

SOUTH PLEASANT STREET OVERLAY DISTRICT

(Draft as of September 17, 2018)

1.4 Definitions and Abbreviations

Assisted Living Facility - Any entity, however organized, whether conducted for profit or not for profit, which meets all of the following criteria:

- (a) provides room and board;
- (b) provides, directly by its employees or through arrangements with another organization which the entity may or may not control or own, Personal Care Services for three or more adults who are not related by consanguinity or affinity to their care provider; and
- (c) collects payments or third party reimbursements from or on behalf of Residents to pay for the provision of assistance with the Activities of Daily Living, or arranges for the same.

Independent Living Facility - Independent Living Facilities provide private living and dining accommodations to persons **XX** years of age or older, and may include the provision of common areas, social and educational programs, and psychological counseling and crisis intervention as needed, all with the purpose of providing an environment in which older persons can continue to derive the personal and psychological benefits of independent living while also enjoying the substantial social and educational benefits of community living. Home health care facilities for the provision of medical, nutritional, social, psychological, and educational services for the residents of the Independent Living Facilities are permitted.

6G. SOUTH PLEASANT STREET OVERLAY DISTRICT

6G.1 General

6G.1.1 Purpose

In recognition of the unique location, function and character of land uses in the South Pleasant Street commercial area, the South Pleasant Street Overlay District (SPSOD) is intended to:

- a) encourage revitalization of South Pleasant Street;
- b) promote the redevelopment of under utilized properties in a coordinated and well-planned manner;
- c) promote mixed-use development, incorporating retail, restaurant, office, and residential uses;
- d) foster the development of a more pedestrian-oriented building environment; and,

- e) allow the uses and dimensional regulations of the Local Business I (LB-I) in the South Pleasant Street Local Business II (LB-II) area without altering the underlying LB-II zoning. The SPSOD does not in any manner remove or alter the zoning rights permitted by the underlying, existing zoning districts.

6G.1.2 Boundary of South Pleasant Street Overlay District

The South Pleasant Street Overlay District (SPSOD) boundary is shown on the South Pleasant Street Overlay District Map and is generally described as the commercial area on South Pleasant Street east of Waverley Square, south of the Lone Tree Hill Conservation Land, and north of the railroad tracks, including those parcels in the underlying Local Business II Zoning District. The SPSOD boundaries shall be superimposed on the Town of Belmont Zoning District Map so as to indicate the extent of the SPSOD.

6G.1.3 Applicability

The SPSOD shall be considered as overlaying other existing zoning districts. The SPSOD confers additional development options to be employed at the discretion of the property owner, subject to the requirements of this Section 6G. SPSOD development projects shall be subject to a Design and Site Plan Review in accordance with Section 6G.3. SPSOD development projects will also be eligible for a Special Permit to increase building height and/or to exceed otherwise applicable square footage limitations.

- a. Existing Zoning Districts

The SPSOD does not in any manner remove or alter the zoning rights permitted by the underlying, existing zoning districts.

6G.1.4 Authority

The Planning Board is the Special Permit Granting Authority (SPGA) for SPSOD developments requiring a Special Permit. In addition, the Planning Board shall have Design and Site Plan Review authority for all projects in the SPSOD. As part of its Design and Site Plan Review authority under this Section, the Planning Board may waive some or all of the dimensional and parking requirements of this Section if, in its determination, such waiver will result in an improved design.

6G.2 Uses

6G.2.1 Uses Permitted in the South Pleasant Street Overlay District

The uses allowed within the Local Business I District (LB-I), as outlined in Section 3, Use Regulations, shall be allowed within a SPSOD development project.

Uses permitted by Special Permit in the LB-I as outlined in Section 3 shall also require a Special Permit in the SPSOD and shall be subject to the requirements of Sections 7.4.3 and 6G.3:

6G.2.2. Additional Uses Permitted by Special Permit in the SPSOD:

- a) Assisted Living Facilities; and,
- b) Independent Living Facilities.

6G.2.3 The following are expressly prohibited uses in a SPSOD development project

- a) Commercial surface parking lot and related facilities;
- b) Banks, credit unions and similar establishments;
- c) Drive-through establishments; or
- d) Adult entertainment establishments.

6G.3 Performance and Design Standards

All development projects proposed within the SPSOD require Design and Site Plan Review by the Planning Board to ensure conformance with the following Performance and Design standards:

6G.3.1 Performance Standards

A) Mixed Uses

The mix of uses shall be balanced and compatible and shall contribute to a vibrant atmosphere.

1. Ground Floor Uses

The ground floor of any building shall be reserved for allowed business uses except as specified below:

- i. Residential uses shall be allowed on ground floors of buildings where the building façade does not front on Trapelo Road and the Planning Board has determined that the street front residential use will not have an adverse impact on the continuity of the commercial street-front uses of other properties.

B) Dimensional Regulations - the following dimensional regulations, as generally allowed within the LB- I District, (Section 4.2, Schedule of Dimensional Regulations) shall be allowed within a SPSOD development project.

1. Setbacks

- i. Front: The maximum front setback shall be five (5) feet for the front and street side façades.
- ii. Side: The minimum side setback shall be six (6) feet.
- iii. Rear: The minimum rear yard setbacks shall be six (6) feet.

The Planning Board may modify all setback requirements if, in its opinion, such waiver will result in improved design.

2. Height of Structures

A) In Feet:

The maximum height of buildings is 28 feet above ambient sidewalk grade.

A building height of up to 32 feet may be allowed by Special Permit from the Planning Board.

B) In Stories:

The maximum height of buildings is two stories.

A building height of up to three stories may be allowed by Special Permit from the Planning Board.

3. Floor Area Ratio (FAR)

The maximum allowed FAR shall be 1.25.

A FAR of 1.5 may be allowed by Special Permit from the Planning Board.

For Special Permits under this section, the Planning Board shall take into account the criteria provided in Sections 4.4 and 7.4.3 and subject to Section 6G.3.

6G.3.2 Parking Requirements

A) The parking requirements for uses within the SPSOD shall be provided in accordance with Section 5.1 of this Zoning By-Law.

B) Reduction of Parking

The Planning Board may reduce the on-site parking requirements for all uses in a SPSOD development project, based upon a consideration of:

- i. Availability of shared parking on another property within 300 feet; however, parking spaces for one use shall not be considered as providing the required spaces for any other use, except when it can be clearly demonstrated that the need for parking occurs at different times. The Planning Board may require a shared parking agreement to be submitted as part of the Design and Site Plan Review application. The agreement shall address issues such as the times of use, maintenance, striping, and snow plowing of the shared parking area.
- ii. Uses within 250 feet of municipal parking garages or lots may be entitled to a 20% reduction in required parking.
- iii. Uses within 200 feet of public transportation may be entitled to a 10% reduction in required parking.

- iv. Other factors supporting the reduction in the number of required parking spaces such as, but not limited to, staggered hours or other opportunities for shared parking among different uses.

C) Bicycle Parking

The following requirements apply to any new developments:

- i. Residential - at least one bicycle parking or storage space shall be provided per dwelling unit.
- ii. Business - at least two bicycle parking spaces shall be created per business establishment.

For business establishments over 10,000 square feet gross floor area (GFA), one additional bicycle parking space shall be provided for every additional 1,000 square feet GFA.

Assisted Living and Independent Living Facilities shall be exempt from the residential bicycle parking requirement, and instead shall provide one bicycle parking space per five vehicular parking spaces.

Long term bicycle parking shall be provided for all new mixed-use development projects in the SPSOD. Long-term bicycle parking shall be at least 50% sheltered from the elements.

Any property owner required to have bicycle parking may elect to establish a shared bicycle parking facility with any other property owner in close proximity to each development utilizing the shared parking.

6G.3.3 Design Standards

A) General Guidelines

The Planning Board shall consider the architectural and aesthetic compatibility of the proposed development project with the character of the Town of Belmont, taking into account appropriate scale, massing, and location of buildings on the lot, roof slopes, street façade, exterior building materials, historic significance and similar factors. The following objectives and criteria shall be considered in reviewing development projects in the SPSOD:

- i. Appropriateness of the proposed design and materials of proposed buildings;
- ii. Adequacy of the site in terms of the size of the proposed use(s);
- iii. Adequacy of the provision of open space, its accessibility to the general public, and/or its association with adjacent or proximate open space areas;
- iv. Impact on traffic and pedestrian flow and safety;

- v. Adequacy of utilities, including sewage disposal, water supply and storm water drainage;
- vi. Impact of the proposal on the existing mix of structures and businesses in the SPSOD;
- vii. Determination that there will be no serious hazard to vehicles or pedestrians within the site or on adjacent streets or sidewalks;
- viii. Adequacy of the arrangement of parking and loading spaces in relation to the proposed uses of the buildings;
- ix. Appropriateness of the proposed methods of disposal of refuse and other wastes resulting from the uses permitted on the site, including size, location and landscape screening of dumpsters or other trash receptacles; and
- x. Adequacy of landscaping/site improvements.

B) Building Design

The detailed design standards below are intended to promote quality development. To provide additional guidance, the Planning Board may promulgate more detailed design guidelines.

1. Scale

The size and detailing of buildings shall be pedestrian-oriented and shall reflect the character of the Town of Belmont. Buildings shall be designed in a way that reduces the appearance of bulk or mass, particularly as viewed from the residential neighborhoods across the railroad tracks to the southeast of Pleasant Street.

2. External Materials and Appearance

Except for windows and minor trim, buildings shall avoid reflective materials such as porcelain enamel or sheet metal.

Predominant wall materials shall have the appearance of wood, brick, or stone painted or coated in a non-metallic finish. Window openings shall be maximized in order to increase visibility into storefronts and add vibrancy to the commercial area.

3. Architectural Details

Architectural features shall be compatible with other structures in the Town's commercial areas. Distinctive features, finishes, and construction techniques shall be utilized in the design of new buildings or additions. Where applicable, renovated structures shall maintain the unique architectural details of the building.

4. Signs and Awnings

The signs and awnings shall be subject to Section 5.2 of this Zoning By-Law.

5. Vehicle and Pedestrian Features

Buildings and site plans should be designed to enhance the pedestrian environment and foster the creation of a more walkable built environment along South Pleasant Street. The following vehicle and pedestrian guidelines apply to SPSOD development projects:

- i. Curb cuts shall be allowed only at the discretion of the Planning Board.
- ii. The Planning Board may allow or require pedestrian and vehicular access to existing or future development on abutting properties in order to facilitate pedestrian access and to minimize curb cuts.
- iii. The provision of parking shall take into consideration the extent to which the design maximizes pedestrian flow within the development and maximizes the efficient use of existing and proposed parking facilities.
- iv. Parking lots and driveways shall have landscaped “buffer zones” separating cars from pedestrians. The Planning Board shall determine an adequate buffer zone for each project.
- v. Where possible, surface parking lots shall not be placed along Pleasant Street and shall be concealed behind buildings and not visible from Pleasant Street.
- vi. Underground parking is strongly encouraged where feasible.
- vii. Parking Structures

The following design guidelines shall be considered for projects containing structured parking:

- a. Compatibility with the proposed building(s) and surrounding neighborhood with regards to architecture, size, scale, and intensity and mass;
- b. Promote a pedestrian friendly street presence;
- c. Located to the rear or side of the primary structure such that the primary street frontage holds the principal building which then screens to the extent possible the parking structure;
- d. Access points whenever possible should be on the secondary or side streets, or accessed via a side driveway, versus the primary street frontage;
- e. All ingress/egress points shall be designed to ensure adequate emergency vehicle access to the parking structure;
- f. Exterior landscaping shall be provided to screen the structure;

- g. Avoid designing entire sides or substantial lengths of the parking structure walls to be open with no fenestration. Long runs of openings that do not conform to or replicate window patterns consistent with the primary building shall also be avoided;
- h. Architectural articulation shall be on all sides of the parking structure and of materials compatible with the primary building;
- i. Pedestrian warning devices should be located at all entrances and exits that intersect pedestrian walkways.

6. Lighting

The following lighting requirements concerning lighting shall apply to buildings within a SPSOD development project:

- i. Exterior signs should have lights for visibility at night.
- ii. Landscaped paths and walkways should always be comfortably and safely lit. Consider low-placed lamps, wall sconces, and pedestrian-scale pole-mounted fixtures.
- iii. Awnings and canopies may be illuminated from within to make them glow at night.
- iv. Lights may be required to be appropriately screened so as to prevent them from reflecting in the eyes of people on the sidewalks, in buildings, or in cars.
- v. Exterior light fixtures shall be shielded from view or blended into the building's lines. Decorative fixtures may be exposed as a design element.
- vi. Building entries and display windows shall be lit with incandescent or warm-toned fluorescent lighting.
- vii. To highlight landscaping, up-light into trees or strings of lights among branches may be required.
- viii. Electrical conduit shall be concealed within the moldings and lines of the building.
- ix. There shall be no neon or flashing signs.

7. Landscaping and Off-Site Improvements

The applicant may be required to install street furniture and landscaping on public property abutting and within the proximity of the proposed development project to ensure the integrity of design in the SPSOD and to promote the development of a more pedestrian-oriented building environment that enhances connectivity to both the Waverley Square and Belmont Center commercial areas and transit stops. Site improvements, such as window boxes or potted plants, may be installed outside a development project storefront.

Street furniture includes benches, planters, trash receptacles, lamps, bike racks, and signs. If a front setback is provided, those portions of the front yard not occupied by public amenities shall be landscaped to enhance the streetscape.

The following landscaping and site improvement guidelines apply to the SPSOD:

- i. All site open space (yards, parking lots, setbacks) should be planned carefully, with appropriate plantings or landscaping. Open space shall be appropriately usable, open, and available to the general public and may consist of landscaped gardens, plazas, sitting areas, sidewalks or similar features.
- ii. Open spaces may be utilized to break up a block of buildings in order to provide visual relief.
- iii. Street furniture shall be provided for public use.
- iv. Street furniture should be made of solid wood or recycled plastic lumber to ease maintenance.
- v. Trash receptacles shall be provided at all gathering places and properly maintained.
- vi. Window boxes, gardens, or hanging planters shall be located in appropriate locations.
- vii. Landscaping and plantings shall be maintained so as not to interfere with entry to stores or block visibility of signs.
- viii. Climate requirements, growth potential, and adaptability to the urban environment shall be considered when selecting plant types and species.
- ix. Landscaping shall be installed to properly screen dumpsters, transformers, air conditioning equipment, and other similar building equipment.

6G.4 Submittal Requirements

Any applicant seeking Design and Site Plan Review and/or a Special Permit for a SPSOD development shall submit 10 copies of the application, and an electronic copy, in such form as the Planning Board may require which shall include the following:

- a) Development plans bearing the seal of a MA Registered Architect, MA Registered Landscape Architect, Registered Civil Engineer, or similar professional as appropriate;
- b) Narrative description of the proposed work affecting the exterior of the building or structure, including a description of the materials to be used;
- c) Site plans and specifications showing total square footage and dimensions of all buildings and site improvements, including:
 - i. New buildings, additions, adjacent structures;

- ii. Streets, sidewalks and crosswalks;
 - iii. Existing and proposed open spaces, including, existing and proposed walls, fences, outdoor lighting, street furniture, new paving and ground surface materials;
 - iv. Points of vehicular and pedestrian access/egress;
 - v. All utilities, easements or service facilities, insofar as they relate to the project; and
 - vi. Proposed site grading, including existing and proposed grades at property lines.
- d) A certified plot plan less than 6 months old;
 - e) Architectural Layout Plans at a scale of 1/8" = 1' or appropriate scale. All spaces within the proposal must be properly labeled and all dimensions must be clearly shown;
 - f) Site perspective, sections, elevations 1/8" = 1';
 - g) Detailed description of the proposed use of the building, including hours of operation, numbers of employees, method and types of deliveries, etc;
 - h) Detailed plans for disposal of sanitary sewage;
 - i) Detailed plans for landscaping;
 - j) Parking plan;
 - k) Plan for lighting, including the type of fixtures, and the off-site overspill (foot candles) of the lighting;
 - l) Signage plans; and,
 - m) The proposed method of storm water removal accompanied by calculations for a 20-year storm event.

The Planning Board may also require the following prior to acting on the application:

- i. Material boards of proposed buildings; and
- ii. An estimate of municipal revenues and costs expected to be generated by the project, including anticipated real estate valuation and public service needs.

The Planning Board may request additional information necessary in their deliberations relative to the application for the Special Permit.

6G.5 Procedures

6G.5.1 Design and Site Plan Review

The Planning Board shall promulgate rules and regulations requiring an applicant for Design and Site Plan Review under this Section to pay a review fee in an amount to be determined by the Planning Board to cover the reasonable costs of the Planning Board for the employment of any independent consultants determined to be needed to assist in the review of the application

for Design and Site Plan Review. Such consultants shall be qualified professionals in the relevant fields of expertise as determined by the Planning Board.

Review of a submitted application shall follow the procedures below and as specified in Section 7.3.3 of the Zoning By-Laws. Where there is a conflict in procedures, those specified below shall prevail. The Planning Board, or its designee, shall review a submitted application for completeness and shall notify the Applicant within thirty (30) days of its submission whether the application is complete or, if not, what items are missing. If the Planning Board fails to so notify the Applicant within such time, the application shall be deemed complete; provided that nothing herein shall be interpreted to limit the ability of the Planning Board to require additional information. The time for holding a public hearing shall not commence until the Planning Board has received a complete application.

An application for Design and Site Plan Review hereunder shall be approved if such application, as affected by such reasonable conditions as the Planning Board may impose, is consistent with the objectives in this Section and all other requirements of this By-Law. The Planning Board may impose such reasonable conditions on its approval as it shall deem appropriate to assure the continuing consistency of the development project with the purposes of Section 6G.

An application may be denied where:

- a) An application is incomplete; or
- b) No reasonable conditions will ensure that the proposed development is consistent with the standards and criteria set forth in Section 6G. Such a denial shall be in writing and shall set forth the reasons for denial.

Any proposed amendment to an Approval under this Section shall follow the procedures set forth herein for an initial application.

Notwithstanding any provisions hereof to the contrary, Design and Site Plan Review shall not be required for alterations or repairs to an existing building in a previously approved SPSOD development project which do not increase the height, bulk, or footprint thereof, which are not being performed to provide for its use for a substantially different purpose and which do not violate the conditions contained within any prior Design and Site Plan Approval applicable to such building.

6G.5.2 Special Permit Application

All applications for a Special Permit in the SPSOD will follow Sections 7.4.4 and 7.4.5 of the Town of Belmont Zoning By-Law for the application procedures.

6G.5.3 Coordination with Other Provisions of By-Law

This Section 6G together with the rest of this By-Law constitutes the zoning regulations for the SPSOD. Where conflicts exist between this Section 6G and the rest of the By-Law, the provisions of this Section shall govern.