MEMORANDUM

TO: Maren Toohill, Town Planner
Michael Zeldin, Master Plan Implementation Committee (MPIC) Chairman
Anna Hueston, Planning Board / MPIC Vice-Chair
FROM: Julie Conroy, Emma Troller; Fort Point Associates, Inc.
RE: Littleton Revitalization Project: Form-Based-Code Vs. Zoning Code
DATE: September 20, 2018
CC: Kennan Largesse, Tim Love; Utile
Dan Bartman, Town of Somerville
Rod Motamedi, UMass Donahue Institute

This memo provides a comparison of relevant aspects of the Town of Littleton Zoning Code and relevant templates for Form-Based Code, with respect to the Littleton Common Revitalization Project (the “Project”). The Project area of analysis essentially includes the Village Common Business District, and portions of the Industrial District, as shown in the adjacent graphic.

Although the zoning assessment for the Project is not yet complete, a preliminary zoning analysis was conducted to inform the Scenario planning task associated with the Project. A total of four initial planning scenarios were developed utilizing selected, representative parcels from the area of analysis. According to results of the Revitalization Design Workshop, the “preferred” planning scenario the Team should use to inform zoning changes is Scenario 3, which includes a Common with wastewater sewer system, allowed mixed uses, and changes to zoning that reflect a higher density and scale of development (see adjacent graphic).
1. BACKGROUND

The Project planning team: Fort Point Associates, Inc., Utile, and UMass Donahue Institute (the “Team”) is prepared to submit a proposal to amend the current scope of work for the Littleton Common Revitalization Project, to include the development of a Form-Based Code for the Common. During the initial stages of the Project, the Team became mindful of the fact that the community’s interests, priorities, and visions for the area may be better supported by Form-Based Code (“FBC”) zoning than modifying the current Euclidian Zoning utilized by the Town. Rather than amend the existing zoning code to merely allow for the preferred planning scenario uses and dimensions (see adjacent graphic). The Team has explored whether FBC zoning would ensure that the preferred density, lot and building design, and climate resiliency/sustainability desired by the Town can easily be achieved.

2. DEFINITIONS

It’s important to first define both Euclidean (traditional) and Form-Based Code zoning, and explain the key differences between the two varying concepts prior to presenting a comparison, as follows:

- Euclidean Zoning: Is single-use zoning that became known as “Euclidean” due to a landmark court case in Euclid, Ohio, establishing constitutionality (Village of Euclid, Ohio v. Ambler Realty Co. 272 U.S. 365, 1926), which focuses on the type of use allowed on the land, based on the notion that each space should have one, singular use. Typical zoning segregates different land uses (e.g., residential, commercial, industrial) and establishes dimensional use requirements for each type (e.g., building height, setback from the street, parking, etc.).

- Form-Based Zoning: Regulates land development by using physical form (rather than separation of uses) as the organizing principle for a zoning code with the goal of fostering predictable built results and a high-quality public realm. It can be implemented in a variety of ways, but it is typically created via the development of a new code, accompanied by a zoning plan (outlining the zoned area) and a set of design-based regulations.

3. COMPARISON

The comparison regarding the use of the existing zoning base - with changes - versus creating a Form-Based Code package, is based upon the Team’s preliminary analysis, as well as feedback received from municipal representatives, MPIC members, property owners, and Workshop participants.

While the zoning amendments approved by the Town in 2010 afforded a good start to incentivizing mixed use development and guiding building design, these amendments still lack specificity with respect to desired density and scale of development in the Common as a whole (see adjacent graphic). This uncertainty could result in undesired outcomes such as development with a historic building feel...
(as guided in the amendments), without proper scaling, sizing, and layout that is compatible within a dense village area. The adjacent graphic illustrates current zoning allowances for example parcels immediately abutting the Common.

Additionally, the rigidity of the existing Euclidean code can exacerbate issues ranging from segregation to automobile dependency. Littleton’s current zoning – even with the aforementioned amendments – could still discourage certain types of mixed-use development schemes, increase the cost of new developments (e.g. parking requirements and building form), and may limit the redevelopment potential of existing land uses and structures that do not currently conform. For instance, while the 2010 zoning amendment encouraged mixed-use in spirit and text (specifically multifamily housing), no mixed-use developments have been developed since the bylaw was enacted.

Under the current zoning code, developers that wish to build within the Village Common Business District are required to come before the Planning Board or Zoning Board of Appeals for most projects, which places the burden upon each Board member to understand all elements of a in relation to allowed uses and design dimensions. This type of approval process could lead to discrepancies that inadvertently degrade the vision for the Common: a walkable, sustainable, vibrant neighborhood. Additionally, some uses require approval by the Planning Board, while others require approval by the Zoning Board of Appeals, which can lead to further inconsistencies as each Board attempts to implement the desired vision independently. With a FBC in place a project can be approved as-of-right, and if a developer follows the Code, the vision is assured to be realized.
4. RECOMMENDATION

The Team proposes the development of a FBC for the Common for the reasons previously outlined. The FBC will create a predictable public realm by including specific standards for the design of streets and open spaces, ensure appropriate mix of uses, and encourage strong relationships between buildings and their context. As described in the proposal scope of work (attached), the established FBC would include the elements listed below.

- Form-Based Zoning Code: a separate Article to be incorporated into the existing Zoning Code or a Separate Zoning Ordinance can be developed that includes the following elements:
  - Overview: including purpose, intent, definitions, and principles, as well as a user-friendly description of the regulations and process, and
  - Administration: establishing how the Code will be implemented and enforced;

- Regulating Plan: The creation of a district-specific plan of the Common helps to illustrate the types of mixed-uses the Town desires within the Common and establishes the district in which the code refers to.

- Regulations: a critical component of the FBC is developing accompanying regulations to guide the Town and developers in achieving the vision for the Common. The regulations can include a number of varying sections, but typically they include the following key elements:
  - Building design standards that governing building form, placement, and fundamental elements to ensure that all buildings are compatible with
the surrounding neighborhood and the street; inclusive of illustrative graphics and photographs depicting the type of design elements desired; and

- Public spaces/street scape standards that balance the needs of motorists, pedestrians, bicyclists, and transit riders while promoting a vibrant public realm; inclusive of graphics depicting design of sidewalks, travel lane widths, parking, curb geometry, trees, and lighting.

This memo, or the contents therein, can be distributed to the Planning Board members prior to the Team’s presentation on September 20, 2018, as reference.

Please feel free to contact us with any questions.