

CERTIFICATE OF VOTE
SPECIAL TOWN MEETING
OCTOBER 25, 2021

ARTICLE 11 – Zoning Bylaw Amendments – 550 King Street

I, Diane Crory, Town Clerk of the Town of Littleton, hereby certify that pursuant to Article 11 of the Warrant for the Special Town Meeting duly called and held on October 25, 2021, at which more than the required number of qualified voters present and voting it was:

ARTICLE 11
Zoning Bylaw Amendments – 550 King St

The Planning Board stated that they held their necessary hearing and voted to approve on October 7, 2021. Town Moderator, Timothy Goddard, declared passed by more than the necessary two-thirds vote that the Town will amend Chapter 173, the Zoning Bylaws, as follows: (1) to add the King Street Common District to the list of zoning districts set forth in Section 173-22, (2) to adopt new Article XXXI. King Street Common Zoning District, (3) to re-zone Assessor's Parcel U08-10-0 from the Village Common, Industrial A, Industrial B and Business Districts to the King Street Common District, (4) to amend the zoning map to include the plan labeled King Street Common Zoning District dated September 14, 2021 showing the entirety of Assessor's Parcel U08-10-0 as located within the King Street Common Zoning District, without affecting the applicability of any overlay districts to such property, and (5) to make all additional amendments to the Zoning Bylaws necessary to effectuate the above changes. The full text of the proposed new Article XXXI. King Street Common Zoning District and amendments to existing sections of Chapter 173 and the proposed plan showing the new King Street Common District are on file at the Town Clerk and Planning Board offices and can be viewed during their office hours or online at <https://www.littletonma.org/planning-board>.

Amendment on the floor: to add to the first paragraph of S 173-232: "IF THE CRITERIA ARE FOUND INADEQUATE, UNSUITABLE, OR INSUFFICIENT, THE PLANNING BOARD SHALL NOT ISSUE THE SPECIAL PERMIT" So moved seconded and approved.

The vote to amend the Zoning Bylaws follows:

1. Insert in Section 173-22A(1) under the category of "Mixed Use Districts", immediately below the existing entry for the Village Common (VC) District, a new entry for the King Street Common (KC) District.

2. Insert new Article XXXI. King Street Common Zoning District, to read as follows:

Article XXXI. King Street Common Zoning District

§ 173-226. Purpose.

The King Street Common Zoning District is hereby established to promote:

- Recommendations of the Littleton Master Plan;
- Recommendations of the Littleton Common Revitalization Plan;
- A mix of uses, including commercial, retail and multifamily residential, to create a village environment and to reduce auto dependence;
- Appropriate infill development compatible with current market demands;
- Integrated physical design and synergies between activities;
- Development that will provide goods and services within villages and neighborhoods;
- To meet the intent and purpose of Article XIV Aquifer and Water Resource Protection District through the use of low impact and light imprint development techniques and other appropriate measures for stormwater management and groundwater protection;
- Housing choices in Littleton; and
- A pedestrian-friendly environment, prioritizing sidewalk continuity.

§ 173-227. Applicability.

- A. The King Street Common Zoning District includes 550 King Street, Assessors' Map U08, Parcel 10-0. The benefits and obligations of the zoning bylaw shall apply only to proposals for development on those parcels located entirely within the boundary of the King Street Common Zoning District.
- B. Except as specifically provided for in this Article, the following sections of this Chapter do not apply to real property located within the King Street Common Zoning District:
 - a) Article VI Intensity of Use Regulations
 - b) § 173-32 Parking Requirements
 - c) § 173-43 Screening
 - d) Article XIX Open Space Development
 - e) Article XX Shared Residential Driveways
 - f) Article XXIV Mixed Use
- C. Should the provisions of this Article conflict with those found elsewhere in this Chapter, the provisions of this Article shall apply.

§ 173-228. Permitting.

- A. Site plan review by the Planning Board is required for the creation of, addition to, or substantial alteration of any structure or parking in the King Street Common Zoning District, subject to Article IV Site Plan Requirements.

B. All projects involving 5 acres or more within the King Street Common Zoning District, shall require a Master Planned Development special permit under § 173-89, including for Mixed Use and Multifamily Residential Development projects. Such projects shall be subject to the provisions of §173-89 and all additional requirements of this Article. This type of special permit shall be known as the Master Planned Development Special Permit. Site Plan Review is required for any project that has received a Master Planned Development Special Permit. A site plan meeting all of the requirements in § 173-16 thru 19, may, at the applicant's option, be submitted for review and approval at the same time as the master planned development application.

C. It is important to review a project in its totality to maximize cohesion and to understand project impacts. For all projects in the King Street Zoning District, the Planning Board shall consider the entirety of a project, including any likely future expansion, and not separate phases or segments. Projects may be constructed in phases but the phases of a project shall be presented and reviewed together by the Planning Board. Projects shall not be segmented to avoid compliance with this Article.

§ 173-229. Permitted Uses.

To facilitate the creation of a village environment within the King Street Common Zoning District, Applicants are encouraged to propose a mix of uses, which shall include Residential Uses. Within the King Street Common Zoning District multiple buildings and multiple uses are permitted on a single lot. The permitted uses within the King Street Common Zoning District are:

Residential Uses

- Multifamily dwelling
- Mixed Use
- Nursing home
- Senior Residential Development

Commercial Uses

- Major Commercial Use
- If not a Major Commercial Use:
 - Office
 - Bank
 - Data-processing center
 - Theatre or cinema
 - Retail sales, service
 - Restaurant
 - Medical Services Facility

Industrial Uses

- Major Industrial Use
- If not a Major Industrial Use:
 - Manufacturing

Research and development

Institutional Uses

School

Exempt by statute (MGL C. 40 §3)

Other

Church or other religious use

Fraternal, charitable and nonprofit organization

Library, museum, hospital

Conversion of municipal building in accordance with §173-69.

Municipal use

Recreational Uses

Indoor sporting area, health club, bowling, tennis or similar uses

Extensive recreation

Accessory Uses

Roadside stands (agricultural)

Home occupations

Parking and parking structures in compliance with § 173-32

Signs in compliance with Article VIII

Wholesale and retail mercantile business accessory to manufacturing

Other customary accessory uses

No use or structure within the King Street Common Zoning District other than a bank may include a drive-through.

§ 173-230. Concurrent review and granting of special permits.

Applications for Special Permits for the Aquifer and Water Resource Districts (§ 173-61 thru 64), Major Commercial or Industrial Use (§ 173-86 thru 88) and all other necessary special permits shall be submitted and reviewed concurrently as part of the Master Planned Development approval process, or submitted and reviewed concurrently with the site plan approval process in cases where Master Planned Development approval may not be required.

§ 173-231. Master planned development approval.

The Planning Board as special permit granting authority may grant a master planned development special permit if it finds the criteria for approval, as outlined in this section and in § 173-89, and 173-7C, and, if applicable, in § 173-62 and 173-88B, and the purposes of this Article have been met. The special permit may include approval of both a schematic development plan, including phasing, and the proposed mix of uses in the development. The decision of the Planning Board for master planned development projects may be approval, approval with conditions, or denial of

the requested special permit(s).

After approval of a master planned development, an Applicant may apply to make minor changes in a project involving minor utility or building orientation adjustments, or minor adjustments to parking or other site details that do not affect the overall buildout or building envelope of the site, or provision of open space. Such minor changes must be submitted to the Planning Board on redlined prints of the approved plan, reflecting the proposed changes. The Planning Board may authorize such changes at any regularly scheduled meeting without the need to hold a public hearing. The Planning Board shall set forth any decision to approve or deny such minor changes by motion and written decision and provide a copy to the Applicant for filing with the Town Clerk.

If the Planning Board determines that proposed changes to an approved master planned development constitute a major change in a project because of the nature of the change in relation to the prior approved plan, or because such change cannot be appropriately characterized as a minor change as described above, the Applicant shall be required to file an application to amend the approved plan, and the Planning Board shall hold a public hearing to review the changes in accordance with the all applicable criteria set forth in this Article and any other section of the Zoning By-law. The decision of the Planning Board to amend a master planned development project may be approval, approval with additional / differing conditions, or denial of the requested amendment.

§ 173-232. General performance standards and criteria.

The Planning Board shall consider the following general criteria before issuing a Special Permit for development within the King Street Common Zoning District. **“IF THE CRITERIA ARE FOUND INADEQUATE, UNSUITABLE, OR INSUFFICIENT, THE PLANNING BOARD SHALL NOT ISSUE THE SPECIAL PERMIT.” (amendment on the floor, passed)**

- A. Adequacy of the site in terms of the size of the proposed use(s).
- B. Suitability of the site for the proposed uses(s).
- C. Adequacy of the provision of open space, its accessibility to the general public, and/or its association with adjacent or proximate open space areas
- D. Impact on traffic and pedestrian flow and safety and access for emergency vehicles.
- E. Adequacy of pedestrian access to buildings and between public spaces.
- F. Proposal is complimentary to and reinforces the visual character of the King Street Common Zoning District and surrounding neighborhood.
- G. Adequacy of utilities, including sewage disposal, water supply and storm water drainage.

H. Potential impacts on the Town's aquifer.

I. Degree to which the proposed project complies with the goals of the latest Littleton Master Plan and the provisions of this Article.

§ 173-233. Dimensional Requirements and Design Standards.

In addition to the General Performance Standards and Criteria, all projects within the King Street Common Zoning District shall comply with the following Dimensional Requirements and Design Standards. The design standards are intended to promote quality development emphasizing the Town's sense of history as a farming community and desire for contextual, pedestrian-scaled projects. To provide additional guidance, the Planning Board may promulgate more detailed Design Guidelines. All applications made pursuant to this Article shall be subject to the following Dimensional Requirements and Design Standards.

A. Minimum lot area shall be 15,000 square feet.

B. Front, rear and side yard setbacks for principal and accessory buildings and structures shall be 15 feet, except as follows:

- a. Front yard setbacks along King Street shall be provided in accordance with § 173-220; and
- b. For Master Planned Development projects, interior lot lines shall not have setback requirements.

C. Minimum lot frontage shall be 100 feet.

D. Maximum lot coverage by buildings shall be 50%, and maximum lot coverage by buildings and paved areas combined shall be 80%;

- a. For Master Planned Development projects, lot coverage shall be calculated using the total area of the Master Plan.

E. Maximum density for multifamily residential units shall be 20 units per acre;

- a.
- b. For Master Planned Development projects, density shall be calculated using the total area of the Master Plan.

F. No single retail use shall exceed 20,000 SF.

G. Parking shall be provided in accordance with § 173-224.A. For uses not listed in § 173-224.A, parking shall be provided in accordance with § 173-32.

H. All buildings or portions of buildings located within 255 feet of the King Street right-of-way line or 100 feet of any other public way excluding I-495 shall comply with the provisions of Article XXX, Village Common Form Based Code, except as follows:

- a. To promote an amenity-rich village environment with a mix of uses, the maximum height of buildings shall be as follows:
 - i. Residential Use buildings containing a mix of uses ("mixed use") containing Commercial Uses on the street level, or street level and lower floor(s), and Residential Uses on upper floor(s) shall have a maximum height of 4-stories or 50 feet, whichever is less;
 - ii. Commercial Use buildings shall have a maximum height of 2.5-stories or 35 feet, whichever is less;
 - iii. Institutional Use buildings shall have a maximum height of 3-stories or 50 feet, whichever is less;
 - iv. Accessory parking structures shall have a maximum height of 35 feet and shall be set back a minimum of 100 feet from King Street. Parking structures must also be screened from King Street by buildings and by landscaping or other screening techniques; and

All other buildings shall be governed by Article XXX.

- b. Floor-to-floor height requirements in the Form Based Code may be waived by the Planning Board at its discretion;
- c. The requirements of § 173-221.J.a may be waived by the Planning Board at its discretion; and
- d. Where frontage along King Street exceeds 500 feet, the Planning Board may waive, at its discretion, the 60% minimum façade build out requirement in the Form Based Code to avoid "strip developments" and to promote a streetscape with visual interest while also preserving or creating greenspaces and/or village gathering areas.

I. All buildings or portions of buildings located further than 255 feet from the King Street right-of-way line or 100 feet from any other public way excluding I-495 shall comply with the following standards and requirements:

- a. Maximum Building Height. The maximum height of a Residential Use building shall be 6-stories or 75 feet, whichever is less. The maximum height of a

Commercial, Industrial, Institutional or Recreational Use building shall be 4-stories or 60 feet, whichever is less;

- b. Pedestrian and bicycle accommodations - Sidewalks and walkways shall be designed to encourage use by pedestrians and shall serve to provide important linkages between uses onsite and the public ways. Crosswalks shall be provided to facilitate pedestrian circulation and to slow traffic, the use of texture changes or raised crosswalks is encouraged wherever pedestrian ways intersect roads or high-traffic corridors within parking lots. Bicycle parking shall be provided at every building and should be located within 50 feet of a building entrance where feasible;
- c. Screening from a public way - When abutting a public way, screening elements shall be utilized to separate public and private spaces while complementing the design of the streetscape. Fences located along a street right-of-way shall be designed so pedestrians can look through or over them;
- d. Emergency vehicle access - Roadways and access drives shall provide suitable access for emergency vehicles;
- e. Shared driveways and cross-connections - Shared driveways and cross-connections should be utilized where feasible to simplify vehicular circulation patterns and reduce conflicts between cars and pedestrians;
- f. Parking lot design - Parking lots, except for drive aisles, should not be located within 10 feet of a public way, unless in the opinion of the Planning Board site specific conditions so require. Parking lots shall otherwise be designed in accordance with § 173-32.C;
- g. Building façades - Building façades more than 50 feet wide shall be broken down into a series of smaller elements or bays;
- h. General architectural style - “Traditional” architecture should be used with an understanding of historic design principles and use of materials. Simpler forms that are clearly discernible are favored over unnecessary complexity;
- i. Building massing - The scale of the façade must relate to the human-scaled streetscape, elements should be introduced along the streetscape to avoid uniformity of height;
- j. Roofs - Pitched roofs are not mandatory, but where used shall have a minimum pitch of at least 6:12 and incorporate traditional forms. Visible roofs shall incorporate traditional materials, including architectural asphalt shingles, standing-seam metal, slate, and synthetic wood, slate, or metal shingles. The design of strong eaves, cornices, parapets where appropriate is encouraged. Any necessary components such as mechanical equipment, which must be screened

from view, gutters, leaders, etc. should be intentional and integrated into the roof and façade design;

- k. Building entrances - Building entrances shall have a hierarchy, expressed in the design of the façade. Buildings with multiple storefronts and / or entrances shall be designed to enhance the richness and texture of the pedestrian experience. Entrances shall be physically and visually accessible, welcoming and inviting;
- l. Windows - For new buildings, windows should be generally vertically proportioned and divided by mullions, as appropriate to the overall design of the building. Windows should be designed to reduce energy costs through good seals and insulation, low-emissivity glass, etc. Design for solar gain in winter, opening windows in summer, and natural lighting are not required but encouraged. Ground level storefronts and other non-residential uses facing a public way shall have a minimum transparency of 60%. Non-residential upper floors facing a public way shall have a minimum transparency of 40%;
- m. Building materials - Building façade materials including but not limited to brick, wood, cementitious fiber board, veneer stone, masonry, glass, terra cotta and cellular PVC materials are encouraged. Changes in plane, texture, shadowing, etc. are encouraged, if integrated into the overall design of the building. Trim and detailing should fit the architectural style of the building and be integrated with other elements. Trim details based on traditional architectural features such as eaves, porches, window bays, and balconies, shall not be simulated with flat trim on an otherwise flat façade or flush eave line;
- n. Porches, arcades and canopies – Porches, arcades, canopies and/or a front garden shall be provided to shelter building entrances / patios to enhance the arrival experience and promote pedestrian comfort and visual interest along the streetscape. Awnings and canopies should be designed with simple shapes, integrated into the design of the façade and consistent in character across multiple storefronts and with the building as a whole. Round or bullnose awnings are not permitted. Fixed or retractable awnings shall be no lower than 8 feet above the sidewalk and shall not be backlit;
- o. Towers, cupolas and chimneys – Decorative / secondary elements such as towers, cupolas, and chimneys should be appropriate to the architectural of the building and neighborhood. They should be used sparingly to highlight important buildings and provide for landmarks and focal points within a village;
- p. Service areas and equipment – Service areas, dumpsters, generators, transformers, etc. shall be carefully placed and screened with fences, walls or landscaping that complements the architecture of the building. Mechanical

systems and HVAC equipment should be located to reduce noise pollution and screened from view. All service areas, equipment, transformers, dumpster enclosures shall be shown on the building and site plans during permitting;

- q. General landscaping – Quality plantings and site features should be used to reinforce the pattern of private and public spaces and to provide screening and framing of spaces. Plants shall be A-Grade or Number 1 Grade and free of defects and shall be in accordance with the American Standard for Nursery Stock, ANSI Z60.1, latest edition, or the American Association of Nurserymen;
- r. Streetscape - To create a high-quality streetscape, street trees shall be planted along landscaped strips adjacent to public ways spaced 30 feet on center for large deciduous street trees and 20 feet on center spacing for small deciduous street trees. Street trees shall be planted at least 5 feet from fire hydrant, six feet from street signs, seven feet from curb cuts and 30 feet from stop signs. The edges of street tree planting beds must be at least two feet from gas, electric, water and sewer lines. Tree pits to support street trees shall be at least 5 feet wide and 10 feet in length and shall be permeable to air and water;
- s. Parking lot landscaping - Parking lots should be planted with large shade trees and landscaped to provide shade and visual relief, minimize the amount of glare, noise and heat, block wind and support safe patterns of circulation. Parking lot landscaping shall incorporate the following:
 - i. At least 5% of the interior of any parking lot shall be maintained with landscaping. Trees and shrubs shall be planted in islands and / or medians at least ten feet in width. All parking spaces shall be located within 100 feet of a shade tree or within 60 feet of an ornamental tree. Where covered or structured parking won't allow for interior plantings, the required number of trees and minimum area of other landscaping shall be used to supplement plantings in adjacent areas;
 - ii. Shade trees shall be at least 3 inches in caliper when installed, measured at 12 inches to 18 inches above the ground. Evergreen shrubs shall be at least 24 inches in height and minimum three-gallon container size at the time of installation; and
 - iii. Parking lots visible from streets or public ways should be screened with attractive fences and plantings. Shrubs, plantings, hedges or walls shall provide an opaque screening between the parking area and adjacent streets or public pedestrian ways for the first three feet of height within

three years of planting.

- t. Landscaping adjacent to multi-family residential and commercial buildings – Landscape plantings should be used to bring human-scale to larger buildings while enhancing the character of the site. Landscaping strips of at least 4 feet in width shall be used between curbs and the buildings for at least 50% of the building perimeter. The landscaping strip between the curb and the building shall be increased to six feet in width if there will be a bumper overhang from adjacent parking spaces;
- u. Lighting – Lighting shall be provided to allow for reasonable comfort and security, with an average illumination of 1-2 footcandles and a maximum of 5 footcandles to reduce “hot spots”. Lighting shall employ full cut-off fixtures with color-corrected lamps to minimize glare, reduce light trespass and avoid polluting the night sky. While commercial or community facilities are open, a minimum of 0.5 footcandles and a maximum to minimum ratio of 15:1 footcandles should be provided. While commercial or community facilities are closed, a minimum of 0.2 footcandles and a maximum to minimum ratio of 20:1 footcandles should be provided. Wall mounted and pole mounted fixtures shall be no higher than 20 feet above grade. The use of LED lighting is encouraged, while high pressure sodium vapor or mercury vapor lamps shall not be permitted; and
- v. Signage – Signage shall comply with § 173-35. For master planned development projects, a signage master plan shall also be developed by the Applicant and submitted to the Planning Board. The Planning Board shall at its discretion allow additional signage than is allowed in § 173-35 if it is deemed to be beneficial for the purposes of placemaking and wayfinding. Upon a master plan approval for signage, individual sign permits shall be administered by the Building Department.

§ 173-234. Relationship to Aquifer and Water Resource District.

- A. This purpose of this section is to balance environmental constraints in Littleton's Aquifer Water Resource Districts with appropriate redevelopment of commercial sites. Much of the King Street Common Zoning District is located within the Aquifer District;
- B. The permitted uses listed in § 173-229 are allowed within the King Street Common Zoning District, including areas within the Aquifer District;
- C. Within the King Street Common Zoning District a maximum lot coverage by buildings shall be 50%, 80% when adding buildings and paved areas by special permit. To grant the Aquifer

and Water Resource District special permit for the additional lot coverage, the Applicant must demonstrate that the criteria of § 173-62.B has been met and that the development incorporates current Massachusetts Department of Environmental Protection (MassDEP) best management practices for stormwater management, and the Storm Water Quality Control and Storm Water Quality Practices outlined in the Town of Littleton Low Impact Design / Best Management Practices Manual. Further, for projects that propose an increase in impervious area, 100% of the runoff from the increase in impervious area shall be infiltrated onsite for up to a 10-year storm event, such that the volume and rate of runoff for the proposed project shall not increase from the pre-development condition. The Board may, at its discretion, require a review by Town Council to confirm full compliance with the aforementioned stormwater management requirements.

3. Insert in Section 173-2, in appropriate alphabetical order, the following new defined terms:

MEDICAL SERVICES FACILITY

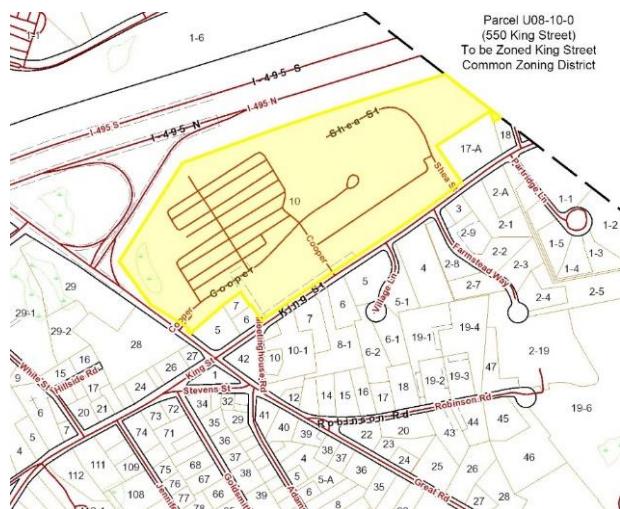
Premises with occupancy limited to doctor's offices, dentist's offices, and other medical professional offices, or a facility providing medical, surgical or dental services including urgent care to persons not accommodated overnight therein, whether or not owned or affiliated with a hospital.

NURSING HOME

Any institution or facility providing nursing care which is licensed under M.G.L. Chapter 111, Section 71.

4. Re-zone Assessor's Parcel U08-10-0 from the Village Common, Industrial A, Industrial B and Business Districts so that said property is located entirely within the King Street Common District, without affecting the applicability of any overlay zoning districts to said property.

5. Amend the Zoning Map to include the King Street Common District and to show Assessor's Parcel U08-10-0 as located entirely within said district, all as shown on the map entitled "King Street Common Zoning District" dated September 14, 2021 on file with the Town Clerk.



ATTEST:
A TRUE COPY:

Diane Crory, Town Clerk

November 9, 2021