

City of Taunton
TRANSIT-ORIENTED DEVELOPMENT DISTRICT
(TOD) April 30, 2007

Article 1: To add a new Section 19: Transit Oriented Development District

19.0 Transit Oriented Development Overlay District

The purpose of this bylaw is to allow for the redevelopment of a mixed-use pedestrian/transit center (TOD) around the GATRA Terminal/Parcel 6-A (TOD West) and the MBTA Commuter Rail Station proposed for the Arlington Street area (TOD East). The intent of the Transit Oriented Development Overlay District is to promote a lively, prosperous neighborhood center that serves as an attractive place to live, work, shop and recreate with less reliance on the automobile. Specifically, the purposes of the TOD are:

1. To encourage a mix of moderate and high density development within walking distance of transit stations to increase transit ridership;
2. To create a pedestrian-friendly environment to encourage walking, bicycling and transit use;
3. To provide an alternative to traditional development by emphasizing mixed-use, pedestrian oriented development;
4. To create a neighborhood identity that promotes pedestrian activity, human interactions, safety and livability;
5. To encourage building reuse and infill to create higher densities;
6. Reduce auto dependency and roadway congestion by locating multiple destinations and trip purposes within walking distance of one another;
7. To provide a range of housing options for people of different income levels and at different stages of life.

19.1 Powers and Administrative Procedures

The Board of Appeals is hereby designated the Special Permit Granting Authority (SPGA) for an applicant seeking a Transit Oriented Development beyond the base density and or uses. The SPGA shall follow the procedural requirements for special permits set forth in Section 9 of M.G.L Chapter 40A and Sections 3.4 and 3.5 of this bylaw. After notice and public hearing and after due consideration of the reports and recommendations or the other city boards and commissions and or departments, the SPGA may grant a higher density than allowed by-right. The SPGA shall also impose, in addition to any applicable conditions specified in this section, such conditions as the SPGA finds reasonably appropriate to improve the site design and address concerns including but not limited to: water and air quality, other environmental resources, traffic safety and/or other concerns related to the purpose of this section. Such conditions shall be imposed in writing and the applicant maybe required to post a bond or surety for compliance with said conditions in an amount satisfactory to the SPGA.

19.2 Applicability

The provisions of Section 19 shall apply to land identified as the Transit Oriented Development District (TOD) as designated on the zoning map once approved by the Municipal Council.

19.3 Definitions

Transit Oriented Development: A mixed-use district (including retail, office, attached multifamily and single family residential) designed specifically for pedestrian, transit and bike use as, identified as the Transit Oriented Development District and designated on the zoning map once approved by the Municipal Council.

Right Of Way (ROW): A strip of land acquired by reservation, dedication, prescription, or condemnation and intended to be occupied by as street, trail, railroad, waterline, sanitary sewer, and/or other public utilities or facilities.

Townhouse: A one family dwelling unit, with private entrance, which is a part of a structure whose dwelling units are arranged horizontally in a linear arrangement, and having exposed front and rear walls for access, light and ventilation. In a mixed use development a townhouse structure may have parking in the rear and/or commercial uses along the front of the first floor.

19.4 Density and Dimensional Requirements

Within the Transit Oriented Development District the following Density and Dimensional Requirements shall apply:

19.4.1 Transit Oriented Development and Dimensional Requirements	
Minimum lot area (sq.ft.)	15,000
Minimum frontage (ft.)	100
Minimum front setback (ft.)	10
Minimum side setback (ft.)	0
Minimum rear setback (ft.)	10
Maximum height (ft.)	40
Maximum number of stories	3
Maximum lot coverage	85%

19.4.2 The Transit Oriented Development District (TOD) shall contain a minimum of 10,000 sq. ft. for use as a public green or plaza. This green or plaza shall be landscaped, with lighting and other appropriate street furnishings as required by the SPGA.

19.4.3 Lots within the Transit Oriented Development District (TOD) may contain more than one principal building.

19.4.4 In the applicant shall provide a minimum 10,000 gross floor area of commercial/parking space on the ground floor. Parking is limited to a maximum of 60% of the gross floor area of the ground floor.

19.4.5 A base density of four (4) residential units per lot is allowed in the TOD district. These units are intended to be primarily above commercial and parking uses located on the first floor. The SPGA may through the special permit process increase the residential density to a maximum of sixteen (16) units per lot.

19.5 Use Regulations

In the Transit Oriented Development District (TOD) the provisions of Section 5.2 shall be superceded by the following section. Any use not specifically listed below shall be prohibited.

19.5.1 Uses By Right

The following uses in the Transit Oriented Development District (TOD) are allowed by right:

- Residential, Apartments
- Residential, Rowhouse
- Residential, Townhouse
- Bus Terminal / Station
- Parking Garage
- Railroad Passenger Terminal

19.5.2 Accessory Uses By Right

The following uses in the Transit Oriented Development District (TOD) are allowed by right, only as an accessory use to the uses listed in 19.5.1 above:

- Bakeries
- Banks
- Barber/ Hair Salon/ Nails/ Tanning
- Bed & Breakfast
- Day Care Centers / Nurseries
- Eating/ Drinking establishments
- Eating/ Drinking establishments (Take out only)
- Gymnasiums
- Laundries
- Medical & Dental (under 7,999 sq. ft.)
- Museums
- Newstands
- Offices (under 7,999 sq. ft.)
- Photography Studio
- Printing/ Copy/ Retail
- Rental Establishment/
- Retail (under 7,999 sq. ft.)
- Wireless Communication Antenna

19.5.3 Uses by Special Permit

The following uses in the Transit Oriented Development District (TOD) are allowed by the granting of a special permit:

- Assisted Living
- Colleges and Universities
- Classrooms/ buildings
- Community Centers
- Drive Thru Establishment/ Access Drive Thru
- Hotels/ Motels
- Medical &Dental (over 8,000 sq.ft.)
- Offices (over 8,000 sq.ft.)
- Post Office
- Retail (Over 8,000 sq. ft.)
- Theaters

19.6 Other Design Requirements

- 19.6.1** A minimum of 75 spaces shall be provided within the MBTA Commuter Rail Station proposed for the Arlington Street area (TOD East) for the exclusive use of MBTA commuters. This TOD East (Arlington St.) site is intended to be connected to the larger combined parking facilities of TOD West GATRA site by with a GATRA Shuttle service.
- 19.6.2** Developments within the TOD will provide a minimum five (5) foot wide sidewalk along both sides of ROW.
- 19.6.3** All cross walks shall be constructed to provide both a change in color and texture from regular roadway surface. Such changes shall be ADA compliant.
- 19.6.4** Lighting for street shall be limited to 15 feet in height and have shields directing light downward with a total cutoff of all light at less than ninety (90) degrees from vertical.
- 19.6.5** Parking standards for commercial uses may be reduced by 15% to 30% when applicant provides SPGA information showing there are different peak parking demand times by the various uses proposed within the development or the applicant provides financial assistance to GATRA shuttle operations.
- 19.6.6** Parking should be placed to the rear of the building. Residential units shall have a minimum of two parking spaces. Residential parking should be clearly marked or separated from commercial or MBTA Commuter parking.
- 19.6.7** Architectural details of all buildings including texture of wall and roof materials should reflect either the existing historical architecture or neighborhood or traditional New England Architectural features.
- 19.6.8** Buildings shall be oriented parallel or perpendicular to the street.
- 19.6.9** Buildings shall be placed close to the street.

- 19.6.10** Long horizontal facades should be avoided by the incorporating of recesses and projections. Said recesses and projections shall be a minimum of ten (10) feet in width and two (2) feet in depth.
- 19.6.11** The mass, proportion and scale of the building, roof pitch and the proportions and the relationship between doors and windows should be harmonious to the surrounding buildings.
- 19.6.12** Signs shall be simple geometric shapes a maximum size of the two (2) feet by three (3) feet. Colors should be limited to two (2) or three (3) colors that compliment the building.
- 19.6.13** A minimum of 50% of the building's street façade(s) shall contain windows.
- 19.6.14** Complex roofs are encouraged with secondary roofs smaller and lower than the main roofline.
- 19.6.15** When an applicant is creating 5 or more dwelling units, the applicant shall provide a detailed affordable housing report to the SPGA on the current status of the number and percent of affordable units listed under G.L. c 40B sec. 20-23 and the Commonwealth's Local Initiative Program. If the Board of Appeals determines the number of affordable units is below the percentage required under G.L. c 40B the applicant shall provide a minimum of 20% of the total number of units as affordable. An affordable dwelling unit is a dwelling unit available at a cost of no more than 30% of the gross household income of households at or below 80% of the Bristol County median income as reported by U.S. Department of Housing and Urban Development, including units listed under G.L. c 40B sec. 20-23 and the Commonwealth's Local Initiative Program. It is intended that the affordable housing units that result from this bylaw be considered as Local Initiative Program (LIP) dwelling units in compliance with requirements for the same as specified by the Department of Community Affairs, Division of Housing and Community Development and that said units count towards the City's requirements under G.L. c 40B sec. 20-23. A deed restriction on the future resale or maximum leasing or renting charged shall be required by the SPGA.

19.7 Review Criteria

The SPGA shall use the review criteria as described in Section 15.2.5 of this bylaw and shall submit its findings in the written decision.