

FRANKLIN PLANNING & COMMUNITY DEVELOPMENT

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

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

A handwritten signature in black ink, appearing to read "Jamie Hellen", is written over the "From:" line.

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.

Sponsor: *Administration*

**TOWN OF FRANKLIN
ZONING BY-LAW AMENDMENT 19-831
MIXED BUSINESS INNOVATION ZONE DIMENSIONAL REGULATIONS
A ZONING BY-LAW TO AMEND THE FRANKLIN TOWN CODE AT
CHAPTER 185, SCHEDULE OF LOT, AREA, FRONTAGE, YARD
AND HEIGHT REQUIREMENTS**

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** to §185, Attachment 9 Schedule of Lot, Area, Frontage, Yard and Height Requirements:

Schedule of Lot, Area, Frontage, Yard and Height Requirements

District	Minimum Lot Dimensions				Minimum Yard Dimensions			Maximum Height of Building		Maximum Impervious Coverage of Existing Upland	
	Area (square feet)	Continuous Frontage (feet)	Depth (feet)	Lot Width (minimum circle diameter)	Front (feet)	Side (feet)	Rear (feet)	Stories	Feet	Structures	Structures Plus Paving ³
Rural Residential I	40,000	200	200	180 ⁴	40	40	40	3	35	20	25
Residential VI	40,000	200	200	180 ⁴	40	40	40	3	35	20	25
Residential VII ¹¹	40,000	200	200	180 ⁴	40	40	40	3	35	20 ¹²	25 ¹²
Rural Residential II	30,000	150	200	135 ⁴	40	35	35	3	35	20	25
Single Family Residential III	20,000	125	160	112.5	40	25	30	3	35	25	35
Single Family Residential IV	15,000	100	100	90	30	20	20	3	35	30	35
General Residential V	10,000	100	100	90	20	15	20	3	40	30	35
Neighborhood Commercial	18,000	100	100	90	20	30	40	3	35	30	35
Rural Business ¹³	40,000	200	200	180	40	30	40	1.5	30	10	30
Downtown Commercial	5,000	50	50	45	5 ¹⁰	0 ²	15	3 ⁹	40 ⁹	80	90
Commercial I ⁷	5,000	50	50	45	20 ¹	10 ¹⁴	15	3 ¹⁵	40 ¹⁵	80	90
Commercial II	40,000	175	200	157.5	40	30	30	3 ¹⁵	40 ¹⁵	70	80
Business	20,000	125	160	112.5	40	20	30	3 ¹⁵	40 ¹⁵	70	80
Mixed Business Innovation	40,000	175	200	157.5	40	30⁵	30⁵	3¹⁵	40¹⁵	70	80
Industrial	40,000	175	200	157.5	40	30 ⁵	30 ⁵	3 ⁶	-	70	80
Limited Industrial	40,000	175	200	157.5	40	30 ⁸	30 ⁸	3 ⁶	40 ⁶	70	80
Office	40,000	100	100	90	20	30 ⁵	30 ⁵	3 ⁶	40 ⁶	70	80

Setbacks: No structure or pole carrying overhead wires shall be put up within 60 feet nor shall a billboard be erected within 100 feet of right-of-way which is 75 feet or more.

NOTES:

- ¹ But no new structure shall be required to provide a deeper yard than that existing on that parcel upon adoption of this amendment.
- ² Increase to 20 feet when abutting a residential district.
- ³ See definition of Upland §185-3, §185-36. Impervious Surfaces and §185-40. Water Resource District.
- ⁴ Within open space developments (see § 185-43), the lot width must be met for individual lots shall be no less than 1/2 those required within the underlying district.
- ⁵ Increase by the common building height of the structure, when abutting a residential use.
- ⁶ Buildings up to 60 feet in height may be permitted by a special permit from the Planning Board.
- ⁷ Permitted residential uses must observe requirements of General Residential V District for residential use building only. Mixed use buildings are exempt from this requirement.
- ⁸ Increase by 1.5 the common building height of a structure, when abutting a residential district or use.
- ⁹ Buildings up to 50 feet in height may be permitted by a special permit from the Planning Board provided the structure is set back at least 15 feet from frontage.
- ¹⁰ Minimum 5' setback required on first floor, street level; upper floors can overhang required first floor set back.
- ¹¹ See §185-50.
- ¹² Total impervious surface in the upland shall be no more than 50% if a special permit for multiple, single-family dwelling units is granted in RVII.
- ¹³ Maximum gross building footprint of non-residential primary use structures is 3,500 square feet.
- ¹⁴ The 10 feet side setback is only required on one side of lot; if lot abuts a residential district, a twenty feet setback is required on the abutting side.
- ¹⁵ Buildings up to 50 feet in height, regardless of the number of stories, may be permitted by a special permit from the Planning Board.

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** _____

ABSTAIN _____

Teresa M. Burr
Town Clerk

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
