

Table of Proposed Changes

TABLE OF PROPOSED ZONING CHANGES			
NEW SECTION NUMBER	PROVISION	CHANGE	REASON FOR CHANGE
Section 1.0	PURPOSE AND AUTHORITY	Rephrased language	Updated to reflect the state's preferred language
Section 1.0	PURPOSE AND AUTHORITY	Removed the language that stated that 'conserving the value of land' is within a zoning bylaw's authority or purpose, as the state has determined that it is not	M.G.L. does not empower zoning to conserve the value of land. On the contrary, in a 2010 Land Court case, BRIAN KENNER & another vs. ZONING BOARD OF APPEALS OF CHATHAM & others., the Land Court decided that zoning bylaws do not protect property values, they protect the public's safety and health by regulating land use
Section 2.3	OVERLAY AND SPECIAL DISTRICTS	Removed Senior Overlay District; added Planned Development District	Senior Living Overlay District was Rattlesnake Hill, which was used partly for 4 single-family homes and the rest of the land now has a conservation restriction, thus making the Senior Living Overlay District obsolete. Replaced it with Senior Housing Facilities section. Planned Development District was added to give the town the flexibility to adopt popular and beneficial projects (see Section 9.6)
Section 2.4.2	MUNICIPAL BOUNDARY	Added more instructions on what to do if a lot is both in Sharon and a different municipality, but has no frontage in Sharon	There was previously no instructions for what to do in this case
Section 3.2	TABLE OF USE REGULATIONS	Added a table of use regulations, cutting 30 pages of narrative text	Table of use regulations are easier to navigate than 30 pages of text, making the zoning bylaws easier to navigate and get quick answers
Section 3.3	ACCESSORY USES	Added an accessory use table; changed 'accessory use' definition	Accessory use table makes for easier navigation of the zoning bylaws; accessory use definition updated to reflect the state's language
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 to a simpler, mathematical formula that will allow for easier determination of whether a lot has a standard shape or not. Our current/old lot shape factor provision still produces oddly shaped lots; it is ineffective and difficult to use
Section 4.1.3	NOTES TO TABLE OF DIMENSIONAL REGULATIONS, RESIDENTIAL AND NONRESIDENTIAL	Added further guidance on our dimensional use table	Dimensional use table is meant for a quick reference guide to an applicant's most common questions (how high can I build? What are the frontage requirements?). The 'notes' section provides further guidance on special districts
Section 4.2	SPECIAL DIMENSIONAL REQUIREMENTS	Added dimensional use table, eliminated narrative	Dimensional use tables are easier to understand and navigate for applicants. This table will replace multiple pages of text
Section 5.0	NONCONFORMING USES AND STRUCTURES	Rephrased old language to match the state's recommended language	Updating language to mirror the state's suggested language
Section 5.1.1	COMMENCEMENT OF CONSTRUCTION OR OPERATION	Changed the timeline of construction or operation under a building permit or special permit from 6 months to 12 months	State law changed
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	This change is proposed because a big percentage of residential structures in town are nonconforming structures due to either smaller lots or current frontage requirements. If a resident wishes to make any changes to their home, they need to apply to the Zoning Board of Appeals for this alteration, which can be a lengthy and expensive process. By giving the Building Inspector the power to approve certain cases which do not exacerbate the nature of the nonconformity, residents would face a speedier process, and the ZBA's workload would be reduced, allowing them to focus on more complex cases
Section 5.7	RECONSTRUCTION AFTER CATASTROPHE OR VOLUNTARY DEMOLITION	Rephrased our old language in 'Restoration' and added the option to build a new conforming structure in its place. Extended timeline to start construction, from 12 months to 3 years	Provide additional guideline; extended the timeline to be mindful of time or financial constraints an applicant may have
Section 5.10	EMINENT DOMAIN	Added an eminent domain provision	Eminent domain is a power every municipality has; as such, there should be a provision for it in our zoning bylaws

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Section 6.0	GENERAL REGULATIONS	Deleted the old Environmental Controls	Environmental Controls were deleted because both 310 CMR 10.00 Wetlands Protection Act Regulations, our general bylaw Chapter 262 Wetlands Protection, and the Conservation Commission's rules and regulations cover all provisions of our old Section 3300 Environmental Controls; therefore, Section 3300 was redundant. Conservation bylaws belong in the General Bylaw, where they have more power (General Bylaws can be applied retroactively, zoning bylaws cannot). Additionally, if the Conservation Bylaws were to change, a 50% vote would be needed to change the General Bylaw, and an additional 2/3 vote would be needed to then update the zoning bylaw. This creates the possibility of contradicting bylaws. Another reason for the change is that if the ConComm rules and regulations are in the zoning bylaw, then the ZBA is able to give special permits regarding environmental matters, and ConComm would simply become an advisory board. This creates the possibility for conflict between the two Boards by creating overlapping jurisdictions, and this is something that should be avoided
Section 6.1	OFF STREET PARKING AND LOADING	Added a parking table to replace our old parking narrative	A table is easier to navigate than a narrative
Section 6.2.5	ENVIRONMENTAL PERFORMANCE STANDARDS; WAIVER	Eliminated the overlapping Board of Health's regulations	All applicants are already required to comply with BOH regulations, we do not need to state them again in the zoning. It is redundant and bad practice in case the BOH regulations change. Regulations can be changed by a Board vote, zoning bylaws can only be changed at Town Meeting by 2/3 vote. This creates the possibility to have discrepancies or contradicting bylaws
Section 6.5.2	PERFORMANCE STANDARDS FOR MULTIFAMILY OR NONRESIDENTIAL USES IN ALL DISTRICTS	Moved all performance standards to be in the same section	Easier to find what you need if it's all in the same place
Section 7.2	TELECOMMUNICATION FACILITIES	Deleted the telecommunications facilities overlay district	The old overlay district was just a map of high elevation points in Sharon. Now, the ZBA is able to approve telecommunications facilities on a case-by-case basis
Section 7.3	REGISTERED MARIJUANA DISPENSARIES (RMDs) AND MARIJUANA ESTABLISHMENTS	Deleted the old Moratorium on Marijuana	The old Moratorium on Marijuana was just meant to be a temporary provision to comply with state regulations while we wrote a permanent marijuana bylaw
Section 7.4	HOTEL	Deleted motel	Old bylaw was inconsistent with where hotels vs motels were allowed; we have changed it to allow for hotels only (entrance to rooms through inside of building; in a motel, you enter your rooms through the parking lot)
Section 8.1	ACCESSORY DWELLING UNITS	Allow ADUs by right in conforming structures instead of by special permit. Previously, only attached ADUs were allowed; now, converting an existing detached structure, such as a carriage house, into an ADU, is also allowed. Added size regulations, parking regulations, and a limit on alterations, as well as a provision for joint utility meters so units cannot be divided. Added a requirement that both the main and the accessory unit need to remain in common ownership. Both units are now required conform to the district's principal structure setbacks; accessory dwelling units will no longer be treated as accessory structures, due to their residential nature. Nonconforming structures will still need to go through a special permit process, as all nonconforming structures do. Additionally, we now allow for caretakers of senior residents to occupy the accessory structure to allow older residents to age in place	We changed the 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. However, 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	Added Senior Housing Facility section to allow for a variety of senior living arrangements. This bylaw substitutes the obsolete Senior Living Overlay District	A variety of senior housing facilities are now allowed (congregate care, assisted living, retirement homes, independent living, continuing care, long term care) to reflect the current needs of our community, which is rapidly aging. Senior housing facilities are in great demand, and they are very profitable for municipalities (for every dollar made, 65 cents go to the municipality). They can also come in any shape or size, and different levels of care. A more flexible senior living bylaw will allow us to be better equipped for the future
Section 8.3	OPEN SPACE RESIDENTIAL DEVELOPMENT (OSRD)	Created an OSRD 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 8.4.1	DWELLING CONVERSIONS	Changed the language on dwelling conversions to add clarity to what dwelling conversions are. No substantive changes made other than added a better definition.	Our old language regarding dwelling conversions was too similar to that of ADUs, and made the purpose and results of dwelling conversions unclear.

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Section 8.6	AFFORDABLE HOUSING IN THE BA DISTRICT	Eliminated redundant language	Eliminated the redundant language that is already stated in MGL, sending applicants to the source material instead. This way, when state law changes, we will not need to update our zoning to reflect the change
Section 8.7.3	REQUIREMENTS	Deleted the option for developers to be able to put affordable housing off-site	This provision goes largely unused and is hard to implement, so it's being eliminated. It is almost impossible for the Town to administer the construction of more units off-site, as we lack staff to oversee housing production. Additionally, most of our affordable units are apartments, which are always located on-site next to the other market rate units
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 10.0	ADMINISTRATION	The Building Inspector was assumed to be male by our old bylaw. Changed from 'he/his' to gender neutral pronouns	No position should be gendered
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, who then had only 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. This is the most common model of process throughout Massachusetts	This change takes the Building Inspector's ability to make a decision based on subjective criteria. Additionally, notifying every abutter is not realistic when the Building Department has only one full time employee at its disposal. Almost all towns in Massachusetts follow the no-notice approach, and its beneficial to abutters because they now have years to appeal a project instead of just 30 days
Section 10.2.5	NONCRIMINAL DISPOSITION	Updated fine amounts	Fine amounts hadn't been updated in recent years
Section 10.4	PLANNING BOARD	Added a Planning Board section	Added a Planning Board section to establish the number of Planning Board members, their responsibilities, and source of authority
Section 10.5	SPECIAL PERMIT	Added specific considerations for special permit decisions	Further, specific guidance on what the Special Permit Granting Authority is looking when approving a special permit is useful to applicants to know
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	Splitting SPRs into different categories and delineating what needs to be submitted for each will allow developers to know what documents to prepare in advance and will make the review process smoother for all parties involved. The reason why the Planning Board has authority over the biggest developments is because anything that will have major, long-term impacts on the community is within the Planning Board's purview
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	Dover Amendment uses are protected by the state, as such, there is a different set of considerations a Board might have when reviewing them. As such, they need their own category clearly delineating what these considerations are
Section 10.8	REQUEST FOR REASONABLE ACCOMMODATION	Added a section on request for reasonable accommodations so applicants know how to proceed in these cases. By federal law, Towns need to be able to handle such cases	Gave the ZBA the ability to hear out requests for reasonable accommodation, as opposed to the Building Inspector. If these cases are not handled properly, they would constitute a civil rights violation and the Town would require immediate legal help. Therefore, it is better to have a clear procedure on what the proper steps to follow are in order to comply with federal law

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Section 11	Definitions	Added definitions for the following: site plan or plot plan; use and occupancy; certificates issued; adult day care (protected Dover Amendment use); antenna; bed and breakfast facility; boarder; body art establishment; building, attached; building coverage; building, detached; building permit plan; building, principal; cord wood; child care center; commercial vehicle; craft shop; common driveway; dormitory; drive-through; dwelling, multifamily; essential services; family day care home, large, small (Dover Amendment protected use); funeral establishment; general service establishment; height, structure; home occupation; hospital; impervious; lot; major nonresidential and mixed-use development; manufacturing; manufacturing, light; medical clinic, medical office, motor vehicle; mobile homes; motor vehicle light service station; motor vehicle repair shop; office, business or professional; parking facility; personal service establishment; private nonprofit club or lodge; recreational use or facility, outdoor, indoor; research and development or laboratory; restaurant, fast food; retail, large, small; RVs; senior housing facilities; assisted living facilities; independent living facilities; long term care facility; senior housing; senior housing facility; senior housing laws; shipping containers; assisted living facility; structure; trade workshop; trailer; warehouse or distribution facility; warehouse for self storage; yard (front, rear, and side yard)	Lacked definitions for these uses
Section 11	Definitions	Clarified definitions for the following, in order to meet the state requirements: mixed-use building, nonconforming structure, nonconforming use	Lacked definitions for these uses
Attachment	Dimensional use table	Eliminated County layout requirements	Only 4% of Sharon is on a County layout. Applicants usually do not know whether their property is on a County or a Local layout and need to check with the Town Clerk. To simplify the process, only Local layouts will be kept, which are a little less restrictive. Local layout has been chosen because it is less restrictive than the County layout, so it will not create any new nonconformities and will make the process easier for applicants
Attachment	Dimensional use table	Raised the number of stories allowed on the Light Industrial District from 4 stories to 5. The maximum height limit remains 80 ft	The Economic Development Committee has asked to raise the number of stories allowed on the Light Industrial District to allow for denser developments and economic development to occur. Each story is usually 10-15 ft, and at 5 stories maximum, each story would be approximately 16 feet at most. Previously, with the 4 stories we allowed, each story could be 20 feet at most. The height of the buildings will stay the same, but the use of the building could be maximized by allowing one more story
Attachment	Dimensional use table	Measure front setbacks from property lines instead of street centerline	It is hard to determine where a street centerline might be, as streets are rarely surveyed, which means that front set-back requirements are an estimate. By measuring from the property line, which are usually surveyed, front set-backs will be more accurate
Attachment	Dimensional use table	Deleted half stories	Deleted half stories, as the height requirements in residential districts and Housing Authority Districts (the only ones with half story requirements) already determine how many stories a unit can have
TABLE OF USE REGULATIONS	A. RESIDENTIAL USES	Single-family homes are no longer allowed on Business District C	Single family homes no longer allowed on Business C, which is comprised of the Wilber School Apartments and their adjacent park
TABLE OF USE REGULATIONS	A. RESIDENTIAL USES	Added one more district in which conversion to create one or more dwelling units are allowed by special permit	Conversion to create one or more dwelling units is now allowed by special permit in General Residence, which is the area around downtown
TABLE OF USE REGULATIONS	A. RESIDENTIAL USES	Removed 'Lodging or Boarding House'	Antiquated use is no longer in use
TABLE OF USE REGULATIONS	A. RESIDENTIAL USES	Senior Housing Facilities was added	Senior Housing Facilities are now allowed on every residential district and Business D by special permit only (sizes of developments will vary according to district requirements). They're also allowed by-right in the Light Industrial District (Route 1) and Professional B (Whitney Place)
TABLE OF USE REGULATIONS	B. COMMUNITY USES	Merged 'Municipal building, park, water tower or reservoir' with 'Other municipal uses' into 'Municipal uses and facilities'	Merged for simplicity, allowed in every district as they are a public use for the public's benefit
TABLE OF USE REGULATIONS	B. COMMUNITY USES	Essential services were added to the table, allowed by special permit only	Essential services are uses such as gas, electricity, or water transmission. See Definitions section for full definition. Allowed everywhere by special permit to allow us to provide essential services to residents and businesses in every part of Town

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TABLE OF USE REGULATIONS	C. OPEN RECREATIONAL AND AGRICULTURAL USES	Separated 'Public indoor/outdoor recreational facility' into 'Indoor recreational facility' and 'Outdoor recreational facility'	Indoor vs outdoor recreational uses look very different, so they got split into two separate categories. Indoor uses are allowed only by special permit on Business B, Business D, and the Light Industrial District. Outdoor recreational facilities, such as sports fields, are allowed by special permit only in Rural 1 and 2, as they are the biggest residential districts and may accommodate these open air uses more comfortably, as well as special permit only in Business B, Business D, and the Light Industrial District
TABLE OF USE REGULATIONS	C. OPEN RECREATIONAL AND AGRICULTURAL USES	Private stables are no longer allowed on Suburban A, Suburban B, and General Residence Districts	These districts are too small to accommodate public stables
TABLE OF USE REGULATIONS	D. COMMERCIAL USES	The following uses are no longer allowed by special permit in Business C: Wellness center or health club and Club operated as a business	Business C is taken up entirely by the Wilber School Apartments and the adjacent park
TABLE OF USE REGULATIONS	D. COMMERCIAL USES	Recreational uses were added, and allowed only by special permit in Business A, Business B, and Business D, and by-right in the Light Industrial district	This category was added to be more specific about what we allow and where we allow it. Replaced the old 'Amusement and recreational uses' category because amusement and recreation are separate uses.
TABLE OF USE REGULATIONS	D. COMMERCIAL USES	Added Major Non-Residential and Mixed-Use Development	Added to Use Table to mirror zoning text (see Section 10.6)
TABLE OF USE REGULATIONS	E. OFFICE USES	The following uses are no longer allowed on Business C: Business, professional, or government office, Business services, Medical or dental office, clinic or laboratory, Bank and other financial institution	Business C is taken up entirely by the Wilber School Apartments and the adjacent park
TABLE OF USE REGULATIONS	F. RETAIL AND SERVICE USES	Retail has been divided into 'small scale retail' and 'large scale retail'. Small scale retail is allowed on Business A, Business B, Business D, and the Light Industrial District by-right. Large scale retail is allowed on Business B by special permit only, and by-right in Business D and the Light Industrial District	Separating retail into these two categories allows us to have more control over what we want to permit and where
TABLE OF USE REGULATIONS	F. RETAIL AND SERVICE USES	Added a 'retail sale of firearms category'. They're allowed by special permit only in the Light Industrial District	Without this distinction, one could make the argument that the retail sale or firearms qualified under general retail use
TABLE OF USE REGULATIONS	F. RETAIL AND SERVICE USES	We have added 'Body Art Establishment' to our table, and they're allowed in Business A, Business B, Business D, and the Light Industrial District	Body Art Establishments are protected under the First Amendment and should be allowed in our zoning
TABLE OF USE REGULATIONS	F. RETAIL AND SERVICE USES	Separated 'Artist studio or art gallery' into 'artist studio' and 'art gallery'. Artist studios are now allowed by special permit only on all residential districts, and by-right in Business A, Business B, and the Light Industrial District. Art galleries are allowed by-right in Business A, Business B, Business D, and the Light Industrial District	Artist studios and art galleries are two different uses. Artist studios are for the creation of art, art galleries are for the selling of art. An art studio can only sell art if they're in a location where art galleries are allowed, as art galleries attract more traffic
TABLE OF USE REGULATIONS	E. EATING, DRINKING, AND ENTERTAINMENT ESTABLISHMENTS	Food preparation and service is no longer allowed on Business C	Business C is taken up entirely by the Wilber School Apartments and the adjacent park
TABLE OF USE REGULATIONS	H. MOTOR VEHICLE RELATED USES	Motor vehicle light service station are now allowed on the Light Industrial District	The Light Industrial District provides perfect access to the highway and Route 1, and it features a variety of motor-vehicle related uses
TABLE OF USE REGULATIONS	H. MOTOR VEHICLE RELATED USES	Added Motor vehicle repair establishment; they are now allowed only in the Light Industrial District	The Light Industrial District provides perfect access to the highway and Route 1, and it features a variety of motor-vehicle related uses
TABLE OF USE REGULATIONS	H. MOTOR VEHICLE RELATED USES	Raised the gross vehicle weight (GVW) allowed in Outdoor storage or overnight parking from vehicles exceeding 10,000 gvw to 15,000 gvw	Motor vehicles have gotten heavier with time; most medium-sized pick-up trucks exceed 10,000 gvw
TABLE OF USE REGULATIONS	H. MOTOR VEHICLE RELATED USES	Made drive-throughs allowed by special permit only in all commercial districts except Business C, as opposed to allowing them by-right in some places and by special permit in others	Drive-throughs impact traffic. As such, they should not be allowed as of right. A special permit would guarantee Board review to ensure that traffic management is handled properly
TABLE OF USE REGULATIONS	I. MISCELLANEOUS COMMERCIAL USES	Store serving as drop-off or pick-up location for cleaning or laundry service, excluding laundromat or on site processing is now also allowed in Business A and Business B	These areas are Downtown and Shaw's Plaza and can accommodate the use
TABLE OF USE REGULATIONS	I. MISCELLANEOUS COMMERCIAL USES	Outdoor storage and display of goods for sale, whether as a principal or accessory use is now allowed by special permit on Business D	Business D will have a variety of shops, outdoor storage is appropriate for this district
TABLE OF USE REGULATIONS	I. MISCELLANEOUS COMMERCIAL USES	Storage building for goods to be repaired or sold at retail directly to the consumer or temporarily stored for the consumer is now allowed by special permit on Business D	Business D will have ample commercial capacity to accommodate this use
TABLE OF USE REGULATIONS	I. MISCELLANEOUS COMMERCIAL USES	Commercial fuel storage and sales now allowed in Business A	Business A already has a gas station in it. This would make that gas station compliant with zoning
TABLE OF USE REGULATIONS	K. ACCESSORY USES	Changed 'Shop of a carpenter, electrician, machinist, paperhanger, plumber, photographer, or similar artisan, resident on the premises' to 'Shop of a carpenter, electrician, machinist, plumber, or similar tradesman, resident on the premises'	Updated to reflect modern demand

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TABLE OF USE REGULATIONS	K. ACCESSORY USES	Renting of one or two rooms without separate cooking facilities to lodgers within a dwelling unit to one or two total lodgers' was added to substitute 'Lodging house'	Renting spare bedrooms is now allowed on every district that has housing units
TABLE OF USE REGULATIONS	K. ACCESSORY USES	Scientific research and development is no longer allowed on Business C	Business C is taken up entirely by the Wilber School Apartments and the adjacent park
TABLE OF USE REGULATIONS	K. ACCESSORY USES	Vending machine, unless placed within a building or parking lot' are no longer allowed in Business C	Business C is taken up entirely by the Wilber School Apartments and the adjacent park