

## Proposed MBTA Communities Multifamily Overlay District Bylaw

### Article XIID --: MBTA Communities Multifamily Overlay District (MCMOD)

#### A. Purpose

The purpose of the MBTA (Massachusetts Bay Transportation Authority) 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) and to allow mixed-use developments in the Overlay District.

#### B. Establishment and Applicability

This MCMOD is an overlay district, consisting of two sub-districts, having a land area of approximately 52.2 acres in size that is superimposed over the underlying zoning district(s) that are shown on the Zoning Map.

1. **Applicability of MCMOD.** An applicant may develop multi-family housing or a mixed-use development located within a MCMOD in accordance with the provisions of this Article XIID.
2. **Underlying Zoning.** The MCMOD is an overlay district superimposed on underlying zoning districts. The regulations for use, dimension, and all other provisions of the Zoning Bylaw governing the respective underlying zoning district(s) shall remain in full force, except for uses allowed in the MCMOD. Where the MCMOD authorizes uses, dimensional controls or other provisions not otherwise allowed in the underlying district, the provisions of the MCMOD shall control. Uses and dimensional controls of the MCMOD are not subject to any special permit requirements of the underlying district and/or applicable overlay districts. Uses that are not identified in Article XIID are governed by the requirements of the underlying zoning district(s).
3. **Sub-districts.** The MCMOD contains the following sub-districts, which are shown on the Zoning Map:
  - a. Bridge Road District, which is generally comprised of certain parcels along Bridge Road/U.S. Route 1.
  - b. Upper Lafayette Road District, which is generally comprised of certain parcels along Lafayette Road/U.S. Route 1 and Main Street.

#### C. Permitted Uses

1. **Uses Permitted As of Right.** The following uses are permitted as of right within the MCMOD:
  - a. Multi-family Housing. For purposes of the MCMOD, multi-family housing is defined as “a building with 3 or more residential dwelling units or 2 or more

buildings on the same lot with more than 1 residential dwelling unit in each building.”

- b. Mixed-Use Development.

**D. Dimensional Standards**

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

Standard	Bridge Road	Upper Lafayette Road
Lot Size (square feet)		
Minimum	21,780	21,780
Height <sup>1</sup>		
Stories (Maximum)	3 stories of habitable space	3 stories of habitable space
Feet (Maximum)	45 <sup>2</sup>	45
Lot Coverage <sup>3</sup>		
Minimum Open Space	20%	20%
Max Lot Coverage	25%	25%
Setbacks (feet)		
Front yard setback	50	50
Rear yard setback	20	20
Side yard setback 1	30	30
Side yard setback 2	30	30
Density		
Maximum Dwelling Units per Acre	17	17

**E. Off-Street Parking**

These parking requirements are applicable to development in the MCMOD.

- 1. **Number of parking spaces.** The following minimum numbers of off-street parking spaces shall be permitted by use, either in surface parking or within garages or other structures:
  - a. Residential use: 1 space per studio or one-bedroom dwelling unit, 2 spaces per two-bedroom dwelling or greater
  - b. Mixed use: For retail and/or professional/business offices – 3 spaces per 1,000 square feet of gross floor area. For all other uses, the Building Inspector shall determine the minimum number of off-street parking spaces required based on a listed use with similar characteristics of parking demand generation.

<sup>1</sup> Exceptions. Limitations shall not apply to flagpoles, chimneys, radio and television antennae, windmills, silos, elevator shafts, solar panels, and similar non-habitable structures.

<sup>2</sup> If the building is in a FEMA flood zone and parking is located below the first story, maximum height allowed is increased to 55 feet.

<sup>3</sup> In the MCMOD, lots may have more than one principal building.

## **F. Site Plan Review**

1. **Applicability.** Non-discretionary site plan review by the Planning Board pursuant to Article XVIII is required for all projects in the MCMOD, provided however, that the site plan review for an as-of-right use in the MCMOD may not be denied.

## **G. General Design Guidelines for All MCMOD Projects**

1. The Planning Board may adopt and amend, by simple majority vote, Design Guidelines, applicable to all MCMOD projects, to ensure that each development in the MCMOD shall be of high quality and compatible with the character and scale of Salisbury's building types, without limiting creativity through architectural design. Such Design Guidelines must be objective and not subjective and may only address the scale and proportions of the 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 of definition clear and understandable.

The Design Guidelines may provide goals and standards that are intended to be flexible, and shall be applied by the Planning Board through site plan review, as appropriate. Such guidelines may include any or all of the following criteria:

- a. Building placement and orientation
- b. Building massing, articulation, and architecture
- c. Open space, landscaping and natural features
- d. Pedestrian, bicycle, and vehicular access
- e. Water quality
- f. Stormwater
- g. Utilities, exterior lighting, parking, and snow removal
- h. Trees (including removal of existing trees) and landscaping
- i. Signage; and
- j. Safety

## **H. Inclusionary Housing Requirements**

A maximum of ten (10) percent of the units of any development within the MCMOD shall be affordable units available to families or individuals whose income is not more than 80 percent of area median income. The requirements of Article XIII Inclusionary Housing Requirements shall otherwise apply to all MCMOD projects.