

## ARTICLE \_\_\_\_\_

### **LITTLETON RAIL TRANSIT OVERLAY DISTRICT**

#### **Section \_\_\_\_\_: Purpose and Intent.**

A. The Littleton Rail Transit Overlay District Zoning Bylaw (the “Littleton RTOD”) is hereby established:

- to encourage a mix of moderate and high-density development within walking distance of transit stations to increase transit ridership;
- to provide housing options which are sufficient to meet the needs of households at varying income levels and different stages of life;
- to promote high quality, sustainable design that reinforces and enhances neighborhood identity and minimizes negative impacts on the environment;
- to create a pedestrian-friendly environment that promotes walking, bicycling, and transit use, and encourages reduced vehicle ownership;
- to promote a mix of compatible uses.

B. The Littleton RTOD includes the property identified as R-11, Lot 3-0 and containing approximately 33.94+- acres, as shown on Town of Littleton’s Assessor’s Map in effect on \_\_\_\_\_, 2022. The Littleton RTOD shall be superimposed on the other zoning districts existing at the time such that any land in any said underlying zoning district is also included in the Littleton RTOD area shown on the map entitled: “ \_\_\_\_\_ ” dated \_\_\_\_\_ on file with the Town Clerk and hereby made a part of this Article. The benefits and obligations of the Littleton RTOD shall accrue only to proposals for development on those parcels located entirely within the boundary of the Littleton RTOD, as shown on said map

#### **Section \_\_\_\_\_: Zoning regulations in effect; conflict provisions.**

A. The Littleton RTOD shall not restrict, except as set forth below, the rights of any owner who elects to utilize the existing underlying zoning district regulations to develop or redevelop land. If an owner elects to utilize the Littleton RTOD bylaw to develop or redevelop land, the project shall conform to all applicable requirements of the Littleton RTOD, including any regulations or guidelines that may be adopted to support the Littleton RTOD.

B. In the event that an owner/developer elects to utilize the Littleton RTOD to develop or redevelop land, then the underlying zoning in the Town of Littleton Zoning Bylaw (“Bylaw”) and the Littleton RTOD Bylaw (“RTOD Bylaw”) shall together constitute the zoning regulations. All requirements of the underlying zoning districts, such as but not limited to, lot

size, frontage, density, setbacks, height, parking and loading, stormwater control and treatment, and signage, shall govern, unless specifically modified by the RTOD Bylaw.

C. If the provisions of the Littleton RTOD are in conflict with any other section of the Bylaw, the regulations of the RTOD Bylaw shall govern.

D. For all purposes of this Littleton RTOD, the Planning Board is designated as the Special Permit Granting Authority (SPGA). All Special Permit applications made pursuant to the Littleton RTOD shall conform to the requirements of the RTOD Bylaw and Section \_\_\_\_\_ of the Bylaw.

E. The Planning Board may adopt regulations for the implementation of the Littleton RTOD, including, but not limited to design guidelines that support the Littleton RTOD design standards.

F. The Planning Board may elect to vary the dimensional and parking requirements of the Littleton RTOD for any development by Special Permit if, in their opinion, such change shall result in a substantially improved project and will not nullify or substantially derogate from the intent or purposes of this section. This authority continues subsequent to development and occupancy.

Section \_\_\_\_\_: Master Planned Development.

A. The owner/developer of the Littleton RTOD shall, prior to, or simultaneously with, the first application for approval of a site plan and/or special permit pursuant to the Littleton RTOD, file the following with the Planning Board for approval:

- (1) A Master Plan, or preliminary project plan, inclusive of the following:
  - (a) A project narrative describing the proposed development including, without limitation, the number of units, layout of development areas, restrictions, if any, of the proposed project.
  - (b) A Master Concept Plan (“Master Plan”) which shall in a general manner show:
    - (i) The location and areas of proposed development and associated uses;
    - (ii) Proposed open space (usable and natural);
    - (iii) Proposed site access curb cuts off of public ways; and
    - (iv) Proposed building “envelope(s)” where construction is anticipated to occur.
  - (c) The following information for the proposed development:

- (i) Total land area of each development area (building envelope area);
- (ii) Total development limitations, if any, of uses in any developable area;
- (iii) Total maximum development (number of units; square footage/use limitations); and
- (iv) A report/memorandum discussing site circulation and traffic impacts.

The Master Plan shall be approved by a simple majority vote of the Planning Board in order to proceed with the proposed development and, if approved, shall thereafter become the general development plan governing development in the Littleton RTOD. The Master Plan may be amended from time to time by a simple majority vote of the Planning Board by application from the owner/developer to reflect changing development conditions.

- (2) A Developer Obligations summary (“Developer Obligations”) which Developer Obligations may contain, without limitation:
  - (a) Required mitigation (including any traffic demand management initiatives), if any, to address the impacts arising out of the use and occupancy of the proposed project, or if at the time of execution such impacts are not known, the methodology for assessing and addressing such impacts as the development of the Littleton RTOD progresses.
  - (b) Restrictions on development areas and such other development limitations as may be agreed upon.
  - (c) Proposed phasing of the development at the Littleton RTOD, if any.
  - (d) Obligations with respect to pedestrian and vehicular interconnectivity within the Littleton RTOD, if any, to facilitate pedestrian access and circulation efficiencies.
  - (e) The authority of the Planning Board to retain the necessary professionals to assist in their review of development applications, if needed.
  - (f) A satisfactory soil management plan addressing any environmental condition existing on a lot to be included in the Littleton RTOD.
- (3) The Developer Obligations shall govern the implementation of the Master Plan and development at the Littleton RTOD and shall be included, as appropriate, in any site plan/special permit decision(s) relating to the Littleton RTOD.
- (4) The Developer Obligations shall be incorporated by the Planning Board, as appropriate, into any site plan/special permit decision relating to the development

of the Littleton RTOD. Recognizing that the Littleton RTOD shall be developed in phases, the Planning Board may, in permitting any phase, allocate the appropriate aspects of the Developer Obligations, as appropriate, to any particular phase. The failure of any phase to be completed and/or to perform any of the obligations shall not result in the default or liability therefore for any owner/developer of prior or future phases. The Planning Board shall be authorized to issue to the owner/developer of any phase a certificate of completion of obligations attesting to the satisfaction of any Developer Obligations assigned to any phase.

B. Eligible Uses

Except as specifically set forth below, all uses permitted in Residence District (R) or Mixed Use Districts Village Common (VC) Zoning District either as of right or by special permit in accordance with §173-26 of the Zoning Bylaw are permitted in the Littleton RTOD. If a use requires a Special Permit under §173-26, Table of Use Regulations, such use shall continue to require a special permit under this Section.

- (1) The following additional uses are also permitted BY-RIGHT in the Littleton RTOD:
  - (a) Multi-family dwelling units sufficient to permit the Town to include the RTOD for approval under MGL Chapter 40A§3 and the regulations issued from time to time thereunder for “MBTA Communities”.
  - (b) Independent; assisted and skilled care (ie. nursing homes and memory care) units.
  - (c) Personal or consumer service establishments accessory and complimentary to the other principal uses at the property.
  - (d) Restaurants, excluding drive-through windows or service and shall not exceed 10,000 square feet of gross floor area in total.
  - (e) Retail establishments not to exceed 2,000 square feet of gross floor area in total.
  - (f) Business, professional or general office.
  - (g) Bank.
  - (h) Health Club.
  - (i) Commuter parking, up to 200 spaces.
- (2) The following additional uses are also permitted BY-SPECIAL PERMIT in the Littleton RTOD:

[TO BE DISCUSSED]

C. Dimensional Requirements

The Littleton RTOD shall be subject to the dimensional standards in accordance with Article VII of the Bylaws with the following exceptions:

- (1) The Littleton RTOD may consist of one or more lots. There is no minimum acreage requirement for a development in the Littleton RTOD.
- (2) Minimum Lot Frontage (in the Littleton RTOD “Lot Frontage” shall mean frontage on any internal drive/way/road approved by the Planning Board for the Littleton RTOD) measurement shall be no less than \_\_\_\_\_ feet for any lot wholly located within the boundaries of the Littleton RTOD.
- (3) Minimum Front Yard measurement shall be no less than \_\_\_\_\_ feet for any lot wholly located within boundaries of a Littleton RTOD.
- (4) Minimum Side Yard measurement shall be no less than \_\_\_\_\_ feet for any lot wholly located within the boundaries of a Littleton RTOD.
- (5) Minimum Rear Yard measurement shall be no less than \_\_\_\_\_ feet for any lot wholly located in the boundary of a Littleton RTOD.
- (6) No less than \_\_\_\_\_ feet shall separate the structural side wall of any two or more structures within the Littleton RTOD, even if on separate lots. No less than fifteen (15) feet shall separate any area behind and or between structures, and fire suppression vehicles shall have clear and adequate access to all structures.
- (7) Maximum building height in Littleton RTOD shall not exceed \_\_\_\_\_ stories; a structure located within \_\_\_\_\_ feet from the property line of a directly abutting parcel in a residentially zoned district shall not exceed two and one-half (2 ½) stories in height.
- (8) Maximum Lot Coverage shall be calculated on the entire land area of the Littleton RTOD and not on an individual lot basis, and shall not exceed \_\_\_\_\_ percent of the total area of the Littleton RTOD.

D. Parking Requirements

Except as otherwise provided in this section, parking and circulation requirements shall conform with the provisions of Article VII – Parking and Loading Requirements of the Bylaw.

- (1) General - In the Littleton RTOD adequate off-street parking shall be provided. The Planning Board and the owner/developer shall have as a goal for the purposes of defining adequate off-street parking, making the most efficient use of the

parking facilities to be provided and minimizing the area of land to be paved for this purpose.

- (2) Parking Locations - Parking may be provided at ground level, underground or in a parking garage. Parking garages can be free standing or as part of buildings dedicated to permitted uses.
- (3) Parking Spaces for Each Dwelling Unit – Parking shall be established in accordance with approval of the development of the site. Where feasible, sharing of parking shall be encouraged among the various uses in the Littleton RTOD.
- (4) Granting of Relief from Parking Regulations - The Planning Board may waive any of the foregoing requirements or the requirements of Section §\_\_\_\_ if it makes a finding that to do so will enhance the overall design of the Littleton RTOD.

E. Signage

Except as otherwise provided in this Littleton RTOD, signage shall conform with the provisions of Article VIII of the Zoning Bylaw.

- (1) Granting of Relief from Signage Regulations - The Planning Board may waive any of the requirements of the Sign Bylaw if it makes a finding that to do so will enhance the overall design of the Littleton RTOD.

F. Application

An application for a Special Permit for a development in the Littleton RTOD shall comply with the requirements of §173-7 et. seq. of the Bylaw. In the matter of a Site Plan Approval, the application shall comply with the requirements of the Bylaw, Article IV, Site Plan Requirements, §173-16 et. seq.

The Planning Board in connection with a Special Permit application shall review such applications with respect to the following design criteria:

- (i) Compliance of sidewalks with Americans with Disabilities Act (ADA) Design Standards;
- (ii) Street façade and exterior walls visible from public ways;
- (iii) Public space;
- (iv) Scale of buildings; and
- (v) External Lighting

Concurrent with any public hearing/meeting associated with a special permit and/or site plan filing, the owner/developer shall make a presentation to the Planning Board to

present the proposed architectural design and shall consider the comments and input from the Planning Board. A building elevation shall be submitted prior to the close of the public hearing/meeting.

**G. Standards for Roadways and Drainage**

- (1) Roadways – Internal Littleton RTOD roadways shall be private ways and shall be maintained by the owners/developers of the Littleton RTOD and portions thereof. Private ways within the Littleton RTOD, to the extent feasible, shall be constructed using the methods and materials prescribed in the Rules and Regulations for the Subdivision of Land in the Town, but shall not be required to conform to the dimensional or material requirements thereof, provided that those private roadways shall be adequate for the intended vehicular and pedestrian traffic and shall be maintained by the owner/developer or an association of owners.
- (2) Storm Water Management System - The Littleton RTOD shall have a storm water management system designed in accordance with the Rules and Regulations for the Subdivision of Land in the Town and the Department of Environmental Protection’s Storm Water Management Guidelines, as amended. This system shall be privately maintained.

**H. Amendments**

After approval, the owner/developer may seek amendments to the approved permits. Minor amendments to a Special Permit may be made with approval by the Building Inspector. A major amendment, consisting of any changes not approved as a minor amendment, shall be approved by a majority vote of the Planning Board at a public hearing. If amendments are referred to the Planning Board by the Building Inspector, it shall be a finding of the Planning Board, not subject to dispute by the applicant, whether a requested amendment is deemed to be a minor or major amendment. In general, a minor modification shall not produce more than an immaterial increase in the scale of a project nor produce more than an immaterial increase in impact on Town services, the environment or the neighborhood. If it is determined that revisions to a Special Permit are not minor, an application for a amended Special Permit shall be filed, and a public hearing shall be held in the same manner as required for a new application.

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