

# North Eastham Village Zoning Strategy

1. Make selected revisions to the Eastham Zoning Bylaw in terms of use, dimensional and parking standards specifically tailored to North Eastham Village Project Area.
2. Consider options of Form-Based Code (FBC) and Smart Growth Zoning Overlay District (Chapter 40R) over key area of the D (Business) and C (Industrial) Districts in NEVC Project Area.
3. Couple new Conventional Zoning, FBC, and/or Smart Growth Overlay District with new NEV Design Standards and Guidelines (may be regulatory as well as advisory if adopted with Chapter 40R Overlay District).

# What is a Smart Growth Overlay District (Chapter 40R)

- Smart Growth Zoning Districts (Chapter 40R) zones effectively promotes “**as of right**” development with certain densities and use mixes geared to transit-oriented town and village center scales.
- Uses within a 40R zone include a significant proportion of **housing and affordable** units within that housing mix, and require a minimum density of units per acre.
- Chapter 40R can be accompanied with very complete and strict **design standards** to ensure that the development is appropriate within its surroundings.
- **Financial incentives** are provided by the State to defray costs associated with such development.
- Eastham has the capacity to accomplish all zoning requirements of Chapter 40R and **current bylaw** already meets prescribed density requirements.
- Eastham will need to decide whether the housing amounts, mix, density standards and other requirements are **consistent with its goals** for the village, and the extent to which the prospect of state funding is an incentive.
- To date, village center and downtown **40R districts** and design guidelines have been adopted in Amesbury, North Andover, Plymouth, Lynnfield, Northampton, Brockton, Kingston, and Haverhill.

# Specific Requirements of Chapter 40R

- The specific rules, standards and procedures are established in 760 CMR 59.00.
- Any municipality may propose a “smart growth zoning district” as an overlay to its existing zoning in “eligible locations” which include the following:
  - Areas near transit stations
  - Areas of concentrated development (i.e. town/city centers, existing commercial/rural village districts)
  - Areas “that by virtue of there infrastructure, transportation access, existing underutilized facilities, and/or location make highly suitable locations for residential or mixed use...districts”
- The new Overlay District requires the following minimum residential densities “as of right” in on developable land in qualified districts:
  - Single Family Use: 8 units/acre (1 unit/5,445 s.f.)
  - Two and Three-Family Use: 12 units/acre (1 unit/3,630 s.f.)
  - Multi-Family Use: 20 units/acre (1 unit/2,178 s.f.)
- Inclusionary housing requirements include the following:
  - Developments of 12 units or more must provide at least 20% of units as affordable units.
  - Overlay district zoning must provide at least 20% of all units developed in the district as a whole will be affordable.
  - At least 25% of units in developments exclusively serving elderly, disabled or those needing assisted living must be affordable.
- Upon adoption and approval by DHCD, municipalities become eligible for 3 kinds of financial incentives:
  - Zoning Incentive Unit Payment – A one-time payment based on the number of Incentive Units zoning (i.e. ranging from \$10,000 for up to 20 units to \$600,000 for 501 or more units)
  - Density Bonus Payments - \$3,000 for each Incentive Unit issued building permits and actually developed.
  - Discretionary Capital Funding Priority – Various state agencies with funding programs are required to adopt methodologies which favor municipalities with smart growth overlay districts including EOEA, EOT, DHCD, and DAF.
- Smart Growth Zoning Overlay District reviews by DHCD may be coordinated with other financial mechanism such as TIFs and DIFs (Chapter 40R - District Improvement Financing).

# What is Form-Based Code

- ✓ FBC address the **relationship** between building facades and the public realm.
- ✓ The **form and mass** of buildings in relation to one another.
- ✓ The scale and types of **streets** and blocks.
- ✓ FBC regulations and standards are presented in both **diagrams and words**
- ✓ FBC is keyed to a **regulating plan** (or zoning map) that designates the appropriate form and scale (and, therefore, character) of development rather than only distinctions in land-use types
- ✓ FBC is **different from conventional zoning** which focus on the segregation of land-use types, permissible property uses, and the control of development intensity through simple numerical parameters (e.g., height limits, setbacks, dwellings per acre, parking ratios, percentage of open space).
- ✓ FBC is **regulatory and not advisory** such as design guidelines.
- ✓ FBCs are designed to **achieve a community vision** based on time-tested forms of urbanism.
- ✓ The **quality of development outcomes** is dependent on the quality and objectives of the community plan that a code implements.

# General Characteristics of Form-Based Code

- ✓ **Fulfills Community Vision** - Form-Based Code (FBC) is a specific method of regulating development to achieve a specific community vision and urban form.
- ✓ **An Implementation Tool** – FBCs are designed to achieve a community vision based on local preferences for forms of development. The quality of future development and redevelopment is dependent on the quality and objectives of the community plan and its translation into regulations that implement it.
- ✓ **Focus on Physical Form vs. Land Use** - Form-based codes create a predictable public realm by controlling physical form primarily, with a lesser focus on land use, through city or county regulations.
- ✓ **Public-Private Relationship** - FBCs address the relationship between building facades and the public realm, the form and mass of buildings in relation to one another, and the scale and types of streets and blocks.
- ✓ **Graphically Based Standards** - The regulations and standards in FBCs are presented in both diagrams and words.
- ✓ **Based on Regulating Plan** – FBCs are keyed to a regulating plan that designates the appropriate form and scale (and therefore, character) of development rather than only distinctions in land-use types.
- ✓ **FBC vs. Conventional Zoning** - Conventional zoning focuses on the segregation of land-use types, permissible property uses, and the control of development intensity through simple numerical parameters (e.g., FAR, dwellings per acre, height limits, setbacks, parking ratios). Design guidelines may be used to supplement conventional zoning but are advisory where form-based code design standards are regulatory.

# Typical Conventional Zoning By Comparison

- ✓ The key difference between Conventional Zoning Regulations and Form-Based Code is that development is regulated by type of use rather than building location and relationship to public space, streets and surrounding buildings.
- ✓ Focus on the separation of uses from one another, and streets often do not connect one place to another making walking difficult and unfriendly.
- ✓ Conventional zoning regulates use and building placement in an abstract manner, and unrelated to adjacent properties.
- ✓ Setback requirements are usually not site specific. As a result, there is no control over the public space of the street is developed.
- ✓ Housing types are also typically separated further separating people by income or stage of life. People often have to move if their family grows or shrinks. People typically have to move if their family grows and shrinks.
- ✓ The number of parking spaces is based of building square footage and use often without consideration for transit and availability of public parking.
- ✓ Typically do not address the amount of window or doors on the front façade.

# Basic Components of Form-Based Code

- ✓ **Regulating Plan** - A detailed master plan or zoning map of the regulated area designating the locations where different building form standards apply, based on clear community intentions regarding the physical character of the area being coded.
- ✓ **Building Form Standards** - Regulations controlling the configuration, features, and functions of buildings that define and shape the public realm.
- ✓ **Public Space/Street Standards** - Specifications for the elements within the public realm (e.g., sidewalks, travel lanes, street trees, street furniture, open spaces, parks, etc.).
- ✓ **Administration** - A clearly defined application and development review process.
- ✓ **Definitions** - A glossary to ensure the precise use of technical terms.
- ✓ **Form-based Codes Supplemental Components**
  - ✓ **Architectural Standards** - Regulations controlling external architectural materials and quality.
  - ✓ **Annotation** - Text and illustrations explaining the intentions of specific code provisions.

# Typical Form-Based Code Requirements

- ✓ **Building Deposition** - The Regulating Plan (or zoning map) will indicate a “build-to” requirement (or minimum as well as maximum front setbacks). Buildings are typically required to be placed close to the sidewalk with variations based on types of use (civic, residential, mixed use).
- ✓ **Creating and Outdoor Room** - There will typically be a minimum as well as maximum building height to that the combination of development and streetscape design shape the public realm and provide street enclosure as desired by the community.
- ✓ **Orientation and Presentation of Building** – Typically building face the street and public spaces including the front entrance. Front façade is limited to a specified length and broken up into sections forming an attractive building wall. Usually requires a certain percentage of window space to ensure visibility to pedestrians.
- ✓ **Facilitates Mixed Uses** – Defines horizontal and vertical mix of uses rather than separating them like many conventional regulations.
- ✓ **Parking Definition** – Parking location is usually prescribed to the side or rear of the building. Allows (or requires) shared marking and factors utilization of public parking in determining number of spaces.
- ✓ **Building Materials** – Typically require natural materials compatible with surrounding buildings.
- ✓ **Street Design Hierarchy** – Specific designed based on use and location within the district including streetscape elements are relation to abutting properties (from boulevards to alleys).

# From Vision to Concept to Regulating Plan to FBC

## General Sequence of Code Development

Existing Plans, Property & Regulations Analysis



Preliminary Land Use Opportunities Map



Public Scenario Building & Design Charrette



Alternative Conceptual Plans and Renderings



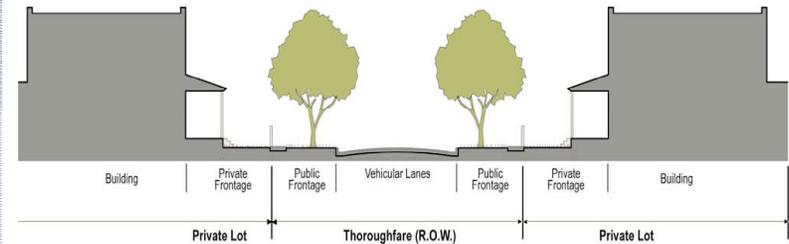
Preferred Overall Conceptual Development Plan & Patterns (Draft Form-Based Code)



Regulating Plan (Zoning/Transect Plan)



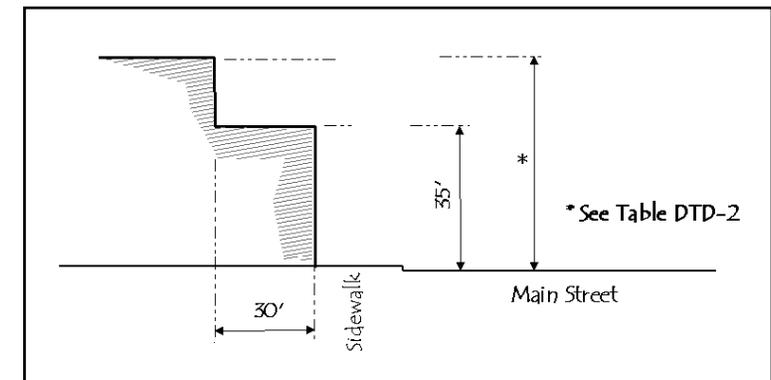
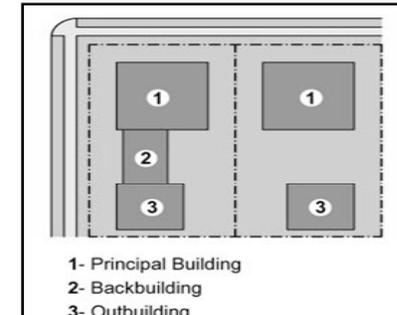
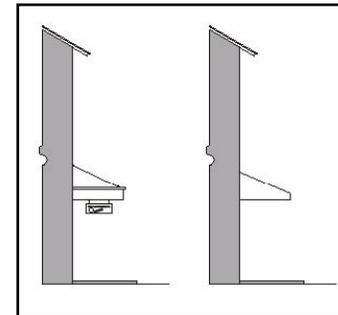
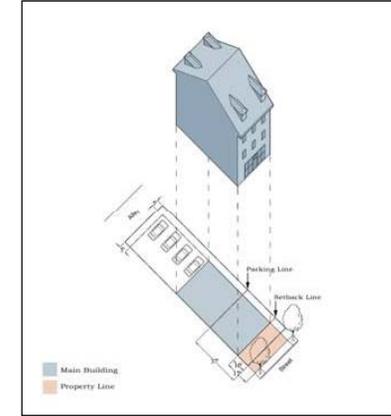
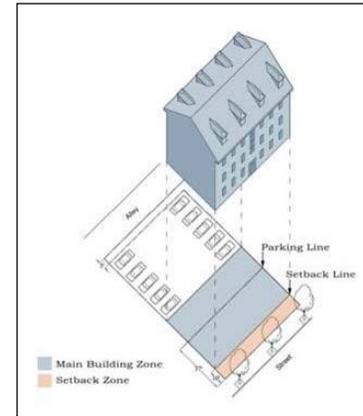
**Final Form-Base Code**



# North Eastham Village Concept Plan



# Translating/Calibrating Concept Plan to Form-Based Code





# “Complete Streets” Hierarchy Design Code

## Recommended Street Design in North Eastham Village Center

RECOMMENDED COMPLETE STREETS HIERARCHY AND DESIGN GUIDELINES FOR NORTH EASTHAM VILLAGE																
<b>EXAMPLE USE OF HIERARCHY</b> 57.57-20-B ↑ With Bicycle Lane ↑ 20 Ft Pavement Width ↑ 57 Ft Right-of-Way Width ↑ Thoroughfare/Streetscape Type	<b>DEFINITION OF THOROUGHFARE:</b> The man-made element that provides the major part of the public open space as well as paved lanes for vehicles. A thoroughfare is endowed with two attributes: capacity and character. Capacity is the number of vehicles that can move safely through a segment of a thoroughfare within a given time period. It is physically manifested by the number and width of lanes, by the centreline and curb radius, and the elevation of the pavement. Character is physically manifested by the thoroughfare's associated building and frontage types as determined by its location within the transect.															
<b>CLASSIFICATION</b>	<b>VILLAGE CENTER AVENUE:</b> A short, axial, local speed-movement thoroughfare suitable for downtown center and core zones, providing frontage for higher density mixed-use buildings such as storefronts, shops, and offices. It is urban in character with raised curbs, storm-drain inlets, and striped on street parking. A single species of tree is planted in opportunistic alignment and confined by individual planters to create a sidewalk of maximum width, with areas accommodating street furniture. Clear trunks and high canopies are necessary to avoid blocking views of storefronts, signage, and awnings. An avenue may be conceived as an elongated square.		<b>VILLAGE CENTER STREET:</b> A local slow-movement thoroughfare suitable for primary village center streets, providing frontage for higher density mixed-use buildings such as houses, shops, and offices. It is urban in character with raised curbs, storm-drain inlets, and striped on street parking. A single species of tree is planted in opportunistic alignment and confined by individual planters creating a sidewalk of maximum width, with areas accommodating street furniture. Clear trunks and high canopies are necessary to avoid blocking views of storefronts, signage, and awnings.		<b>VILLAGE SIDE STREET:</b> A narrow, vehicular access way to the rear of in-core urban lots providing service areas, parking access, and utility easements. Alleys as they are used by trucks and must accommodate dumpsters should be paved from building face to building face and screened if possible.		<b>VILLAGE NEIGHBORHOOD STREET:</b> A local, yield moving thoroughfare suitable for village neighborhoods. Streets provide frontage for low to moderate density residential buildings such as single family detached or attached homes, apartment buildings, and rowhouses.		<b>PASSAGE:</b> A pedestrian connector passes between buildings. Passages provide shortcuts through long blocks and connect rear parking with street frontages. Passages may not be roofed over and lined by shop fronts.	<b>BIKE MULTIMODAL TRAIL:</b> An independent bicycle way generally running through the countryside or parallel with parkways and highways.	<b>FOOTPATH:</b> A pedestrian way traversing a park or the countryside. Paths should connect directly with the sidewalk network.					
<b>DEFINITION</b>																
<b>CROSS SECTION/PERSPECTIVE VIEW</b>																
<b>PLAN VIEW</b>																
<b>CHARACTERISTICS</b>																
<b>Type</b>	<b>VILLAGE CORE AVE. (VCA-66-40)</b>		<b>VILLAGE SIDE STREET (VSS-40-32)</b>		<b>VILLAGE CORE STREET (VCS-50-38)</b>		<b>AL-20-20</b>		<b>VNS-50-22</b>		<b>PS-10-0</b>	<b>MP-VAR-12</b>	<b>PT-VAR-6</b>			
<b>Movement</b>	Free Movement		Free Movement		Free Movement		Slow Movement		Slow Movement		Pedestrian Only		Bicycle & Pedestrian Only		Pedestrian Only	
<b>Traffic Lanes</b>	Two-12 foot		Two-12 foot		Two-11 foot		Two-10 foot		Two-10 foot		varies		varies		varies	
<b>Parking Lanes</b>	Both Sides @ 8 ft. Marked		One Side @ 8 Feet Marked		Both Sides Parallel @ 8 Feet Marked		None		Informal		NA		NA		NA	
<b>R.O.W. Width</b>	60 feet		40 feet		50 Feet		20 ft.		50 ft.		varies		varies		varies	
<b>Pavement Width</b>	40 feet		24-32 feet		38 Feet		20 ft.		24 ft.		N/A		N/A		N/A	
<b>Traffic Flow</b>	Two Ways		Two Ways		Two Ways		One Way or Two Way		Two Ways		N/A		N/A		N/A	
<b>Curb Type</b>	Raised		Raised		Raised		None		Raised or None		N/A		N/A		N/A	
<b>Curb Radius</b>	15 feet		15 Feet		15 Feet		15 ft. max		15 ft. max		N/A		N/A		N/A	
<b>Vehicular Design Speed</b>	30 MPH		25 MPH		25 MPH		15 MPH		15 MPH		N/A		N/A		N/A	
<b>Pedestrian Crossing Time</b>	4.5 seconds		3.5 Seconds		3.5 Seconds		N/A		2.7 Seconds		N/A		N/A		N/A	
<b>Road Edge Treatment</b>	Curb		Curb		Curb		Curb or Swale		Curb or Swale		Swale		Swale		Swale	
<b>Planter Strip/Box Width</b>	3x3 Planters		4 feet		3x3 Planters		None		4-7 feet		varies		varies		varies	
<b>Planter Type</b>	Individual		Continuous		Individual		None		Continuous		Continuous		NA		NA	
<b>Planting Pattern</b>	Trees at 40 Feet O.C. Average		Trees at 40 Feet O.C. Average		Trees at 40 Feet O.C. Average		None		Varies depending in size of tree		occasional		Single and cluster, avg. 1/30 ft.		Single and cluster, avg. 1/30 ft.	
<b>Tree Type</b>	Selected Street Trees		Selected Street Trees		Selected Street Trees		None		variable species		Natural		Natural		Natural	
<b>Street Light Type</b>	Pedestrian Scale Ornamental		Pedestrian Scale Ornamental		Pedestrian Scale Ornamental		None		None		None		None		None	
<b>Street Light Spacing</b>	40 foot Intervals		40 foot Intervals		40 foot Intervals		None		None		None		N/A		N/A	
<b>Bike Way Type</b>	Not Dedicated, With Flow		Not Dedicated, With Flow		Not Dedicated, With Flow		None		None		N/A		Bike Path		N/A	
<b>Bike Way Width</b>	None		None		None		None		None		N/A		8 to 15 feet		N/A	
<b>Sidewalks</b>	Both Sides		Both Sides		Both Sides		None		Both Sides		One		One		One	
<b>Sidewalk Width</b>	10 feet		4-8 feet		4-8 feet		N/A		6 ft.		9-15 ft.		N/A		6 ft.	
<b>LOCAL APPLICATIONS</b>	Rt. 6 & Brackett Rd. Intersection Area, NEC Primary Streets		NEV, NEC, NE TP Primary Streets		NEV, NEC		NEC, NEV		NEC, NEV		NEC, NEV, NE TP, NE VG		NEC, NEV, NE TP, NE VG		NEC, NEV, NE TP, NE VG	