

## § 9.1. Mixed-use

In each district in which Mixed-Use is permitted, a development shall comply with the following minimum requirements. Unless otherwise stated, the requirements of this section shall apply to uses and structures permitted under the regulations of this section. In the event of a conflict, the regulations of this section shall apply.

### A. Exceptions.

- (1) This section, Mixed-Use, shall not apply to any overlay district.

### B. Applicability.

- (1) Only uses that are permitted by right or special permit in the zoning district may be included in the mixed-use development.
  - (a) Neither drive-through windows, accessory uses with a drive-up/drive-through function nor 24-hour business operations are permitted in a Mixed-Use development.
- (2) Notwithstanding the other provisions contained in this Town of Randolph Zoning Ordinance, the Planning Board shall be the Special Permit Granting Authority (SPGA) for a Mixed-Use Development ~~when there are fewer than twenty-five (25) dwelling units (existing or new) proposed.~~
- ~~(3) Notwithstanding the other provisions contained in this Town of Randolph Zoning Ordinance, the Town Council shall be the Special Permit Granting Authority for any Mixed-Use development when there are twenty five (25) or greater dwelling units (existing or new) proposed.~~
- (4) If a nonresidential use in a Mixed-Use development requires a Special Permit, the SPGA issuing the special permit for the Mixed-Use development shall also be the SPGA for the nonresidential use superseding any other section of this Town of Randolph Zoning Ordinance.
- (5) Site Plan Design Review shall be conducted by the applicable SPGA.

### C. Dimensions.

- (1) The dimensional standards generally applicable in the district as set forth in the Table of Dimensional Requirements shall apply.
- (2) The SPGA may waive dimensional requirements when a Mixed-Use development includes the redevelopment of an existing structure.
- (3) More than one structure on a parcel is permitted upon review and decision of the SPGA.
- (4) Any Back-Lot Structure(s) may not be taller than the principal structure.

### D. Site design standards.

- (1) All permitted nonresidential uses shall be limited to the ground floor and basement of

the principal structure. The SPGA may permit nonresidential uses to occupy other floors of the principal structure only after determining that the location and design of such spaces, including access and egress, will not impact the privacy or security of residential occupants.

- (2) If the Mixed-Use Development includes multiple structures, any Back-Lot Structure(s) may contain either a mix of nonresidential uses and dwelling units or only dwelling units.
- (3) The nonresidential uses in a Mixed-Use development shall be developed prior to or concurrently with residential uses. Concurrency shall be established by approval of a Master Plan that provides a mix of uses that includes all proposed uses.
- (4) A minimum of ~~twenty five percent (25%)~~ **twenty percent (20%)** and a maximum of ~~seventy five percent (75%)~~ **eighty percent (80%)** of the total square footage of all structures contained in a Mixed-Use Development shall be devoted to dwelling units.
- (5) Minimum residential densities for a Mixed-Use development shall be twelve (12) units per gross acre.
  - (a) Density shall be calculated as the total area of the parcel less any land which is part of a Wetland Resource Area as specified in 310 CMR 10.02(1)(a) subject to protection under the Massachusetts Wetlands Protection Act, MGL c. 131, § 40, nor any land within seventy-five (75) feet of such Wetland Resource Area.
  - (b) When a development site is composed of two (2) or more phases, each phase shall also meet this standard.
- (6) Dwelling units must contain a minimum of six hundred twenty-five (625) square feet of usable living area.
- (7) In any Principal Structure, entry to the dwelling units must be from the side or back of the structure; not on the street frontage or any open public space.
- (8) At least one designated entrance for nonresidential uses shall be provided on each floor of a structure that contains a nonresidential use.
- (9) Areas of a structure intended for nonresidential use must be constructed such that there is no direct access to areas of the structure intended for dwelling units except as necessary in an emergency.
- (10) Ground level frontage of the Principal Structure shall be devoted to nonresidential entrances, windows and public open space amenities.
- (11) In newly constructed Principal Structures in a Mixed-Use Development, ground floors shall be a minimum of eleven (11) feet from floor to ceiling to enhance the pedestrian streetscape regardless of the overall building height.
- (12) Clear pedestrian pathways shall be provided between structures on the same parcel and, to the extent practicable, between buildings on adjacent parcels to ensure continuous safe pedestrian access.

(13) A Mixed-Use development must provide a sign plan to the SPGA at the time of application.

(a) Wall signs for nonresidential uses may be illuminated with exterior lighting or by reverse channel letters only.

(14) Where any Mixed-Use development abuts a residentially zoned parcel(s), there shall be adequate transition between the Mixed-Use development and adjacent residentially zoned parcel(s). Fencing, landscaping and similar items may be used to accomplish this.

E. Parking.

(1) Parking areas, including below- or at-grade structures, for a Mixed-Use development shall be located to the side and/or rear of the parcel; parking is prohibited in the front yard.

(a) Parking areas that abut any public right-of-way or any at-grade parking structure shall require screening.

(b) Where locating parking according to the terms of this zoning ordinance is not feasible due to existing structures, topography, alternative locations shall be considered by the SPGA.

(2) There shall be a minimum of one (1) ~~and one-quarter (1.25)~~ parking spaces for each dwelling unit (rounded up).

(3) There shall be a minimum of one (1) space per one thousand (1,000) square feet of nonresidential floor area.

(4) In the event of a restaurant, one (1) parking space shall be provided for every four (4) patron seats.

(5) A lesser number of parking spaces may be permitted by the SPGA upon determination that the Special Permit applicant has demonstrated, through methods acceptable to the SPGA, that parking demand will not exceed what can be met by the minimum required parking.

(6) Bicycle parking shall be provided as follows:

(a) A minimum of one (1) space per every ten (10) dwelling units (rounded up) located indoors near the primary entrance to the development's dwelling units.

(b) A minimum of one (1) space for every five thousand (5,000) square feet of nonresidential floor area (rounded down) located near the primary entrance to ground floor nonresidential units.

F. **Any mixed-use project that results in the creation of ten (10) or more dwelling units must also comply with the requirements of §9.9 Inclusionary Zoning.** ~~Affordable dwelling units — subsidized housing inventory. Any Mixed-Use development, whether through conversion or new construction, that includes greater than ten (10) dwelling units, must~~

~~include dwelling units that comply with the requirements and regulations of the Executive Office of Housing and Livable Communities (EOHLC) as Local Action Units (LAU) through a Local Initiative Program (LIP) as specified below:~~

- ~~(1) Ownership units. For all Mixed Use developments where the Affordable Dwelling Units proposed are Homeownership Units, not less than twenty percent (20%) of the total dwelling units constructed in the mixed-use development shall be Affordable Dwelling Units.~~
- ~~(2) Rental units. For all Mixed Use developments where the Affordable Dwelling Units proposed are Rental Units, not less than twenty five percent (25%) of the total housing units in any building containing rental units shall be Affordable Dwelling Units.~~
- ~~(3) For purposes of calculating the number of Affordable Dwelling Units required within a Mixed Use Development, any fractional unit of five tenths (0.5) or greater shall be deemed to constitute a whole unit.~~
- ~~(4) All Affordable Dwelling Units shall be integrated within the Mixed Use development and shall be comparable in design, floor area, number of bedrooms, appearance, construction and quality of materials with market rate units.~~
- (5) Occupancy permits for dwelling units in a Mixed Use development shall not be issued without confirmation that a LIP/LAU has been submitted to EOHLC.**