



CITY OF MELROSE
In Board of Aldermen

April 6, 2015

AN ORDER
2015-90

Amending Melrose Revised Zoning Ordinance, Chapter 235, Article III, Section 235-6 (Division into districts) and other related zoning amendments as set forth herein, for the Commuter Rail Station Areas.

Offered by Mayor Robert J. Dolan

BE IT ORDAINED

by the Board of Aldermen of the City of Melrose, that the Melrose Revised Zoning Ordinances,

Chapter 235 Zoning be, and hereby are amended as follows:

Amending the following sections:

Section 235-6 – Division into districts;

Section 235-8 – Changes to map;

Section 235-17 – Table of Use and Parking Regulations;

Section 235-19 – Table of Dimensional and Density Regulations;

Section 235-25 – Additional Dimensional and Density Provisions;

Section 235-32 – Off-street parking requirements;

Section 235-40 – Municipal parking lots;

Section 235-65 – Multifamily residential use in nonresidentially zoned areas authorized by Planning Board;

Section 235-66 – Design review permits authorized by Planning Board;

Section 235-70 – Planned unit development in the BA, BA-1, BB, BB-1, BC and BD Districts; and

Section 235-71 – Planned business development.

The same be, and hereby is amended as engrossed in the attached text.

Further, amending Section 235-71.2 – Rail Corridor Overlay District, by amending the following sections:

Section 235-71.2, Paragraph E. Dimensional and density regulations – subsection (5) Development intensity – paragraph (a), by striking the number 45 and replacing it with 60;

Section 235-71.2, Paragraph F. Off-street parking – subsection (4) Parking setbacks – paragraph (a), by striking the reference 5(a) and replacing it with 4(a); and

Section 235-71.2, Paragraph H. Affordable housing – subsection (2), by striking the reference 235-71.1 and replacing it with 235-71.2.

The same be, and hereby is amended as engrossed in the attached text.

April 6, 2015
In the Board of Aldermen
Ordained Roll Call:
10 Yea, 0 Nay
Mary-Rita O'Shea, Clerk

Passed as amended April 6, 2015
Donald L. Conn, Jr., President
Board of Aldermen

Approved April 8, 2015
Robert J. Dolan
Mayor

CITY OF MELROSE

Proposed Commuter Rail Station Area Rezoning and Related Amendments

January 13, 2015

Revised March 24, 2015

Approved April 6, 2015

Section 235-6 Division into districts

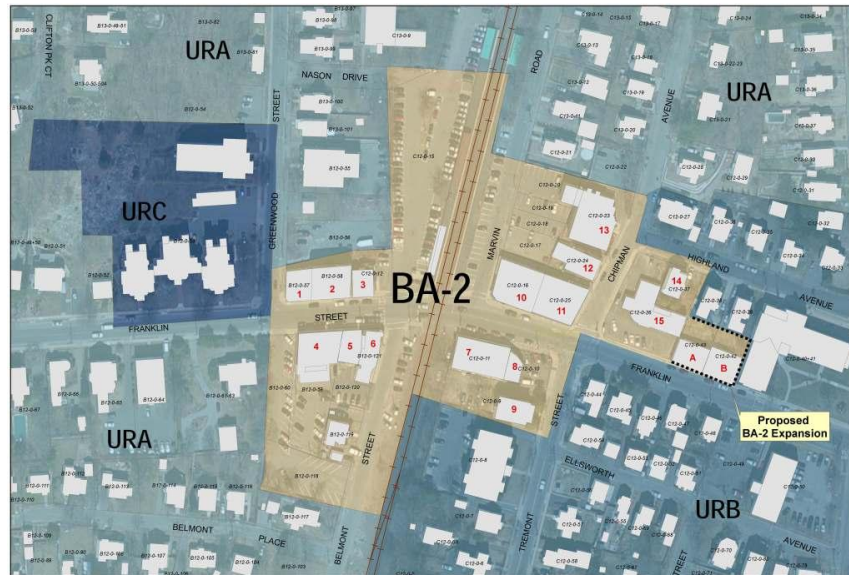
Insert the following into **Section 235-6 Division into districts**:

Full Name	Class	Short Name
Transit-Oriented Mixed Use	Business and Residential Mixed Use	BA-2

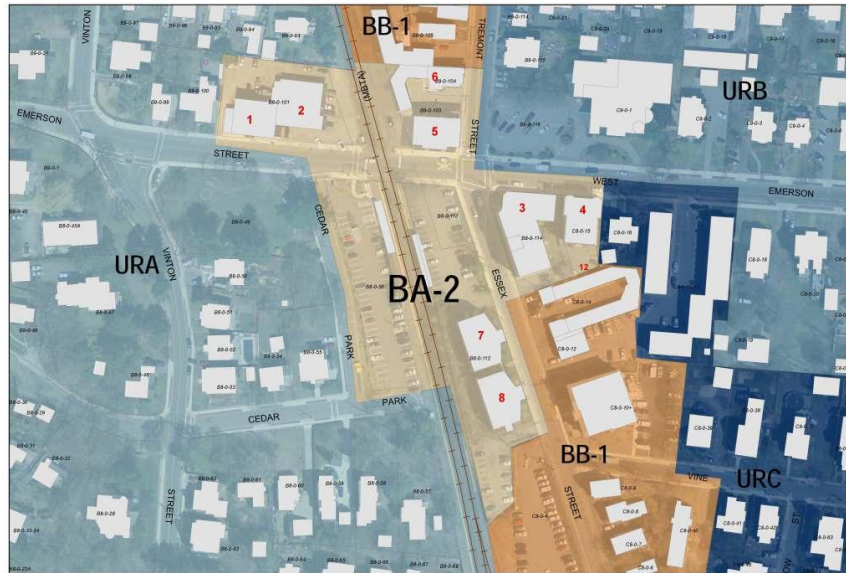
Section 235-8 Changes to map

The Zoning Map will be changed in three locations as follows:

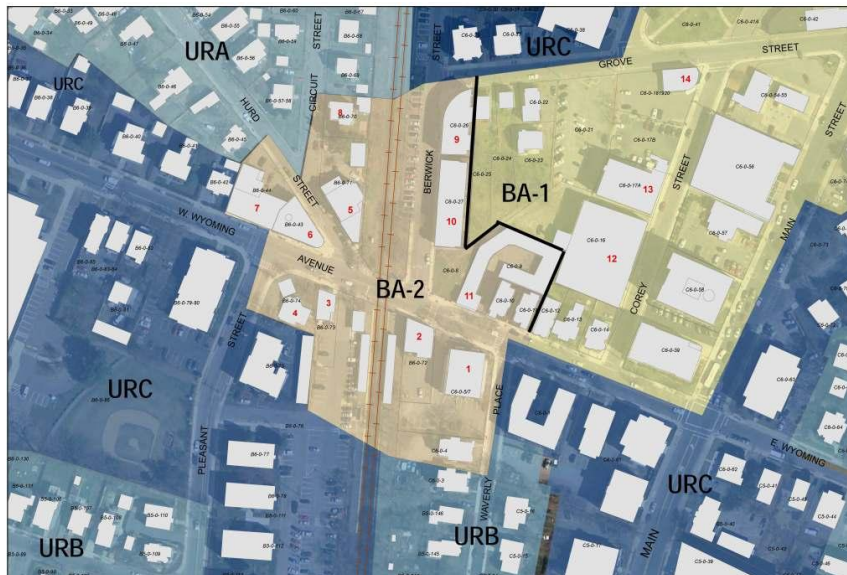
1. Change the current BC District zoning at the Highlands Station to the BA-2 District and change the current UR-B District zoning to the BA-2 District for parcels C12-0-42 and C12-0-43.



2. Change the current BC District zoning at the Cedar Park Station to the BA-2 District.



3. Change the current BA-1 District zoning at the Wyoming Station to the BA-2 District.



Section 235-17 Table of Use and Parking Regulations

Amend the **Table of Use and Parking Regulations** by striking the existing table and replacing it with the attached table.

Section 235-19 Table of Density and Dimensional Regulations

Amend the **Table of Density and Dimensional Regulations** by striking the existing table and replacing it with the attached table.

Section 235-25 Additional dimensional and density provisions

Amend **Section 235-25 Additional dimensional density provisions, Paragraph A** by striking the existing text and inserting the following text:

- A. Existing and new residential uses in all nonresidential districts shall be subject to the regulations for the particular type of dwelling in the UR-C District.
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Section 235-32 Off-street parking requirements

Amend **Section 235-32 Off-street parking requirements, Table of Off-Street Parking Regulations, Parking Code B** by striking the existing text and inserting the following text:

Parking Code	Use	Number of Off-Street Parking Spaces
B	Dwelling, multifamily	2 per dwelling unit, except in the BA-1 and BA-2 districts, in which case it shall be 1 per dwelling unit

Section 235-40 Municipal parking lots

Amend **Section 235-40 Municipal parking lots** by striking the existing text and inserting the following text:

Section 235-40. Parking reduction provisions

- A. The Board of Appeals by special permit may allow the substitution of spaces within municipal parking lots in lieu of the parking requirements of this article, provided they are located within 1,000 feet of the building which is intended to be served.
- B. Any structures on lots recorded prior to January 1, 1980, abutting municipal parking lots located in the area bounded northerly by Essex and Upham Streets, southerly by Grove

Street, easterly by the boundary of the BA-1 District between Grove Street and Upham Street and westerly by Myrtle Street are permitted the use of said lots without the requirement of a special permit.

- C. As part of Site Plan Review, for projects within the BA-1 and BA-2 Districts, the Planning Board may allow shared or reduced parking requirements for uses having different peak times of parking demand requirements or if a use needs a lesser number of parking spaces than is required. Evidence which supports these shared or reduced parking requirements shall be produced in a report from a traffic engineer engaged by the applicant and approved by the Planning Board as part of Site Plan Review. Where shared parking is to serve uses on separate lots, documentation shall be provided establishing the permanent legal right for such shared use. Factors that the Planning Board may consider include, but are not limited to: (a) proximity to available public parking with demonstrated availability to support the project; (b) characteristics of the occupants that create less parking demand, such as age or household income; (c) provision of a mix of uses on-site with offset peak parking demand times; (d) a shared parking agreement with proximate properties with offset parking demand times; (e) dedication of spaces for car-sharing services (e.g., Zipcar); (f) employers who provide transit incentives for their employees.

Section 235-65 Multifamily residential use in nonresidentially zoned areas authorized by Planning Board

Amend **Section 235-65 Multifamily residential use in nonresidentially zoned areas authorized by Planning Board, Paragraph B** by striking the existing text and inserting the following text:

- B. Location. Special permits for multifamily residential use may be applied for only within the BA-1, BA-2, and BB-1 Zones.

Section 235-66 Design review permits authorized by Planning Board

Amend **Section 235-66 Design review permits authorized by Planning Board, Paragraphs C and D** by striking the existing text and inserting the following text:

- C. Location. Said design review permits may be applied for only in UR-D, BA-1, BA-2, and BB-1 Zones as located on the Zoning Map.
- D. Maximum design review permit increases.
- (1) UR-D Zone and BB-1 Zone:
- (a) Lots under 20,000 square feet: not applicable.

- (b) Lots 20,000 to 30,000 square feet: Article VI dimensional and density regulations for the UR-C Districts shall apply, with the exception of minimum lot area per dwelling unit and maximum stories, which shall be as determined by the Planning Board, but not exceeding a floor area ratio of 1.5 and further not exceeding a height of 62 feet.
 - (c) Lots over 30,000 square feet: Article VI dimensional and density regulations for the UR-C Districts shall apply, with the exception of minimum lot area per dwelling unit and maximum stories, which shall be as determined by the Planning Board, but not exceeding a floor area ratio of 1.75 and further not exceeding a height of 62 feet.
- (2) BA-1 Zone and BA-2 Zone:
- (a) Lots under 20,000 square feet: not applicable.
 - (b) Lots 20,000 to 50,000 square feet: Article VI dimensional and density regulations for the UR-C Districts shall apply, with the exception of minimum lot area per dwelling unit and maximum stories, which shall be as determined by the Planning Board, but not exceeding a floor area ratio of 2.0 and further not exceeding a height of 62 feet.
 - (c) Lots over 50,000 square feet: Article VI dimensional and density regulations for the UR-C Districts shall apply, with the exception of minimum lot area per dwelling unit and maximum stories, which shall be as determined by the Planning Board, but not exceeding a floor area ratio of 3.0 and further not exceeding a height of 62 feet.

Section 235-70 Planned unit development in the BA, BA-1, BB, BB-1, BC and BD Districts

Amend **Section 235-70 Planned unit development in the BA, BA-1, BB, BB-1, BC and BD Districts, Title and Introduction** by striking the existing text and inserting the following text:

Section 235-70. Planned unit development in the BA-1, BA-2, BB, BB-1, BC and BD Districts

For development in a planned unit concept in the BA-1, BA-2, BB, BB-1, BC and BD Districts for uses including, among others, residential, business and institutional and not subject to the Table of Dimensional and Density Regulations, the following conditions apply:

Section 235-71 Planned business development

Amend **Section 235-71 Planned business development, Introduction**, by striking the existing text and inserting the following text:

For the planned business development of land in the BA-1, BA-2, BB, BB-1, BC, BD, UR-C and UR-D Districts, the development shall be subject to all regulations of this chapter, except that the following shall be allowed through grant of a special permit for the planned business development by the Planning Board: building coverage greater than the maximum building coverage permitted in the Table of density and Dimensional Regulations, parking requirements less than the parking requirements contained in Article VIII and additional uses as provided for below, provided that:

Table of Use and Parking Regulations
City of Melrose

Principal Use:	Residential Districts						Business Districts					Industrial Districts		Parking Code (See § 235-32)
	SR	SR-A	SR-B	UR-A	UR-B	UR-C UR-D	BA BA-1	BA-2	BB BB-1	BC	BD	I	I-A	
Residential														
1. One-family detached dwelling	P	P	P	P	P	S	-	-	-	-	S	-	-	A1
1A. One-family with in-law apartment (see definition of in-law apartment)	S	S	S	S	S	S	-	-	-	-	S	-	-	A1
2. Two-family dwelling	-	-	-	S	P	P	-	-	-	-	P	-	-	A2
3. Multifamily dwelling ¹	-	-	-	-	S	P	-	-	-	S	P	-	-	B
4. Townhouse	-	-	-	S	S	P	-	-	-	-	P	-	-	B
5. Apartment house	-	-	-	-	S	P	-	-	-	-	P	-	-	B
6. Lodging house	-	-	-	-	P	P	-	-	-	-	P	-	-	C
7. Fraternities and sororities	-	-	-	-	P	P	-	-	-	-	-	-	-	C
8. Dormitories	-	-	-	-	P	P	-	-	-	-	P	-	-	C
9. Planned unit development (see Article XI, §§ 235-68, 235-69 and 235-70)	-	S	-	-	S	S	S	-	-	S	S	-	-	R
10. Cluster residential development (see Article XI, § 235-67)	S	S	S	-	-	-	-	-	-	-	-	-	-	B
11. Mixed residential/business uses where all dwelling units are above the first floor level ²	-	-	-	-	S	S	P	P	-	P	P	-	-	Q
Community Facilities														
1. Church or other religious purpose	P	P	P	P	P	P	P	P	P	P	P	P	P	D
2. Educational purpose which is religious, sectarian, denominational or public	P	P	P	P	P	P	P	P	P	P	P	P	P	D, L, M
3. Private school, college or university	S	S	S	S	S	S	-	-	-	-	-	-	-	D, L, M
4. Private day nursery or kindergarten	S	S	S	S	S	S	S	S	-	-	S	-	-	1space per staff member
5. Membership club	S	S	S	S	S	P	P	P	P	P	P	-	-	N
6. Country, fishing, tennis or golf club	P	P	P	-	-	-	-	-	P	-	-	-	-	L
7. City governmental building except equipment garage	P	P	P	P	P	P	P	P	P	P	P	P	P	N, D
8. City equipment garage	-	-	-	-	-	S	-	-	P	-	-	P	P	Q ³
9. City or nonprofit cemetery, including any crematory therein	P	P	P	P	P	P	-	-	-	-	-	-	-	R
10. City outdoor recreational facility	P	P	P	P	P	P	P	P	P	P	P	P	P	
11. Historical association or society	P	P	P	P	P	P	P	P	P	P	P	P	P	N
12. Hospital	-	-	-	-	-	-	-	-	-	-	P	-	-	J
13. Power plant, refuse incineration and sanitary landfill	-	-	-	-	-	-	-	-	-	-	-	P	P	O
14. Municipal parking lot or structure (see Article VIII, § 235-40)	S	S	S	P	P	P	P	P	P	P	P	P	P	None

**Table of Use and Parking Regulations
City of Melrose**

Principal Use:	Residential Districts						Business Districts					Industrial Districts		Parking Code (See § 235-32)
	SR	SR-A	SR-B	UR-A	UR-B	UR-C UR-D	BA BA-1	BA-2	BB BB-1	BC	BD	I	I-A	
15. Street, bridge, tunnel, railroad lines	P	P	P	P	P	P	P	P	P	P	P	P	P	None
16. Facilities for essential services	P	P	P	P	P	P	P	P	P	P	P	P	P	None
17. Private overhead transmission line, substation or similar facility or building	S	S	S	S	S	S	S	S	S	S	S	S	S	R
18. Nursing home	-	-	-	-	-	S	-	-	-	-	P	-	-	K
Agriculture														
1. Agriculture, horticulture and floriculture except a greenhouse or stand for retail use	P	P	P	-	-	-	-	-	-	-	-	-	-	None
2. Year-round greenhouse or stand for wholesale and retail sale of agricultural or farm products	S	S	-	-	S	S	P	P	P	P	-	-	-	G
3. Temporary (not to exceed erection or use for a period of 3 months in any 1 year) greenhouse or stand for retail sale of agricultural or farm products raised primarily on the same premises	S	S	-	-	-	-	-	-	-	-	-	-	-	R
4. Commercial stable, kennel, or veterinary hospital in which all animals, fowl or other forms of life are completely enclosed in pens or structures	S	S	-	-	-	-	-	-	-	-	-	-	-	G
5. Noncommercial forestry and growing all vegetation	P	P	P	P	P	P	P	P	P	P	P	P	P	None
Retail Service Commercial														
1. Retail establishment selling principally convenience goods, including by not limited to food, drugs and proprietary goods:														
a. With a maximum floor area of 10,000 square feet for any single establishment	-	-	-	-	-	-	P	P	P	P	P	-	-	G
b. With no limitation with respect to floor area	-	-	-	-	-	-	P	P	P	-	-	-	-	G
1.1 Retail food establishment with a floor area of less than 3,000 square feet in conjunction with an off-premises liquor license	-	-	-	-	-	-	P	P	P	P	P	-	P	G
2. Retail establishment selling general merchandise, including but not limited to dry goods, apparel and accessories, furniture and home furnishings, home equipment, small wares and hardware, and including discount and limited price variety stores:														
a. With a maximum floor area of 10,000 square feet for any single establishment	-	-	-	-	-	-	P	P	P	S	-	-	-	G
b. With no limitation with respect to floor area	-	-	-	-	-	-	P	P	S	-	-	-	-	G
3. Eating and drinking places where consumption is primarily intended to be within the building	-	-	-	-	-	-	P	P	P	S	S	-	-	D
4. Drive-in eating and drinking establishment	-	-	-	-	-	-	-	-	S	-	-	-	-	G
5. Sales by vending machines as a principal use	-	-	-	-	-	-	-	-	S	-	S	-	-	G

**Table of Use and Parking Regulations
City of Melrose**

Principal Use:	Residential Districts						Business Districts					Industrial Districts		Parking Code (See § 235-32)
	SR	SR-A	SR-B	UR-A	UR-B	UR-C UR-D	BA BA-1	BA-2	BB BB-1	BC	BD	I	I-A	
6. Establishment selling new automobiles and/or used automobiles and trucks, new automobile tires and other accessories, aircraft, boats, motorcycles and household and camping trailers	-	-	-	-	-	-	S	-	P	-	-	-	-	E
7. Hotels and motels	-	-	-	-	-	-	S	S	P	-	S	-	-	F
8. Personal and consumer service establishment	-	-	-	-	-	-	P	P	P	P	P	-	-	G
9. Funeral establishment	-	-	-	-	-	S	S	-	-	S	P	-	-	G
10. Medical offices (such as doctor offices, dentist offices and clinics), including accessory medical research and associated facilities	-	-	-	-	-	S	S	S ⁴	-	S	P	-	-	G-1
11. Membership club operated for profit	-	-	-	-	-	S	P	P	-	S	-	-	-	N
12. Miscellaneous professional and business offices and services, including but not limited to legal and other professional services and finance, banking, insurance and real estate offices	-	-	-	-	-	-	P	P	S	S	P	-	-	G
13. Business and trade school or college	-	-	-	-	-	-	P	P	-	-	P	-	-	L
14. Automotive repair or automobile service station (not including a junkyard or open storage of abandoned automobiles or other vehicles)	-	-	-	-	-	-	S	-	P	S	-	S	S	E
15. Miscellaneous business repair services	-	-	-	-	-	-	P	S	S	S	-	-	-	G
16. Motion picture establishment, indoor	-	-	-	-	-	-	P	P	P	-	-	-	-	G
17. Other amusement and recreation service, indoor amusement	-	-	-	-	-	-	S	S	P	-	-	-	-	G
18. Other amusement and recreation service, outdoor amusement	-	-	-	-	-	-	-	-	P	-	-	-	-	R
19. Communications and television tower	-	S	S	-	-	-	-	-	-	-	-	-	-	R
20. Commercial parking lot or structure, including a public garage (see Article VIII, § 235-41 for requisite standards)	-	-	-	-	-	S	P	-	P	P	S	P	P	None
21. Filling of water or wet area (See Article XII, § 235-75)	S	S	S	S	S	S	S	S	S	S	S	S	S	None
22. Planned business development (see Article XI, § 235-71)	-	-	-	-	-	S	S	S	S	S	S	-	-	G, G-1
23. Data processing, computer, telephone, printing, mailing and other similar operations, when approved as part of a planned business development	-	-	-	-	-	P	P	P	P	P	P	-	-	G
24. Adult Use	-	-	-	-	-	-	-	-	S	-	-	S	S	G
25. Wireless communication service facility	S	S	S	S	S	S	S	S	S	S	S	S	S	None
26. Towers	S	S	S	S	S	S	S	S	S	S	S	S	S	None

**Table of Use and Parking Regulations
City of Melrose**

Principal Use:	Residential Districts						Business Districts					Industrial Districts		Parking Code (See § 235-32)
	SR	SR-A	SR-B	UR-A	UR-B	UR-C UR-D	BA BA-1	BA-2	BB BB-1	BC	BD	I	I-A	
Wholesale, Transportation and Industrial														
1. Removal of sand, gravel, quarry or other raw material (see Article XII, § 235-74)	-	S	-	-	-	-	-	-	-	-	-	S	S	H
2. Processing and treating of raw materials, including operations appurtenant to the taking, such as grading, drying, sorting, crushing, grinding and milling operations (see Article XII, § 235-74)	-	S	-	-	-	-	-	-	-	-	-	S	-	H
3. Construction industry, including suppliers	-	-	-	-	-	-	-	-	P	-	-	P	P	H
4. Manufacturing (see note at end of this table)	-	-	-	-	-	-	-	-	-	-	-	P	P	I
5. Bakery, laundry or dry-cleaning plant	-	-	-	-	-	-	S	S	P	S	-	P	P	I
6. Railroad yards and railway express service	-	-	-	-	-	-	-	-	P	-	-	P	P	H
7. Motor freight terminal and warehousing	-	-	-	-	-	-	-	-	P	-	-	P	-	H
8. Bus or railroad passenger terminal	-	-	-	-	S	P	P	P	P	P	-	-	-	P
9. Heliport, subject to the design criteria and standards of the Federal Aviation Administration as published in Heliport Deign Guide, November 1969, or any later revision thereto	-	-	-	-	-	-	S	-	S	-	-	S	-	P
10. Other transportation service	-	-	-	-	-	-	-	-	P	-	-	P	P	P
11. Wholesale trade and distribution	-	-	-	-	-	-	-	-	P	-	-	P	P	H
12. Open storage of raw materials, finished goods or construction equipment and structures for storing such equipment, provided it shall be screened from outside view by an enclosed solid fence and gate at least 10 feet in height, or a solid wall of evergreens, when planted not more than 18 inches apart and at least 3 feet in height, said evergreens to be of vertical habit and to be maintained, and a solid gate at least10 feet in height and not more than 20 feet in width	-	-	-	-	-	-	-	-	S	-	-	S	S	R
13. Storage of a fluid other than water as a principal use	-	S	S	S	S	S	S	S	S	S	S	S	S	R
14. Research offices or establishments devoted to research and development activities	-	-	-	-	-	-	S	S	S	S	S	P	P	H
Accessory Use	Residential Districts						Business Districts					Industrial Districts		Parking Code (See § 235-32)
	SR	SR-A	SR-B	UR-A	UR-B	UR-C UR-D	BA BA-1	BA-2	BB BB-1	BC	BD	I	I-A	
1. Home occupation (see Article XIII, § 235-77)	P	P	P	P	P	P	P	P	P	P	P	-	-	T
2. Private day nursery or kindergarten, provided it shall not occupy more than 30% of the gross floor area of the structure	S	S	S	S	S	S	S	-	-	-	-	S	S	N

**Table of Use and Parking Regulations
City of Melrose**

Accessory Use	Residential Districts						Business Districts					Industrial Districts		Parking Code (See § 235-32)
	SR	SR-A	SR-B	UR-A	UR-B	UR-C UR-D	BA BA-1	BA-2	BB BB-1	BC	BD	I	I-A	
3. Accessory professional office of a licensed medical or dental practitioner in an existing dwelling	S	S	S	S	S	S	S	S	S	S	P	S	S	G-1
4. Accessory building, such as a private garage, playhouse, greenhouse, tool shed, private swimming pool, carport, garage or similar accessory structures, subject to provisions of Article VI	P	P	P	P	P	P	P	P	S	S	S	-	-	None
5. Accessory private garage for noncommercial motor vehicles, subject to provisions of Article VI	P	P	P	P	P	P	P	P	P	P	P	-	-	None
6. Accessory community garages for noncommercial motor vehicles, subject to provisions of Article VI	-	-	-	S	P	P	P	P	P	P	P	P	P	None
7. Accessory storage of a trailer, unregistered boat, utility trailer or boat trailer provided it shall either be stored within a principal or accessory building or behind the building line within the side or rear yards and it shall not be used for dwelling or sleeping purposes; unregistered automobiles or unregistered trailers shall not be stored outside in residential districts	P	P	P	P	P	P	-	-	P	-	-	P	P	None
8. Accessory repair and storage facilities in any retail sales or consumer establishment, provided it shall be not occupy more than 25% of the gross floor area and shall not be located within 15 feet of any entrance used by the public	-	-	-	-	-	-	P	P	P	P	S	-	-	I
9. Accessory outside storage clearly necessary to the operation and conduct of a permitted principal wholesale, transportation, industrial and/or commercial use, provided it shall be screened from outside view by an enclosed solid fence or wall and gate at least 10 feet in height, or a solid wall of evergreens, when planted not more than 18 inches apart and at least 3 feet in height, said evergreens to be of vertical habit and to be maintained, and a solid gate at least 10 feet in height and not more than 20 feet in width	-	-	-	-	-	-	-	-	-	-	-	P	P	None
10. Accessory manufacturing use, provided it shall not occupy more than 25% of the gross floor area of the building and it shall not be located within 100 feet of “R” district or within 50 feet of any street lot line	-	-	-	-	-	-	-	-	-	-	-	P	P	Same as principal use

**Table of Use and Parking Regulations
City of Melrose**

Accessory Use	Residential Districts						Business Districts					Industrial Districts		Parking Code (See § 235-32)
	SR	SR-A	SR-B	UR-A	UR-B	UR-C UR-D	BA BA-1	BA-2	BB BB-1	BC	BD	I	I-A	
11. Accessory retail or consumer service use in a multifamily dwelling over 20,000 square feet in gross floor area, provided all activities are located on the first floor or basement floor levels; such uses shall not aggregate more than 2,000 square feet; all materials, goods and activities in connection with said uses shall be confined completely within the building	-	-	-	-	S	S	S	P	-	-	S	-	-	Same as principal use
12. Newsstand, barbershop, dining room or cafeteria and similar accessory services primarily for occupants or users thereof within a hotel, office or industrial building, hospital containing more than 50 sleeping rooms or transportation terminal facility	-	-	-	-	-	S	P	P	P	-	P	P	P	G
13. Wall, fence or similar enclosure, provided that it is:														
a. Not more than 7 feet in height, provided it does not interfere with traffic circulation	P	P	P	P	P	P	-	-	-	-	-	-	-	None
b. No height restriction, provided it does not interfere with traffic circulation	-	-	-	-	-	-	P	P	P	P	P	P	P	None
14. Up to 3 lodging units in an existing dwelling	-	-	-	-	P	P	S	S	S	S	S	-	-	B
14A. One lodging unit housing up to 3 persons in an existing dwelling	-	S	S	S	P	P	S	S	S	S	S	-	-	B
15. Accessory storage of a fluid other than water or gas	S	S	S	S	S	S	S	S	S	S	S	S	S	None
16. Accessory signs, subject to the provisions of Article VII	P	P	P	P	P	P	P	P	P	P	P	P	P	None
17. Accessory off-street parking and loading spaces as required in Article VIII, not to exceed 4 spaces	P	P	P	P	P	P	P	P	P	P	P	P	P	None
18. Accessory off-street parking and loading spaces as required in Article VIII in excess of 4 spaces	S	S	S	S	S	S	S	S	S	S	S	S	S	None
19. Public/private utility cabinets. The Board of Appeals may grant a special permit in the side or rear yard setback provided sufficient screening and buffers are provided to protect the integrity and character of the area. Screening and buffers may be of structure or natural material or any combination thereof. Cabinets shall not exceed a total height of 7 feet.	S	S	S	S	S	S	S	S	S	S	S	S	S	None
20. Wireless communications service facility	S	S	S	S	S	S	S	S	S	S	S	S	S	None

NOTES:
1. In the BA-1, BA-2, and BB-1 Districts, the Planning Board may authorize a special permit for multifamily housing. Refer to Sections 235-65 and 235-66.

**Table of Use and Parking Regulations
City of Melrose**

2. Mixed residential/business uses shall allow use categories as permitted in the Table of Use and Parking Regulations.
3. Not to be applied to garage space.
4. Medical offices may be allowed in the BA-2 District by special permit, but are not permitted as a ground floor use.

Table of Dimensional and Density Regulations
City of Melrose

District	Use	Minimum Lot Area (Square feet) or as noted	Minimum Frontage and Lot Width (feet)	Minimum Lot Depth (feet)	Yards			Maximum Height (feet)	Maximum Stories	Maximum Coverage	Maximum Floor Area Ratio	Minimum Open Space
					Front (feet)	Side (feet)	Rear (feet)					
SR	Any permitted use	25,000	110	90	25	20	50	35	2 ½	35%	None	50%
SR-A	Any permitted use	15,000	100	90	25	15	40	35	2 ½	35%	None	50%
SR-B	Any permitted use	10,000	80	90	20	12	30	35	2 ½	35%	None	40%
UR-A	Townhouse	7,500 per dwelling unit	100	90	20	10 ¹	20	35	2 ½	35%	None	35%
	Two-family dwelling	13,500	100	90	20	10 ¹	20	35	2 ½	35%	None	35%
	Single-family dwelling	7,500	75	90	20	10	20	35	2 ½	35%	None	35%
	Any other permitted use	10,000	100	90	20	10	20	35	2 ½	35%	None	35%
UR-B	Single-family dwelling	7,500	75	90	20	10	15	35	2 ½	50%	None	30%
	Two-family and multi- family dwelling uses and townhouses	7,500 plus 3,000 for each dwelling unit more than one	100	90	20	10 ¹	15	35	2 ½	50% ²	None	30%
	Any other permitted use	10,000	100	90	20	10 ¹	15	35	2 ½	50%	None	20%
UR-C UR-D	Two-family and multi- family dwelling uses and townhouses	6,000 plus 1,250 for each dwelling unit more than one	100	90	20	10 ¹	15	50	4	50%	1	20%
	Any other permitted use	7,500	75	90	20	10	15	50	4	50%	1	20%
	Nursing home	20,000	100	90	20	10	15	50	4	50%	None	30%
BA BA-1	Any permitted use	5,000	50	90	None ⁴	None	None	50	4	None	2.0	5%
BA-2	Any permitted use	5,000	50	90	None ⁴	None	None	50	4	None	2.0	5%
BB BB-1	Any permitted use	10,000	100	90	10	12	15	30	2	60%	.75	20%
BC	Any permitted use	5,000 ³	50	90	5	None	None	30	2	None	.75	10%
BD	Any permitted use	5,000 ³	50	90	15	None	10	80	8	None	2.0	5%
	Nursing home	20,000	100	90	20	10	15	50	4	50%	None	30%
I	Any permitted use	20,000	125	100	30	20	30	50	4	25%	2.0	30%

Notes:

- 1 One side only for side-by-side two-family dwelling units; outside for semi-detached row unit.
- 2 Where off-street parking spaces required by Article VIII of this chapter are located underground and under the building served by the parking, the maximum building coverage may be increased above the percentage limit set forth in this table. This increase shall represent an increase in building area up to the area of the parking spaces which are put underground.
- 3 For mixed uses, the minimum lot area shall be increased by 1,000 square feet for each dwelling unit.
- 4 The maximum front yard shall be 5 feet.

CITY OF MELROSE

Rail Corridor Overlay District Zoning

Approved July 21, 2014

Amendments Proposed January 13, 2015, Revised March 24, 2015

Approved April 6, 2015

**SECTION 235-6
ESTABLISHMENT OF DISTRICTS**

Insert the following in **Section 235-6 Establishment of Districts**:

Rail Corridor Overlay District RCOD

**SECTION 235-7
ZONING MAP**

The Zoning Map shall be changed by placing an overlay district over the Extensive Business (BB-1) Districts on Tremont Street and Essex Street. These Overlay District areas will be denoted with a heavy outline around the existing BB-1 districts on Tremont Street and Essex Street and designated the Rail Corridor Overlay District (RCOD).

**SECTION 235-71.2
RAIL CORRIDOR OVERLAY DISTRICT
(new)**

A. Purpose

The purposes of the Rail Corridor Overlay District are:

- (1) To promote economic development and neighborhood revitalization through the redevelopment of underutilized structures and sites;
- (2) To provide housing options which are sufficient to meet the needs of households at varying income levels and different stages of life;
- (3) To promote high quality, sustainable design that reinforces and enhances neighborhood identity and minimizes negative impacts on the environment;
- (4) To create a pedestrian-friendly environment that promotes walking, bicycling, and transit use, and encourages reduced vehicle ownership; and
- (5) To promote a mix of compatible uses.

B. Definition and applicability

- (1) A “Rail Corridor Overlay District Project” (“RCOD Project”) is a development that complies with all the provisions of this Section 235-71.2, including provisions relating to uses, density, site and building dimensions, off-street parking, building design, lighting, and signs.
- (2) This Section 235-71.2 includes use, dimensional and other regulations that may modify the requirements of the underlying district(s) for an RCOD Project. Any requirement of the zoning ordinance that is not specifically modified by this Section 235-71.2 shall remain in effect for an RCOD Project.
- (3) The provisions of this Section 235-71.2 shall apply only to an RCOD Project. Any building, structure or use of land that is not part of an RCOD Project shall conform to the regulations and requirements applicable to the underlying districts without modification by this Section 235-71.2.
- (4) An RCOD Project shall be subject to Site Plan Review under Section 235-16.1. Site Plan Review approval for an RCOD Project is contingent upon the Planning Board, acting as the Site Plan Review Committee, finding that the requirements of this section 235-71.2 are met in addition to the Site Plan Review criteria described in Section 235-16.1.

C. Establishment of Rail Corridor Overlay District

- (1) The Rail Corridor Overlay District (RCOD) is established as an overlay district that may be applied to land in the Extensive Business (BB-1) district as described herein, which is referred to herein as the “Underlying District.” When a parcel is placed within the RCOD, it also remains in the Underlying District, and must comply with the regulations of the Underlying District except as specifically modified by this Section 235-71.2.
- (2) The Rail Corridor Overlay District includes the following parcels, identified by Assessors map and lot numbers as of March 1, 2014:

Map	Lots
B9	105, 1067A8 (106, 107A, 108), and 109
B10	64, 65-66+, 67, 68, 69, 70, 71, 72, and 73-74
B11	70, 71, 72, 74, 75, and 76
C7	55 and 56
C8	1, 2-3, 4, 5, 6, 7, 8, 9, 10+, 12, 14, 40, and 48
C11	1-1A, 2, 126 and 127

This list of parcels is intended to include all properties shown on the Melrose Zoning Map in the Extensive Business (BB-1) Districts located on Tremont Street and Essex Street.

D. Permitted uses

- (1) An RCOD Project may include, and shall be limited to, the following permitted uses, alone or in combination:
 - (a) Multifamily residential, including townhouses and apartment buildings and including accessory uses thereto;
 - (b) Retail establishments selling convenience goods such as food, drugs and proprietary goods, or general merchandise such as dry goods, apparel and accessories, hardware, home furnishings, and similar items; provided that no individual establishment shall exceed 10,000 square feet of gross floor area;
 - (c) Personal and consumer services establishments, including beauty and barber shops, clothing rental, dry cleaning pick-up shops, garment repair, tailors, and similar businesses providing frequent or recurrent services related to personal needs, and including accessory retail sales of products related to the services offered at such consumer services establishments;
 - (d) Professional and business offices, including but not limited to medical, legal, insurance, architects, engineers, and real estate offices. This does not include banks and financial institutions or substance abuse treatment centers;
 - (e) Veterinary hospitals provided that no individual establishment shall exceed 10,000 square feet of gross floor area;
 - (f) Restaurants, coffee shops, and similar establishments selling prepared food to be consumed on or off site;
 - (g) Studios of artists or artisans, including persons engaged in the application, teaching, or performance of fine arts such as but not limited to drawing or painting, sculpture, vocal or instrumental music, or writing; and including the accessory sale of art produced on the premises; and
 - (h) Assisted living facilities.
- (2) An RCOD Project may include more than one principal structure on a single lot, provided that the Planning Board finds through the Site Plan Review process that safe and convenient access will be provided to all structures.
- (3) An RCOD Project shall not include any use which consists of drive-through service, whereby a product or service is provided to a person who remains in a vehicle.

E. Dimensional and density regulations

(1) Lot area and frontage

An RCOD Project shall have a minimum lot area of 10,000 square feet and a minimum frontage on a public way of at least 50 feet.

(2) Lot depth

An RCOD Project shall have a minimum lot depth of 90 feet.

(3) Yards

- (a) Minimum yards: Each lot within the RCOD Project shall comply with the following requirements:

Minimum front yard:	10 feet from the lot line
Minimum side yard:	5 feet from the lot line
Abutting a UR-B zoning district:	12 feet from the lot line
Minimum rear yard:	10 feet from the lot line
Abutting a UR-B zoning district:	15 feet from the lot line

Corner lots shall have a minimum rear yard setback of 5 feet.

- (b) Maximum front yard:

[1] In order to define a consistent building line along the street, new buildings shall not be set back more than 15 feet from the front property line.

[2] The maximum front yard may be increased to 25 feet provided that the additional yard area incorporates a courtyard or sitting area at least 1,500 square feet in area and at least 20 feet deep that adjoins and is open on one or more sides to the public sidewalk; is open to the public; contains pedestrian amenities such as seating; and is landscaped to create a separation from the street, to provide shade, to reduce noise, and to mitigate fumes.

[3] At least 60 percent of the front side of a lot facing a public street, measured in percentage of linear feet of the frontage, shall be occupied by buildings or open space.

- (c) The Planning Board may require, on the basis of Site Plan Review, an access way to improve pedestrian circulation and for public safety access.

(4) Building separation

Buildings on a single lot shall be at least 18 feet apart to provide adequate separation for emergency access.

(5) Development intensity

- (a) The maximum residential density of an RCOD Project shall be 35 dwelling units per acre except for Assisted Living Facility projects which shall be permitted up to 60 dwelling units per acre.
- (b) The maximum floor area ratio (FAR) of an RCOD Project shall be 1.5.

(6) Open space and streetscape enhancements

- (a) An RCOD Project shall include open space at least equal to 10% of the total lot area.
- (b) The open space requirement shall apply to the RCOD Project as a whole, regardless of whether the RCOD Project consists of a single lot or multiple lots.
- (c) In recognition of the need for streetscape improvements that will result from new development, an RCOD Project shall also contribute to the City's Streetscape Improvement Fund as follows: Upon receiving a building permit for any residential or commercial space in an RCOD Project, the applicant shall make a contribution to the City's Streetscape Improvement Fund in the amount of \$1,100 per dwelling unit and \$1.00 per gross square foot for all other uses.

(7) Building and structure height

- (a) The maximum permitted height for buildings and structures in an RCOD Project shall be 4 stories and 50 feet, except as follows:

[1] Buildings may be permitted up to 5 stories and 62 feet in height at the Planning Board's discretion, when appropriate, given site constraints and/or unusual site characteristics and provided that all portions of the building above 50 feet are setback at least 20 feet from all property boundaries and shall be stepped back a minimum of 10 feet from each façade of the floor below, except for those facades which face the Commuter Rail right-of-way where no upper level step back is required.

[2] RCOD Projects that exceed 4 stories and 50 feet in height shall provide additional public amenities in excess of the minimum 10% open space requirement for the RCOD. In the additional public amenity area, projects shall incorporate a courtyard or sitting area that adjoins and is open on one or more sides to the public sidewalk; is open to the public; contains pedestrian amenities such as

seating; and is landscaped/hardscaped to create a separation from the street, to provide shade, to reduce noise, and to mitigate fumes.

- (b) The height of a building or structure in the RCOD shall be defined as the vertical distance from the average grade of Tremont Street or Essex Street (whichever the property has frontage on), along the frontage of the lot/s of the RCOD project at the time of the Site Plan Review application, to the top of the structure of the highest roof beams of a flat roof, the deck of a mansard roof or the mean level of the highest gable or slope of a hip roof. This shall supersede the definition of “Height” in Section 235-5 for an RCOD Project.
- (c) A roof appurtenance enclosing mechanical equipment may exceed the applicable maximum building height established by (a) above provided that (1) it is no more than 10 feet above the roof surface, (2) it is no less than 10 feet from the exterior wall of the building, and (3) the total horizontal area of all such appurtenances does not exceed 20 percent of the building footprint.

(8) Building coverage

There shall be no maximum permitted coverage for buildings in an RCOD.

F. Off-street parking

- (1) Off-street parking spaces shall be provided as follows:

Use	Spaces Required
Residential	1.0 space per dwelling unit 1.0 visitor space per 10 residential units
Office, Retail, & Other Uses	1.0 space per 500 sq. ft. gross floor area
Assisted Living Facility	1.0 space per 4 dwelling units plus 1 space per employee on largest shift

- (2) On-street parking on public streets and internal ways may be permitted within the Rail Corridor Overlay District provided all necessary approvals are obtained, but on-street parking on public streets shall not be used to meet the minimum requirements for off street parking.
- (3) The Planning Board may allow shared or reduced parking requirements for uses having different peak times of parking demand requirements or if a use needs a lesser number of parking spaces than is required. Evidence which supports these shared or reduced parking requirements shall be produced in a report from a traffic engineer engaged by the applicant and approved by the Planning Board as part of Site Plan Review. Where shared parking is to serve uses on separate lots, documentation shall be provided establishing the

permanent legal right for such shared use. Factors that the Planning Board may consider include, but are not limited to: (a) proximity to available public parking with demonstrated availability to support the project; (b) characteristics of the occupants that create less parking demand, such as age or household income; (c) provision of a mix of uses on-site with offset peak parking demand times; (d) a shared parking agreement with proximate properties with offset parking demand times; (e) dedication of spaces for car-sharing services (e.g., Zipcar); (f) employers who provide transit incentives for their employees.

(4) Parking setbacks:

(a) Surface parking areas shall conform to the following minimum setback requirements:

From a public street	20 feet
From an internal way (not to include parking lot drive aisles)	5 feet
From a structure	5 feet

From a side or rear lot line where the abutting property is within the RC Overlay District notwithstanding any other setback provision within this section 4(a).	5 feet
From a lot line abutting the railroad right of way	5 feet
From any other side or rear lot line	10 feet

(b) No surface parking area or parking structure shall be closer to a public street than the closest principal building.

(5) Bicycle parking facilities or storage shall be provided as follows, assuming one space accommodates one bicycle:

Use	Bicycle Parking Required
Residential	1.0 space per 5 dwelling units
Assisted Living Facility	1.0 space per 5 vehicle parking spaces
All Other Uses	1.0 space per 1,000 sq. ft. gross floor area

Except for Assisted Living Facilities, RCOD Projects with 20 or more residential units shall provide covered bicycle parking facilities or storage with protection from the elements for at least one half of the required number of bicycle parking spaces.

G. Design standards

All RCOD Projects shall comply with the following design standards, unless the Planning Board finds, through Site Plan Review, any standard to be inappropriate for the proposed use.

(1) Building design

- (a) Exterior materials that are primarily associated with domestic residential buildings, such as wood clapboards and shingles, or that are relatively impermanent, such as Exterior Insulation and Finish Systems (EIFS), plywood, aluminum, and vinyl, are strongly discouraged.
- (b) Building facades shall articulate the line between the ground and upper levels with a cornice, canopy, balcony, arcade, or other visual device.
- (c) Building facades facing public streets or within 30 feet of main entrances, shall reflect a high level of detail refinement.
- (d) Building facades more than fifty feet (50) in length shall be divided into shorter segments by means of changes in materials, varying roof lines or other architectural treatments.
- (e) Rooftop building systems, such as mechanical and electrical equipment and antennas, shall be screened with appropriate architectural elements from all key observation points.
- (f) New buildings and renovations shall incorporate sustainable design and construction practices as governed by the Energy Star and WaterSense Programs to the extent reasonable; and developers are strongly encouraged to achieve US Green Building Council LEED Certification for their building or its reasonable equivalent.
- (g) For new buildings containing commercial uses, at least 60 percent of the street-facing building façade between two (2) feet and eight (8) feet in height shall be comprised of clear windows that allow views of indoor space or product display areas. This requirement shall not apply to buildings accessory to residential uses and not open to the general public, such as clubhouses.
- (h) Buildings or building facades shall not be designed primarily according to themes or architectural styles defined by or associated with corporate chains or franchises. The Planning Board may prohibit designs that it finds to be inconsistent with this provision.

(2) Landscaping

- (a) Landscape materials shall be sustainable, requiring minimal maintenance, irrigation or fertilizer, and shall be planted with species that are native to the area, tolerant of salt, and capable of withstanding extreme weather conditions.
- (b) Street trees shall be planted by the developer along all public streets and internal ways within and abutting the property.

[1] Trees shall be planted at intervals of no more than 30 feet along both sides of the roadway. If the Planning Board determines through Site Plan Review that such spacing is not feasible, it may alter the spacing or determine that up to the equivalent number of trees shall be planted elsewhere on the site.

[2] Trees shall be of a species common to the area, and shall be appropriate species to provide summer shade, winter light, and year-round visual interest.

[3] Trees shall be two and one-half inches (2.5") caliper at four feet (4') above grade, and reach a height of at least thirty feet (30') at maturity.

- (c) All dumpsters and utility/service areas shall be screened with adequate plantings and/or landscape structures appropriate to the scale and character of the neighborhood.
- (d) A landscaped buffer strip at least 10 feet in width shall be provided along any lot line that abuts a residential zoning district. The buffer strip shall contain a vegetative screen not less than three (3) feet wide and six (6) feet high relative to the lot line, designed and maintained to provide a dense screen year-round. The screen shall be planted with trees or shrubs no more than three (3) feet on center. At least 50 percent of the plantings shall consist of evergreens, distributed along the length of the buffer strip.

(3) General site design

- (a) Roadways, sidewalks and other infrastructure shall be designed in accordance with the City of Melrose's Subdivision Regulations, and with the additional standards set forth below.
- (b) Sidewalks, crosswalks, walkways, or other pedestrian access shall be provided to allow for safe and convenient access to adjacent properties and between individual buildings, parking areas and other points of interest within a development. Sidewalks and walkways shall be constructed of cementitious concrete and shall be minimally broken by vehicular access.

- (c) Pedestrian amenities such as benches, planters, trash receptacles, walkways and gardens etc. shall be provided along the sidewalks of public streets and in open space plazas.
 - (d) All utilities servicing an RCOD project shall be placed underground, unless prohibited by a utility company. All utilities on new internal roadways servicing an RCOD project shall be placed underground. All utility and drainage requirements shall be approved as part of the site plan review process and not subject to any other sections of the zoning ordinance.
 - (e) Off-street parking and loading spaces, internal ways, and maneuvering areas shall be designed to provide for adequate drainage, snow storage and removal, maneuverability and curb cuts.
 - (f) Granite curbing shall be used along all roads and private internal ways. Cementitious concrete curbing may be substituted for granite curbing in all other locations.
 - (g) The number of driveway curb cuts along Tremont and Essex Streets shall be kept to a minimum.
 - (h) Driveways shall be consolidated and aligned with existing intersections as feasible.
 - (i) Appropriate traffic control devices, including signage, shall be installed at driveways.
 - (j) Adequate sight distance shall be provided at driveways.
- (4) Parking
- (a) Surface lots shall be screened along all public streets by a landscaped buffer not less than six (6) feet in depth, or by walls or fencing at least three (3) feet high and compatible with the adjacent architecture, and shall be designed to ensure that lights from cars within the surface lots do not spill into adjacent streets and properties.
 - (b) Parking structures and lots shall have well-designed and marked pedestrian walkways and connections to the sidewalk system.
 - (c) Parking structures shall be designed to be compatible with adjacent buildings and architecture. All structured parking shall be designed so that the only openings at street level are those to accommodate vehicle ingress and egress and pedestrian access to the building. All openings shall be designed so that vehicles are not visible from the sidewalk on a public street.
 - (d) Parking and loading areas shall be screened from view from public ways. They may be located at the side or rear of a lot or in concealed structures, and shall be suitably screened both visually and acoustically from the street and abutters. Any views into

parking structures shall be minimized through use of landscaping or architectural treatment.

(5) Site lighting

- (a) Broad area lighting shall be avoided.
- (b) Parking lot pole lighting shall not exceed a height of 18 feet.
- (c) Lighting shall be installed along roadways, driveways, pedestrian walkways and sidewalks.
- (d) Lighting shall not create overspill onto adjacent properties or into the night sky and shall meet the following requirements:
 - [1] Any luminaire with a lamp or lamps rated at a total of more than 1,800 lumens (and any flood or spot luminaires of more than 900 lumens) shall be of fully shielded (cutoff) design and shall not emit any direct light above a horizontal plane passing through the lowest part of the light emitting luminaire.
 - [2] Luminaires, regardless of lumen rating, shall be equipped with whatever additional shielding, lenses, or cutoff devices are required to eliminate light trespass onto any abutting lot or parcel and to eliminate glare perceptible to persons on abutting land.
 - [3] Building facades may be illuminated with soft lighting of low intensity that does not draw attention to the building. The light source for the building facade illumination shall be concealed. Building entrances may be illuminated using recessed lighting in overhangs and soffits, or by use of spotlighting focused on the building entrances with the light source concealed (e.g., in landscaped areas). Direct lighting of limited exterior building areas is permitted when necessary for security purposes.
 - [4] A flood or spot luminaire with a lamp or lamps rated at 900 lumens or less may be used without restriction to light distribution, provided that it is aimed, directed, or focused so as not to cause direct light from the luminaire to be directed toward buildings on adjacent or nearby land, or to create glare perceptible to persons operating motor vehicles on public ways.
- (e) Lamp type shall be selected to provide a natural uniform quality of light, rather than a strong color such as yellow or blue.
- (f) The style of light poles and fixtures shall be compatible with the character of the area and any existing City standards.

- (g) Parking and pedestrian light fixtures shall be compatible with the building lighting to provide for a consistent appearance of the project.

(6) Infrastructure

- (a) RCOD projects shall demonstrate that adequate water supply and pressure are available, adequate sewerage capacity is available, adequate storm water management is provided, traffic circulation on site is safe and convenient and the traffic flow and circulation at nearby intersections is preserved, pursuant to the criteria stipulated in Section 235-16.1. Analysis and documentation of compliance with these standards shall be prepared by registered engineers and/or other appropriate professionals. When the size and complexity of a proposal for an RCOD project warrants an independent review of the impacts, the applicant will be responsible for funding such independent peer review.
- (b) In cases where a specific RCOD project would not otherwise meet the above criteria, the developer shall implement mitigation measures, including but not limited to improvements to public infrastructure, to adequately address any deficiency.

(7) Signs

- (a) An RCOD Project shall comply with the provisions of this section, which supersede the provisions of Article VII. Signs for RCOD Projects only.
- (b) An RCOD Project may have one standing sign complying with the following standards:
 - [1] Maximum height above the sidewalk: 6 feet
 - [2] Maximum sign area: 40 square feet per sign face
 - [3] Minimum setback from front lot line: 10 feet
 - [4] Minimum setback from side lot line: 15 feet
- (c) Within an RCOD Project, each business that has an exterior public entrance may have one wall sign, attached and parallel to the facade containing said entrance, as follows:
 - [1] Maximum sign area: 50 square feet or 10 percent of the area of the facade occupied by the business, whichever is less.
 - [2] Maximum projection from building wall: 6 inches
 - [3] No sign shall be mounted above the first floor of a building.
- (d) Within an RCOD Project, each business that has an exterior public entrance may have one projecting (blade) sign, attached and perpendicular to the facade containing said entrance, as follows:
 - [1] Maximum height above grade: 15 feet
 - [2] Minimum clearance above grade: 8 feet
 - [3] Maximum sign area: 6 square feet per side
 - [4] Maximum projection from building wall: 4 feet

- (e) Signs in display windows may be permitted provided that such signage shall not cover more than 10% of the display window area and shall be lighted only by building illumination (stationary white light).
- (f) Signs may be illuminated only by an external source of steady, stationary white light, of reasonable intensity, shielded and directed solely at the sign, and not casting direct or reflected light off the premises. No sign shall be illuminated internally or from behind a translucent sign face. All light fixtures shall either be decorative (such as goose-neck lights) or camouflages. Wiring should be concealed within building molding and lines.
- (g) The following additional signs are permitted in an RCOD Project:
 - [1] Any traffic or directional sign owned and installed by a governmental agency.
 - [2] One unlighted temporary sign offering premises for sale or lease for each parcel in one ownership, provided that it shall not exceed 6 square feet in surface area and it shall be set back at least 10 feet from the street lot line.
 - [3] One unlighted temporary sign of an architect, engineer, or contractor erected during the period such person is performing work on the premises on which such sign is erected, provided that it shall not exceed 4 square feet in surface area and it shall be set back at least 10 feet from the street lot line.
- (h) Additional sign regulations:
 - [1] The limitations as to the number of signs permitted does not apply to traffic or directional signs which are necessary for the safety and direction of residents, employees, customers, and visitors, whether in a vehicle or on foot, of any business, industry, or residence. Such signs shall not carry the name of any business or product.
 - [2] The supporting members for any sign shall be in acceptable proportion to the size of the sign.
 - [3] Any sign attached to a building shall not extend above the height of the roof of the building.
 - [4] No sign shall be erected so as to obstruct any door, window or fire escape on a building.
 - [5] Signage should employ colors and type faces that complement the primary architectural style of the building.
 - [6] Signs should be made of durable materials compatible with the materials of the building served.
 - [7] Signage shall be integrated into the architecture. Signage that covers or obscures significant architectural details of the building shall be avoided.
 - [8] In a multiple storefront building, the signage should be of a size, location, material and color that relates harmoniously between bays.
 - [9] Neon signs, reader boards, LED lights, or other similar signs shall not be permitted.

H. Affordable housing

- (1) An RCOD Project shall be subject to the Affordable Housing Incentive Program under Section 235-73.1, as modified by paragraphs H.2 through H.5 below.
- (2) In an RCOD Project, the Affordable Units (as defined in Section 235-73.1.A) shall qualify for inclusion on the Massachusetts Department of Housing and Community Development's Chapter 40B Subsidized Housing Inventory (SHI) or any successor inventory. Failure to maintain compliance with the criteria for inclusion on the SHI, or removal of an Affordable Unit from the SHI for any reason, shall be deemed to be noncompliance with this Section 235-71.2.
- (3) Unless otherwise required for inclusion on the SHI, the rent price, including utilities, of an Affordable Unit in an RCOD Project shall be established using the income of households making 80% of the median household income in the Metropolitan Area Boston-Cambridge-Quincy HMFA Standard Metropolitan Statistical Area, adjusted for family size, and shall not exceed 30% of the income of said median household.
- (4) Unless otherwise required for inclusion on the SHI, the sale price of an Affordable Unit in an RCOD Project shall be established using the income of households making 80% of the median household income in the Metropolitan Area Boston-Cambridge-Quincy HMFA Standard Metropolitan Statistical Area, adjusted for family size. The mortgage payment, assuming 5% down payment and including hazard insurance, real estate taxes, condominium fees and, where applicable, private mortgage insurance, shall not exceed 30% of the income of said median household.
- (5) Regardless of the rent or sales price limitations in the previous paragraphs, the Developer of an RCOD Project may choose to reduce the rent or sales price of the Affordable Unit/s.

I. Ownership and maintenance of common facilities

- (1) All internal streets, ways, and parking areas shall be privately owned. The maintenance of all such private streets, ways and parking areas, including but not limited to snowplowing, patching and repaving, shall remain the responsibility of the owner. All deeds conveying any portion of the land containing private streets, ways, or parking areas shall note this private responsibility of maintenance.
- (2) In order to ensure that any proposed common open space and common facilities within the development will be properly maintained, any RCOD Project in which dwelling units shall be offered for sale shall have a Residents Association, which shall be in the form of a corporation, non-profit organization or trust established in accordance with appropriate state law by a suitable legal instrument or instruments recorded at the Registry of Deed or Registry District of the Land Court. As part of the Site Plan Review, the applicant shall supply to the Planning Board copies of such proposed instrument.

J. Development phasing

- (1) An RCOD Project may be developed in phases and may be developed under one or more building permits and occupancy permits. Phasing of the development and associated infrastructure shall be specified in the Site Plan Approval.
- (2) Lot area coverage, open space, affordable housing, off-street parking and required mitigation shall correspond with the sequence of development implemented in the RCOD Project, so that at all times such requirements shall be met as applied only to those portions of the RCOD Project for which building permits have been issued. Such requirements shall be met prior to the issuance of certificates of occupancy for such buildings.