town Council will hold a Public Hearing on June 20, 2018 at 7:10 PM in the Town Council Chambers of the Municipal Building, 355 East Central Street, to consider amending Chapter 185, Section 21 Parking, Loading and Driveway Requirements of the Code of the Town of Franklin as follows:

### ZONING BY-LAW AMENDMENT 18-805

Changes to §185-21 Parking, Loading and Driveway Requirements.

#### A ZONING BY-LAW TO AMEND CHAPTER 185 SECTION 21 OF THE CODE OF THE TOWN OF FRANKLIN

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 §185-21. Parking, Loading and Driveway Requirements, sub-sections A and B:

A. Parking requirements.

- (1) It is the intent of this section that adequate off-street parking must be provided within a reasonable distance to service all parking demands created by new construction, whether through new structures or through additions to existing ones, or by change of use creating higher parking demand, ~~except in the CI and DC Districts, which is are exempt from this section, with the exception of mixed use developments as described in section 185-21.B(3) below.~~

Subsection B is deleted entirely and replaced with the following:

B. Parking schedule. The number of parking spaces required for a particular use shall be as follows:

- (1) In the Downtown Commercial Zoning District:
  - (a) Residential dwelling units: one and a half (1.5) parking spaces per residential unit in a mixed use development.
  - (b) Non-residential uses: one (1) space per 500 square feet of gross floor area.
- (2) In the Commercial I Zoning District:
  - (a) Residential dwelling units: one and a half (1.5) parking spaces per residential unit.
  - (b) Non-residential uses: one (1) space per 500 square feet of gross floor area.

**(3) All Other Zoning Districts:**

**(a) Residential buildings:**

- i. Dwelling units, regardless of the number of bedrooms: two spaces.**
- ii. Guest houses, lodging houses and other group accommodations: one space per guest unit.**
- iii. Hotels and motels: 1 1/8 spaces per guest unit.**

**(b) Nonresidential buildings: (Gross floor area is measured to the outside of the building, with no deductions for hallways, stairs, closets, thickness of walls, columns or other features.)**

- i. Industrial buildings: except warehouses: one space per 400 square feet of gross floor area.**
- ii. Retailing, medical, legal and real estate offices: one space per 200 square feet of gross floor area, plus one space per separate enterprise.**
- iii. Other offices and banks: one space per 250 square feet of gross floor area.**
- iv. Restaurants, theaters and assembly halls:**
  - a) One space per 2.5 fixed seats.**
  - b) One space per 60 square feet of gross floor area, if seats are not fixed.**
- v. Recreation facilities: 0.8 space per occupant at design capacity.**
- vi. Warehouses: one space per 1,000 square feet of gross floor area.**

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

Matt Kelly, Chairman  
Franklin Town Council



# Town of Franklin

Tel: (508) 520-4907

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## Planning Board

355 East Central Street  
Franklin, Massachusetts 02038-1352

TOWN OF FRANKLIN  
TOWN CLERK

2018 JUN 19 P 1:07

RECEIVED

June 19, 2018

Teresa M. Burr, Town Clerk  
Town of Franklin  
355 East Central Street  
Franklin, MA 02038

### **CERTIFICATE OF VOTE**

Zoning By-law Amendment #18-805  
Changes to §185-21 Parking, Loading and Driveway Requirements.

**Petitioner:** Town Administration

Dear Mrs. Burr:

Please be advised that at its meeting on Monday, June 18, 2018 the Planning Board, upon motion duly made and seconded, voted (5-0-0) to *Continue* the Public Hearing on Zoning By-law Amendment #18-805, Changes to Chapter 185-21 Parking, Loading and Driveway Requirements until July 9, 2018 at 7:20PM.

Sincerely,

Anthony Padula  
Chairman

cc: Town Council  
Town Administrator  
Deputy Town Administrator

# Town of Franklin

Tel: (508) 520-4907

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**Planning Board**  
355 East Central Street  
Franklin, Massachusetts 02038-1352

TOWN OF FRANKLIN  
TOWN CLERK

2018 JUL 10 A 10:29

RECEIVED

July 10, 2018

Teresa M. Burr, Town Clerk  
Town of Franklin  
355 East Central Street  
Franklin, MA 02038

## **CERTIFICATE OF VOTE**

Zoning By-law Amendment #18-805  
Parking, Loading and Driveway Requirements §185-21

**Petitioner:** Town Administration

Dear Mrs. Burr:

Please be advised that at its meeting on Monday, July 9, 2018 the Planning Board, upon motion duly made and seconded, voted (5-0-0) to **RECOMMEND**, as *presented*, to the Town Council the amendment of Zoning By-law #18-805, Parking, Loading and Driveway Requirements.

If you have any questions concerning this decision, please contact the planning staff or me.

Sincerely,

Anthony Padula  
Chairman, Planning Board

cc: Town Council  
Town Administrator  
Deputy Town Administrator