



Edward M. Augustus Jr.
City Manager

CITY OF WORCESTER

cm2014may06114849

Attachment for Item #

8.4 C

May 13, 2014

TO THE WORCESTER CITY COUNCIL

COUNCILORS:

I respectfully request City Council's review, deliberation, and adoption of the attached proposed Zoning Ordinance and Zoning Map amendment, as received from Michael E. Traynor, Acting Chief Development Officer, and forwarded for the consideration of your Honorable Body.

This proposal replaces a prior *Commercial Corridors Overlay District* Ordinance and Zoning Map amendment of similar scope and focus, which was referred by City Council to the Planning Board on November 26, 2013. While the intent of the revised proposal remains the same – namely to encourage compact, mixed-use, pedestrian-friendly redevelopment of the City's downtown and urban corridors – the proposed ordinance language has been extensively reworked in response to input from residents, business owners, developers, and the Planning Board. Given the extent of the changes, the Planning Board voted 3-0 to recommend that the original *Commercial Corridors Overlay District* Ordinance and Zoning Map amendment be withdrawn and replaced by this modified proposal. I respectfully recommend that this item be referred to the Planning Board to begin the formal consideration process required for all proposed zoning amendments.

Respectfully Submitted,

Edward M. Augustus Jr.
City Manager



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CITY OF WORCESTER, MASSACHUSETTS

Executive Office of Economic Development
Planning & Regulatory Services

Michael E. Traynor
Acting Chief Development
Officer

Stephen S. Rolle
Director

To: Edward M. Augustus Jr., City Manager
From: Michael E. Traynor, Acting Chief Development Officer
Date: May 13, 2014
Re: Revised Zoning Ordinance Amendment Related to Encouraging Compact, Mixed-Use, Pedestrian-Friendly Development

The attached proposed *Commercial Corridors Overlay District* Zoning Ordinance and Zoning Map amendments replace a version of the same currently before the City Council. At their April 30, 2014 meeting, because of the extensive changes proposed to the original proposal, the Planning Board voted 3-0 to recommend that the original CCOD Ordinance and Zoning Map amendment be withdrawn and replaced by this modified proposal. While the intent of the revised proposal remains the same – namely to encourage compact, mixed-use, pedestrian-friendly redevelopment of the City's downtown and urban corridors – the proposed ordinance language has been extensively reworked in response to input from residents, business owners, developers and the Planning Board.

We believe that the proposed ordinance as modified will both receive broader community support and be effective in addressing the original objectives of the Commercial Corridors Overlay District proposal.

I respectfully recommend that this item be submitted to City Council, with a request to forward to the Planning Board to begin the formal consideration process for the modified proposal.

Sincerely,

Michael E. Traynor
Acting Chief Development Officer



AN ORDINANCE AMENDING THE WORCESTER ZONING ORDINANCE ADOPTED APRIL 2, 1991, RELATIVE TO CREATING COMMERCIAL CORRIDORS OVERLAY DISTRICTS, CREATIVE ENTREPRENEUR LOFTS, AND THE ELIMINATION OF THE PARKING OVERLAY DISTRICTS, THE ARTS OVERLAY DISTRICT AND THE MIXED USE DEVELOPMENT OVERLAY DISTRICTS

Be it ordained by the City Council of the City of Worcester as follows:

SECTION 1. Article IX of the City of Worcester Zoning Ordinance, Mixed Use Development Overlay Zone, is hereby amended by deleting it in its entirety and inserting in lieu thereof the following new Article IX Commercial Corridors Overlay District:

ARTICLE IX COMMERCIAL CORRIDORS OVERLAY DISTRICT

Section 1 – Purpose and Intent

- A. The overall intent of the Commercial Corridors Overlay District is to encourage compact, pedestrian friendly development that is physically and functionally integrated through site design, dimensional and parking standards that limit parking, provide flexibility for development initiatives and provide incentives for mixed-use development. Specifically, the purposes and objectives of the Commercial Corridors Overlay District are:
1. To promote the economic development, general welfare and safety of the community through the use of basic urban design standards in special development areas.
 2. To encourage compact developments of compatible land uses at urban densities.
 3. To encourage reuse and redevelopment of existing buildings and building lots.
 4. To foster the development of high-quality, pedestrian-scale environments through site and building design that provides an aesthetically pleasing pedestrian environment that is accessible, compact, safe and inviting.
 5. To promote urban design that is consistent with the City of Worcester’s economic development, planning and programmatic efforts.
 6. To avoid over-dedication of land to surface parking by preventing excessive accessory off-street parking.
 7. To preserve and enhance the historical, cultural, and architectural assets of the city.
 8. To provide flexibility with regard to dimensional requirements in a manner that is consistent with the purposes and intent of this Article.

Section 2 – Establishment

The Commercial Corridors Overlay District is hereby established, the boundaries of which are shown on the City of Worcester Zoning Map.

Section 3 – Administration

The Special Permit Granting Authority (SPGA) shall be the Planning Board.

Section 4 – Definitions of Terms and Phrases

ACTIVE FAÇADE – The principal face or front of a building articulated to engage the pedestrian environment through the use of windows that provide visual access into the building, public entrances, and distinctly different architectural treatment of the ground floor or lower levels of buildings.

PRIMARY ENTRANCE – A pedestrian accessible entrance into a building which would be reasonably perceived by the public to be the entrance available for public use based on its size, design and signage, if any.

MIXED-USE DEVELOPMENT – A development characterized by two (2) or more distinct uses that are physically integrated in a compatible way within a building.

LANDSCAPED AREA – An area that is intended to provide light and air, and is designed for aesthetic, environmental, or recreational purposes. Open space(s) may consist of and include, but are not limited to, lawns, decorative plantings, walkways, active and passive recreation areas, playgrounds, fountains, landscaped areas, plazas and water courses and fountains. Open space(s) shall not include driveways, parking lots, vehicle loading areas, or any other surfaces designed or intended for vehicular travel.

WINDOWS that provide VISUAL ACCESS – Windows that are transparent and extensive enough (both vertically and horizontally) to allow the view of activities within a building from the closest sidewalk and/or nearby streets.

Section 5 – Permitted Uses Regulation

A. Permitted Uses

All uses permitted in the underlying zones, as provided in **Article IV, Table 4.1**, are permitted in the Commercial Corridors Overlay District, except the following:

1. Automobile Refueling Station; Auto/Truck body or paint shop; Motor vehicle service, repair, garage, display; Open lot storage.
2. Motor vehicle/trailer/boat sales.
3. Single-family detached dwelling; Two-family detached dwelling.

Uses involving drive-through service, subject to additional restrictions detailed in item (C) below.

B. Conversions

Conversion of existing buildings to multi-family residential uses, mixed-use buildings with a residential component, or a loft, creative entrepreneurs use is permitted by special permit of the Planning Board where not allowed as of right in the underlying zoning district.

C. Drive-Through Facilities and Services.

All buildings and uses that provide drive-through service shall comply with the provisions of **Article IV, Section-7(A)(7)** except as modified here within.

1. Special Permit Required

All drive-through facilities shall require a special permit. Within the Commercial Corridors Overlay District, the Planning Board shall be the Special Permit Granting Authority for drive-through services and facilities. In addition to the special permit criteria described in **Article II, Section-6(A)(2)**, the following criteria shall be considered:

- a) Proximity to residential uses and potential impacts to residents resulting from proposed drive-through design and operating characteristics.
- b) Whether the proposed site layout will have a detrimental effect on the street facade, require excessive driveway curb cuts, or adversely impact the pedestrian environment.
- c) Screening of the drive-through service and lanes from the fronting street.

2. Locations Allowed

- a) All facilities related to drive-through service, including transaction windows, menu boards, and speakers, shall be located a minimum of one hundred fifty (150) feet from any residential zoning district or existing dwelling unit. All drive-through lanes and escape lanes shall be located a minimum of fifty (50) feet from any residential zoning district or existing dwelling unit.
 - i) Expansion or modification of pre-existing, legally established drive-through uses within the aforementioned residential buffers is allowed provided that modifications or expansion of such facilities does not further encroach on the neighboring residences.
- a) To preserve the pedestrian oriented, street fronting character of these corridors, uses with drive-through facilities are prohibited on lots having driveway or other direct vehicular connections to the following streets:
 - i) Franklin Street, between Main Street and Church Street
 - ii) Front Street, between Main Street and Church Street
 - iii) Grafton Street, between Mendon Street and Rice Square
 - iv) Green Street, between Foster Street and Kelly Square

- v) Harding Street, between Arwick Avenue and Kelley Square
- vi) Highland Street, between Schussler Road and North Ashland Street
- vii) Main Street, between Highland Street and May Street
- viii) Mechanic Street, between Main Street and Commercial Street
- ix) Millbury Street, between Arwick Avenue and Kelley Square
- x) Pleasant Street, between Main Street and Merrick Street
- xi) Shrewsbury Street, between Washington Square and Granby Road
- xii) Southbridge Street, between Myrtle Street and Main Street
- xiii) Water Street, between Kelley Square and Winter Street

1. Design Aspects

- a) Drive-through lanes, bypass lanes, and stacking lanes are prohibited between the building and the fronting street. This provision shall not apply to drive-throughs serving interior buildings of a multi-building site.
- b) Pedestrian access shall be maintained and prioritized across any intersecting drive-through lane through provision of a concrete walkway or other similar treatment that emphasizes the pedestrian routes between parking areas and buildings in order to provide a safe and comfortable pedestrian crossing.
- c) All driveway entrances, including stacking lane entrances, must be at least 50 feet from an intersection. The distance is measured along the property line from the junction of the two street lot lines to the nearest edge of the entrance.
- d) Entrances to drive-through, stacking and escape lanes should be located a minimum of forty (40) feet from any driveway that provides access to the lot.
- e) Within the Commercial Corridors Overlay District only, drive-through and escape lanes shall comply with the following minimum length requirements:
 - i) Fast Food /Restaurant/Coffee Shop 180 feet
 - ii) Bank /Credit Union / ATM 80 feet
 - iii) Pharmacy / Convenience Store 80 feet
 - iv) Dry Cleaner / Laundry 60 feet

C. Non-Accessory Surface Parking Facilities in Business, General – 6 (BG-6) zones.

Notwithstanding anything to the contrary provided in **Article IV, Table 4.1**, non-accessory surface parking facilities are not permitted within the Commercial Corridors Overlay District where the underlying zone is BG-6. For the purposes of this ordinance, surface parking is defined as a parking facility without a structure above or below it.

Section 6 – Dimensional and Landscaping Requirements

Notwithstanding the provisions of **Article IV, Section-5, Table 4.2, Article IV, Section-7 and Article V, Section-5** to the contrary, the dimensional requirements set forth in this section shall apply within the Commercial Corridors Overlay District.

A. Building Front Yard Setback.

Buildings shall be sited within the front setback zone established by the minimum and maximum front setbacks established in (1) and (2) below, and should generally match the precedent established by neighboring buildings that are similarly sited to front the abutting street.

1. Minimum front-yard setbacks are as follows:

- | | |
|--|------------|
| a) Uses with ground-floor residences | 5 feet |
| b) Buildings where adjacent sidewalk is less than eight (8) feet in width. | 5 feet |
| c) Other Uses | No minimum |

2. Maximum front-yard setbacks are as follows:

- | | |
|--------------------------------------|---------|
| a) Uses with ground-floor residences | 15 feet |
| b) Buildings over 50 feet in height | 15 feet |
| c) All Other Uses | 10 feet |

3. The foregoing maximum setbacks shall not apply to accessory structures, extensions or expansions of existing structures of less than 30 percent increase in gross square footage, or construction of multi-building sites provided that the largest building or a major grouping of buildings complies with the foregoing setback regulations.

4. Portions of the front façade may be recessed or articulated to add visual interest or create public plazas and landscaped areas.

5. Front yard setback areas, if any, shall consist of decoratively landscaped planting areas provided in accordance with Article V, Section-5(C), and/or plazas, pedestrian walkways, lateral extensions (widening) of abutting sidewalks, bike parking, outdoor dining, benches, recreation areas, fountains or similar features. Planting areas shall consist of live landscaping maintained in healthy condition and free of litter. Parking lots, vehicle

loading areas, or any other areas designed or intended for vehicular travel, parking or loading shall not be provided in the front yard setback.

6. The Planning Board shall be authorized to grant a special permit to allow a greater front setback within the Commercial Corridor Overlay District, upon the following findings:
 - a) The proposed project has unique architectural or functional aspects that warrant greater setback.
 - b) The proposed setback will not detract from the pedestrian environment or character of the neighborhood.
 - c) The front yard setback will be used for appropriate landscaping, pedestrian facilities or open spaces, and not for parking, loading or storage.

B. Building Orientation and Active Façade.

1. Buildings shall generally be sited to face abutting streets and sidewalks, rather than located on the interior of a lot, with entrances located to provide convenient access from the sidewalk network.
2. An accessible, primary pedestrian entrance to the building shall face an abutting street. For interior buildings on multi-building sites, entrances should connect to a pedestrian way that provides convenient access to the abutting street and sidewalk network.
3. Building walls facing the street should present an active façade incorporating windows, doors, columns, changes in materials, modulation of the façade, and similar details to add visual interest.
4. Accessory surface parking shall be located to the rear or interior of parcels. Parking may also be located to the side of the parcel when necessary, provided that it is screened from abutting streets and sidewalks by buildings and landscaping provided in accordance with section (F) below and, as applicable, **Article V, Section-5(C)**.
5. Any portion of an above-ground parking structure fronting a public way shall include façade details and landscaping to maintain an attractive streetscape. Accessory above-ground parking structures shall be located primarily behind or above the primary use.
 - a) Street fronting space dedicated to retail, commercial or other uses open to the public are encouraged on the ground floor of non-accessory parking structures.

C. Floor to Area Ratio (FAR).

1. FAR restrictions shall not apply to Mixed-Use Developments under this Article provided at least one of the uses is residential and a non-residential use is located on the ground floor and includes an active façade. Provided, however, a Mixed-Use Development remains subject to the maximum height calculation set forth below in Section-6(E).

2. The maximum FAR shall be increased to 2.0 throughout the CCOD, or higher where allowed by the underlying zoning district.

D. Frontage and Lot Area.

There shall be no minimum lot area requirement for multifamily residential uses permitted whether by right or special permit in the underlying zones. The minimum frontage for such uses shall be forty (40) feet, except when the underlying zone is BG-6 where no minimum frontage is required for permitted multifamily residential uses.

E. Height.

1. Maximum height for buildings shall be 50 feet, except where greater height is allowed by underlying zoning. The maximum number of floors shall be 3+ or greater as allowed by the underlying zoning.
2. Buildings taller than one hundred (100) feet shall make use of design treatments such as articulations in the façade and stepped back upper floors to avoid excessive shadowing of streets or public spaces below.

F. Landscaped Parking Buffers.

Landscaping buffers for parking areas shall be a minimum of three (3) feet in width with minimum five (5) feet by five (5) feet tree planting areas for required tree plantings. Landscaping buffers for parking areas bordering the front yard setback, drive-through lanes or drive-through escape lanes shall be a minimum of five (5) feet in width.

G. Extension, Alteration or Change of Nonconforming Structure.

Notwithstanding the provisions of **Article XVI, Section-4(D)** to the contrary, within a Commercial Corridors Overlay District, a privileged nonconforming structure may be altered without a special permit from the Zoning Board of Appeals under any of the following circumstances:

1. There is no extension or expansion of the exterior of the structure.
2. The extension or expansion is made for the purpose of conforming to the building code for health and safety purposes.
3. The extension or expansion conforms to the dimensional requirements of this Ordinance.

Section 7 – Off-Street Accessory Parking & Loading Requirements

Except as modified by this **Article IX, Section-7**, the provisions of **Article IV, Section-7** shall apply to any new or additional off-street parking and loading facilities provided and to any physical modification, excluding restriping work, of existing off-street accessory parking and loading facilities.

A. Parking Subareas

1. For the purposes of this **Article IX, Section-7**, the following Parking Subareas are hereby created:

- a) Downtown Subarea: Those portions of the Commercial Corridors Overlay District zoned BG-6.0.
 - b) Shrewsbury Street Subarea: Those portions of the Commercial Corridors Overlay District located north of Franklin Street, east of Interstate-290, south of Belmont Street, and west of Daniels Street, excluding any areas zoned BG-6.0.
 - c) Canal District Subarea: Those portions of the Commercial Corridors Overlay District located south of Franklin Street, south of Frances J. McGrath Blvd, east of Southbridge Street, north of Quinsigamond Avenue and west of Interstate-290, excluding any areas zoned BG-6.0.
2. The provisions of this **Article IX, Section-7** apply throughout the Commercial Corridors Overlay District except when specifically stated otherwise for the above subareas.

B. Minimum and Maximum Off-Street Accessory Parking Requirements

In computing minimum or maximum spaces, any fraction thereto shall be considered a full parking space.

1. Minimum Accessory Parking Requirements. The minimum number of accessory off-street parking spaces is to be provided in accordance with the units of measurement shown in Table 9.1 within the Commercial Corridors Overlay District, subject to modification and adjustment as otherwise provided by the provisions of this **Article IX, Section-7**.
 - a) Waiver of Minimum Parking for Small Parking Lots.

After any applicable exceptions, adjustments and/or other relief granted by special permit, if the total parking requirements for all uses on a site shall require five (5) or fewer parking spaces, minimum off-street parking requirements shall be waived completely to prevent the creation of a small new parking lot. This provision shall not apply to parking required for residential uses, nor if a parking lot already exists on the site.
2. Limitations on Parking Provided. Within the Commercial Corridors Overlay District, all additional or new parking provided shall not exceed, when aggregated with existing parking on site, the maximum limitations shown in Table 9.1.

Table 9.1 Minimum and Maximum Base Parking Requirements in CCOD

| Uses | Minimum Parking Requirements | | | Maximum Parking Limits |
|---|--|------------------------------------|------------------|---|
| | CCOD – Shrewsbury Street subarea | CCOD – Canal District subarea | CCOD – Elsewhere | |
| Residential Uses | | | | |
| Single, two or three family; Multi-family dwelling; Loft, Creative Entrepreneur | 1 resident space per dwelling unit (Studio, 1 BR units) | 1 resident space per dwelling unit | | 2 per dwelling unit (total, including resident and guest parking) |
| | 1.5 resident spaces per dwelling unit (2+ BR units) | | | |
| | 1 guest (unreserved) parking space per 10 units for dwellings with 10 or more units. | | | |
| All other allowed residential | 75% of requirements in parking Table 4.4 | | | 125% of requirements in parking Table 4.4 |
| General Uses | | | | |
| All allowed general uses | 75% of requirements in parking Table 4.4 | | | 125% of requirements in parking Table 4.4 |
| Business Uses | | | | |
| Office, Professional/General; Retail Sales; Service (personal, animal, other) | 1 per 500 SF | | | 1 per 250 SF |
| Food Service/Lounge /Nightclub | 1 per 4 rated occupancy. | | | 1 per 2 rated occupancy. |
| All other allowed business uses | 75% of requirements in parking Table 4.4 | | | 125% of requirements in parking Table 4.4 |
| Manufacturing Uses | | | | |
| All allowed manufacturing uses | 75% of requirements in parking Table 4.4 | | | 125% of requirements in parking Table 4.4 |

Notes to Table 9.1

Note 1. Downtown subarea

No minimum parking or loading spaces are required in the Downtown subarea.

Note 2. Guest parking

Residential parking requirements for guest parking spaces may not be reserved for resident use or included as part of any rental or sales agreement. Any special permit relief or administrative adjustment to the minimum parking requirements for residential uses shall apply only to required resident parking, and not to guest parking.

Note 3. Changes in Use or Reuse of Existing Buildings

Requirements for changes in use or reuse of existing buildings are further modified by **Section-7(B)(3)** below.

3. Minimum Parking for Reuse of Existing Buildings

The following provisions apply to rehabilitation, change in use or alterations of buildings in existence as of the establishment of this Ordinance.

- a) Alternation of Existing Buildings without a Change in Use. An alteration or expansion of an existing use shall require additional parking only for the expanded areas, provided that no change of use occurs. Existing parking shall remain or be replaced in kind.
- b) Conversion to Residential Uses. Existing non-residential uses converted to residential use, or the expansion of residential uses within an existing structure, shall meet the minimum parking requirements of Table 9.1 and related provisions of this **Article IX, Section-7.**
- c) Non-residential Change of Use or Building Reuse: A change in use or rehabilitation of an existing building for a new use shall meet the minimum parking requirements of Table 9.1 and related provisions of this **Article IX, Section-7**, except as noted below.
 - i) When the number of parking spaces required per Table 9.1, prior to any applicable adjustments or special permit relief, is less than the thresholds identified in (aa) through (dd) below, minimum parking requirements in excess of that already provided are waived. Existing parking shall remain or be replaced in kind, and any expansion or addition shall require parking for the expanded areas.
 - aa) Downtown subarea: N/A
 - bb) Canal District subarea: 30 spaces
 - cc) Shrewsbury Street subarea: 10 spaces
 - dd) Elsewhere in the CCOD: 20 spaces
 - ii) When the thresholds in (i)(aa) through (i)(dd) above are exceeded, parking requirements for non-residential change of use or building reuse may be reduced or waived by special permit of the Planning Board. The Planning Board shall consider the special permit criteria defined in **Article II, Section-6 A(2)**; whether sufficient access exists in the form of public on-street or off-street parking, transit service, or proximity to complementary uses; and whether physical constraints on the property would not reasonably allow for provision of required parking.
 - aa) The maximum parking reduction for the Shrewsbury Street subarea shall not exceed the greater of 10 spaces or 40 percent.
 - bb) Existing parking may not be eliminated or reduced.

- cc) Non-residential change of use or building reuse are not eligible for additional special permit reductions in minimum parking requirements through the provisions of **Article IX, Section-7(C)(3)** or **Article II, Section-7 A(2)**.

C. Reduction of Minimum Parking Requirements

The following adjustments are allowed by administrative approval or special permit, as noted. Administrative approvals may be granted the Building Commissioner or Zoning Enforcement Officer when stated conditions are met. Parking adjustments to residential uses shall apply to the required resident parking, but not to guest (unreserved) parking. When minimum parking requirements are reduced by any of the special permit provisions described below, additional reduction in the number of required parking spaces by special permit of the Zoning Board of Appeals as described under **Article IV, Section-7 A(2)** is not allowed.

- 1. Bicycle Parking: By administrative approval, required parking may be reduced at a rate of one (1) parking space for every two (2) bicycle parking spaces provided, not to exceed a reduction shown below.

| <u>Parking Provided</u> | <u>Maximum Bicycle Parking Substitution</u> |
|-------------------------|--|
| 9 or fewer spaces | No parking reduction |
| 10 - 29 parking spaces | 1 parking space |
| 30 – 49 parking spaces | 2 parking spaces |
| 50 or more spaces | 3 parking spaces plus three (3) percent of parking in excess of fifty (50), not to exceed a reduction of ten (10) parking spaces |

- a) Bicycle parking must allow for bicycles to be locked or secured, located near a primary building entrance and convenient to the user, to the satisfaction of the Building Commissioner or Zoning Enforcement. Residential bicycle parking must be covered, indoors, or in the form of secure lockers. Residential bicycle parking shall offset required residential parking, but not unreserved guest parking.
- 2. Mixed Use: When a mix of residential, general or business uses share a common parking area, minimum parking requirements may be reduced as follows:
 - a) Parking requirements may be reduced by twenty percent (20%), up to a maximum of ten (10) parking spaces eliminated, by administrative approval upon determination of the Building Commission or Zoning Enforcement Officer that the mix of uses has sufficiently different peaking characteristics to warrant such reduction.
 - b) Up to fifty percent (50%) of the required parking may be waived by special permit of the Planning Board when supported by a parking analysis for combined land uses based on methodologies of the Institute of Transportation Engineers, Urban Land Institute, or other recognized methodology approved by the Building Commissioner or Zoning Enforcement Officer.

3. Special Permit: The Planning Board shall be the special permit granting authority for parking relief defined under **Article II, Section-7 A(2)** when such relief is petitioned for concurrent with Site Plan or Parking Plan review. The Planning Board shall consider whether sufficient access exists in the form of public on-street or off-street parking, transit service, or proximity to complementary uses, as well as the criteria described under **Article II, Section-6 A(2)**.

E. Dimensional Requirements.

Parking lots with up to 16 spaces shall not be required to conform to the dimensional requirements for parking spaces and aisle widths, but must provide safe vehicular access and circulation as defined by professional traffic engineering standards and to the satisfaction of the Building Commissioner or Zoning Enforcement Officer.

G. Special Permit to Modify Maximum Number or Dimensional Requirements for Off-Street Parking

Notwithstanding anything to the contrary in **Section-7**, above, the Planning Board shall be authorized to grant a special permit to modify the maximum number and dimensional requirements for off-street parking established by this Article, provided the applicant demonstrates that the proposal meets the criteria for approval as follows. In addition to the special permit review criteria found in **Article II** of this Ordinance, the Planning Board shall also review the special permit application for conformance with the following considerations and objectives:

1. Whether the resulting development with the modifications proposed is substantially consistent with the purposes and intent of the Commercial Corridors Overlay District.
2. The relationship of the modification to other planning considerations for the immediate area and within the Commercial Corridors Overlay District as a whole, including the plans, programs, policies and public investments of the various departments and agencies of the City of Worcester and the State of Massachusetts.
3. Whether the pedestrian environment provided on site and its connection to, and interaction with, the public right of way(s) is designed using best practices within the site's context.
4. The impact of the modifications on neighboring properties.
5. Whether the requested modifications are needed to provide adequate parking within the context of the other special permit criteria taking into consideration the combination of on and off-street parking.

H. Special Permit Application Requirements

An application for a special permit under this article shall be accompanied by such plans and information that are otherwise required in connection with the parking lot approval process set forth in **Article IV**.

I. Location of Parking

Required parking shall be provided on the same lot with the main use it is intended to serve, except as allowed below.

1. Required parking may be provided off site provided that the following conditions are met:
 - a) The off-site location is located with 500 feet (customer use) or 1000 feet (valet or employee use) of the use it is intended to serve and is adequately connected by pedestrian facilities.
 - b) The off-site location is held in common ownership and/or long-term lease agreements of a minimum of five (5) years, with renewal options.
2. The following documentation is required for any leased off-site parking arrangements:
 - a) The names and addresses of the uses and of the owners or tenants that are sharing the parking.
 - b) A parking table showing the following:
 - i) The number of parking spaces in the shared use lot(s)
 - ii) Existing parking commitments to uses that are accessory to the shared use lot
 - iii) Other existing shared use commitments
 - iv) The location and number of parking spaces that are being shared.
 - c) A deed, lease, contract, reciprocal easement, or similar written legal agreement acceptable to the City Law Department establishing the joint use.

SECTION 2. Article III, Section-2 of the Worcester Zoning Ordinance is hereby amended by deleting all Mixed Use Development Overlay Zones from the official zoning map of the city of Worcester

SECTION 3. Article I, Section-2 of the Worcester Zoning Ordinance is hereby amended by deleting the definition “Mixed Use Development.”

SECTION 4. Article I, Section-2 of the Worcester Zoning Ordinance is hereby amended by deleting from the definition of Overlay Zone the term “Mixed Use” and inserting in lieu thereof “Adaptive Reuse.”

SECTION 5. Article I, Section-2 of the Worcester Zoning Ordinance is hereby amended by deleting the definition “Loft, Commercial Artist” and inserting in lieu thereof the following new definition, “Loft, Creative Entrepreneur:”

“LOFT, CREATIVE ENTREPREUERS – Commercial creative economy entrepreneur loft space used or designed to be used by artists, craftspeople and creative entrepreneurs to create saleable works of art and products and which may also be used by said entrepreneurs to reside in. Such residency shall be limited to one (1) family per dwelling unit. Works of art or craft shall mean items that are created primarily for purposes of aesthetic enjoyment, and not solely for practical purposes, including but not necessarily limited to: paintings, drawings, lithographs, and other representations; photographs, film, video, prints and other visual and electronic media; textiles and costumes; jewelry; pottery; art objects made of glass; precious and semi-precious metals, stones and the like; lighting used for artistic purposes; gallery and exhibit space; architects, designers, performance arts including but not limited to: dance, music and theater including lessons, practice, rehearsal and actual performances whether live audiences, taped or filmed. Works of art or craft shall not include or encompass adult entertainment uses or activities.”

SECTION 6. Article IV, Section-2, Table 4.1 – Residential Uses, of the City of Worcester Zoning Ordinance is hereby amended by inserting in the following new line 18. Loft, Creative Entrepreneur:

18. Loft, Creative Entrepreneur

| | | | | | | | | | | | | | | | | | | | | |
|----------|---------|---------|---------|---------|---------|---------|---------|---------|---------|---------|-----------|-----------|-----------|-----------|-----------|-----------|-----------|---------|---------|--------|
| RS 10 | RS 7 | RL 7 | RG 5 | BO 1 | BO 2 | BL 1 | BG 2 | BG 3 | BG 4 | BG 6 | ML 0.5 | ML 1.0 | ML 2.0 | MG 0.5 | MG 1.0 | MG 2.0 | IP .33 | IN S | IN H | A 1 |
| N | N | N | N | Y | Y | Y | Y | Y | Y | Y | N | N | N | N | N | N | N | N | N | N |

SECTION 7. Article XIII of the Worcester Zoning Ordinance, Parking Overlay Districts, is hereby amended by deleting in its entirety, and Article XVIII, Priority Site Development, is hereby re-designated as Article XIII and relocated appropriately.

SECTION 8. Article III, Section 2 of the Worcester Zoning Ordinance is hereby amended by deleting the Arts Overlay District from the official zoning map of the city of Worcester.

SECTION 9. Article XIV of the Worcester Zoning Ordinance, Arts Overlay Zone, is hereby amended by deleting it in its entirety and inserting “[Reserved]” in lieu thereof.

SECTION 10. Article III, Section 2 of the Worcester Zoning Ordinance is hereby amended by deleting the Shrewsbury Street Parking Overlay District, the Blackstone Canal Parking Overlay District, the Chandler Street Parking Overlay District, the Grafton Street Parking Overlay District and the Quinsigamond Village Parking Overlay District from the official zoning map of the city of Worcester.

SECTION 11. Article III, Section 1 of the Worcester Zoning Ordinance, the list of Overlay Districts, is hereby amended by deleting the following overlay district designations from said list:

| | |
|--------|---|
| MU: | Mixed Use Development |
| AOD: | Arts Overlay District |
| SPOD: | Shrewsbury Street Parking Overlay District |
| BCPOD: | Blackstone Canal Parking Overlay District |
| CPOD: | Chandler Street Parking Overlay District |
| GPOD: | Grafton Street Parking Overlay District |
| QPOD: | Quinsigamond Village Parking Overlay District |

SECTION 12. Article III, Section 1 of the Worcester Zoning Ordinance, the list of Overlay Districts, is hereby amended by adding the following overlay district designation to said list:

| | |
|-------|---------------------------------------|
| CCOD: | Commercial Corridors Overlay District |
|-------|---------------------------------------|

SECTION 13. Article II, Section-7(A)(1) of the Worcester Zoning Ordinance, is hereby amended by deleting the following Roman numerals from the first sentence thereof:

“XIV” and “XIII”

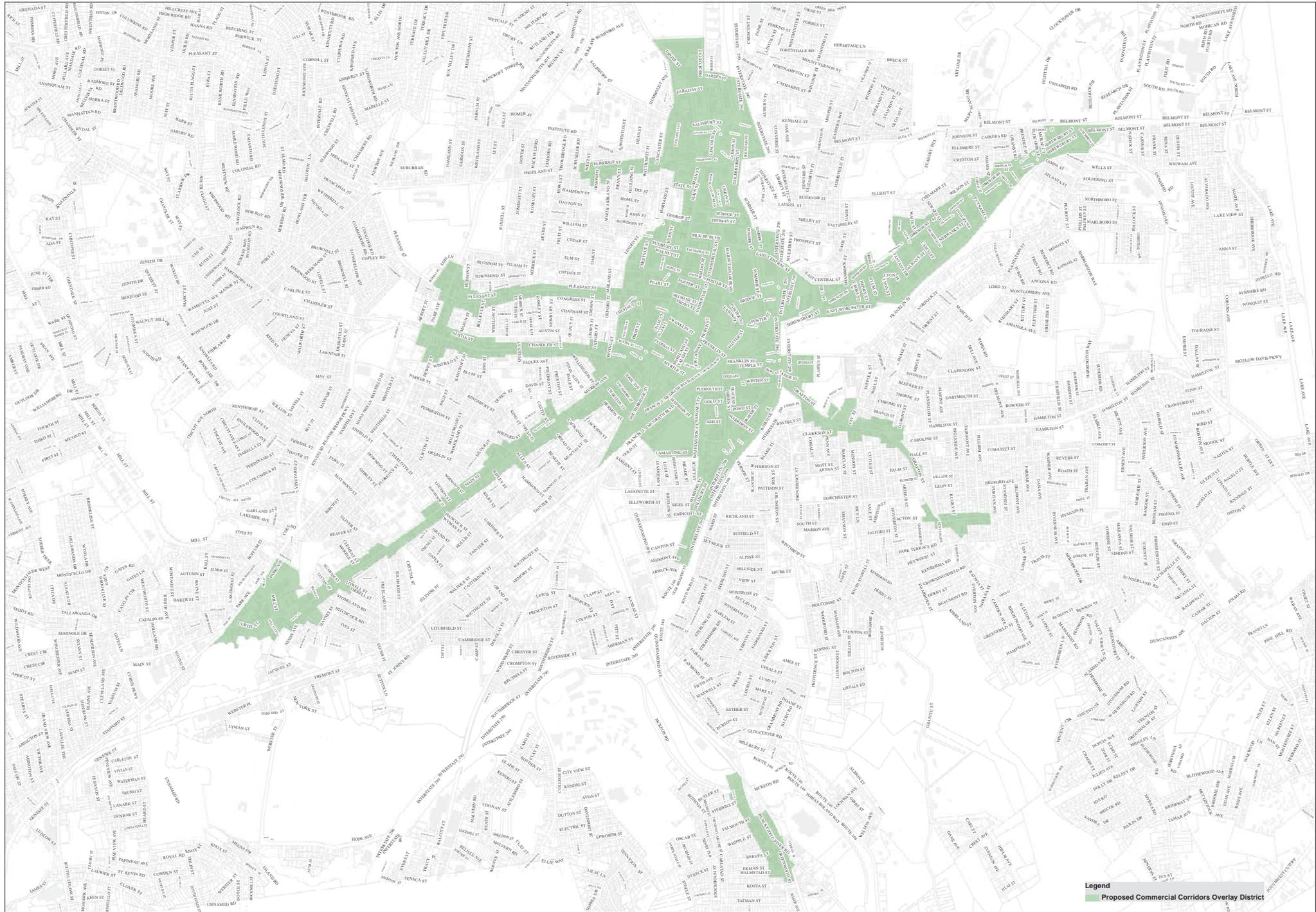
SECTION 14. The Worcester Zoning Ordinance is hereby amended by deleting the title “Director of Code Enforcement” wherever it appears in the ordinance and inserting in lieu thereof the title “Building Commissioner.”

SECTION 15. Article III, Section 2 of the Worcester Zoning Ordinance, is hereby amended to alter the official Zoning Map by designating the area within the boundaries hereinafter described as the Commercial Corridors Overlay Districts:

[Description To Be Added]

City of Worcester - Proposed Commercial Corridors Overlay District

May 13, 2014



Planning & Regulatory Services Division

File: 2\worcester\Map Requests\Internal Requests_DPRS\CCO 2013-01-09_May_2014-05-13_COC_mailing\Map_CCO_2014-05-13_Handout.mxd, CC File

0 1,200 2,400 4,800 Feet 1 in = 646 ft

