

# 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 18-815: CHANGES TO DIMENSIONAL REGULATIONS FOR COMMERCIAL I ZONING DISTRICT  
**CC:** JAMIE HELLEN, DEPUTY TOWN ADMINISTRATOR  
AMY LOVE, PLANNER  
**DATE:** JUNE 14, 2018

The Department of Planning and Community Development (DPCD) has developed a Zoning Bylaw amendment related to dimensional regulations within the Commercial I (CI) Zoning District, which is the purpose of this memo. Changes to dimensional regulations 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 3.2 from the Implementation section of Franklin's 2013 Master Plan addresses the issue, and is shown below for reference.

Land Use Objective 3.2: Amend the dimensional requirements within the Commercial I zoning district to encourage green space, use of outdoor seating areas, and assemblage of properties to encourage new business, business expansion and business retention, in the Commercial I zoning district.

Currently the CI district has the least restrictive requirements of Franklin's zoning districts. The proposed dimensional regulations do not represent a substantial change from current requirements. Below is a comparison of current and proposed dimensional requirements within the Commercial I Zoning District.

Commercial I Zoning District	Current	Proposed
<b><i>Minimum Side Yard Dimensions</i></b>	0'	10'

Note 1: 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.

Requiring a 10 feet setback in the side yard of each CI parcel is recommended by Town staff to provide easier access to the rear of properties by emergency response personnel, but also serves to promote courtyards and pedestrian oriented plazas, improve pedestrian flow, and encourage green space and pervious surfaces.

Commercial I Zoning District	Current	Proposed
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***Maximum Impervious Coverage of Existing Upland***

Structures:	90%	80%
Structures and Paving:	100%	90%

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Currently owners of CI parcels are allowed to have one hundred percent impervious surface. Very few CI parcels currently have more than 90 percent impervious surface, therefore this proposed change is not likely to create problems for property owners, and guarantee that new development will have at least some pervious areas for stormwater infiltration and landscaping.

The Economic Development Committee discussed the proposed parking regulations changes at a previous 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 18-815 to the Planning Board for a Public Hearing.

Additional changes to CI dimensional requirements (maximum building height) are being considered, but are not moving forward at this time. Please let me know if you have questions or require additional information.

**TOWN OF FRANKLIN  
ZONING BY-LAW AMENDMENT 18-815  
COMMERCIAL I SIDE YARD AND MAXIMUM IMPERVIOUS  
COVERAGE 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 and ~~deletions~~** 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	
	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 <sup>3</sup>
Rural Residential I	40,000	200	200	180 <sup>4</sup>	40	40	40	3	35	20	25
Residential VI	40,000	200	200	180 <sup>4</sup>	40	40	40	3	35	20	25
Residential VII <sup>11</sup>	40,000	200	200	180 <sup>4</sup>	40	40	40	3	35	20 <sup>12</sup>	25 <sup>12</sup>
Rural Residential II	30,000	150	200	135 <sup>4</sup>	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 <sup>13</sup>	40,000	200	200	180	40	30	40	1.5	30	10	30
Downtown Commercial	5,000	50	50	45	5 <sup>10</sup>	0 <sup>2</sup>	15	3 <sup>9</sup>	40 <sup>9</sup>	80	90
Commercial I <sup>7</sup>	5,000	50	50	45	20 <sup>1</sup>	0 <sup>2</sup> 10 <sup>14</sup>	15	3 <sup>6</sup>	40 <sup>6</sup>	<del>90-80</del>	<del>100-90</del>
Commercial II	40,000	175	200	157.5	40	30	30	3	40	70	80
Business	20,000	125	160	112.5	40	20	30	3	40	70	80
Industrial	40,000	175	200	157.5	40	30 <sup>5</sup>	30 <sup>5</sup>	3 <sup>6</sup>	-	70	80
Limited Industrial	40,000	175	200	157.5	40	30 <sup>8</sup>	30 <sup>8</sup>	3 <sup>6</sup>	40 <sup>6</sup>	70	80
Office	40,000	100	100	90	20	30 <sup>5</sup>	30 <sup>5</sup>	3 <sup>6</sup>	40 <sup>6</sup>	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:

<sup>1</sup> But no new structure shall be required to provide a deeper yard than that existing on that parcel upon adoption of this amendment.

<sup>2</sup> Increase to 20 feet when abutting a residential district.

<sup>3</sup> See definition of Upland §185-3, §185-36. Impervious Surfaces and §185-40. Water Resource District.

<sup>4</sup> 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.

<sup>5</sup> Increase by the common building height of the structure, when abutting a residential use.

<sup>6</sup> Up to 5 stories and/or 60 feet, whichever is greater, may be permitted by a special permit from the Planning Board.

<sup>7</sup> Permitted residential uses must observe requirements of General Residential V District for residential use building only. Mixed use buildings are exempt from this requirement.

<sup>8</sup> Increase by 1.5 the common building height of a structure, when abutting a residential district or use.

<sup>9</sup> Up to 4 stories and/or 50 feet, whichever is greater, may be permitted by a special permit from the Planning Board provided the structure is set back at least 15 feet from frontage.

<sup>10</sup> Minimum 5' setback required on first floor, street level; upper floors can overhang required first floor set back.

<sup>11</sup> See §185-50.

<sup>12</sup> 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.

<sup>13</sup> Maximum gross building footprint of non-residential primary use structures is 3,500 square feet.

<sup>14</sup> **The 10 foot 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.**

6/14/2018

Franklin DPCD

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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.

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

**VOTED:**

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

**A True Record Attest:**

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

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

**Teresa M. Burr**  
**Town Clerk**

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

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**Glenn Jones, Clerk**

# Town of Franklin

Tel: (508) 520-4907

Fax: (508) 520-4906



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

July 24, 2018

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

## **CERTIFICATE OF VOTE**

Zoning By-law Amendment #18-815

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

**Petitioner:** Town Administration

Dear Mrs. Burr:

Please be advised that at its meeting on Monday, July 23, 2018 the Planning Board, upon motion duly made and seconded, voted (4-0-1) to **RECOMMEND**, *as presented*, to the Town Council the amendment of Zoning By-law #18-815, Schedule of Lot, Area, Frontage, Yard and Height 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

RECEIVED

2018 JUL 24 P 1:09

TOWN OF FRANKLIN  
TOWN CLERK

# Town of Franklin



## Planning Board

TOWN OF FRANKLIN  
TOWN CLERK  
2018 JUN 25 P 3:08  
RECEIVED

The following notice will be published in the Milford Daily Newspaper on  
Monday, July 9, 2018 and Monday, July 16, 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 July 23, 2018 at 7:10 PM and the Town Council will hold a Public Hearing on August 8, 2018 at 7:10 PM in the Town Council Chambers of the Municipal Building, 355 East Central Street, to consider amending Chapter 185, Attachment 9 requirements of the Code of the Town of Franklin as follows:

### **ZONING BY-LAW AMENDMENT 18-815**

#### **Changes to §185, Attachment 9, 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 increasing the side yard setback and decreasing allowable impervious coverage.

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