Hamilton Town Center & Section 3A Zoning

Public Hearing May 20, 2025



Public Hearing May 20, 2025

Presentation (20 min)

1. Timeline and Process

2. Understanding Zoning

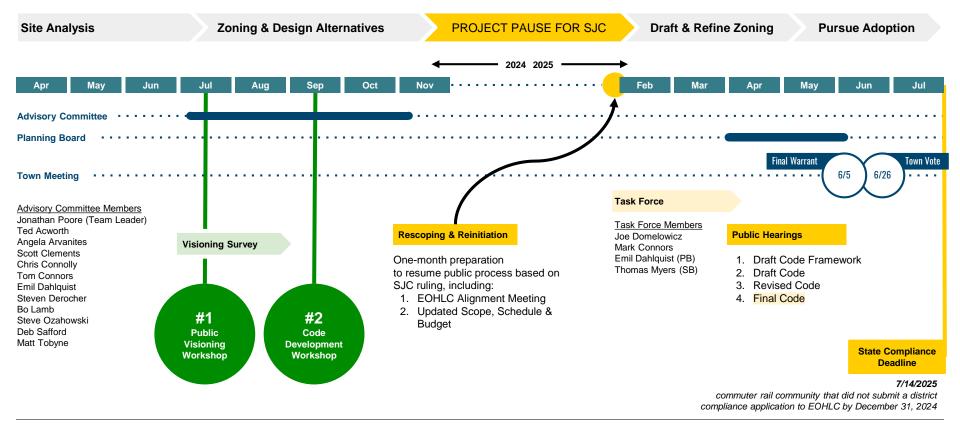
3. Proposed Zoning

- a. Overview of Districts
- b. Comparison to Existing Zoning

4. Next Steps

Planning Board & Public Comments (~1 hr)

Revised Schedule



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Remaining Public Process

1. Draft Code Framework: April 1

This Planning Board meeting focused on presenting the draft code framework developed with the Task Force to orient the Planning Board. The first full written draft of the code was shared as a follow-up to the meeting. This was the first opportunity for public comment on the code.

2. Draft Code: April 8

This meeting was an opportunity for more detailed feedback from the Planning Board on the full draft code.

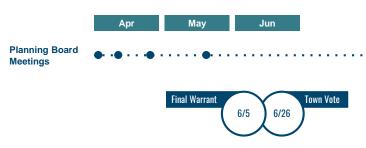
3. Revised Code: April 29

This Planning Board and Select Board meeting will be the final opportunity for substantive Planning Board comment on the code.

1. Final Code Public Hearing: May 20

This Planning Board meeting, ideally a joint meeting with the Select Board, will serve as a handoff from the Planning to the Select Board as well as the final opportunity for public comment on the code.

Note: code needs to be final and go to warrant by no less than 2 weeks prior to Town Meeting. Suggest 6/5 as a target date.



Understanding Zoning

Understanding "By-Right" Zoning

The strength of zoning that incorporates form-based rules is that it adds specificity and teeth to the zoning compliance and design review addressed under Site Plan Review.

Zoning is only one piece of what needs to be addressed for development to move forward. Here are some of the other elements that control development beyond zoning:

Economic Feasibility

Land value, site complexities, labor costs, market interest, and design and approval process expenses all play a big role in determining whether a development is economically feasible.

Environmental Permitting

Determines if development can proceed based on site constraints.

This includes, at minimum:

- Septic system review (by Board of Health)
- Wetlands permitting (by Conservation Commission if applicable)

In all cases, the developer will be responsible for preparing and paying for impact studies and evaluations associated with site plan review and permitting, as well as any improvements that are deemed necessary, which must be specific to their site and development proposal.

Building Code

Building code ensures all buildings are safe and healthy to occupy, durable, and resilient to known shocks and stressors.

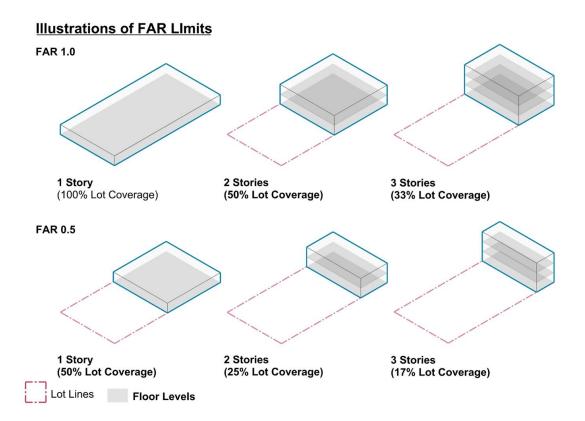
Site Plan Review

Ensures permitted development meets standards through a public review process with comment.

- <u>Zoning Compliance</u>: verification that a project meets the applicable zoning requirements with the advice of Town staff, including all design standards set by a form-based code, such as but not limited to:
 - Height
 - Coverage
 - Setbacks
 - Floor to Area Ratio (FAR)
 - o On-site parking
 - $\circ \quad \text{Roof form} \quad$
 - Entry and facade relationship to the street
- <u>Design Review</u>: to ensure an acceptable solution to qualitative and contextual impact issues like:
 - Traffic and other impact analysis
 - Safe vehicular and pedestrian access / egress
 - Appropriate site drainage
 - Appropriate screening of nearby properties
 - Architectural design review

Note: The scope of Site Plan Review is limited to imposing reasonable terms and conditions on the proposed use, consistent with applicable case law. This review cannot unreasonably delay a project nor impose conditions that make it infeasible or impractical to proceed.

Floor Area Ratio (FAR)



Floor Area Ratio (FAR) in the Town Center Districts

What is Floor Area Ratio (FAR)?

The Floor Area Ratio of a development is measured by dividing the Gross Floor Area of buildings by the lot area.

Gross Floor Area is the sum of the areas of all floors of the building, not including basements, attics, or interior parking areas, measured from the exterior faces of exterior walls.

A half story that meets the dormer requirements listed in 9.8.2.2 (j) is counted in FAR calculations as half of the floor area of the full floor below.

In this example, the Floor Area Ratio of the development is calculated as follows:

Floor Area Ratio = Gross Floor Area / Lot Area = (2,400 sf x 3.5 + 2,100 sf x 2.5) / 30,000 sf = 0.46

If the maximum allowed FAR of the zoning district where this parcel is located is 0.5, then this development would be compliant.

If the maximum allowed FAR is 0.4, then the development would not be compliant.

3.5-story building with
2,400 sf floor plate
on each story

- 30,000 sf lot

2.5-story building with
2,100 sf floor plate
on each story

Lot Lines Floor Area - Full Floor Floor Area - Half Floor

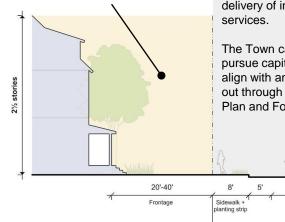
Understanding the Limits of Zoning

The role of building frontages versus public and infrastructural capital projects

Private Street Frontage

This is the domain of zoning

Form-Based Code is very effective at controlling how private property owners design buildings and site elements in relationship to the street. This is referred to as a property's "frontage" on a street, path or even a rail right-of-way.



Public Right-of-Way Zoning doesn't apply here

Form-Based Code (and zoning more generally) cannot control the design of the publicly owned street, nor can it mandate the private or public delivery of infrastructure and services.

The Town can, however, choose to pursue capital investment plans that align with and reinforce the vision laid out through the Town Center Vision Plan and Form-Based Code.

24'

Two-way

Vehicle Lane

~48' ROW

5' 6'

Sidewalk

15'-20'

Frontage

stories

21/2

Existing Zoning Subdistricts

We will plan to conduct a net new analysis relative to existing buildings, what the <u>current base zoning</u> allows, and what the proposed zoning would allow.

B (Business)

Use: allows MF on upper floors 35' height / 3 stories / 75% bldg coverage

Setbacks & Buildable Lot: ZBA

R-1A (Residence District)

Use: Single Family, MF prohibited 20,000sf min lot size / 125' frontage 35' height / 3 stories / 25% bldg coverage

Setbacks (F/S/R): 25' / 15' / 15'

R-1B (Residence District) Use: Single Family, MF prohibited 40,000sf min lot size / 175' frontage

35' height / 3 stories / 25% bldg coverage

Setbacks (F/S/R): 25' / 15' / 15'

RA (Residence Agricultural District) Use: Single Family, MF prohibited 80,000sf min lot size / 175' frontage 35' height / 3 stories / 25% bldg coverage

Setbacks (F/S/R): 25' / 15' / 15'

Note: this is a rough transcription of Hamilton's existing zoning map. It does not include overlay districts and precise boundaries may be slightly off where the boundaries do not align with parcel boundaries:



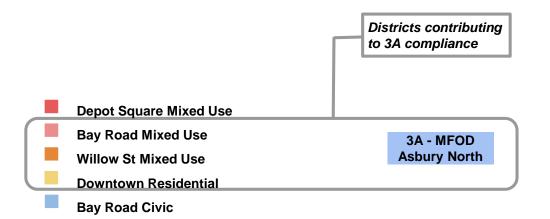
When do you need to come into conformity with new zoning?

Current Bylaw Section 5 : Nonconforming Uses and Structures

- Nonconforming **Uses** ZBA required for expansion or change
 - No proposed changes in new zoning
- Nonconforming **Structure** Single and Two Family Structures with nonconforming lot sizes **or** non-conforming structures may propose alterations which do not require a special permit
 - No proposed changes in new zoning, but additional language has been added to clarify what comprises a nonconformity relative to new dimensional standards

Proposed Zoning

Overall Zoning & Compliance Approach



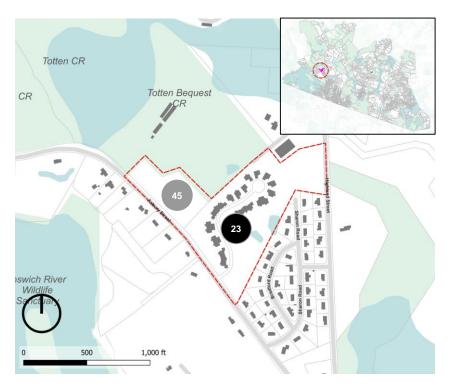
<u>New Base Zoning</u> Town Center Zoning with Design Standards

This to includes 5 subdistricts, each with distinctive patterns and standards. This would replace existing zoning in these areas.

Overlay 3A Multi Family Overlay District

The Asbury subdistrict outside of the boundaries of the Town Center provides the final piece of the puzzle to meet 3A requirements. Outside of the Town Center, this would be an alternative to existing zoning.

3A-MFOD Asbury North





Key Stats	
Acres	19.1
Density Denominator	16.4
Existing/Planned Units	68
Existing Density (with DD)	4.1 units per acre
Current Use	Housing
Current Ownership	Private
Potential Issue	
Groundwater Protection Overlay District (GPOD) Interaction	All Parcel Have Some 1985 + Fully Zone II Min lot size 80k sf Impervious surface 15% / 2,500sf triggers SP

Notes:

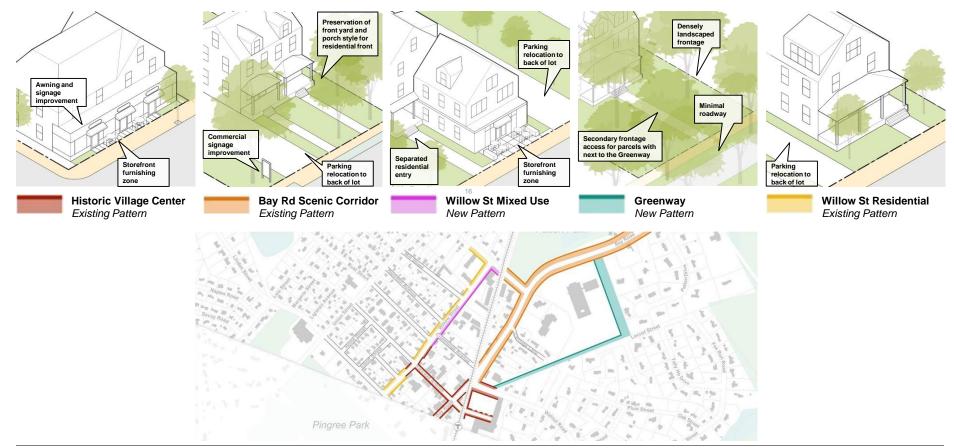
• 23 existing condo units on one parcel, 45 units permitted via 40B are moving into construction on the other parcel

Town Center Proposed Street Frontage Types

5 frontage types



Proposed Frontage Types



Town Center Zoning Subdistricts



Town Center Zoning Subdistrict Standards

Subdistricts and dimensional standards for the Town Center zoning



Town Center Subdistricts Contributing to 3A

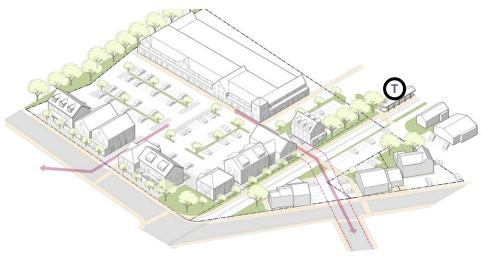
All three of these, as shown, can contribute to 3A compliance, when combined with other 3A overlay subdistricts outside the Town Center.





Town Center Subdistricts NOT Contributing to 3A

These two Town Center Subdistricts will NOT contribute to 3A, and therefore are independent of the constraints of 3A.



Pingree Park Key Map

atton Par



Depot Square Mixed Use

Lets Test How Zoning Matches Up to Actual Properties

Lot Area, Lot Frontage, & Lot Coverage

Testing these three metrics; minimum lot area per dwelling, minimum lot frontage, and maximum lot coverage.

These three metrics are all partially responsible for controlling how built-up Hamilton feels - how frequently buildings occur and how large they can be.

	R-1a	R-1b	RA	В
Minimum Lot Area per Dwelling Unit (sq. ft.)	20,000	40,000	80,000	ZBA1
Minimum Lot Frontage (ft.)	125	175	175	ZBA ₂
Minimum Lot width and depth (ft.) (for Dwellings, see also Sections 4.2.2, 4.2.6 and 4.3)	100 at building	100 at building	100 at building	ZBA3
Maximum Building Height (ft.)	35	35	35	35
Maximum number of Stories	3	3	3	3
Maximum Building coverage of Lot (%)	25	25	25	754
Minimum Front Yard (ft.) (See also Section 4.2.4)	25/505	25/505	25/505	25/505
Minimum Side Yard and Rear Yard (ft.)	15	15	15	ZBA ₆

Existing Zoning Does not Represent Hamilton



76% of lots in the Study Area are smaller than the minimum lot size for parcels with at least one dwelling unit.

These are all considered "nonconforming lots" because they do not meet current zoning standards.

If you were to consider existing lots with multiple units, it is likely that even more lots are nonconforming.

Existing Zoning - Nonconformity

The existing zoning is poorly matched to Hamilton's fabric and built conditions. The zoning allows for much larger homes and requires lots that are out of scale with the community.

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Existing Zoning - Minimum Lot Area

The existing zoning requires a minimum of 20,000 square feet per a dwelling unit. The example lot to the right which is larger than all of its neighbors, is only 18,700 square feet.

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Existing Zoning - Minimum Lot Frontage

The existing zoning requires a minimum of 125' of lot frontage. The example lot to the right, again larger than all of its neighbors, is still only 83'.

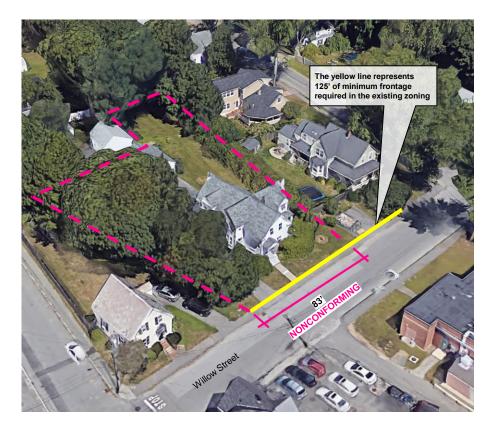
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Existing Zoning - Maximum Lot Coverage

The existing zoning allows up to 25% lot coverage. While this metric does not create a non-conformity for this property, it can allow buildings that are drastically out of scale with their surroundings.

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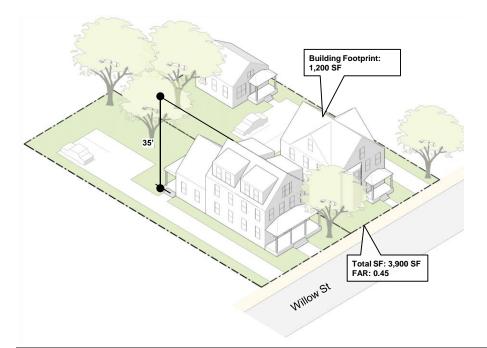
A lot of 18,700 SF would be allowed to have a building with a footprint of 4,675 SF, significantly larger than the existing homes and its neighbors.

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New Zoning - Existing Fabric

The new zoning is designed to look like Hamilton. It is tailored to match Hamilton's fabric and scale. It brings existing buildings into conformity and allows contextual future growth.





Existing Zoning - Non-Conformity

The existing Business District zoning carries the same lot and frontage dimensional constraints as R-1a for buildings with dwelling units. Here again a relatively large lot fails both tests.

TABLE OF DIMENSIONAL REGULATIONS

	R-1a	R-1b	RA	В
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Minimum Side Yard and Rear Yard (ft.)	15	15	15	ZBA_6

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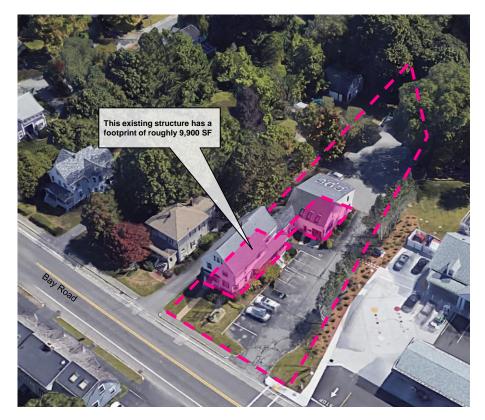
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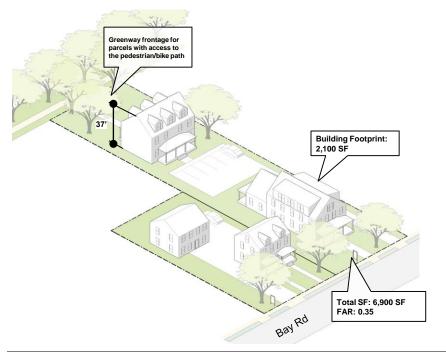
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Next Steps

Known Areas of Planning Board Comments

- 1. Special Permit Granting Authority
- 2. Additional Use Table changes
- 3. Applicability/nonconforming section

Will be addressed in a revised final draft to be issued on 5/27, provided there is clear direction from the full Planning Board on desired changes.

Outreach

1. Existing vs. Proposed Zoning Comparison Factsheets

Thank You!

Downtown FAR Analysis

