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Article 5: Amend the Sharon Zoning ByLaw

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November 1, 2023

Sponsored by: The Planning Board

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To see if the Town will vote to amend the Sharon Massachusetts Code, Division1: Bylaws, Part II: General Legislation, Chapter 275 Zoning, §275-2110-§275-6420 (Zoning Bylaw) as last amended under Article 20 of the Warrant of the Annual Town Meeting of May 2, 2022 as follows (Bold font denotes new language; italic and strikethrough font denotes deleted language):

Amend Section 3.2.2 – Table 1: Table of Use Regulations by revising certain entries in the twelfth column with the heading “BD” by deleting the heading “BD” and inserting a new heading with a footnote “BD¹” and further revise entries in the twelfth column to allow as use by right in Business District D the following: §A Residential Uses, #3 Dwelling units over nonresidential first floor uses (see Section 8.5) – delete “N” and insert “Y” and insert reference to Section 8.7 and #4 Multifamily or Mixed Use Buildings (see Section 8.5) – delete “BA” and insert “Y” and insert reference to Sections 8.6 and 8.7, §B Community Uses, #3 Childcare center of school-aged childcare program – add a footnote “2” for the BD District column referencing certain additional facilities allowed by right, §D Commercial Uses, #11 Major Nonresidential and Mixed-Use Development – delete “PB” and insert “Y”, and add a row #12. Theater or multiscreen movie complex excluding adult-use motion picture theaters – providing for a use by Special Permit from the Zoning Board of Appeals in the Business A B and C Districts and as a use by right in the BD District and the LI District, §I Miscellaneous Commercial Uses, #6. Commercial Fuel storage and sales – insert the word “retail” before the word “sales in the first column and #10 Major Nonresidential Development – delete “BA” and insert “Y” and #11 Major Parking Facility – delete “BA” and insert “Y”, and §K Accessory Uses, #10 private garage for more than 3 motor vehicles or group garage – delete “N” and insert “Y”.

[Explanatory note above not part of the text of the Zoning Bylaw amendment: Table 1: Table of Use Regulations will be inserted following Section 11.0 Definitions in the Zoning Bylaw.]

Such that it reads:

TABLE 1: TABLE OF USE REGULATIONS

Y =Yes
N = No
BA = Special permit, Zoning Board of Appeals
PB = Special Permit, Planning Board
SB = Special Permit, Select Board

See notes following Table 1.

	R1	R2	Sub A	Sub B	SRA	SRB	GR	BA	BB	BC	BD ¹	LI	Pro A	Pro B
A. RESIDENTIAL USES														
1. Single-family residence	Y	Y	Y	Y	Y	Y	Y	Y	Y	N	N	N	N	N

2. Two-family residence	N	N	N	N	N	N	Y	Y	Y	Y	N	N	N	N
3. Dwelling units over nonresidential first floor uses (see Sections 8.5 and 8.7)	N	N	N	N	N	N	N	N	BA	BA	AY	N	N	N
4. Multifamily or mixed-use buildings (see Sections 8.5, 8.6, and 8.7)	N	N	N	N	N	N	N	BA	N	N	BA Y	N	N	N
5. Conversion to create one or more dwelling units (see Section 8.4)	BA	BA	BA	BA	BA	BA	BA	N	N	N	N	N	N	N
6. Conversion of municipal building (see Section 8.4)	SB	SB	SB	SB	SB	SB	N	N	N	SB	N	N	N	N
7. Open Space Residential Development (see Section 8.3)	PB	PB	PB	PB	PB	PB	PB	N	N	N	N	N	N	N
8. Senior Housing Facility (see Section 8.2)	PB	PB	PB	PB	PB	PB	PB	N	N	N	BA	V	N	Y

	R1	R2	Sub A	Sub B	SRA	SRB	GR	BA	BB	BC	BD ¹	LI	Pro A	Pro B
B. COMMUNITY USES														
1. Use of land or structures for religious purposes on land owned or leased by a religious sect or denomination	Y	Y	Y	Y	Y	V	Y	Y	Y	Y	Y	Y	Y	Y
2. Use of land or structures for educational purposes on land owned or leased by the Commonwealth or any of its agencies, subdivisions or bodies politic or by a religious sect or denomination or by a nonprofit educational corporation	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y
3. Childcare center or school-aged childcare program	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y ²	Y	Y	Y
4. Municipal uses and facilities, including indoor/outdoor recreation	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y
5. Essential services	BA	BA	BA	BA	BA	BA	BA	BA	BA	BA	BA	BA	BA	BA
6. Hospital or sanatorium	BA	BA	BA	BA	BA	BA	BA	N	N	N	N	Y	N	N
7. Health care center	N	N	N	N	N	N	N	N	N	N	BA	Y	N	N
8. Home health agency; hospice; physical therapy or speech pathology facility; renal care facility; temporary nursing agency	N	N	N	N	N	N	N	Y	Y	N	Y	V	N	N
9. Cemetery not conducted for profit	BA	BA	BA	BA	BA	BA	BA	N	N	N	N	N	N	N

Revise Section “C. Open Recreation and Agricultural Uses” section, in the top row, delete the heading “BD” and insert a new heading with a footnote “BD¹” by revising the heading in the top row by deleting the heading “BD” and inserting a new heading with a footnote “BD¹” No other revisions are made to this section.

	R1	R2	Sub A	Sub B	SRA	SRB	GR	BA	BB	BC	BD ¹	LI	Pro A	Pro B
D. COMMERCIAL USES														
1. Wellness center or health club	N	N	N	N	N	N	N	y	y	N	y	y	N	N
2. Club operated as a business	N	N	N	N	N	N	N	BA	BA	N	BA	N	N	N
3. Private nonprofit club or lodge	BA	BA	BA	BA	BA	BA	BA	N	N	N	N	N	N	N
4. Trade, professional, or other school operated	N	N	N	N	N	N	N	N	N	N	BA	N	N	N
5. Training or conference center	N	N	N	N	N	N	N	N	N	N	BA	N	N	N
6. Hotel	N	BA	N	N	N	N	y	N	N	N	y	y	N	N

7. Retail delivery service or postal boxes	N	N	N	N	N	N	N	N	N	N	N	BA	N	N	N
8. Mortuary, undertaking or funeral establishment	N	N	N	N	N	N	N	N	BA	N	BA	y	N	N	
9. Adult use	N	N	N	N	N	N	N	N	N	N	N	BA	N	N	
10. Bed and breakfast facilities	BA	BA	BA	BA	BA	BA	BA	N	N	N	N	N	N	N	
11. Major Nonresidential and Mixed-Use Development	N	N	N	N	N	N	PB	PB	PB	PB	PBY	PB	PB	PB	
12. Theater or multiscreen movie complex excluding an adult motion picture theater.	N	N	N	N	N	N	N	BA	BA	BA	Y	Y	N	N	

Revise Section “E. Office Uses”, Section F. Retail and Service Uses”, Section G. Eating, Drinking, and Entertainment Establishments”, and Section H. Motor Vehicle Related Uses” by revising the heading in the top row by deleting the heading “BD” and inserting a new heading with a footnote “BD¹”. No other revisions are made to these sections.

	R1	R2	Sub A	Sub B	SRA	SRB	GR	BA	BB	BC	BD ¹	LI	Pro A	Pro B
I. MISCELLANEOUS COMMERCIAL USES														
1. Store serving as drop-off or pick-up location for cleaning or laundry service, excluding laundromat or on-site processing	N	N	N	N	N	N	N	Y	Y	N	Y	N	N	N
2. Outdoor storage and display of goods for sale, whether as a principal or accessory use	N	N	N	N	N	N	N	N	BA	N	BA	Y	N	N
3. Storage building for goods to be repaired or sold at retail directly to the consumer or temporarily stored for the consumer	N	N	N	N	N	N	N	N	BA	N	BA	Y	N	N
4. Printing or publishing establishment	N	N	N	N	N	N	N	N	N	N	N	Y	N	N
5. Medical or adult-use marijuana	N	N	N	N	N	N	N	N	N	N	N	BA	N	N
6. Commercial fuel storage and retail sales	N	N	N	N	N	N	N	BA	N	N	BA	N	N	N
7. Natural gas custody transfer stations (see Section 7.5)	BA	BA	BA	BA	BA	BA	BA	BA	BA	BA	BA	BA	BA	BA
8. Earth removal (see Chapter 141)	SB	SB	SB	SB	SB	SB	SB	N	N	N	N	SB	Y	Y
9. Solar energy system	N	N	N	N	N	N	N	N	N	N	N	Y	N	N
10. Major Nonresidential Development	N	N	N	N	N	N	N	BA	BA	BA	BA ^Y	BA	N	N
11. Major parking facility	N	N	N	N	N	N	N	BA	BA	BA	AY	N	N	N
12. Landscaping equipment, supply, and service business	N	N	N	N	N	N	N	N	N	N	N	Y	N	N

	R1	R2	Sub A	Sub B	SRA	SRB	GR	BA	BB	BC	BD ¹	LI	Pro A	Pro B
K. ACCESSORY USES														
1. Home occupation (see Section 3.4) As of right OR By special permit	Y BA	Y BA	Y BA	Y BA	Y BA	Y BA	Y BA	N	N	N	N	N	N	N
2. Craft or Trade Shop	BA	BA	BA	BA	BA	BA	BA	N	N	N	N	N	N	N
3. Accessory childcare center or school-aged childcare program	Y	Y	Y	Y	Y	Y	V	Y	Y	Y	Y	Y	Y	V
4. Family day care home	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y
5. Family day care home, large	BA	BA	BA	BA	BA	BA	BA	BA	BA	BA	BA	BA	BA	BA
6. Adult day care home	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y
7. Renting of one or two rooms without separate cooking facilities to lodgers within a dwelling unit to one or two total	Y	Y	Y	Y	Y	Y	Y	Y	N	Y	Y	N	N	N

8. Off-street parking spaces accessory to use in Pro A or Pro B District	N	N	N	N	BA	BA	BA	N	N	N	N	N	N	N
9. Private garage with provision for not more than 3 motor vehicles	Y	Y	Y	Y	Y	Y	Y	N	N	N	N	N	N	N
10. Private garage with provision for more than 3 motor vehicles or group garage	BA	BA	BA	BA	BA	BA	BA	N	N	N	AY	N	N	N
11. Scientific research and development as set forth in M.G.L. c. 40A, § 9	BA	BA	BA	BA	BA	BA	BA	N	BA	N	BA	N	N	N
12. Outdoor storage or display of parts, materials or inventory	N	N	N	N	N	N	N	Y	Y	Y	N	N	N	N
13. Enclosed storage or parts, materials or inventory in excess of amounts reasonably required for work to be done on the premises or goods to be delivered on the premises	N	N	N	N	N	N	N	Y	Y	Y	Y	N	N	N
14. Vending machine, unless placed within a building or parking lot	N	N	N	N	N	N	N	Y	Y	N	Y	N	N	N

Notes for Table 1

1. Multiple freestanding Principal Buildings are permitted within a single Business District D Development, Lot, or Business Parcel subject to the requirements specified in Table 1.
2. In Business District D, facilities are allowed that are licensed by the Massachusetts Executive Office of Education or successor agency if applicable, including daycare or childcare facilities complying with "Large Group and School Age Child Care Program" licensing requirements and including facilities complying with "Center and School Based Early Education and Care Program" or "After School and Out of School Time Program" licensing requirements.

Amend Section 4.1.2 – Table 2: Table of Dimensional Regulations by providing new requirements for an overall Business District D Development by reference to §4.3.8.1; for Lots within Business District D but not within a Business District D Development, and Lots within an overall Business District D Development including required minimum lot area, lot frontage, (front, side, and rear) lot setbacks, and natural vegetation coverage and required maximum building height (feet/stories) by reference to §4.3.8.4 and lot coverage.

[Explanatory note above not part of the text of the Zoning Bylaw amendment: Table 2: Table of Dimensional Regulations will be inserted following Table 1: Table of Use Regulations in the Zoning Bylaw.]

Such that it reads:

TABLE 2: TABLE OF DIMENSIONAL REGULATIONS

ZONE	LOT AREA (Sq. Ft.)	LOT WIDTH	FRONTAGE	FRONT SET-BACK (from sideline)	REAR/SIDE SET-BACK	MAXIMUM HEIGHT	MAXIMUM STORIES	PERCENT OF LOT COVERAGE	PERCENT OF NATURAL COVERAGE
Rural District 1	60,000	175'	116'-8"	50'	30' (principal building) 10' (accessory building)	35'	-	15% (2)	50%
Rural District 2	80,000	175'	116'-8"	50'	30' (principal building) 10' (accessory building)	35'	-	15% (2)	50%
Suburban District 1	40,000	125'	82'-6"	30'	20' residential 10' all other	35'	-	25%	no requirement
Suburban District 2	60,000	175'	116'-8"	50'	30' (principal building) 10' (accessory building)	35'	-	15% (2)	50%
Single Residence District A	40,000	150'	100'	30'	15' residential 10' all other	35'	-	25%	no requirement
Single Residence District B	20,000	100'	66'-8"	30'	15' residential 10' all other	35'	-	25%	no requirement
General Residence	8,000 10,000 two family	70' 80' two family	46'-8" single fam. 53'-4" two family	30'	15' residential 10' all other	35'	-	40%	no requirement
Business District A	10,000 for single or two family	80' one family and two family	70'	20' max 1&2 family 10' max all other	20' residential 10' all other	other uses 45' 40' residential	3	25% 1 and 2 family 60% all other	20%
Business District B	8,000 10,000 two family	80' two family (4)	70'	10'	20' residential 10' all other	60' commercial 40' residential	4 commercial 3 residential	25% residential 20% all other	n/a
Business District C	8,000	80' two family (4)	70'	20' max 1&2 family 10' max all other	20' residential 10' all other	45' commercial 40' residential	3	25% 1 and 2 family 35% multi family 50% all other	30%
<i>Business District D</i>	<i>53 acres</i>	<i>80' two-family (4)</i>	<i>4000'</i>	<i>10' from I-95, 50' from Old Post Rd., 100' from all other streets</i>	<i>100'</i>	<i>60'-commercial 40'-residential</i>	<i>3</i>	<i>20% (3)</i>	<i>35%</i>
Business District D Development	See Section 4.3.8.1	See Section 4.3.8.1	See Section 4.3.8.1	See Section 4.3.8.1	See Section 4.3.8.1	See Section 4.3.8.4	See Section 4.3.8.4	See Section 4.3.8.1	See Section 4.3.8.1
Lot Within Business District D but Not Within a Business District D Development	53 acres	1,000'	1,000'	10' from I-95, 50' from Old Post Rd., 100' from all other streets	100' (5)	See Section 4.3.8.4	See Section 4.3.8.4	55%	33%
Lot Within a Business District D Development	60,000	25'	25'	10' from I-95, 50' from Old Post Rd., 100' from all other streets	No requirements from lots within Business District D 100' from lots outside Business District D (5)	See Section 4.3.8.4	See Section 4.3.8.4	No Requirements	No Requirements

Professional District A	20,000	80' two family (4) 150' all other	100'	n/a'	20' residential 10' all other	40'	3	n/a	n/a
Professional District B	60,000	80' two family (4) 150' all other	100'	40'	20' residential 10' all other	40'	3	20%	30%
Light Industrial District	40,000	150'	100'	75'	100' residential 30' all other	100'	5	60% including 75% including parking structures	20% (landscaped or open space)
Housing Authority District	40,000 [5,000](1)	no requirement	no requirement	30' and 50'	20' residential 10' all other	35'	-	25%	no requirement
NOTES:									
(1) Per dwelling unit (4 persons in a group arrangement = dwelling unit)									
(2) Includes paving and walks									
(3) Excluding parking decks									
(4) All other uses, see Section 4.1.3 of Zoning By-Laws									
(5) Setbacks from Route 1-95 are considered as front setbacks as set forth above) and N/A from lots within Business District D.									
Note: Lots located within Groundwater Protection District have a minimum lot size of 60,000 sf.									
Note: Lots located within Surface Water Protection District have a minimum lot size of 80,000 sf.									
Note: Lot Width is measured as set forth in Section 4.1.3.									
Note: See Section 4.1.3 for Shape Factor When Calculating Lot Area.									

Amend Section 4.1.3 Lot Shape, Width, and Frontage by adding a new sentence at the end of the first paragraph.

Such that it reads:

4.1.3 Lot Shape, Width and Frontage. It shall be the purpose of these regulations to prevent the subdivision of properties into irregularly shaped lots which undermine the intent of this Bylaw, as well as to prevent the creation of lots which are so distorted in configuration as to be detrimental to public health, safety, welfare, convenient and harmonious development and use of the land, or future clarity of ownership and identification of property lines. **The provisions of §4.1.3.3, §4.1.3.4, and §4.1.3.5 hereof do not apply to Business District D.**

Amend Section 4.3.2 Size Limits in Business Districts by revising paragraph 3 thereof.

Such that it reads:

3. The building floor area limits in the BD District shall be 135,000 square feet **per building. Larger building floor area is allowed by Special Permit from the Zoning Board of Appeals. This section does not limit the total floor area of all buildings within a Business District D Development, Lot, or Business Parcel.**

Amend Section 4.3.7 Maximum Number of Dwelling Units in Business D Development by revising the section.

Such that it reads:

4.3.7 Maximum Number of Dwelling Units in Business D Development. The maximum number of dwelling units within a Business District D development shall be the lesser of one dwelling unit per ~~2,250~~ **1,700** square feet of the gross floor area ~~in the district~~ **of qualifying uses in the Business District D Development** or 225 dwelling units total. **Qualifying uses include indoor floor area of uses set forth in Table I: Table of Use Regulations in §B. Community Uses, §D. Commercial Uses, E. Office Uses, §Retail and Service Uses, §G. Eating, Drinking, and Entertainment Establishments, and §I Miscellaneous Commercial Uses that are conducted inside buildings.**

Amend Section 4.3.8 Business District D; Height Limits and amend Section 4.3.9 Business D FAR and GFA by combining these sections into one section entitled Section 4.3.8 Business District D Dimensional Requirements and by revising the section to include dimensional requirements for a Business District D Development and a Business Parcel and revising requirements for Floor Area Ratio (FAR) and Gross Floor Area for residential use and total of all uses.

Such that it reads:

~~4.3.8 Business District D; Height Limits.~~

- ~~1. For hotels and residential buildings located within 350 feet of the west property line at Route 1-95, six stories (excluding mezzanines as defined in the Massachusetts Building Code) or 90 feet; and further provided that the height of each story is limited to 15 feet.~~
- ~~2. For all other uses, four stories (excluding mezzanines as defined in the Massachusetts Building Code) or 60 feet; and further provided that the height of each story is limited to 24 feet for retail and theater use, to 16 feet for office use, and to 13 feet for all other uses.~~

4.3.8 Business District D Dimensional Requirements.

1. Business District D Development:

- a. **Minimum Area: 53 acres**
- b. **Minimum Width: 1,000 feet measured at the minimum front setback**
- c. **Minimum Frontage: 1,000 feet**
- d. **Minimum Front Setback: 10 feet from I-95, 50 feet from Old Post Road, 100 feet from other streets**
- e. **Minimum Side and Rear Setbacks: 100 feet**
- f. **Maximum Impervious Coverage: 55% excluding parking decks.**
- g. **Minimum Natural Vegetation Area: 33%.**

2. Business Parcel Within a Business District D Development:

- a. **Minimum Area: 60,000 square feet**
- b. **Minimum Width: No Requirement**
- c. **Minimum Frontage: No Requirement**
- d. **Minimum Front Setback: 10 feet from I-95, 50 feet from Old Post Road, 100 feet from other streets**
- e. **Minimum Side and Rear Setbacks: No requirement.**
- f. **Maximum Lot Coverage: No Requirement**
- g. **Minimum Natural Vegetation Area: No Requirement**

3. Multiple Buildings. More than one Principal Building may be located within a Business District D Development, Lot, or Business Parcel.

4. Business District D; Height Limits.

- a. For hotels and residential buildings located within 350 feet of the west property line at Route 1-95, six stories (excluding mezzanines as defined in the

Massachusetts Building Code) or 90 feet; and further provided that the height of each story is limited to 15 feet.

- b. For all other uses, four stories (excluding mezzanines as defined in the Massachusetts Building Code) or 60 feet; and further provided that the height of each story is limited to 24 feet for retail and theater use, to 16 feet for office use, and to 13 feet for all other uses.

4.3.9.5. Business D FAR and GFA.

- 1a.** Maximum permitted floor area ratio (FAR): 0.33 for a Business District D Development or for a lot **within Business District D but not within a Business District D development.** A FAR limit is not applicable for Lots **or Business Parcels** within a Business District D development.
- 2b.** The maximum permitted gross floor area (GFA) for residential use shall not exceed ~~250,000~~ **340,000 square feet of residential floor area or 495,000** square feet **including the floor area of parking garages located within residential structures** for a Business District D development or for a lot **within Business District D but not within a Business District D Development,** and the maximum permitted gross floor area for residential, community service and commercial uses combined shall not exceed ~~750,000~~ **810,000** square feet **including the floor area of parking garages located within Primary Structures** for a Business District D Development or for a lot **within Business District D but not within a Business District D Development.**

Amend Section 4.3.10 No Cut Line Business D by renumbering it as Section 4.3.9 No Cut Line Business District D and allowing construction disturbance including vegetation removal within 20 feet of the sideline of South Walpole Street provided that the disturbed area is replanted and requiring the permanent no cut line to be located 35 feet minimum and 50 feet where practicable south of South Walpole Street.

Such that it reads:

4.3.109 No Cut Line Business **District D.** In Business District D, there shall be a **landscape screening strip between the sideline of South Walpole Street and a "no-cut" line extending located 35 feet minimum and 50 feet from where practicable south of the sideline of** South Walpole Street. **During construction, disturbance including vegetation removal can extend to within 20 feet of the sideline of South Walpole Street, provided that the disturbed area is replanted as provided herein. The location of the no cut line shall be determined by the Zoning Board of Appeals during site plan review.** Existing trees in the landscaped screening strip shall be supplemented by in-planting with evergreen trees and shrubs to create a dense vegetative screen. A six-foot-high unfinished cedar board fence shall be placed ~~approximately~~

~~40 feet off the street line~~ near the south edge of the landscaped screening strip to provide supplemental screening when considered appropriate by the Zoning Board of Appeals pursuant to Section 10.5.

Renumber Section 4.3.11 Business C and Professional District Residential Buildings as Section 4.3.10 Business C and Professional District Residential Buildings.

Delete Section 10.6.3 Types of Site Plan Review.

~~10.6.3 Types of Site Plan Review. Site Plan Review (SPR) shall either be Minor Site Plan Review (Minor), or Major Site Plan Review (Major), as set forth herein.~~

Insert a new Section 10.6.3 Site Plan Review.

Such that it reads:

10.6.3 Site Plan Review. Single family residences and two-family residences on one lot are exempt from Site Plan Review (SPR). Site plan review is required for the projects listed below.

- 1. Construction, exterior alteration, exterior expansion, or change of use within a municipal, institutional, commercial, or industrial project.**
- 2. Residential projects involving three or more dwelling units; or**
- 3. Construction or expansion of a parking lot for a municipal, institutional, commercial, industrial, or residential structure with 20 or more parking spaces.**

The Zoning Board of Appeals may waive site plan review for minor changes to existing facilities.

Site Plan Review (SPR) shall either be Minor Site Plan Review (Minor) or Major Site Plan Review. Projects that fall within one or more of the ranges set forth in §10.6.4 require Minor Site Plan Review. Projects that exceed one or more of the thresholds set forth in §10.6.5 require Major Site Plan Review.

Delete Section 10.6.4 Applicability; Minor SPR.

~~10.6.4 Applicability; Minor SPR. Minor SPR is required for the following projects listed below from 0 to 10,000 square feet of gross floor area, provided that the Zoning Board of Appeals may waive site plan review for minor changes to existing facilities:~~

~~1. Construction, exterior alteration or exterior expansion of, or change of use within, a municipal, institutional, commercial, industrial, or residential structure with four or more dwelling units; or~~

~~2. Construction or expansion of a parking lot for a municipal, institutional, commercial, industrial, or residential structure with five or more parking spaces.~~

Insert a new Section 10.6.4 Minor Site Plan Review.

Such that it reads:

10.6.4 Minor Site Plan Review. Minor SPR is required for the projects included in §10.6.3 that fall within one or more of the following ranges:

1. Nonresidential projects with 0 to 25,000 square feet of gross floor area;
2. Residential projects with 3 to 49 dwelling units; and
3. Construction or expansion of a parking lot for a municipal, institutional, commercial, industrial, or residential structure with 20 to 99 parking spaces.

Delete Section 10.6.5 Applicability; Major SPR

~~10.6.5 Applicability; Major SPR. Major SPR is required for the following projects listed below from 10,001 to 25,000 square feet of gross floor area:~~

~~1. Construction, exterior alteration or exterior expansion of, or change of use within, a municipal, institutional, commercial, industrial, or residential structure with ten or more dwelling units; or~~

~~2. Construction or expansion of a parking lot for a municipal, institutional, commercial, industrial, or residential structure with twenty or more parking spaces.~~

Insert a new Section 10.6.5. Major Site Plan Review.

Such that it reads:

10.6.5. Major Site Plan Review. Major SPR is required for the projects listed in §10.6.3 that exceed one or more of the following thresholds:

1. Nonresidential projects with greater than 25,000 square feet of gross floor area;

2. Residential projects with 50 or more dwelling units; and
3. Construction or expansion of a parking lot for a municipal, institutional, commercial, industrial, or residential structure with 100 or more parking spaces.

Amend Section 11.0 DEFINITIONS by amending the definition of “Business District D Development” and adding a new definition for “Business Parcel” and revising the definition of Major Nonresidential Development to exclude requirements for a Special Permit.

Such that it reads:

Business District D Development (BDDD): A project located entirely within Business District D having frontage on a way comprised of one or more contiguous ~~Lots of land within the~~ and Business ~~District D~~ Parcels with provisions as may be required for permanent easements running with the land, a master deed and condominium, or other mechanism acceptable to the Zoning Board of Appeals sufficient to ensure vital access and utility service to each ~~Lot and~~ Business Parcel.

Business Parcel: A tract of land located entirely within a Business District D Development with provisions for vital access and utility services that is suitable as a site for one or more Principal Buildings.

Major Nonresidential Development: Construction, exterior alteration, or exterior expansion of, or change of use within, a municipal, institutional, commercial, industrial, or residential structure with ~~ten (10)~~ fifty (50) or more dwelling units with ~~25,001~~ 25,000 square feet or more of gross ~~floor~~ floor area. ~~All Major Nonresidential Developments shall require a special permit from the Planning Board.~~