

**Request for the Town Council to Initiate
An Amendment to the Randolph Zoning Ordinance –
Chapter 200 of the General Code of the Town of Randolph –
Concerning Mixed-Use and Mixed-Use Affordable Units -
Pursuant to M.G.L. ch. 40A, sec. 5**

That the Town Council of the Town of Randolph hereby initiates an amendment to the Randolph Zoning Ordinance, Chapter 200 of the General Code of the Town of Randolph, concerning mixed-use zoning and mixed-use affordable units, pursuant to M.G.L. ch. 40A, Section 5, and hereby amends the Zoning Ordinance as follows:

I. Amend section 200-3, concerning Word usage; definitions, as follows:

Delete the following language:

MIXED-USE DEVELOPMENT, MULTIFAMILY UNITS

A dwelling unit with not less than six hundred twenty-five (625) square feet of usable living area, not more than two (2) bedrooms, at least one (1) full bath and an individual laundry unit (no shared laundry facilities on the premises).

MIXED-USE DEVELOPMENT

The combination of residential and business uses on a single lot

Replace the deleted language with the following:

PRINCIPAL STRUCTURE

The structure in a mixed-use development which fronts a public way or public open space and that is the most visually prominent building on a parcel when viewed from the primary public way or public open space adjacent to that parcel.

BACK-LOT STRUCTURE

Any building in a mixed-use development that does not front a public way or public open space and which is not the most visually prominent building on a parcel when viewed from the primary public way or public open space adjacent to that parcel.

GROUND FLOOR

The lowest story of a building with a finished floor at or above the finished ground level.

MIXED-USE or MIXED USE

The combination of residential and non-residential uses on a single lot of land or on two (2) or more contiguous lots in joint ownership.

MIXED-USE DEVELOPMENT

The combination of residential and non-residential uses on a single lot of land or on two (2) or more contiguous lots in joint ownership.

MIXED-USE DEVELOPMENT, AFFORDABLE UNIT

An affordable unit in a mixed-use development. An affordable unit in a mixed-use development shall be a housing unit that is subject to a deed or other restriction requiring that the owner or occupant of the unit meet applicable income criteria such that the housing unit shall comply with Massachusetts Executive Office of Housing and Livable Communities' requirements for counting the housing unit towards the Town of Randolph's Subsidized Housing Inventory.

MIXED-USE DEVELOPMENT, MULTIFAMILY

A mixed-use development that contains three or more dwelling units. The dwelling units contained in a multifamily mixed-use development shall be not less than six hundred twenty-five (625) square feet of usable living area, not more than two (2) bedrooms, at least one (1) full bath and an individual laundry unit (no shared laundry facilities on the premises).

II. Insert a new section 200-11.2, as follows:**§ 200-11.2 Mixed-use.**

- A. In each district in which mixed-use development is permitted, including overlay districts such as the Union Crossing Transit District, mixed-use development shall comply with the following minimum requirements. These minimum requirements shall be in addition to the requirements that apply to mixed-use development in any particular district and shall supersede any conflicting requirements:
- (1) Only uses that are otherwise permitted in the zoning or overlay district (with or without a variance or a special permit) may be included in the mixed-use development.
 - (2) The non-residential use(s) contained in the mixed-use development shall be located on the ground floor of the principal structure.
 - (3) If 100% of the ground floor of the principal structure in the mixed-use development is dedicated to non-residential use, then some or all of the next floor in the same structure may also be used for non-residential use.
 - (4) At least one designated non-residential entrance shall be provided on each floor of a structure that contains a non-residential use.

- (5) At least 40% of the square footage of the structures contained in the mixed-use development shall be devoted to residential uses.
- (6) A maximum of 66% of the square footage of the structures contained in the mixed-use development shall be devoted to residential uses.
- (7) No more than 10% of the ground floor of the principal structure in the mixed-use development shall be devoted to residential uses.
- (8) In any structure containing both residential and non-residential uses, entry to the residential units must be from the side(s) or back(s) of the structure(s) and not on the street front or open public space area, where the non-residential uses shall have their main entrance(s).
- (9) Areas of a structure intended for non-residential uses must be constructed such that they do not have any direct access to areas of the structure intended for residential uses, except as necessary in an emergency.
- (10) For mixed-use developments consisting of multiple buildings, commercial use shall be required on the ground floor of the principal structure and residential may be permitted in other locations. In order to place commercial use on the first floor of any secondary buildings in the mixed-use development, a special permit shall be required from the Planning Board.
- (11) If the development is a Multifamily Mixed-Use Development, the development shall have a minimum gross density of 15 units per acre and a maximum gross density of 20 units per acre, subject to any further limitations imposed by section 40 of chapter 131 and title 5 of the state environmental code established pursuant to section 13 of chapter 21A.
- (12) Parking lots for new construction shall be located to the side and rear of the lot unless such a location is not feasible. Parking is prohibited within the front yard. Parking lots that abut public rights of way or grade parking under the building shall be screened.
- (13) There shall be a minimum of one and one-quarter (1.25) parking spaces for each dwelling unit.
- (14) Parking for non-residential use shall be one (1) space per 1,000 square feet of non-residential floor area. In the event of a restaurant use, one parking space shall be provided for every four patron seats in the restaurant. A lesser number of parking spaces may be permitted by the Planning Board via a special permit, if that number of parking spaces is determined to be adequate for the particular restaurant use considering all relevant circumstances.
- (15) Any new building containing more than one residential unit shall provide for convenient indoor bicycle storage or parking.
- (16) Any new building containing non-residential use shall provide exterior parking for bicycles near the entrance(s) to the non-residential use.

- B. Notwithstanding the other provisions contained in this Town of Randolph Zoning Ordinance, including the provisions contained in the Table of Allowable Activity, the following shall require a Special Permit from the Randolph Town Council:
- (1) A mixed-use development that will contain 25 or more newly-created dwelling units on a single lot of land or on two (2) or more contiguous lots in joint ownership.
 - (2) A mixed-use development that will include any newly-created residential dwelling unit(s) in any structure where the structure is greater than two and one-half (2 1/2) stories in height.
- C. Notwithstanding the other provisions contained in this Town of Randolph Zoning Ordinance, including the provisions contained in the Table of Allowable Activity, the Town Council shall be the Special Permit Granting Authority for special permits required under subsection 200-11.2(B). When a special permit is required for a mixed-use development under that subsection, the Town Council shall also serve as the Special Permit Granting Authority for any other special permits required for that mixed-used development. The Town Council shall conduct Site Plan and Design Review for any project that requires a special permit under subsection 200-11.2(B).
- D. Site Design Standards For Mixed-Use Developments.
- (1) To the extent practicable, street level frontage shall be devoted to entrances, open space amenities and non-residential use windows.
 - (2) In the portions of a mixed-use development that contain new non-residential or mixed-use construction, ground floors should be a minimum of eleven (11) feet from floor to ceiling to enhance the pedestrian streetscape, regardless of the overall building height.
 - (3) Internally illuminated plastic or fiberglass cabinet (“can”) signs are prohibited. Where internal illumination or back-lighting is proposed, solid letters (reverse channel) are a preferred alternative.
 - (4) Clear pedestrian pathways shall be provided between buildings on the same lot and between buildings on adjacent lots to ensure continuous safe pedestrian access.
 - (5) Where a mixed-use development abuts a residential neighborhood, appropriate transitional features shall be used and may include landscaping, open space or parks, or streets with clearly designed pedestrian features.

E. Subsidized Housing Inventory - Affordability.

For mixed-use developments that contain greater than 10 residential units, the mixed-use development project must include affordable housing units as specified below:

- (1) Ownership Units. For all mixed-use developments where the Affordable Units proposed are Homeownership Units, not less than twenty percent (20%) of the total housing units constructed in the mixed-use development shall be Affordable Units.
- (2) Rental Units. For all mixed-use developments where the Affordable 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 Units;
- (3) For purposes of calculating the number of Affordable Units required within a mixed-use development, any fractional unit of 0.5 or greater shall be deemed to constitute a whole unit.
- (4) All Affordable Units shall be integrated with the rest of 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) Affordable Units shall comply with Massachusetts Executive Office of Housing and Livable Communities' requirements for counting those units towards the Town of Randolph's Subsidized Housing Inventory.
- (6) Final occupancy permits shall not be issued for a mixed-use development until the Affordable Units in the development have been secured through affordable housing restrictions recorded at the Registry of Deeds, and, if applicable, the regulatory agreement has been recorded with the Registry of Deeds, and copies of the recorded documents have been provided to the Town Council and the Building Commissioner. If a special permit is required for the mixed-use development, the special permit shall incorporate this requirement.