



Watertown Town Council

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Watertown, MA 02472
Phone: 617-972-6470

ELECTED OFFICIALS:

Mark S. Sideris,
Council President

Vincent J. Piccirilli, Jr.,
Vice President

Michael F. Dattoli,
Councilor At Large

Aaron P. Dushku,
Councilor At Large

Susan G. Falkoff,
Councilor At Large

Anthony Palomba,
Councilor At Large

Angeline B. Kounellis,
District A Councilor

Lisa J. Feltner,
District B Councilor

Kenneth M. Woodland,
District D Councilor

ORDINANCE # 8A

AN ORDINANCE AMENDING THE TOWN'S ZONING ORDINANCE IN REGARD TO A NEW REGIONAL MIXED USE DISTRICT

Whereas, the Town Council had a first reading of a request by BP Watertown Retail LLC to consider a Zoning Ordinance and Map Amendment to create a new Zoning District, Regional Mixed Use District on August 18, 2015; and

Whereas, the Planning Board held a duly advertised Public Hearing on October 14, 2015, continued to November 9, 2015 on these amendments in accordance with the requirements of M.G.L. c. 40A, sec 5 to discuss draft language as amended by Department of Community Development and Planning Staff where public comment was received; and

Whereas, on November 9, 2015, with four members present, the Planning Board voted unanimously to recommend approval of suggested language, and the Planning Board submitted its report and recommendation to the Town Council with respect to such proposed amendments; and

Whereas, on December 1, 2015, the Town Council conducted a duly advertised Public Hearing with respect to such proposed amendments to the Zoning Ordinance where it was continued and recommended to be discussed by the Economic Development and Planning Committee; and

Whereas, on December 15, 2015, January 23, 2016, January 28, 2016, and February 2, 2016, the Town Council Committee on Economic Development and Planning had meetings to discuss suggested amendment and recommend those amendments be included in an updated form to the Town Council, with review by the Town Attorney; and

Whereas, on February 8, 2016, a Public Hearing before the Town Council was cancelled due to a snow storm and a subsequent Joint Public Hearing was determined to be required, and

Whereas, on March 2, 2016, a Joint Public Hearing of the Planning Board and Town Council was held and closed, with four members of the Planning Board present and voting to recommend approval of the proposed language as modified during their deliberations; and

Whereas, on March 2, 2016, the Town Council heard the Planning Board recommended language and deliberated, with modifications including a requirement for master plan projects to be LEED Silver certifiable and a requirement for affordable housing at 15%, voting 7-2 to approve the updated language.

NOW THEREFORE BE IT ORDAINED by the Town Council of the City Known as the Town of Watertown that Chapter XII of the Watertown Code of Ordinances, Zoning Ordinance, is hereby amended as shown in the Exhibit A and B with struck-through language deleted, and bold and underlined language inserted, summarized as follows:

1. The proposed amendments would modify the Zoning Ordinance in the following Sections as shown in Exhibit A and B attached hereto:

- Article II, Definitions; Sections 2.61
- Article III, Establishment of Zoning Districts, Section 3.01(d)
- Article IV, General Use and Dimensional Regulations; Sections 4.11(e)
- Article V, Tables of District Regulations; Sections 5.01; 5.02; 5.03(8); 5.04; 5.05(f); 5.05(i); 5.05(n); and 5.05(p) 5.05(n)
- Article VI; Automotive and Bicycle Parking Requirements; Sections 6.02(n)
- Article VII; Signs and Illumination; Sections 7.03(a.1); 7.03(b.2); 7.03(b.3); 7.03(b.4); 7.03(c.3); 7.05; 7.05(b); 7.06(b); 7.06(c); 7.06(e); 7.06(g); and 7.06(h)
- Article IX, Enforcement and Application Procedures; Sections 9.03 (a) and 9.03(c.7)

2. The proposed amendments would add the following Sections to the Zoning Ordinance and Map as shown in Exhibit A and B attached hereto:

- Article II, Definitions; Sections 2.82
- Article V, Tables of District Regulations; Sections 5.03 (15) and 5.05(w) and Sections 5.18 Regional Mixed Use District (RMUD)
- Article VII; Signs and Illumination; Section 7.07 Sign Special Permit
- Zoning Map – Add RMUD Zoning District as shown on Exhibit B




Council Member

I hereby certify that at a Special Meeting of the Town Council for which a quorum was present, the above Ordinance was adopted by a roll call vote of 7 for, 2 against, 0 present on March 2, 2016.



Marilyn Pronovost, Council Clerk



Mark S. Sideris, Council President

Exhibit A

ZONING AMENDMENTS

Adopted March 2, 2016

ARTICLE II DEFINITIONS

SECTION 2.61 Open Space

Areas open, ~~pervious~~ and unobstructed to the sky that can be used for active or passive recreation purposes. Amenities such as a plaza, square, courtyard, paths, or outdoor dining areas, and items such as benches, walkways, planters, landscaping, swimming pools, kiosks, gazebos, and similar structures shall not be considered as obstructions. Opportunities should be sought that bring together the open space requirements of adjoining properties in order to foster a more coherent and continuous landscape network. Parking and loading areas of any type shall not be allowed in any required open space.

Further, in all residential districts, the minimum required open space shall be contiguous and pervious, and shall not include any side yard driveway buffer where required by this Ordinance.

SECTION 2.82 TRANSPORTATION DEMAND MANAGEMENT PLAN (TDM Plan) *[insert and renumber the following sections as necessary]*

To include, but not be limited to, a set of procedures, policies and practices which, when taken as a whole, are intended to reduce the number of single occupant vehicle trips traveling to or from a site, and which includes quantifiable goals and a plan for the collection and analysis of data to measure achievement of goals.

ARTICLE III ESTABLISHMENT OF ZONING DISTRICTS

SECTION 3.01 CLASSIFICATION OF DISTRICTS

- (d) Special Zoning Districts –
RMUD – Regional Mixed Use District

ARTICLE IV GENERAL USE AND DIMENSIONAL REGULATIONS

SECTION 4.11 EXCEPTIONS TO SETBACK REQUIREMENTS

- (e) Exceptions to Side Yard Setback Requirements
Developments in the NB, LB, CB, I-1, I-2, I-3, **RMUD**, and PSCD Districts may be contiguous on a block: zero (0) lot line and/or shared party wall. Corner lots may be developed with two front yards with yards determined by the Zoning Enforcement Officer.

ARTICLE V TABLE OF DISTRICT REGULATIONS *[add column to table as noted]*

SECTION 5.01 TABLE OF USE REGULATIONS

As a Principal Use		NB	LB	CB	I-1	I-2	I-3	PSCD	OSC	RMUD
1. Residence										
a.	Dwelling, Single Family	N	N	N	N	N	N	N	N	<u>N</u>
b.	Dwelling, existing one-family converted for two-families	N	N	N	N	N	N	N	N	<u>N</u>
c.	Dwelling, two family	N	N	N	N	N	N	N	N	<u>N</u>
d.	Existing dwelling converted for three families	SP	SP	N	N	N	N	N	N	<u>N</u>
e.	New construction of three family dwelling structures.	SP	SP	SP	N	N	N	N	N	<u>N</u>
f.	Multi-family 4+	SP/SR	SP/SR	Y (2)	N	N	SP/SR	SP/SR	N	<u>N</u>
Row houses and townhouses										
<i>1. Three units</i>		SP	SP	N	N	N	SP	Y	N	<u>N</u>
<i>2. Four to eight units</i>		SP/SR	SP/SR	N	N	N	SP/SR	SP/SR	N	<u>N</u>
h.	Licensed lodging house	N	N	N	N	N	N	N	N	<u>N</u>
i.	Hotel and Motel Use	SP/SR	SP/SR	SP/SR	SP/SR(12)	SP/SR	SP/SR	SP/SR	N	<u>SP/SR</u>
j.	Trailer park or mobile home park	N	N	N	N	N	N	N	N	<u>N</u>
Mixed-use Development										
<i>1. Up to three residential units</i>		SR (7)	SR (7)	SR (7)	N	N	SP/SR (8) (13)	Y (8)	N	<u>N</u>
<i>2. Greater than three residential units</i>		SP/SR(7)	SP/SR(7)	SP/SR (7)	N	N	SP/SR (8) (13)	SP/SR (8)	N	<u>SP/SR (7) (8)</u>
2. Institutional, Transportation, Utility, and Agricultural Uses										
Any religious, educational, or licensed day care use as defined by CH.40A, § 3.										
<i>1. All non-conversions; and, new construction and conversions up to 4,000 s.f. of building area</i>		Y	Y	Y	Y	Y	Y	Y	Y	<u>Y</u>
<i>2. New construction or conversion greater than 4,000 s.f. of building area</i>		SR	SR	SR	SR	SR	SR	SR	SR	<u>SR</u>
b.	Country club, tennis club, swimming club, nonprofit club.	N	N	N	SP/SR	SP/SR	SP/SR	SP/SR	SP/SR	<u>SP/SR</u>
Commercial agricultural, nursery garden, greenhouse, garden supply.										
<i>1. On up to 5 acres</i>		N	N	SP/SR	SP/SR	SP/SR	SP/SR	SP/SR	N	<u>SP/SR</u>
<i>2. On more than 5 acres</i>		Y	Y	Y	Y	Y	Y	Y	Y	<u>Y</u>
Existing dwellings converted for nonprofit club, school, clinic (11)										
<i>1. All non-conversions; and, new construction and conversions up to 4,000 s.f. of building area</i>		SP	SP	SP	N	N	N	SP	N	<u>N</u>
<i>2. New construction or conversion greater than 4,000 s.f. of building area</i>		SP/SR	SP/SR	SP/SR	N	N	N	SP/SR	N	<u>N</u>
e.	Cemeteries	N	N	N	SP/SR	SP/SR	SP/SR	SP/SR	SP/SR	<u>N</u>
Recreational facility owned or operated by a Town agency or other governmental agencies or public open space.		Y	Y	Y	Y	Y	Y	Y	Y	<u>Y</u>
Nursing home, rest home, or convalescent home provided the lot fronts on a street at least 65 feet wide.		SP/SR	SP/SR	N	N	N	N	N	N	<u>N</u>
Assisted Living		SP/SR(7)	SP/SR (7)	SP/SR (7)	N	N	N	N	N	<u>SP/SR (7)</u>
3. Business, Office, and Consumer Service Uses										

Zoning Amendments – Adopted March 2, 2016

As a Principal Use		NB	LB	CB	I-1	I-2	I-3	PSCD	OSC	RMUD
a.	Business offices, bank, medical and dental buildings, schools operated for gain.									
	<i>1. All non-conversions; and, new construction and conversions up to 4,000 s.f. of building area</i>	Y	Y	Y	Y	Y	Y	Y	N	<u>Y</u>
	<i>2. New construction or conversion greater than 4,000 s.f. of building area</i>	SP/SR	SP/SR	SP/SR	SP/SR	SP/SR	SP/SR	SP/SR	N	<u>SP/SR</u>
b.	Commercial, recreation, including bowling alley or skating rink completely enclosed.									
	<i>1. All non-conversions; and, new construction and conversions up to 4,000 s.f. of building area</i>	N	N	Y	Y	Y	Y	Y	N	<u>Y</u>
	<i>2. New construction or conversion greater than 4,000 s.f. of building area</i>	N	N	SP/SR	SP/SR	SP/SR	SP/SR	SP/SR	N	<u>SP/SR</u>
c.	Commercial parking, parking lot for gain.	Y (10)	Y (10)	Y (10)	Y (10)	Y (10)	Y (10)	Y (10)	N	<u>Y (10)</u>
d.	New and used vehicles for sale or lease and display and storage of operable vehicles only.	N	N	N	SP/SR	SP/SR	SP/SR	N	N	<u>N (15)</u>
e.	Printer, publisher									
	<i>1. All non-conversions; and, new construction and conversions up to 4,000 s.f. of building area</i>	Y	Y	Y	Y	Y	Y	Y	N	<u>Y</u>
	<i>2. New construction or conversion greater than 4,000 s.f. of building area</i>	SP/SR	SP/SR	SP/SR	SP/SR	SP/SR	SP/SR	SP/SR	N	<u>SP/SR</u>
f.	Retail stores including liquor stores.									
	<i>1. All non-conversions; and, new construction and conversions up to 4,000 s.f. of building area</i>	Y	Y	Y	Y	Y (1)	Y (1)	Y	N	<u>Y (1)</u>
	<i>2. New construction or conversion greater than 4,000 s.f. of building area</i>	SP/SR	SP/SR	SP/SR	SP/SR	SP/SR	SP/SR	SP/SR	N	<u>SP/SR</u>
g.	Personal services, such as barber shop, beauty parlor, etc.									
	<i>1. All non-conversions; and, new construction and conversions up to 4,000 s.f. of building area</i>	Y	Y	Y	Y	Y(1)	Y(1)	Y	N	<u>Y (1)</u>
	<i>2. New construction or conversion greater than 4,000 s.f. of building area</i>	SP/SR	SP/SR	SP/SR	SP/SR	SP/SR	SP/SR	SP/SR	N	<u>SP/SR</u>
h.	Repair and alteration of clothes and domestic furnishings.									
	<i>1. All non-conversions; and, new construction and conversions up to 4,000 s.f. of building area</i>	Y	Y	Y	Y	Y	Y	Y	N	<u>Y</u>
	<i>2. New construction or conversion greater than 4,000 s.f. of building area</i>	SP/SR	SP/SR	SP/SR	SP/SR	SP/SR	SP/SR	SP/SR	N	<u>SP/SR</u>
i.	Eating place with or without liquor.									
	<i>1. All non-conversions; and, new construction and conversions up to 4,000 s.f. of building area</i>	Y	Y	Y	Y	Y	Y	Y	N	<u>Y</u>
	<i>2. New construction or conversion greater than 4,000 s.f. of building area</i>	SP/SR	SP/SR	SP/SR	SP/SR	SP/SR	SP/SR	SP/SR	N	<u>SP/SR</u>
j.	Bar or other establishment where the primary purpose is the sale and consumption of alcoholic beverages.	SP/SR	SP/SR	SP/SR	SP/SR	SP/SR	SP/SR	SP/SR	N	<u>SP/SR</u>

Zoning Amendments – Adopted March 2, 2016

As a Principal Use		NB	LB	CB	I-1	I-2	I-3	PSCD	OSC	RMUD
k.	Laundry and cleaning, automatic, but not steam laundry.	SP	SP	SP	SP	SP	SP	SP	N	<u>SP</u>
l.	Gasoline Service Station	SP/SR	SP/SR	N	N	N	N	N	N	<u>N</u>
m.	Undertaker, funeral parlor.	SP/SR	SP/SR	N	SP/SR	SP/SR	SP/SR	N	N	<u>N</u>
n.	Adult Stores	N	N	N	SP (5)	SP (5)	N	N	N	<u>SP (5)</u>
o.	Adult Theaters	N	N	N	SP (5)	SP (5)	N	N	N	<u>SP (5)</u>
4. Open-Air Drive-in Retail and Service										
a.	Drive-in Bank <i>1. All non-conversions; and, new construction and conversions up to 4,000 s.f. of building area</i>	Y	Y	Y	Y	Y	Y	N	N	<u>Y</u>
	<i>2. New construction or conversion greater than 4,000 s.f. of building area</i>	SP/SR	SP/SR	SP/SR	SP/SR	SP/SR	SP/SR	N	N	<u>SP/SR</u>
b.	Outdoor amusement park, outdoor sports facility conducted for profit.	N	N	N	N	N	N	N	N	<u>N</u>
c.	Open-air drive-in theater or other open-air place of entertainment.	N	N	N	N	N	N	N	N	<u>N</u>
d.	Car washing establishment using mechanical equipment for cleaning automobiles and other equipment.	N	N	N	SP/SR	N	N	N	N	<u>N</u>
e.	Drive-in restaurant. Drive-in refreshment stand, drive-through eating establishment.	N	N	N	N	N	N	N	N	<u>N</u>
f.	Fast food establishment	SP/SR	SP/SR	N	SP/SR	SP/SR	SP/SR	SP/SR	N	<u>SP/SR</u>
g.	Outdoor Storage of Merchandise.	N	N	N	N	N	N	N	N	<u>N</u>
5. Light Industry, Wholesale, Laboratory										
a.	Light Industry <i>1. All non-conversions; and, new construction and conversions up to 4,000 s.f. of building area</i>	N	N	N	Y	Y	Y	SP	N	<u>SP</u>
	<i>2. New construction or conversion greater than 4,000 s.f. of building area</i>	N	N	N	SP/SR	SP/SR	SP/SR	SP/SR	N	<u>SP/SR</u>
b.	Non-nuisance manufacturing <i>1. All non-conversions; and, new construction and conversions up to 4,000 s.f. of building area</i>	N	N	N	Y	Y	Y	SP	N	<u>Y</u>
	<i>2. New construction or conversion greater than 4,000 s.f. of building area</i>	N	N	N	SP/SR	SP/SR	SP/SR	SP/SR	N	<u>SP/SR</u>
c.	Office, including but not limited to administrative, executive, professional, and similar offices. <i>1. All non-conversions; and, new construction and conversions up to 4,000 s.f. of building area</i>	N	N	Y	Y	Y	Y	Y	N	<u>Y</u>
	<i>2. New construction or conversion greater than 4,000 s.f. of building area</i>	N	N	SP/SR	SP/SR	SP/SR	SP/SR	SP/SR	N	<u>SP/SR</u>
d.	Public or bonded warehouse, parcel or goods distribution.	N	N	N	N	N	N	N	N	<u>N</u>
e.	Laboratories engaged in research, experimental and testing activities, including but not limited to the fields of biology, chemistry, electronics, engineering, geology, medicine, and physics.									
	<i>1. All non-conversions; and, new construction and conversions up to 4,000 s.f. of building area</i>	N	N	N	Y	Y	Y	Y	N	<u>Y</u>

Zoning Amendments – Adopted March 2, 2016

As a Principal Use		NB	LB	CB	I-1	I-2	I-3	PSCD	OSC	RMUD
	2. New construction or conversion greater than 4,000 s.f. of building area	N	N	N	SP/SR	SP/SR	SP/SR	SP/SR	N	<u>SP/SR</u>
f.	Motor Vehicle Repair	N	N	N	SP	SP	SP	N	N	<u>N</u>
g.	Motor Vehicle Body Work	N	N	N	SP(4)	SP(4)	SP(4)	N	N	<u>N</u>
h.	Wholesale business, warehouse.	N	N	N	SP/SR	SP/SR	SP/SR	SP/SR	N	<u>SP/SR</u>
i.	Self-Service Storage Facility.	N	N	N	SP (9)	SP (9)	N	N	N	<u>N</u>
	Renewable or alternative energy research, development or manufacturing facility									
	1. All non-conversions; and, new construction and conversions up to 4,000 s.f. of building area	N	N	N	Y	Y	Y	Y	N	<u>Y</u>
j.	2. New construction or conversion greater than 4,000 s.f. of building area	N	N	N	SR	SR	SR	SR	N	<u>SR</u>
k.	Medical Marijuana Treatment Center	N	N	N	SP	SP	SP	N	N	<u>SP</u>
6. Heavy Industry										
a.	Open-lot storage of junk, scrap, paper, rags, containers or other salvage waste articles.	N	N	N	N	N	N	N	N	<u>N</u>
b.	Truck or bus terminals, yard or building for storage or servicing of trucks, trailers or buses, parking lot for trucks.	N	N	N	N	N	N	N	N	<u>N</u>
	Place for exhibition, lettering or sale of gravestones or monuments.									
	1. All non-conversions; and, new construction and conversions up to 4,000 s.f. of building area	N	N	N	Y	N	N	N	N	<u>N</u>
c.	2. New construction or conversion greater than 4,000 s.f. of building area	N	N	N	SP/SR	N	N	N	N	<u>N</u>
	Heavy Industry									
	1. All non-conversions; and, new construction and conversions up to 4,000 s.f. of building area	N	N	N	Y	N	N	N	N	<u>N</u>
d.	2. New construction or conversion greater than 4,000 s.f. of building area	N	N	N	SP/SR	N	N	N	N	<u>N</u>
e.	Storage of flammable gas, liquids, or explosives (non-accessory)	N	N	N	N	N	N	N	N	<u>N</u>
f.	Any trade, industry, or other use that is noxious, offensive or hazardous by reason of vibration or noise or the emission of odors, dust, gas, fumes, smoke, cinders, flashing or excessively bright light, refuse matter or any other cause.	N	N	N	N	N	N	N	N	<u>N</u>

SECTION 5.02 TABLE OF ACCESSORY USE REGULATIONS [add to table as noted]

	Accessory Use Only	NB	LB	CB	I-1	I-2	I-3	PSCD	OSC	RMUD
a.	Within a dwelling unit that is owner occupied, renting of not more than two rooms as a lodging without separate cooking facilities and for not more than two lodgers	SP	SP	SP	N	SP	SP	N	N	<u>N</u>
b.	Private greenhouse, tool shed, Swimming pool and kennel not used as a part of a business, and not offensive to the neighborhood by reason of noise, odor or other cause.	Y	Y	Y	Y	Y	Y	SP	N	<u>SP</u>
c.	Accessory parking and garage as permitted in Article IV	Y	Y	Y	Y	Y	Y	Y	N	<u>Y</u>
d.	Home Occupation	SP	SP	SP	SP	SP	SP	SP	N	<u>SP</u>
e.	Home Office	Y	Y	Y	Y	Y	Y	Y	N	<u>Y</u>
f.	Parking for Occupant's business truck, exceeding ¾ ton capacity.	SP	Y	Y	Y	Y	Y	SP	N	<u>SP</u>
g.	Administrative offices, clubrooms, and common laundry room reserved for occupant's use. Accessory to multi-family dwellings.	N	N	N	N	N	N	N	N	<u>Y</u>
h.	Business accessory uses, usual, not to include outside service window or outdoor storage of merchandise.	Y	Y	Y	Y	Y	Y	Y	N	<u>Y</u>
i.	Outside Service Window as a Business accessory use, usual, except for outdoor storage of merchandise.	SP	SP	SP	SP	SP	SP	SP	N	<u>SP</u>
j.	Outdoor display and storage of new merchandise subject to screening provisions.	SP	SP	SP	SP	SP	SP	SP	N	<u>SP</u>
k.	Residence for caretaker or janitor.	N	N	Y	Y	Y	Y	Y	N	<u>Y</u>
l.	New and used vehicles for sale or lease and display and storage of operable vehicles only	N	SP	SP	SP	SP	SP	N	N	<u>N (15)</u>
m.	Business and professional offices, schools operated for gain, commercial recreation (if completely enclosed), private clubs, personal services (such as barber, etc.), retail stores, eating places (with or without liquor) and banks, insofar as they do not exceed 5% of the gross floor area of the apartment development on the lot.	N	SP	SP	N	N	SP	SP	N	<u>SP</u>
n.	Licensed Day Care	Y	Y	Y	Y	Y	Y	Y	N	<u>Y</u>
o.	Family Day Care	Y	Y	Y	Y	Y	Y	Y	N	<u>Y</u>
p.	To allow residents to garage in a permanent enclosed structure on their property Antique Motor Cars as recognized by the Commonwealth of Massachusetts Registry of Motor Vehicles	Y	Y	Y	Y	Y	Y	Y	N	<u>Y</u>
q.	Activities accessory to a principal use permitted as a right that are necessary in connection with scientific research of scientific development or related production.	SP	SP	SP	SP	SP	SP	SP	N	<u>SP</u>
r.	Games of chance or similar entertainment or amusement, operated either live or through audio or video broadcast or close circuit transmission, except at an establishment that possesses an All Alcoholic or Wine and Malt License .	N	N	N	N	N	N	N	N	<u>N</u>

SECTION 5.03 NOTES TO TABLE OF USE REGULATIONS

- (8) See §9.07 for **Mixed-Use in the I-3 Zoning District. Within the RMUD Zoning District, Mixed-Use is only allowed for projects of two acres or larger that have filed and received an approved Master Plan Special Permit under §5.18.**
- (15) **As part of a larger multi-tenant development, a retailer may display light duty passenger vehicles as an advertisement for sale or lease. Franchise automobile dealerships and uses as defined by § 2.56 and § 2.57 of the Zoning Ordinance are prohibited.**

SECTION 5.04 TABLE OF DIMENSIONAL REGULATIONS [add to table as noted]

District	Min. Lot Size (s.f.)	Min. Frontage (ft)	Setbacks (ft) (p)			Max. Building Coverage (%)	Max. Impervious Coverage (%)	Max. Height (ft/stories)	Min. Lot Area Per Dwelling Unit (s.f.)	Max. FAR	Min. Open Space (%)
			Front	Side	Rear						
NB	-	50 (f)	-	10 (d)	15	50	90	35/2.5 (j)(n)	-	0.5	10
LB	-	40 (f)	-	15 (d)	20	80	90	40/4 (k)(n)	-	1.0	10
CB	-	(f)	-	-	-	-	100	55/5 (k)(n)	-	4.0 (o)	(n)
I-1	-	50(f)	10 Max. 30 (s)	25 (d)	30	50	90	55/5 (k) (n)	-	2.0 (i)	10
I-2	-	50(f)	10 Max. 30 (s)	25 (d)	30	50	90	55/5 (k) (n)	-	2.0 (i)	10
I-3	-	50(f)	10 Max. 30 (s)	25 (d)	30	50	90	55/5 (k) (n)	-	1.0	10
I-3 (Residential/Mixed Use)	-	50(f)	10 Max. 30 (s)	25	30	50	80	55/5 (k)(n)	800	2.0 (i)	20
PSCD	10,000	-	10 Max. 30 (s)	0/Shared party wall or 18 ft	18	50 (t)	80	Min. 24 Max. 55/5(u)	1000	1.0 (v) Mixed Use 2.0	20
<u>RMUD</u>	<u>10,000 (w)</u>	<u>50 (f)</u>	<u>10 Max.30 (s) (p)</u>	<u>15 (d)</u>	<u>20 (p)</u>	<u>75</u>	<u>85</u>	<u>55/5 (n)</u>	<u>N/A</u>	<u>1.0 (i)</u>	<u>20</u>

SECTION 5.05 NOTES TO TABLE OF DIMENSIONAL REGULATIONS

- (f) The minimum frontage of the lot shall be one hundred (100) feet for new construction of multi-family dwelling structures, townhouses, and rowhouses.

For all new construction in the **RMUD**, NB, LB, CB, I-1, I-2, I-3, and I-3 Districts the maximum length of a contiguous building façade shall be no more than one hundred and fifty (150) feet long or up to two hundred and fifty (250) feet long by Special Permit in keeping with adopted Design Guidelines. Offsets of a minimum of twenty five (25) feet in depth and fifty (50) feet in length, shall be incorporated for facades to not be considered contiguous. The maximum linear dimension of a building shall be less than three hundred (300) feet long, unless a project of greater length, by Special Permit, is determined to be in keeping with adopted Design Guidelines. Buildings with a substantial publically-accessible pass through at the ground floor that is a minimum of fifty (50) feet across and

twenty (20) feet in height, or an equivalent area, may be considered as separate buildings, as determined by the Zoning Enforcement Officer.

Exceptions – In the RMUD, both the maximum contiguous wall and the overall length of a building may be increased through the use of a Master Plan Special Permit, but any increase must be in-keeping with adopted Design Guidelines and the local context.

- (i) No use in the **RMUD**, I-1, I-2 or I-3 Districts shall exceed an FAR of 1.0 without receiving a special permit consistent with § 9.03-9.15 and in no instance shall the increased intensity of use allowed by special permit exceed an FAR of 2.0. In addition, no residential use in the I-3 District shall be allowed without receiving a special permit consistent with the above noted sections and § 5.07.
- (n) For Mixed-Use development of any type (Residential and Commercial) the minimum open space requirement shall be twenty percent (20%).

For office buildings or mixed-use developments in the NB, LB, CB, **RMUD** I-1, I-2, and I-3 Districts greater than or equal to ten thousand (10,000) gross square feet or containing ten (10) or more residential units, the minimum building height is twenty four (24) feet. **For the RMUD see Section 5.18 (c)5. for minimum and maximum heights.**

- (p) No residential or mixed commercial residential structure shall be allowed within twenty-five (25) feet of any OSC district boundary and no industrial or commercial structure within fifty (50) feet of an OSC district boundary if it is located on a parcel greater than twenty-five thousand (25,000) square feet; if less than twenty-five thousand (25,000) square feet the required district setback shall apply, **except in the RMUD.**

Specifically, in the RMUD, by Special Permit, a project may incorporate publically accessible open space to offset required setbacks, with reduced setbacks to be no less than existing adjacent buildings on the same lot or adjacent lots. At a minimum, the allowance for reduced setbacks shall include consideration of improving adjacent public parkland, with public access and amenities for community uses in proposed private open space within a project.

- (w) Existing lots in the RMUD District that are less than 10,000 sf and were established prior to January 1, 2015, shall be deemed to be conforming as to minimum lot size.**

SECTION 5.18 REGIONAL MIXED USE DISTRICT [RMUD]

Watertown’s Design Guidelines were created “to enhance the economic vitality of selected commercial areas through attractive, consistent design.” The commercial corridors and squares of Main Street, Pleasant Street, Galen Street, North Beacon Street, Mt. Auburn Street and Arsenal Street are being positively impacted by the Design Guidelines and Standards as they are clarifying expectations about what development should look like and raising the quality of construction.

As the Town’s primary commercial corridor, the eastern portion of Arsenal Street has some of the largest retailers in the region. With sufficient private and public infrastructure this area warrants greater density in light of the size of the geography and its catalytic and transformative potential for the region. The scale of development in this area merits greater height, massing and signage requirements for new construction commensurate with its role as a regional attraction and destination.

(a) Intent and Purpose

The Regional Mixed Use District [RMUD] has been enacted to assist, promote, and guide the orderly conversion and redevelopment of the Arsenal Street Corridor. The establishment of the RMUD is intended to accomplish the following objectives:

- 1) Facilitate transformative development consistent with Watertown’s goal to promote mixed use development that includes a mix of larger and smaller scale retail, office, hospitality, multi-family residential and research and development uses, and that serves regional demand.**
- 2) Allow development at a density, scale and character appropriate to define a corridor that is a major gateway for the Town; Additional height may be appropriate in such Gateway Locations where consistent with Watertown’s economic development goals, and the adopted Design Guidelines, as they may appropriately apply to development in the RMUD; Additional density and/or reduced parking space requirements may be appropriate in the District where consistent with the goal of reducing traffic congestion and improving multi-user transit services and in compliance with any Transportation Demand Management policy adopted by the Town.**
- 3) Enhance the quality of life, including promoting the development of a high quality public realm,**
 - o which is aesthetically pleasing and consistent with Watertown’s Design Guidelines**
 - o that provides a well-articulated pedestrian environment which implements Complete Street concepts and adopted Complete Streets Policies**
 - o that promotes porous frontages which create connections to surrounding neighborhoods and the Charles River**
 - o which includes public art.**
- 4) Enhance publically available open space networks by connecting to and integrating with adjacent state, municipal and privately-owned parcels, where appropriate, encouraging private land owners to permanently preserve open space, being sensitive to the Charles River reservation, and furthering private remediation and public access to Sawins Brook and Pond and Williams Pond.**
- 5) Respect historic assets and architectural features that help define the character of the community and encourage preservation and restoration of historic buildings.**

- 6) Incentivize real estate investment that will enhance the diversity and maximize the value of the Town’s tax base.
- 7) Use “green” building practices that encourage energy efficiency, manage stormwater, protect the riparian habitat, and are planned, designed, constructed, and managed to minimize adverse environmental impacts.
- 8) Encourage development that accommodates and promotes multi-modal access, transit between the Arsenal Corridor and mass transit stops, management of transportation demand to reduce automobile use, and mitigates deterioration of the level of affected intersection service for all transportation modes.
- 9) Facilitate the development of a continuum of housing options that:
 - o supports residences within walking or cycling distance to employment and leisure uses,
 - o promotes and maintains a diverse housing stock and opportunities for lower- and middle-income households, and
 - o enhances a transition between Arsenal Street and the abutting residential neighborhoods, while discouraging residential development as a first floor use with direct frontage on Arsenal Street.

(b) District Delineation

The boundaries of the Regional Mixed Use District [RMUD] shall be as defined on the Zoning Map of Watertown, Massachusetts, as amended. The provisions of this section shall apply only to the Regional Mixed Use District.

(c) Dimensional Criteria

- 1) Alterations, additions and extensions of nonconforming structures shall be subject to § 4.06.
- 2) No use in the RMUD shall exceed an FAR of 1.0 without receiving a Special Permit or Master Plan Special Permit pursuant to § 9.03-9.05 and 9.09-9.13 and in keeping with the intent and purpose of the RMUD Ordinance pursuant to §5.18.a, and in no instance shall the increased intensity of use allowed by Special Permit exceed an FAR of 2.0.
- 3) Minimum Lot Area per Dwelling Unit: N/A
- 4) Minimum Lot Frontage: 50 feet, subject to § 5.05(f)
- 5) Height of Building:
 - a. Minimum height of building: For office buildings and mixed-use developments in the RMUD greater than or equal to ten thousand (10,000) gross square feet or containing ten (10) or more residential units, the minimum building height is twenty four (24) feet.
 - b. Maximum height of building: 55 feet, or 79 feet by Master Plan Special Permit, or 130 feet by Master Plan Special Permit within a defined mixed-

use project, using adopted Design Guidelines provided the project includes a diversity of building heights and furthers the intent and purpose (§5.18.a) of the RMUD.

- c. In granting a Master Plan Special Permit, and in granting a Special Permit, for a project which includes a building listed on the National or Massachusetts State Register of Historic Places, the SPGA shall determine that the height and roof ridge line of such historic structure shall not be increased.
- 6) Maximum Total Building Coverage: Seventy-five percent (75%).
 - 7) Minimum Open Space: All new developments shall have at least 20 percent (20%) of the total site area devoted to Open Space; required setbacks shall be considered as part of the total area for Open Space. The required Open Space shall not be used for parking, loading, or roadway purposes. Fifty percent (50%) of the required Open Space shall be publicly accessible.

There shall be a 100-foot wide open space area parallel to Greenough Boulevard. Except as set forth in this §5.18.c.7, no structure shall be built within this 100-foot area. Through a Master Plan Special Permit, buildings which existed within this 100-foot area as of September 25, 2015, may be expanded within this 100-foot area but in no instance may an addition encroach closer to Greenough Boulevard than the existing structure.

- 8) Setbacks:
 - a. Front: Build-to-line of ten (10) to thirty (30) feet as specified in § 5.04 and 5.05(s); per § 5.05(p), the front build-to-line may be reduced to be consistent with surrounding existing buildings by Special Permit.
 - b. Side: 15 feet; per § 5.05(d), side yards may be omitted by Special Permit provided that the side yard does not adjoin a Residential District or a Residential Use in existence on September 25, 2015, and that access to the rear is appropriate.
 - c. Rear: 20 feet; per § 5.05(p), rear yards may be reduced to be consistent with surrounding existing buildings by Special Permit.
 - d. Special setbacks and stepbacks: Any structure within fifty (50) feet of Open Space/Conservancy (OSC) zoned land, and the façade of any structure which fronts on a public way, shall be required to incorporate appropriate setbacks, stepbacks, and/or other techniques, in keeping with adopted Design Guidelines, to mitigate potential adverse impacts on environmentally sensitive areas and public ways, as determined by the SPGA.
- 9) Minimum Lot Size: 10,000 square feet; Existing lots per § 5.05(w).

(d) Parking Requirements:

- 1) Off-street parking shall comply with the requirements of Article VI of the Watertown Zoning Ordinance.

- 2) Separation of Parking Costs: Any parking spaces offered to residents of the residential component of a new development should, to the greatest extent practicable, be offered as a fee-based option distinct from charges established for renting, leasing, or purchasing primary-use space within the development. These fees should reflect a reasonable representation of the market value of the parking space(s).
- 3) Smart Parking Technology: For projects with structured parking of over 100 spaces, it is required that said structured parking install and employ smart parking technology (e.g. equipment to count the number of vehicles entering and exiting the parking area, availability of spaces, etc.).

(e) Signs and Illumination:

Signage shall comply with the requirements of Article VII of the Watertown Zoning Ordinance.

(f) Design Guidelines:

Per § 9.03(d), developments in the RMUD with four or more residential units or 10,000 square feet of new development or greater are subject to review according to the Town of Watertown's adopted Design Guidelines.

(g) Affordable Housing:

An application for a Master Plan Special Permit shall provide at least fifteen percent (15%) of the total dwelling units as affordable housing and otherwise be consistent with the requirements of Section 5.07.

(h) Authority and Procedure:

Any project requiring relief per § 5.01 of the Ordinance shall be subject to § 9.03 and § 9.05 of the Watertown Zoning Ordinance, or a Petitioner/Project may seek, as an alternative approval process, a Master Plan Special Permit under § 5.18(g), if a project encompasses a minimum of two (2) acres.

Master Plan Special Permit with Site Plan Review:

The revitalization and redevelopment of property in the RMUD may involve new uses and buildings, additional structured parking, enhanced landscaping, and other significant changes. The projects may occur over time, and in phases.

In order to ensure that nearby and Town-wide traffic, infrastructure, density, connectivity and visual impacts, etc., from such projects are identified and coherently planned to include appropriate mitigation, the Petitioner may seek conceptual Master Plan level approval of a large scale project. This approval shall be followed by detailed Final Site Plan Review Approvals of individual projects or buildings under § 9.03 that are to occur later, before issuance of any Building Permits.

A Master Plan-level review provides the Petitioner with the benefit of advance conceptual approval for multiple projects to be implemented over time. It also provides both the Petitioner and the Town with the opportunity and mechanism to consider and address the cumulative impacts of all individual phases and for the holistic consideration and mitigation planning for the entire larger-scale project(s) that may be built in phases.

- 1) **Procedure: Notwithstanding anything to the contrary within the Watertown Zoning Ordinance or more specifically within Article IX, in the RMUD, the Planning Board shall be the Special Permit Granting Authority (SPGA) for all Master Plan Special Permits and Amendments in accordance with § 9.03.**

- 2) **Application: A Petitioner proposing to construct one or more buildings (which may include structured parking and may include alterations to one or more existing buildings) may seek approval of the overall project through a Master Plan Special Permit. An application for a Master Plan Special Permit shall include, at a minimum, for each proposed new building, structural alteration of an existing building, or principal use outside of a building:**
 - a. **The proposed location, approximate footprint, height, and gross floor area;**
 - b. **Building elevations showing principal building entrances, overall building massing, rooflines, and general fenestration patterns and will require multiple three-dimensional elevations; Applications for one or more buildings greater than 79' in height shall include design details for such building(s) sufficient to enable a decision whether height above 79' is appropriate given the massing of the proposed building(s) and the location in relation to other buildings, streets and open spaces, including public open spaces adjacent to the site.**
 - c. **Cross section drawings indicating the relationship of the building or buildings to nearby buildings, buildings on adjoining properties, streets open spaces, and parklands. Both aerial and pedestrian level 3D views shall be included to fully depict the visual impact of the design from both public ways and from several key view points within the project development area;**
 - d. **Identification of all principal and accessory uses, other than parking and any alterations or demolition of existing structures, with care given toward protecting historic resources that help define and contribute to the character of the Arsenal Street Corridor;**
 - e. **Vehicle and bicycle parking areas or facilities to be provided;**
 - f. **Proposed design criteria establishing a palette of building materials, architectural elements, and landscaping elements to be finalized for each individual building during later, detailed Site Plan Reviews;**
 - g. **Shadow Analysis depicting internal and external impacts of morning, mid-day and evening shadows at both solstices and equinoxes;**
 - h. **Traffic Impact Assessment (TIAS) of traffic generation and onsite/offsite impacts including a Transportation Demand Management Plan with a reporting mechanism to the Town;**

- i. Verification that adequate sewer capacity is available or that the project will suitably increase capacity as required; and
 - j. Complete, conceptual level stormwater management plan demonstrating the development's approach to onsite Stormwater Management and adequacy of connections to regional mains.
 - k. Open Space Plan, including location, size, characteristics (pervious vs impervious), uses and public accessibility of all open space areas. Conceptual wayfinding signage for paths, access to parks, and transit, at a minimum, with detailed plans to be submitted within a signage packet as part of a Building Permit.
 - l. List of required Federal, Massachusetts, or Watertown environmental licenses, permits, filings, or restrictions, currently in effect or anticipated.
- 3) Review of Application: The SPGA shall hold a public hearing in accordance with procedures outlined in § 9.04. The SPGA shall not approve a Master Plan Special Permit unless it finds that the four conditions for Special Permit approval set forth in § 9.05(b) of this Zoning Ordinance have been met and that the proposed development will be in-keeping with the intent and purpose of the RMUD as set forth in § 5.18.a.

The Petitioner's submission of and the review of the conceptual level plan component of a Master Plan Special Permit shall include two public information meetings and shall otherwise follow the procedures set forth in § 9.03. The SPGA shall not approve such a Master Plan Special Permit unless it finds that the Petitioner has satisfactorily addressed, at a conceptual level, the ten criteria listed in § 9.03(c).

- 4) Parking Reduction: In granting a Master Plan Special Permit, the SPGA may reduce the number of required parking spaces, based on the availability of public transportation alternatives at or near the RMUD master-planned project, the transportation demand management programs implemented or to be implemented as part of the RMUD Master Plan, compatibility with any transportation policy adopted by the Town, the ability of uses with peak user demands at different times to share parking spaces or other factors for which the Petitioner provides (i) a parking study or analysis prepared under the direction of a Professional Engineer or Architect with the requisite experience in conducting such analysis, using standards and methodologies promulgated by the Institute of Transportation Engineers, the Urban Land Institute, or other appropriate source, and (or including) (ii) a transportation demand management plan prepared to best practices standards for such plans in Massachusetts.

In addition, the SPGA may allow the Petitioner to temporarily further reduce the amount of parking provided as part of a master-planned project during a phase(s) of an approved large-scale mixed-use project if existing parking spaces will be eliminated during a phase of implementation, to be replaced in that or a later phase of implementation, for example if a structured parking facility is to be built on the location of an existing surface parking lot. In determining whether to grant such a temporary further reduction of the amount

of parking, the SPGA shall take into consideration the factors set forth above in this subsection and the applicant's proposals, if any, to provide substitute off-site parking or other interim measures to reduce the demand for parking within the master-planned project.

- 5) Final Site Plan Review: Prior to the issuance of a Building Permit for any building approved under a Master Plan Special Permit, the Petitioner shall obtain Final Site Plan Review of the final design details of the proposed building(s) and any related landscaping or other improvements following the procedures set forth in § 9.03 of this Zoning Ordinance.
 - 6) Amendments to an approved Master Plan Special Permit: Changes to an approved Master Plan Special Permit site plan that are Minor, as determined by the SPGA or Director of the Department of Community Development and Planning (Director), may be approved as part of the Final Site Plan Review for the associated building(s).
 - 7) Lapse of a Master Plan Special Permit: A Master Plan Special Permit will be required to include a phasing plan for implementing the Master Plan Special Permit.
 - a. The Permit shall be deemed to have been exercised for purposes of § 9.13 of the Zoning Ordinance and Section 9 of the Massachusetts Zoning Act, M.G.L. c. 40A, if, within one year from the date of the grant of the SPGA's Master Plan Special Permit, the Petitioner has applied for Final Site Plan Approval of a building or outdoor use, and if within two years of such date, construction of an approved building or commencement of an approved principal use outside of a building has begun, in either case except for good cause. A Master Plan Special Permit will expire ten years from the grant of approval if construction of all phases have not commenced, as described above, except for good cause. A petitioner may request extensions of the phasing plan and/or implementation through a request to the SPGA prior to permit expiration, and if the SPGA does not grant a request for extension, a petitioner will be required to submit for an amendment or new permit. The time periods referenced above shall not include such time required to pursue or await the determination of any appeal under M.G.L. c. 40A, Section 17.
- (i) Circulation:
- 1) Special attention shall be given to infrastructure and design that will create direct public bicycle and pedestrian path connections with adjacent public bicycle or pedestrian paths, and that minimizes barriers separating such paths.
 - 2) When appropriate, a conceptual wayfinding signage proposal for paths, access to parks, and transit, at a minimum, with detailed plans shall be submitted within a signage package as part of a Building Permit.

ARTICLE VI AUTOMOTIVE AND BICYCLE PARKING REQUIREMENTS

SECTION 6.02 LOCATION AND DESIGN OF OFF-STREET PARKING SPACES

- (n) In the Business Zones, Industrial Zones, **PSCD and RMUD**, the off-street parking requirements of § 6.01 may be satisfied with the use of a stacked parking configuration. For the purposes of this § 6.02(n) stacked parking shall mean a parking space, including enclosed garage parking spaces, where within a parking space vehicles may be parked with one (1) vehicle behind another, with a maximum two (2) vehicles in each stack. Notwithstanding the provisions of § 6.02(b) above, each parking space shall be marked and shall not be less than eight (8) feet in width and seventeen (17) feet in length for angle parking or twenty-two (22) feet in length for parallel parking, exclusive of drives, walks and maneuvering space. One (1) of the two vehicles in each stack shall have direct access to an aisle or drive-way having a minimum width of twenty-four (24) feet in the case of two-way traffic or in the case of one-way traffic the minimum aisle width provided in § 6.02(c). The surfaced area of off-street parking areas shall be set back a minimum of five (5) feet from all buildings and lot lines. Such setback areas, except for entrance and exit drives, shall be properly landscaped with grass, trees, shrubs, flowers and other landscaping materials.

ARTICLE VII SIGNS AND ILLUMINATION

SECTION 7.03 SIGNS IN ALL DISTRICTS

(a) Placement of Signs

- (1) Any ~~ground level~~ **building or tenant** occupancy with more than one occupancy frontage may have ~~one~~ attached **signage** on each occupancy frontage facing a street, parking lot, or in each yard facing a street, **and/or free-standing signage for each street frontage of the lot** provided it is setback to at least one half the depth of the required ~~setback~~. A building may also have **separate** identifying signage. **In no instance shall any signage directly front on or be directed to face Greenough Boulevard.**

(b) Projection of Signs

- (2) A sign, except for a **projecting sign such as** the projection of a symbol, accessory, marquee, or banner, shall not project more than six (6) inches from the building wall.
- (3) A ~~symbol~~ **projecting** sign and support thereof, shall not project more than thirty-six (36) inches from the building wall, and no part thereof shall extend below eight (8) feet from ground level. ~~The vertical dimension of the symbol shall not exceed forty-eight inches.~~ **must be set back at least two (2) feet from the curb line and be at least nine (9) feet above ground level.**
- (4) A **projecting** banner sign must be set back at least two (2) feet from the curb line and be at least nine (9) feet above ground level. The total area of a banner may not exceed fifty (50) square feet. **In no instance shall the vertical length of a Banner Sign exceed fifty (50) percent of the total height of the structure to which it is attached and the width of a Banner Sign shall not exceed fifteen (15) percent of its height.**

(c) Conditions of temporary signs

One temporary sign is permitted, as follows:

- (1) A temporary identifying sign, not exceeding the permitted size for a permanent sign, may be erected for not more than sixty (60) days.
- (2) A temporary accessory sign shall not exceed six (6) square feet and shall be removed from public view by those responsible for its erection within seven (7) days after the activity advertised has ceased or after substantial damage to the sign, whichever comes first.
- (3) A temporary non-accessory sign is limited to a period of forty-five (45) days preceding and not over seven (7) days after the relevant event **and may not exceed fifty (50) square feet.**

SECTION 7.05 SIGNS IN R.75 AND R1.2 DISTRICTS, AND FOR RESIDENTIAL USES IN THE I-3 **AND RMUD** DISTRICT

In the R.75 or R1.2 Districts, or with respect to any residential use in the I-3 District **and RMUD**, no sign or other advertising device shall be permitted except as follows:

- (b) For multiple unit structures, ~~up to two (2) identifying signs indicating the name of the individual multiple unit structure(s) and/or the street address, wherein the aggregate area of the sign(s) shall not exceed twenty square feet.~~ **developments, including the residential component within a mixed-use project, up to two attached signs or two free-standing signs, or a combination of one attached sign and one free-standing sign may be allowed. The size of such signage shall be limited to one (1) square foot per unit up to a maximum of 100 square feet, and in no instance shall a building mounted sign exceed 30 feet in height.**

SECTION 7.06 SIGNS IN THE NB, LB, CB, I, **RMUD**, AND PSCD DISTRICTS

In any NB, LB, CB, I, **RMUD**, and PSCD district, no on premise sign or advertising device shall be permitted except as follows:

- (a) As permitted in S-10, S-6, SC, CR, T, OSC, R.75 and R1.2 districts.
- (b) One identifying sign for each **building or tenant** occupancy frontage facing a street, parking lot, or public way. **In addition, one free standing sign may be allowed on a lot for each street frontage of the lot, provided it is set back to at least one half the depth of the required setback in that district.** In the case of a free standing pole or pylon sign, said identifying sign may be up to sixteen (16) square feet or **thirty-two (32)** square feet in the case of a monument sign. If a wall or marquee sign, said identifying sign may be up to five (5) percent of the area of the wall or building facade. The dimensions used in calculating this percentage shall be the horizontal measure of the occupancy frontage of the business and the vertical measurement of the building not exceeding the top of the second story of the building facade (also see (d)). The accessory signage calculation shall be based upon the five (5) percent of the wall area or building façade allowed for an identifying sign.

RMUD Exceptions:

1. **In the RMUD, the number and size of all building mounted (wall or marquee) signage shall be limited to no more than one and one-quarter (1.25) square feet of signage for each linear foot of building for the first story and no more than three-quarters (0.75) of a square foot for each linear foot of building for a second story, but any use above a second story may be allocated a portion of the first story or second story signage**

allocation. Building mounted signage may be located adjacent to entrances, along first and second floor occupancy frontages, or in other locations, including at heights greater than 20 feet, so long as the location is in keeping with adopted Design Guidelines. In no instance may a single occupant be allowed more than 100 square feet of building mounted identifying signage, subject to the size limitations set forth in Section 7.06e.

2. In addition to the wall-mounted signage allowed above, lots in the RMUD may have up to one (1) free-standing sign for each two hundred (200) linear feet of street frontage along a public or private way, provided that the total number of free-standing signs allowed on any lot shall not exceed a total maximum of four (4) free-standing signs and shall be a maximum of twenty (20') feet in height and thirty-two (32) square feet in sign area. Two of the allowed free standing pole or pylon signs may be consolidated and those consolidated signs shall have no more than 150 square feet of signage area each, subject to size limitations set forth in § 4.12, 6.02.h and 7.06.b, and in keeping with adopted Design Guidelines.

(c) One building mounted accessory projecting sign such as a wall, marquee, awning, fin, blade, symbol pole or pylon sign or banner sign for each 50 linear feet of tenant occupancy facing a private or public way, or parking lot.. use. In no instance may the total area of an accessory sign exceed thirty (30) percent of the total area of the identifying sign for each occupant (also see (d)). An accessory sign may contain words describing the business, or may repeat the name of the business.

(e) In no instance may the gross area of all signs including accessory signs on one building exceed 200 square feet in area on a single lot, except in the case of multiple buildings where each building may have up to a maximum of 200 square feet including accessory signs on each building.

Notwithstanding the above, aAny non-residential retail or mixed use site with cumulative building footprints in excess of 100,000 square feet may , by Special Permit and adhering to the adopted Design Guidelines, request an increase in total square feet and number of signs, however the aggregate square footage may not exceed 350 square feet of signage per building, except in the RMUD, where the maximum identifying signage shall be limited to one-hundred (100) square feet of building mounted signage per tenant. Further, an increase in the total building signage may be permitted by Special Permit and adhering to the adopted Design Guidelines.

Exceptions: Freestanding and directional signs shall not reduce signage otherwise allowable under Section 7.06(e) above, but shall be subject to limitation identified in Section 7.03(a) and 7.05(b).

(g) Projecting signs ~~shall~~may be considered as accessory signs and be permitted if they are not more than ~~nine (9)~~sixteen (16) square feet in total area and having the lowest point of the sign at least ~~nine (9)~~ feet above grade. Further, ~~no portion of the projecting signs shall be more than four (4) feet from the building wall, and the projecting sign shall be placed at a right angle to the building wall. Illumination from the interior of all projecting signs shall be prohibited and other forms of illumination shall be consistent with this Ordinance.~~

(h) One free standing or wall-mounted sign may be permitted for the purpose of a business directory per shared entrance provided that no more than three (3) square feet shall be permitted thereon for each use except by special permit. The aggregate sign area shall not exceed thirty-two (32) square feet.

SECTION 7.07 SIGN SPECIAL PERMIT*[add section and adjust subsequent section numbering as required]*

The Planning Board shall be SPGA for Sign Special Permits. In the RMUD district, no on-premise sign or advertising device shall be permitted except as follows:

- (a) **As permitted in § 7.05 or as allowed by this section for Master Plan Special Permit projects under § 5.18.**
 - (b) **Timing: A project may choose to request the approval of a sign master plan as part of a requested Master Plan Special Permit, or a sign master plan may be submitted as a separate request once a Master Plan Special Permit has been granted.**
 - (c) **In order to approve a sign master plan, the SPGA review would include a comprehensive review of the requested signage in context of the Special Permit, considering the uses proposed and the site and surrounding context.**
- 1) **Design Requirements: Sign Master Plan**
- a. **Signage shall be sized and placed to reinforce, rather than compete with, the architectural elements and proportions of a building.**
 - b. **A wall sign shall not project beyond the ends of the walls to which it is mounted.**
 - c. **Wall signs and projecting signs shall not extend above the roof line or parapet of the building to which it is mounted.**
 - d. **No part of a projecting sign shall extend into vehicular traffic areas or in any way interfere with vehicular site lines.**
 - e. **All free-standing signs must be protected from vehicular damage by a curb or planter.**
 - f. **Signs may be erected in required setback areas but in no instance shall signs directly front on or be directed to face Greenough Boulevard.**

Section 9.03 Site Plan Review of Certain Residential and Non-Residential Developments

[last sentence] - 9.03(a) “Development in the NB, LB, CB, I-1, I-2, I-3, **RMUD**, and PSCD Districts greater than or equal to ten thousand (10,000) gross square feet or containing ten (10) or more residential units shall have an *energy assessment* completed to determine the viability of a rooftop photovoltaic system. The Petitioner shall indicate, in writing, what actions/outcomes will be taken with a copy of the assessment, to DCDP.”

[second sentence] - 9.03(c)(7) - “All Mixed Use Developments in the NB, LB, CB, I-1, I-2, I-3, **RMUD**, and PSCD Districts must meet LEED Certifiable requirements as outlined by the United States Green Building Council’s *Leadership in Energy and Environmental Design (current edition as applicable)* as a minimum. **All Mixed Use Developments in the RMUD must meet LEED Certifiable requirements as outlined by the United States Green Building Council’s *Leadership in Energy and Environmental Design (current edition as applicable)* at the Silver level.**”

Exhibit B – Zoning Map Amendment

ZONING Map - Regional Mixed Use Amendment Planning Board 10/14/2015

