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TOWN CLERK-NATICK

Highway Mixed-use – I (HM-I) Zoning District Amendments
DRAFT dated January 11, 2023
Sponsor: TBD

1. To amend the Natick Zoning Map, as follows:

- Rezone the parcel identified by the Town Assessor's records as 17-00000008 (0 Lakeshore Campus Drive) from Industrial-II (I-II) to Highway Mixed-I (HM-I)
- Rezone the parcel identified by the Town Assessor's records as 17-0000005C (24 Superior Drive) from Commercial-II (C-II) to Highway Mixed-I (HM-I)
- Rezone the respective frontage of 17-0000009A (1 Lakeshore Campus Drive), 17-0000009B (13 Superior Drive), 17-0000005C (24 Superior Drive), and 17-0000005A (30 Superior Drive) of each parcel frontage to the centerline of the roadway as Highway Mixed-I (HMI-I).

2. Amend Section III-B to allow for the clarification of types of parcels, and clarification of what is allowed in the HM-I Zoning Districts.

III-B HIGHWAY MIXED USE - (HM-I) DISTRICTS USE REGULATIONS

~~Only those uses provided for below are permitted or allowed in a Highway Mixed Use – I (HM-I) District. To the extent permitted by law, all other uses are prohibited.~~

1. Permitted Uses for Small Parcels

Small Parcels are parcels of land Highway Mixed Use – I (HM-I) Zoning District that contains two hundred thousand (200,000) square feet of land or less comprises as either a single parcel or multiple parcels that are in common ownership (parcels may be separated by a public street, public utility easement, or Town accepted right of way.

~~a. Permitted Uses~~ The following uses are permitted as of right with site plan review on ~~all premises~~ Small Parcels in the in HM-I Districts:

- ei. Any use permitted as of right in Industrial Two (IN-II) Districts.
- ii. Indoor Wireless Communications Facility (IWCF). (Art. 30, Fall ATM, 10/8/98)

~~b. 2. —~~ The following uses are permitted by a special permit and site plan review on Small Parcels in the in HM-I District:
~~Allowed Uses. The following uses are permitted on all premises in the HM-I District provided that a Special Permit is obtained from the Special Permit Granting Authority (SPGA) in accordance with the requirements of this Bylaw. (Art. 29, Fall ATM, 10/8/98)~~

- ei. Any use permitted with a Special Permit in Industrial Two (IN-II) Districts.
- ii. Licensed Nursery Schools and/or Daycare Centers (Art. 16, 1987 ATM, 10/6/87)
- eiii. Wireless Communications Facility, including only a BMWCF, an AWCF, and co-locating a WCF on an existing free standing monopole or lattice tower. (Art. 30, Fall ATM, 10/8/98)

2. Permitted Uses ~~Large Parcels~~ for Campus Parcels :

Campus Parcels are parcels of land that contain two hundred thousand (200,000) square feet of land or more, as either a single parcel or multiple parcels that are in common ownership (parcels may be separated by a public street, public utility easement, or Town accepted right of way. ~~In addition to the foregoing uses, the following uses are permitted in HM-I Districts on premises with minimum lot area in excess of 200,000 square feet and conforming to requirements of Section III B(5) hereinafter set forth:~~

- a. The following uses are permitted as of right with site plan review on Campus Parcels in the in HM-I District
 - ei. Business or professional office or agency; bank or other financial institution; administrative office; clerical office; statistical office; establishment for research and/or development; craft, consumer, professional or commercial service establishment dealing directly with the general public; business training center;
 - ii. (Reserve Space) (Art. 2, S.T.M. #1, 1/23/96);
 - iii. (Reserve Space) (Art. 2, S.T.M. #1, 1/23/96);
 - iv. The storage and parking of motor vehicles, with no provision for operations incidental to the servicing of such vehicles;
 - ev. Printing or publishing establishment;
 - fvi. Restaurant, tearoom, lunchroom or other eating establishment serving food and beverages on the premises, and/or serving food and beverages and providing live or mechanical entertainment, and/or servicing customers outside of the building and/or serving premises of a hotel with or without accompanying entertainment, including without limitation all restaurants, cocktail lounges, room service facilities, and meeting and function rooms on hotel premises; provided any portion of a structure dedicated to such use is located at least one hundred (100) feet from the nearest residentially zoned district;
 - gvii. Library; museum;
 - hvi. Hotel; motel.
- b. The following uses are permitted by a special permit and site plan review on Campus Parcels in the in HM-I District: ~~Allowed Uses Large Parcels: In addition to the foregoing uses, the following uses are permitted in HM-I Districts on premises with minimum lot area in excess of 200,000 square feet and conforming to the requirements of section III B (5) hereinafter set forth provided a Special Permit is obtained from the Special Permit Granting Authority (SPGA) in accordance with the requirements of this Dylaw (Art. 29, Fall ATM, 10/8/98):~~
 - ei. Indoor and/or outdoor amusement or recreational uses, excluding outdoor movie theaters, provided that any portion of a structure dedicated to such uses is located at least one (100) feet from the nearest residentially zoned district and that golf shall be by natural light only;
 - ii. Private landing area to be used solely for the landing, taking off and storage of helicopters.

53. Intensity Regulations - Large Parcel Uses:

Small Parcels and Campus Parcels shall comply with Section IV.B Intensity Regulations by Zoning District, unless modified below.

~~Where uses exist or are proposed which are permitted by Sections III-B (3) or III-B (4) hereof, the following intensity regulations shall apply in lieu of the intensity regulations set forth in Section IV-B. (Where no such uses exist, the applicable intensity regulations of Section IV-B shall apply. Furthermore, the general requirements of Section IV-A of these By-Laws shall apply).¶¶~~

- ~~a. Minimum lot area: 200,000 square feet.¶¶~~
- ~~b. Minimum continuous frontage: 200 feet.¶¶~~
- ~~c. Minimum depth: 200 feet.¶¶~~
- ~~d. Minimum front yard: 85 feet (excluding staircases, ramps and other facilities required by law for the safe use of the structure).~~
 - a. Campus Parcel Floor area ratio (FAR): FAR of 0.5.
 - b. Small and Campus Parcels: Notwithstanding the provisions of this Section III-B.5.e, the SPGA may by Special Permit modify the side and rear setback requirements for Large Parcel Uses if the SPGA finds that said modification is consistent with Section 104, Purpose of Highway Mixed Use 1 Districts, and adequate separation or screening is provided from existing single family or two-family uses.
 - ec. Campus Parcel ~~minimum side yard and rear yard:~~ Minimum side yard and rear yard: Where side yards or rear yards abut premises used for residential purposes, such yards shall maintain the following depth along said boundaries; one and one-half (1-1/2) times the height of the structure located adjacent to said side yard or rear yard but not less than fifty (50) feet in width. There shall be excluded from the computation of side and rear yard depth, protrusions for staircases, ramps, and other facilities required by law for the safe use of the structure.
- ~~f. Maximum building coverage: 50% including accessory buildings.¶¶~~
- ~~g. Maximum height of buildings: 75 feet.¶¶~~
- dh. Campus Parcel ~~Open space requirements per lot:~~ Open space requirements per lot: A strip of landscaped open space at least four (4) feet in width shall be maintained at all side lot lines and rear lot lines. Along those portions of lot lines that abut residentially zoned districts, there shall be created and maintained a strip of landscaped open space of at least twenty (20) feet in width (including the foregoing strip) for any lot whose area is more than five (5) acres but less than ten (10) acres, with the ten (10) additional feet of width for each additional five (5) acres of lot area, but in no event shall it be required that any such open space be more than fifty (50) feet in width. Moreover, it shall not be required that any such open space be wider than the width of the respective existing side, rear or front yard of the premises, as the case may be, so long as such yard conforms with the requirements of these By-Laws. All such landscaped open spaces may be interrupted for pedestrian, vehicular and utility installation and access. All landscaping shall be constructed and maintained as provided in Section IV-B(x) of these By-Laws. No additional buffers shall be

required under this Section at property lines at which the requirements of these By-Laws for landscaping adjacent to rights-of-way are satisfied.

- e. Small and Campus Parcel - Structures in existence January 1, 1979: Notwithstanding the foregoing requirements, structures in existence on January 1, 1979, and improvements thereto, such as the addition of access and egress facilities, addition of new building facades and the addition of structural supports, shall be deemed to satisfy the requirements of (d), (e) and (g) of this subsection. In addition, any structure in existence on January 1, 1979 may be altered and improved to a height in excess of seventy-five (75) feet so long as such alteration and improvement does not exceed the height of the highest portion of that structure in existence on January 1, 1979.

(Art. 1, S.T.M. March, 1979)

3. Amend Section IV.B Intensity Regulations by Zoning District by adding a new line for HM-I, for Campus Parcels.

Please see attached document

4. Amend Section 324, Intensity Regulations to add a new sub-section deferring compliance for intensity regulations to the underlying Zoning District, HM-I that identify as a Campus Parcel.

- 324.8 FAR for Highway Mixed Use – I (HM-I) Zoning District
Parcels that identify as a Campus Parcel that are in the Highway Mixed Use – I (HM-I) Zoning District shall comply with the FAR outlined in Section III-B.3, Highway Mixed Use – (HM-I) District.

5. Amend Section 325, Open Space Requirement to add a new sub-section deferring compliance for open space requirements to the underlying Zoning District, HM-I for parcels that identify as a Campus Parcel.

- 325.6 Open Space Requirements for Highway Mixed Use – I (HM-I) Zoning District
Parcels that identify as a Campus Parcel that are in the Highway Mixed Use – I (HM-I) Zoning District shall comply with the Open Space Requirements outlined in Section III-B.3, Highway Mixed Use – (HM-I) District.

6. Amend Section 326, Dimensional Regulations to add a new sub-section deferring compliance for density requirements to the underlying Zoning District, HM-I for parcels that identify as a Campus Parcel.

- 326.5 Dimensional Regulations for Highway Mixed Use – I (HM-I) Zoning District
Parcels that identify as a Campus Parcel that are in the Highway Mixed Use – I (HM-I) Zoning District shall comply with the Dimensional Regulations outlined in Section III-B.3, Highway Mixed Use – (HM-I) District.

Attachment §IV-B Intensity Regulations by Zoning District

District Designation	Area	Cont. Frontage	Depth	Front	Side	Rear	Maximum % Building coverage (including Accessory Building)	Maximum Height of Building (c)*	Open Space Requirement per lot
IN-I** & HM-I (Small Parcel)†••••	80,000	200(e)	200	85	100 (b)	100 (b)	50	80 ft. HM-1 – No limit	None
HM-I (Campus Parcel)	200,000	200	200	200 (cc)	(dd)	(dd)	50% (ee)	75	

Section IV-B Footnotes to Intensity Regulations

b. Applies only to premises abutting a residential district (RG, etc.), otherwise for Commercial (C) may be 0 ft. side yard and for Industrial (IN-I) and Highway Mixed Use – (HM-I) shall be 1 ½ times the height of building, but not less than 40 ft. (Art. 45 A.T.M 1962) and (Art. 1 S.T.M. 3/20/79). In the HM-I District, the SPGA may by Special Permit modify side and rear setback requirements if the SPGA determines that a project qualifies for modified side or rear setback pursuant to the last sentence of Section III-B.3.c.

cc. Minimum front yard excludes staircases, ramps and other facilities required by law for the safe use of the structure.

dd. See section III.B.3 of the Natick Zoning Bylaw

ee. May include 50% including accessory buildings.