

Zoning Sub-Committee Report

The Zoning Sub-committee met on: Monday, July 15 at 6:30 PM at Flynn Building

Sub-committee members attending:

Pete Abair, Jon Baranowsky

After discussion of Draft Recommendation (see below) and reference to the Sudbury Route 20 Zoning Project (see attachment), elements of the “draft recommendations of the Zoning Sub-Committee “ were modified (see below).

The group adjourned at 8:05 PM. A final meeting of the zoning sub-committee will be scheduled for August.

Draft Recommendations of Zoning Sub-Committee of CAC

THIRD PARTY FINDINGS

“...septic systems are a limiting factor in the economic development of existing businesses along the Route 20 corridor...”

- Route 20 Business District Wastewater Management Plan Update, August 2010, by Weston & Sampson Environmental Consultants.

“If the current zoning is not modified, and the wastewater system is constructed, heights will remain capped at 2.5 stories, or 35 feet. Maximum building coverage as percent of the lot will remain at 60%. . . **With no changes in the zoning, the status quo will remain.**”

- Sudbury Route 20 Zoning Project, MAPC, December 2012, P. 14.

Vision for Route 20 Corridor

(Found in the Sudbury Route 20 Zoning Project report of MAPC , based on 2002 Cecil Group report and 2011 Visioning Study)

The corridor is defined as from Mill Village in the east to Lafayette Drive on the west and the intersection of Union and Station Road to the north. *However, the zoning sub-committee has focused solely on a target area which ends at the Shaws Plaza on the western boundary.*

A. Desired Outcome

To redesign and redevelop the corridor into a new village commercial center, aesthetically pleasing with greater mixed use assets (restaurants, niche shops, public park), pedestrian friendly walkways, traffic calming. “A vibrant, pedestrian-oriented commercial center”, which matches the community’s character.

Without a sewer system, such a new vibrant new commercial center will be less feasible. With a new sewer but with no zoning changes, as noted above, the status quo will largely remain.

Therefore, a new sewer is requisite for the changes envisioned by the community to be possible and zoning must accommodate the kind of development and redevelopment made possible by the sewer.

- B. Attributes of proposed Overlay District would allow greater heights, as noted below, by special permit (the draft concept language for the Overlay district is found on pages 22-31 of the MAPC report)

	Current Zoning	Proposed Overlay
Stories	2.5	3.5*
Height	35 feet	40/45 feet*
Setbacks		Variable setbacks allowing for development closer to Route 20, while accommodating sidewalks

*limited to 2 stories and 25' on Route 20 frontage

- C. Other recommendations of the MAPC report include:

- Design Guidelines for buildings
- Maintain current prohibited uses
- Route 20 redesign (planting strip, lighting, benches, improved curbing) to enhance pedestrian experience and contribute to village feel.
- Transfer of Development Rights (TOD)

- D. Other potential regulatory changes recommended by MAPC for which the zoning sub-committee offers no opinion:

- “Mixed Use” zoning concept
- Inclusionary Housing
- Drinking Water Protection
- Stormwater Management/LID

Recommendation of the Zoning Sub-committee

The sewer is intended to enable the type of commercial center desired by the community, as it will leverage greater investment in commercial assets sought after by residents. Without overlay zoning that allows, by special permit, buildings of modestly greater height and coverage, then, even with the sewer in place, the desired outcome of greater investment would not be fully enabled.

Therefore, the zoning sub-committee recommends to the CAC that it supports an Overlay District and associated design guidelines for buildings in the target area, which will incentivize property investments leveraged with sewer service.

It is up to the Planning Board, Board of selectmen, and Town Meeting to recommend and adopt changes to the town zoning by-law. As part of this process, we recommend that the Planning and Community Development Office provide renderings of the vision that that overlay zoning would allow so that the public can see the types of changes that may occur. We recommend that these renderings include the pedestrian and streetscape improvements, samples of allowable new buildings or redeveloped buildings, possible park space, and traffic mitigation that the new zoning and vision allows. In other words, we want to see the map below reflect the improvements envisioned, accompanied by appropriate street level renderings.



We also want to be clear on what the Overlay will not allow: no buildings over 45 feet in height or 3.5 stories, no buildings over 25 feet on Route 20 frontage, nor big box stores or buildings that don't meet design guidelines acceptable to the community.

Aware that 40B projects can trump town zoning and that the provision of a sewer could support such projects, we also recommend that the Town identify a parcel in the proposed sewer district for a high density housing project and leverage such a development via a tool such as Chapter 40R. In such a way, the town can direct higher density housing to where it can serve the goals of community. This will allow the Town to pursue the goals of its Housing Development Plan, maintain its interim safe-harbor position, and effectively forestall 40B developments where they are *not* desired in the sewer district.

Questions & Answers

Q1: Would Overlay Zoning make it easier for 40B housing projects to be located in the target district?

A1: No, 40B projects proceed regardless of local zoning. The Overlay would not make it easier for 40B projects to be located in the target area.

Q2: Would the Overlay, allowing for modestly larger buildings in the target area through a special permit process, make our periodically bad traffic even worse?

A1: The intention is that a Route 20 redesign, options for the flow of local traffic via secondary routes, and improved pedestrian walkway infrastructure would be part of an overall new commercial center plan that would prevent a worsening of traffic.

Q3: Current zoning allows for greater development already in the target area. If a sewer is built, then couldn't the kind of development we envision take place under current zoning? If so, why create Overlay Zoning?

A3: The MAPC report re-emphasizes that the lack of sewer limits economic development in the target area. It also recognizes the community's intent not to "over develop" the target area. Current zoning and a sewer would result in new property investments. An Overlay District would allow modestly larger development by special permit process. The Overlay, therefore, would provide a greater incentive for developers to deliver the type of new assets envisioned by the community. With design guidelines, these assets would be compatible with the desired look the community envisions for the area. It would challenge and support current and future property owners to redevelop properties.

Q4: Can't we just build a sewer and deal with zoning later if it arises as an issue?

At Town Meeting, the sewer proposal will be subject to numerous questions, including "does zoning allow for the development we want to accompany a new sewer?" An Overlay District, with a required special permit process, allows us to say that we are enabling Sudbury to approve slightly larger developments, in character with the community's vision for the area, that helps justify the investment in the sewer.