

ARTICLE 22

MBTA Communities Multi-Family Overlay District (MCMOD)

§ 390-22.1 PURPOSE

The purpose of the MBTA Communities Multi-family Overlay District (MCMOD) is to allow multi-family housing as of right in accordance with Section 3A of the Zoning Act (Massachusetts General Laws Chapter 40A). This zoning provides for, as of right, multi-family housing to accomplish the following purposes:

- A. Encourage the production of a variety of housing sizes and typologies to provide equal access to new housing throughout the community for people with a variety of needs and income levels;
- B. Support vibrant neighborhoods by encouraging an appropriate mix and intensity of uses to support an active public space that provides equal access to housing, jobs, gathering spaces, recreational opportunities, goods, and services.
- C. Locating housing within walking distance to public transit and neighborhood businesses to promote general public health, reduce the number of vehicular miles travelled, support economic development, and meet community-based environmental goals, including reducing greenhouse gases and improving air quality,
- D. Preserve open space in a community by locating new housing within or adjacent to existing developed areas and infrastructure,
- E. Support public investment in public transit and pedestrian- and bike-friendly infrastructure,
- F. Increase the municipal tax base through private investment in new residential developments.

Commented [BR1]: PB Discuss: These are suggested purposes. Please review and determine if they are appropriate/in line with the Master Plan.

§ 390-22.2 ESTABLISHMENT AND APPLICABILITY

The MCMOD is an overlay district with a land area of approximately 85.8 acres that is superimposed over the underlying zoning district(s) and is shown on the Zoning Map.

- A. Applicability of MCMOD. An applicant may develop multi-family housing located within an MCMOD in accordance with the provisions of this Article XXII.
- B. Underlying Zoning. The MCMOD is an overlay district superimposed on the underlying zoning districts. The regulations for use, dimension, and all other provisions of the Zoning Bylaw covering the respective underlying zoning district(s) shall remain in full force, except for uses allowed as of right or by special permit in the MCMOD. Uses that are not identified in Article XXII are governed by the requirements of the underlying zoning district(s).
- C. Sub-districts. The MCMOD contains the following sub-districts, all of which are shown on the MCMOD Boundary Map:
 - 1. Sub-District 1: Downtown Mandatory Mixed-Use
 - 2. Sub-District 2: Wampum /495
 - 3. Sub-District 3: Route 1

Commented [BR2]: Option 1: Downtown & Wampum/495
Option 2: Downtown & Route 1

§390-22.3 DEFINITIONS

Affordable Unit. A multi-family housing unit subject to a use restriction recorded in its chain of title limiting the sale price or rent or limiting occupancy to an individual or household of a specified income, or both.

Affordable housing. Housing that contains Affordable Units as defined by Article XXII.

Applicant. A person, business, or organization that applies for a building permit, Site Plan Review, or Special Permit.

As of right. Development that may proceed under the Zoning in place at the time of application without needing a special permit, variance, zoning amendment, waiver, or other discretionary zoning approval.

Building coverage. The maximum area of the lot that can be attributed to the footprint of the buildings (principal and accessory) on that lot. Building Coverage does not include surface parking.

Compliance Guidelines. Compliance Guidelines for Multi-Family Zoning Districts Under Section 3A of the Zoning Act as further revised or amended from time to time.

DHCD. The Massachusetts Department of Housing and Community Development or any successor agency.

Lot. An area of land with definite boundaries that is used or available for use as the site of a building or buildings.

MBTA. Massachusetts Bay Transportation Authority.

Mixed-use development. A development containing a mix of residential and nonresidential uses, including commercial, institutional, industrial, or other uses.

Multi-family housing. A building with three or more residential dwelling units or two or more buildings on the same lot with more than one residential dwelling unit in each building.

Multi-family zoning district. A zoning district, either a base district or an overlay district, in which multi-family housing is allowed as of right.

Open space. Contiguous undeveloped land within a parcel boundary.

Parking, structured. A structure in which vehicle parking is accommodated on multiple stories; a vehicle parking area that is underneath all or part of any story of a structure; or a vehicle parking area that is not underneath a structure but is entirely covered and has a parking surface at least eight feet below grade. Structured Parking does not include surface parking or carports, including solar carports.

Parking, surface. One or more parking spaces without a built structure above the space. A solar panel designed to be installed above a surface parking space does not count as a built structure for the purposes of this definition.

Residential dwelling unit. A single unit that provides complete, independent living facilities for one or more persons, including permanent provisions for living, sleeping, eating, cooking, and sanitation.

Section 3A. Section 3A of the Zoning Act.

Site plan review authority (SPRA). Planning Board.

Special permit granting authority (SPGA). The Special Permit Granting Authority shall include the board of appeals or the planning board as designated by the Zoning for the issuance of special permits.

Sub-district. An area within the MCMOD that is geographically smaller than the MCMOD district and differentiated from the rest of the district by use, dimensional standards, or development standards.

Subsidized Housing Inventory (SHI). A list of qualified Affordable Housing Units maintained by DHCD used to measure a community's stock of low- or moderate-income housing for the purposes of M.G.L. Chapter 40B, the Comprehensive Permit Law.

Transit station. An MBTA subway station, commuter rail station, or ferry terminal.

1. Commuter rail station. Any MBTA commuter rail station with year-round, rather than intermittent, seasonal, or event-based, service.
2. Ferry terminal. The location where passengers embark and disembark from regular, year-round MBTA ferry service.
3. Subway station. Any of the stops along the MBTA Red Line, Green Line, Orange Line, or Blue Line

§390-22.4 PERMITTED USES

A. Uses permitted As of Right. The following uses are permitted as of right within the MCMOD:

1. Multi-family housing
2. Mixed-use development. As of right uses in a mixed-use development are as follows:

Ground Floor
Community Space
Personal services
Retail
Experiential retail, including retail associated with dance or exercise studios, music studios, photography studios, or other combination of education, services, and retail
Restaurants, café, and other eating establishments without a drive-through
Office, professional office, medical and dental offices, and co-working space
Artists' studios, maker space, small-scale food production (no more than 5,000 s.f.), and retail associated with each use.
Any Floor
Residential (required component)

B. Accessory Uses. The following uses are considered accessory as of right to any of the permitted uses in Section §390-22.4(A).

1. Parking, including surface parking and parking within a structure such as an above-ground or underground parking garage or other building on the same lot as the principal use.

§390-22.5 DIMENSIONAL STANDARDS

A. Table of Dimensional Standards. Notwithstanding anything to the contrary in this Zoning, the dimensional requirements applicable in the MCMOD are as follows:

Sub-district	Minimum Lot Area (square feet)	Minimum Yard Dimensions			Maximum Building Height		Lot Coverage (percent)	Density (Unit/Acre)
		Front (feet)	Side (feet)	Rear (feet)	Stories	Feet		
Subdistrict 1 Downtown (VZB)	25,000	25	5	10	3	35	75	8
Subdistrict 2 Wampum/495	43,560	40	25	25	2.5	35	25	22
Subdistrict 3 Route 1	80,000	50	25	25	6	72	75	22

Commented [BR3]: Option 1: Downtown & Wampum/495
Option 2: Downtown & Route 1

- B. Multi-Building Lots. In the MCMOD, lots may have more than one principal building.
- C. Exceptions. The limitation on the height of buildings shall not apply to chimneys, ventilators, towers, silos, or other ornamental features of buildings, which features are in no way used for living purposes and do not constitute more than 25% of the ground floor area of the building.
- D. Exceptions, Renewable Energy Installations. The Site Plan Review Authority or Special Permit Granting Authority may waive the height and setbacks in Section §390-22.4 Dimensional Standards, to accommodate the installation of solar photovoltaic, solar thermal, living, and other eco-roofs, energy storage, and air-source heat pump equipment. Such installations shall not create a significant detriment to abutters in terms of noise or shadow and must be appropriately integrated into the architecture of the building and the layout of the site. The installations shall not provide additional habitable space within the development.

§ 390-22.6 OFF-STREET PARKING

These parking requirements are applicable to developments in the MCMOD.

- A. Number of parking spaces. The following maximum number of off-street parking spaces shall be permitted by use, either in surface parking or within garages or other structures:

Use	Maximum Spaces
Multi-family	Two spaces per unit
Mixed-Use (non-residential)/Commercial	Three spaces per 1,000 sf GFA

- B. Bicycle Parking. All new developments are required to provide bicycle storage. Any property owner required to have bicycle parking may elect to establish a shared bicycle parking facility with any other property owner within the same block to meet these requirements.
- C. Shared Parking within a Mixed-Use Development. Parking requirements for a mix of uses on a single site may be adjusted through the Site Plan Review process if the applicant can demonstrate that shared spaces will meet parking demands by using accepted methodologies. Acceptable sources for calculating shared parking include those demonstrated in the Urban Land Institutes Shared Parking Report or the ITE Shared Parking Guidelines.
- D. Electric vehicle (EV) charging stations. For all uses within the MCMOD, EV charging stations are required, with one EV space for every twenty parking spaces, rounded up to the next highest number of EV stations.

§390-22.7 GENERAL DEVELOPMENT STANDARDS

Development standards in the MCMOD apply to all multi-family developments with more than 25 units or mixed-use developments with more than 25,000 sf within the MCMOD. These standards are components of the Site Plan Review process in Section §390-22.9, Site Plan Review.

A. Site Design.

1. Connections. Sidewalks shall provide direct connections between building entrances, the public sidewalk (if applicable), bicycle storage, and parking.
2. Vehicular access. Where feasible, curb cuts shall be minimized, and shared driveways encouraged.
3. Open Space. Acceptable activities within the minimum required Open Space include natural areas (including wetlands and surface waters), wildlife and native plant habitats, landscape plantings, agricultural activities, low-impact design stormwater management, non-motorized trails, and other low-impact activities. Open Space shall not contain habitable structures.
4. Screening for Parking. Surface parking adjacent to a public sidewalk shall be screened by a landscaped buffer of sufficient width to allow the healthy establishment of trees, shrubs, and perennials, but no less than six feet. The buffer may include a fence or wall of at most three feet in height unless there is a significant grade change between the parking and the sidewalk.
5. Parking Materials. The parking surface should be made of concrete, asphalt, decomposed granite, bricks, or pavers, including pervious materials, but not including grass or soil not contained within a paver or other structure.
6. Location of Parking. Parking, either surface or structured, is not allowed between a building and the front yard lot line. On a corner lot, parking is not allowed between the front and side yard lot lines.
7. Plantings. Plantings shall include species that are native or adapted to the region. Plants on the Massachusetts Prohibited Plant List, as may be amended, shall be prohibited.
8. Lighting. Light levels shall meet or exceed the minimum design guidelines defined by the Illuminating Engineering Society of North America (IESNA) and shall provide the illumination necessary for safety and convenience while preventing glare and overspilling onto adjoining properties and reducing the amount of skyglow.
9. Mechanicals. Mechanical equipment at ground level shall be screened by a combination of fencing and plantings. Rooftop mechanical equipment shall be screened if visible from a public right-of-way.
10. Dumpsters. A combination of fencing and plantings shall screen dumpsters. Where possible, dumpsters or other trash and recycling collection points shall be located within the building.

11. Stormwater management. Proposed development projects shall be subject to Wrentham Bylaw Chapter 351, Stormwater Management, in effect as of the date of adoption of this §390-22, as applicable.

B. Buildings: General.

1. Position relative to the principal street. The primary building shall have its principal façade and entrance facing the principal street. See also Section §390-22.7(F) Buildings, Corner Lots.
2. Entries. Where feasible, entries shall be clearly defined and linked to a paved pedestrian network that includes the public sidewalk.

C. Buildings: Multiple buildings on a lot/campus-style development.

1. For a mixed-use development, uses may be mixed within the buildings or in separate buildings.
2. Parking and circulation on the site shall be organized to reduce impervious surfaces. Where possible, parking and loading areas shall be connected to minimize curb cuts onto public rights of way.
3. A paved pedestrian network shall connect parking to the entries to all buildings and the buildings to each other.
4. The orientation of multiple buildings on a lot should reinforce the relationships among the buildings. All building façade(s) shall be treated with the same care and attention regarding entries, fenestration, and materials.
5. The building(s) adjacent to the public street shall have a pedestrian entry facing the public street.
6. Buildings may be oriented around an internal street network or, in a campus-like environment, to create community courtyards serving to define space for public and private activities.

D. Buildings: Mix-use development.

1. In a mixed-use building, access to and egress from the residential component shall be clearly differentiated from access to other uses. Such differentiation may occur by using separate entrances or egresses from the building or within a lobby space shared among different uses.
2. Paved pedestrian access from the residential component shall be provided to residential parking, amenities, and the public sidewalk, as applicable.
3. Materials for non-residential uses shall be stored inside or under cover and shall not be accessible to residents of the development.
4. Parking and circulation on the site shall be organized to reduce impervious surfaces. Where possible, parking and loading areas shall be connected to minimize curb cuts onto public rights-of-way.

- E. Buildings: Shared Outdoor Space. Multi-family housing and mixed-use development shall have common outdoor space accessible to all residents. Such space may be located in any combination of ground floor, courtyard, rooftop, or terrace. All outdoor space shall count towards the project's minimum Open Space requirement.
- F. Buildings: Corner Lots. A building on a corner lot shall indicate a primary entrance either along one of the street-facing facades or on the primary corner as an entrance serving both streets.
 - 1. Such entries shall be connected by a paved surface to the public sidewalk, if applicable.
 - 2. All façade visible from the public right of way shall be treated with similar care and attention regarding entries, fenestration, and materials.
 - 3. Fire exits serving more than one story shall not be located on either street-facing façade.
- G. Buildings: Principal Façade and Parking. Parking shall be subordinate in design and location to the principal building façade.
 - 1. Surface parking. Surface parking shall be located at the principal building's rear or side. Parking shall not be located in the setback between the building and any lot line adjacent to the public right of way.
 - 2. Integrated garages. The principal pedestrian entry in the building shall be more prominent in design and placement than the vehicular entry into the garage.
 - 3. Parking structures. Building(s) dedicated to structured parking on the same lot as one or more multi-family buildings or mixed-use developments shall be subordinate in design and placement to the vehicular entry into the garage.
- H. Design Guidelines. The Site Plan Review Authority may adopt and amend, by simple majority vote, Design Standards, which shall be applicable to all rehabilitation, redevelopment, or new construction within the MCMOD. Such Design Guidelines must be objective and not subjective and may only address the scale and proportions of buildings, the alignment, width, and grade of streets and sidewalks, the type and location of infrastructure, the location of building and garage entrances, off-street parking, the protection of significant natural site features, the location and design of on-site open spaces, exterior signs, and buffering in relation to adjacent properties. Design Guidelines may contain graphics illustrating a particular standard or definition in order to make such standard or definition clear and understandable.
- I. Waivers. Upon the request of the Applicant and subject to compliance with the Compliance Guidelines, the Site Plan Review Authority may waive the requirements of this Section §390-22.7 General Development Standards in the interests of design flexibility and overall project quality, and upon a finding of consistency of such variation with the overall purpose and objectives of the MCMOD.

§390-22.8 AFFORDABILITY REQUIREMENTS

A. Purpose:

1. Promote public health, safety, and welfare by encouraging a diversity of housing opportunities for people of different income levels;
2. Provide for a full range of housing choices for households of all incomes, ages, and sizes;
3. Increase the production of affordable housing units to meet existing and anticipated housing needs; and,
4. Work to overcome economic segregation, allowing Wrentham to be a community of opportunity in which low- and moderate-income households have the opportunity to advance economically.

B. Applicability. This requirement applies to all residential and mixed-use developments with ten or more dwelling units, whether new construction, substantial rehabilitation, expansion, reconstruction, or residential conversion. No project may be divided or phased to avoid the requirements of this section.

C. Affordability requirements.

1. Subsidized Housing Inventory. All units affordable to households earning 80% or less of Area Median Income (AMI) created in the MCMOD under this section must be eligible for listing on EOHLIC's Subsidized Housing Inventory.

D. Provision of Affordable Housing. In applicable projects, not fewer than ten percent of housing units constructed shall be Affordable Housing Units (AHU). To calculate the number of AHUs required within a development project, a fractional unit shall be rounded down to the next whole number. The AHUs shall be available to households earning income up to eighty percent of the AMI.

E. Fee in Lieu.

1. As an alternative to the requirements of paragraph (3) of this section, and at the sole discretion of the Planning Director, the developer or property owner shall contribute a fee to the Municipality's Affordable Housing Trust Fund in lieu of providing all or a portion of the required AHUs within the proposed development.
2. The fee in lieu of providing one or more AHUs shall be a minimum of \$400,000 per required AHUs not provided within the development. This fee may be adjusted upward by a majority vote of the Site Plan Review Authority.
3. Any payment to the Affordable Housing Trust Fund as an in-lieu contribution for AHUs shall be made as follows: at least fifty percent of the total owed prior to the issuance of a building permit and the remaining total owed prior to the issuance of an occupancy permit.

F. Development Standards. AHUs shall be:

1. Integrated with the rest of the development and shall be compatible in design, appearance, construction, and quality of exterior and interior materials with the other units and/or lots;
 2. Dispersed throughout the development;
 3. The units should be located such that they have equal access to shared amenities, including light and air, and utilities (including any bicycle storage and/or EV charging stations) within the development.
 4. Located such that the units have equal avoidance of any potential nuisances as market-rate units within the development;
 5. Distributed proportionately among unit sizes and
 6. Distributed proportionately across each phase of a phased development
 7. Occupancy permits may be issued for market-rate units prior to the end of construction of the entire development provided that occupancy permits for AHUs are issued simultaneously on a pro rata basis.
- G. Administration. The Planning Director shall be responsible for administering and enforcing the requirements of this section.

§390-22.9 SITE PLAN REVIEW

- A. Applicability. Site Plan Review is required for a project that proposes 25 dwelling units or more. The Permitting Authority shall review an application for Site Plan Review for consistency with the purpose and intent of Sections §390-22.4 through §390-22.8.
- B. Submission Requirements. As part of any application for Site Plan Review for a project within the MCMOD submitted under Sections §390-22.5 through §390-22.9 or for a project not requiring Site Plan Review prior to submission of any application for a building permit, the Applicant must submit the following documents to the Municipality:
 - 1. Application and fee for Site Plan Review.
 - 2. Site Plans that show the position of the building on the site, points of vehicular access to and from the site and vehicular circulation on the site, stormwater management, utilities, and landscape treatments, including any screening of adjacent properties, and other information commonly required by Wrentham for Site Plan Review. Site Plans shall be prepared, signed, and stamped by a civil engineer registered in the Commonwealth of Massachusetts.
 - 3. Elevations and renderings of the building(s) showing the architectural design of the building(s). Architectural Plans shall be prepared, signed, and stamped by a certified Architect in the Commonwealth of Massachusetts.
 - 4. All plans shall be signed and stamped, and drawings prepared at a scale of 1"=40', or at a scale as approved in advance by the Permitting Authority.
 - 5. Narrative of compliance with the applicable design standards of this Section #.
- C. Timeline. The site Plan Review should commence no later than 30 days after submitting a complete application and should be completed expeditiously. The site plan review authority may, when appropriate, seek the input of other municipal boards or officials. In general, site plan review should be complete no more than six months after the application submission.
- D. Site Plan Approval. Site Plan Approval for uses listed in Section §390-22.4, Permitted Uses, shall be granted upon the determination by the Site Plan Review Authority (SPRA) that the following conditions have been satisfied. The SPRA may impose reasonable conditions at the expense of the applicant to ensure that these conditions have been satisfied.
 - 1. The Applicant has submitted the required fees and information as set forth in Wrentham's requirements for a Building Permit and Site Plan Review; and
 - 2. The project, as described in the application, meets the development standards set forth in §390-22.7 General Development Standards.
- E. Project Phasing. An Applicant may propose, in a Site Plan Review submission, that a project be developed in phases subject to the approval of the SPRA, provided that the submission shows the full buildout of the project and all associated impacts as of the completion of the final phase. However, no project may be phased to avoid provisions of §390-22.8.

§390-22.10 SEVERABILITY

If any provision of this Article XXII is found to be invalid by a court of competent jurisdiction, the remainder of Article XXII shall not be affected but shall remain in full force. The invalidity of any provision of this Article XXII shall not affect the validity of the remainder of Wrentham's Zoning.

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