

ZONING RECODIFICATION: SUMMARY

The bulk of the zoning recodification has been a clean-up to avoid repetitive language and to eliminate instances in which we paraphrase state bylaws, citing the source instead. Eliminating paraphrasing is important, as whenever the State inevitably changes its bylaws, we would need to update our zoning to reflect the changes. A great deal of the zoning recodification efforts has been simplifying language and making the bylaw easier to use by creating new grouping categories to make finding what you need easier.

WHAT HAS CHANGED?

- Added a zoning use table, a dimensional table, and a parking table, cutting out several pages of narrative.
- **Section 3.4 HOME OCCUPATION:** Divided section into two: by-right home occupation (home businesses) or special permit home occupation. Simplifying the process for home businesses for residents who have a home business that does not produce any traffic or need any external employees (ex. online sellers or remote work consultants), allowing them to have the accessory use by-right. Previously, all home occupations were allowed by special permit only.
- **Section 4.1.4 LOT SHAPE, WIDTH AND FRONTAGE:** Changed the way we calculate a lot's shape factor; eliminate dumbbell shape provision. Replacing our shape factor formula with a simpler, mathematical formula will allow for easier determination of whether a lot has a standard shape or not. Our old lot shape factor provision still produces oddly shaped lots, and is ineffective and difficult to use.
- **Section 5.5 NONCONFORMING SINGLE AND TWO FAMILY RESIDENTIAL STRUCTURES:** Added a provision to give the Building Inspector the power to approve alteration to nonconforming residential structures if they meet certain approval criteria, cutting out some of the work the ZBA would have to do and making the process faster and easier for applicants.
- **Section 8.1 ACCESSORY DWELLING UNITS:** We changed the accessory dwelling unit (ADU) bylaw to more closely resemble the governor's model ADU bylaw, which reflects the Commonwealth's goal to offer a more diverse housing stock. Both attached and detached ADUs are now allowed by-right in conforming structures, and by special permit on nonconforming structures. Added size regulations, parking regulations, and a limit on alterations, as well as a provision for joint utility meters so units cannot be divided. Our ADUs remain limited to blood relatives and caretakers. Caretakers are now allowed to allow Sharon's older residents to age in place.
- **Section 8.2 SENIOR HOUSING FACILITY:** Eliminated the old Senior Living Overlay District (Rattlesnake Hill) which can now not be used for its intended purpose due to the development of single-family homes and a conservation restriction on the land. Instead, we added the Senior Housing Facility section to allow for a variety of senior living

arrangements to reflect different levels of care, ranging from independent living to assisted living.

- **Section 8.3 OPEN SPACE RESIDENTIAL DEVELOPMENT (OSRD):** Created the Open Space Residential Development bylaw to replace our old flexible development bylaw and our old Conservation Subdivision bylaw. The new OSRD bylaw provides allows for flexible subdivisions that encourage the conservation of open space. This bylaw is written with ample guidance for the applicant, to make for an easy, straightforward process.

- **Section 9.6: PLANNED DEVELOPMENT DISTRICTS (PDDs):** Added Planned Development Districts for commercial, residential, and mixed-use uses. PDDs allow developers to propose a project for the town, and if the project is deemed beneficial to the town and approved by both the Town Administrator and the Planning Board, the public then gets to vote on whether they would like to see the project adopted or not. The proposed development will need to be approved at Town Meeting with a 2/3 vote.

- **Section 10.1.4 PROCESS:** Deleted this section, which was not feasible to implement. The Building Inspector previously had to determine whether issuing a building permit would have any impact on the abutter's personal property, and if they determined that it did, the Building Inspector had to issue a notice to all abutters. Abutters then had 30 days to appeal the building permit if they saw fit. If an abutter missed the 30-day window, then they lost the right to appeal. With this change, the Building Inspector does not have to rely on subjective criteria and may just issue the building permit with no need to notify abutters. By state law, if abutters don't receive a notice from the Building Inspector, they have 6 years to appeal the new construction, which is a more realistic time frame. This is the most common model of the process throughout Massachusetts.

- **Section 10.6 SITE PLAN REVIEW:** Added further instructions on how to do site plan review (SPR) and the situations in which it is needed. Site plan review is now split into 3 different categories: minor, major, and major nonresidential and mixed-use developments. The ZBA has authority over both minor and major SPRs, and the Planning Board has authority over all major nonresidential and mixed-use developments. For single and two-family homes, a 'building permit plan' is required (to differentiate from SPR requirements, which are more rigorous the bigger the development is). The contents of a building permit plan will also be clearly delineated so applicants know what to submit. No changes are being made as to what an applicant needs to submit for a new single or two-family home; we are simply changing the name of the process to avoid confusion, and delineating requirements to make the process more straightforward.

- **Section 10.7 SITE PLAN REVIEW FOR DOVER AMENDMENT USES:** Added a separate section for Dover Amendment Uses and their Site Plan Approval, and made the Planning Board the Special Permit Granting Authority. The reason for this addition is because Dover Amendment uses are protected by the state; as such, there is a different set of considerations a Board might have when reviewing them. Because of this, they need their own category clearly delineating what these considerations are.

- **Section 10.8 REQUEST FOR REASONABLE ACCOMODATION:** Added a section on requests for reasonable accommodations so applicants know how to proceed in these cases. By federal law, Towns need to be able to handle such cases, and a bylaw provides clear guidance on how.

- **ATTACHMENT, DIMENSIONAL USE TABLE:** The following changes were made to the dimensional use table: County layouts were eliminated to simplify the process for all applicants, and the less restrictive Local layout was kept; half-stories were eliminated in the residential districts, as the height requirement in each district should regulate the number of stories by default; front setbacks from property lines will now be used instead of street centerlines, as property lines are more precise than street centerlines; the maximum number of stories allowed in the Light Industrial district has now gone up to 5 stories, but the maximum height remains 80 ft.