
Appendix C

**Bedford Zoning - A Regulatory Diagnostic and Future Options, prepared
by Community Planning Solutions**

ROUTE 101 CORRIDOR STUDY

***BEDFORD ZONING:
A REGULATORY DIAGNOSTIC AND FUTURE OPTIONS***

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Part One: Introduction

Introduction

There is ample evidence around us that zoning requirements strongly influence both the form and pattern of development, but also the nature and distribution of trip generation and levels of service along roadways. Prior to any assessment and recommendation of alternative zoning strategies, it is important to review and analyze what the existing rules allow.

This report presents an analysis of the relevant zoning regulations applicable to the Town of Bedford, New Hampshire. It includes a summary of use and density regulations within the zoning districts that abut Route 101. The objective of this report is to identify options to revise these regulations to meet the Town's goals for the 101 Corridor.

Opportunities to Enhance and Improve Existing Regulations

Based upon the consulting team's analysis, options for regulatory change include:

- Further refinement and exclusion of automotive-oriented uses from the commercial zones along the corridor;
- Establishment of maximum size thresholds for commercial development along the corridor;
- Establishment of maximum setback requirements to discourage domination of parking areas in front yards of commercial development;
- Establishment and utilization of design guidelines for the Corridor to reinforce a neighborhood and village commercial vocabulary; and
- Long-term consideration of a Bedford Village Overlay District to help foster the Town's desired character for the Corridor.

Part Two: Zoning Districts Along 101

Existing Zoning Districts Along the 101 Study Corridor

The following zoning districts abut the study corridor:

- Residential and Agricultural (RA) – *This district bounds a substantial portion of the frontage areas on both sides of the Corridor. The zone is characterized by single family residential use, with most properties not taking direct access from 101.*
- Commercial (CO) – *This district also bounds a substantial portion of the frontage areas on both sides of the Corridor. The zone is characterized by small retail uses and professional offices.*
- Highway Commercial (HC) – *This district is only minimally represented on the corridor, with one small, rectangular area on the southbound side, and a smaller parcel on the northbound side, within the Historic District.*
- Office (OF) – *The district abuts the 101/114 intersection, is between Pilgrim Drive and Wendover Way, and is traversed by the New England Power Company Easement. Professional office development and related uses characterize the district.*
- Historic District (HD) – *This overlay district traverses the north and southbound sides of the corridor, between the PSNH Easement to the west, and Bedford Center Road to the east. Historic buildings, including residential and civic structures, characterize this district.*

Not along the corridor, but of important relevance to it, is:

- The U.S Route 3 Corridor Performance Zone (PZ) – *This district, added to the Zoning Ordinance in 1993, bounds both sides of Route 3, and begins at the Merrimack Town Line, extending northerly above the Bedford Interchange of the F.E. Everett Turnpike.*

Use and Density Regulations in the Residential and Agricultural (RA) District

Summary of Permitted Uses:

Residential: Single dwelling residences and manufactured housing units are permitted by right. Cluster Residential Development (CRD) is allowed provided such development complies with Article 45-6 of the Zoning Ordinance. Home occupation use must comply with Section 45-4-2(f)(1) of the Ordinance. One (1) accessory attached apartment is permitted to single-family residences, by special exception from the Zoning Board of Adjustment, and additional stipulations.

Commercial: No commercial use permitted.

Industrial: No industrial use permitted.

Public / Institutional: Churches and other places of worship, educational institutions, and public parks and playgrounds are permitted by right. Hospitals, sanatoriums, and nursing homes are permitted provided the lots have a minimum area of five (5) acres and comply with the buffer zone requirements of the Zoning Ordinance (Section 45-4-2(f)(2)). Day care facilities are allowed, providing the use complies with the Ordinance's home occupation regulations and that there is no less than fifty (50) square feet of play area for each child, and that activities associated with such use are properly screened or fenced from adjoining properties.

Agricultural: Gardens, nurseries, greenhouses, and general farming are permitted by right. Poultry raising is permitted. Livestock raising, with the exception of commercial hog raising, is permitted.

Accessory Use: Customary accessory uses are permitted. Helicopter operation as a residential accessory use is permitted with stipulations.

Telecommunications: Wireless telecommunications facilities are permitted subject to the standards found in Section 45-4-16 of the Zoning Ordinance, and all other applicable zoning and site plan requirements.

Applicable Dimensional Regulations

Minimum lot size: 1.5 acres

Minimum frontage: 150 feet

Minimum front yard setback: 35 feet

Minimum rear yard setback: 25 feet

Minimum side yard setback abutting a lot: 25 feet

Minimum side yard setback abutting a street: 35 feet

Maximum building height: 35 feet

Maximum building coverage (%): NA

Special conditions: None

Use and Density Regulations in the Commercial (CO) District

Summary of Permitted Uses:

Residential: Elderly housing is permitted subject to the Zoning Ordinance provisions for its definition, dimensional regulations, density, parking, special conditions, and site plan.

Commercial: Banks or financial institutions, business offices, professional offices, medical or dental clinics, personal service establishments, and restaurants are permitted. Retail sales establishments as defined in the Zoning Ordinance are permitted (*excludes* the sale of automobiles, trucks, motorcycles, boats, snowmobiles, trailers, mobile homes, camping vehicles, and similar types of vehicles). Business center developments, hotels, and motels are permitted provided that the lots they are on have a minimum area of two (2) acres and a minimum frontage of two hundred fifty (250) feet. General service and repair establishments are permitted, *excluding* shops for the repair of automobiles, trucks,

motorcycles, boats, snowmobiles, trailers, mobile homes, camping vehicles, and similar types of vehicles. Funeral homes, parking lots/garages and commercial recreation facilities are permitted by special exception. Membership clubs are also permitted by special exception, *excluding* those for gunning, trap shooting, trapping or other similar purposes.

Industrial: No industrial use permitted.

Public / Institutional: Public parks and playgrounds and education institutions are permitted by right. Day care facilities are allowed, providing that there is no less than fifty (50) square feet of play area for each child, and that activities associated with such use are properly screened or fenced from adjoining properties. Community centers are permitted by special exception. Nursing homes, and hospitals and sanatoriums by special exception, are permitted provided that the lot they are on has a minimum of five (5) acres and a minimum frontage of four hundred (400) feet.

Agricultural: No agricultural use.

Accessory Use: Customary accessory uses are permitted.

Telecommunications: Wireless telecommunications facilities are permitted subject to the standards found in Section 45-4-16 of the Zoning Ordinance, and all other applicable zoning and site plan requirements.

Applicable Dimensional Regulations

Minimum lot size: 1.5 acres

Minimum frontage: 175 feet

Minimum front yard setback: 60 feet

Minimum rear yard setback: 30 feet

Minimum side yard setback abutting a lot: 30 feet

Minimum side yard setback abutting a street: 60 feet

Maximum building height: 48 feet

Maximum building coverage (%): 25%

Special conditions: A Business Center Development must have a minimum lot size of 2 acres and minimum frontage of 250 feet. A buffer zone shall be provided in accordance with Section 45-4-2(f)(2) of the Zoning Ordinance.

Use and Density Regulations in the Highway Commercial (HC) District

Summary of Permitted Uses:

Residential: No residential use permitted.

Commercial: Personal service establishments, general service and repair establishments, restaurants, fast food restaurants, tourist information centers, parking lot/garages, commercial recreation facilities, hotels, motels, and automobile and vehicle repair facilities are permitted. Retail sales establishments are permitted *limited* to the selling of general merchandise appliances or of automobiles, automobile supplies, trucks,

motorcycles, boats, snowmobiles, trailers, manufactured housing, camping vehicles, and similar types of vehicles. Gasoline service stations, with or without accessory service bays for repairs, and including a convenience food store are permitted, but shall not include body or fender repair, painting, or used car sales or storage. Additionally, a gasoline station is not allowed within two (2) miles of another station within a HC zone.

Industrial: No industrial use permitted.

Public / Institutional: Public parks and playgrounds are permitted. Day care facilities are allowed, providing that there is no less than fifty (50) square feet of play area for each child, and that activities associated with such use are properly screened or fenced from adjoining properties.

Agricultural: No agricultural use.

Accessory Use: Customary accessory uses are permitted.

Telecommunications: Wireless telecommunications facilities are permitted subject to the standards found in Section 45-4-16 of the Zoning Ordinance, and all other applicable zoning and site plan requirements.

Applicable Dimensional Regulations

Minimum lot size: 1 acre

Minimum frontage: 150 feet

Minimum front yard setback: 60 feet

Minimum rear yard setback: 30 feet

Minimum side yard setback abutting a lot: 30 feet

Minimum side yard setback abutting a street: 60 feet

Maximum building height: 48 feet

Maximum building coverage (%): 25%

Special conditions: A buffer zone shall be provided in accordance with Section 45-4-2(f)(2) of the Zoning Ordinance.

Use and Density Regulations in the Office (OF) District

Summary of Permitted Uses:

Residential: Elderly housing is permitted subject to the Zoning Ordinance provisions for its definition, dimensional regulations, density, parking, special conditions, and site plan.

Commercial: Banks or financial institutions, business offices, professional offices, and medical or dental clinics are permitted. Retail sales establishments are permitted only as an accessory use to, and located within a building that contains a use that is permitted by right within this zoning district.

Industrial: No industrial use permitted.

Public / Institutional: Public parks and playgrounds are permitted. Day care facilities are allowed, providing that there is no less than fifty (50) square feet of play area for each child, and that activities associated with such use are properly screened or fenced from adjoining properties.

Agricultural: No agricultural use.

Accessory Use: Customary accessory uses are permitted.

Telecommunications: Wireless telecommunications facilities are permitted subject to the standards found in Section 45-4-16 of the Zoning Ordinance, and all other applicable zoning and site plan requirements.

Applicable Dimensional Regulations

Minimum lot size: 1 acre

Minimum frontage: 150 feet

Minimum front yard setback: 60 feet

Minimum rear yard setback: 30 feet

Minimum side yard setback abutting a lot: 30 feet

Minimum side yard setback abutting a street: 60 feet

Maximum building height: 48 feet

Maximum building coverage (%): 25%

Special conditions: A buffer zone shall be provided in accordance with Section 45-4-2(f)(2) of the Zoning Ordinance.

Use and Density Regulations in the Historic District

As noted previously, this District is superimposed on the existing Residential and Commercial Districts around Bedford Center. Design guidelines and review procedures are imposed on alteration and construction of buildings, to promote and enhance the qualities of the district, but they do not facially establish different use and density regulations from the underlying districts.

Use and Density Regulations in the U.S. Route 3 Corridor Performance Zoning (PZ) District

Summary of Permitted Uses:

Residential: Elderly housing is permitted subject to the Zoning Ordinance provisions for its definition, dimensional regulations, density, parking, special conditions, and site plan. Home occupations defined as Level 1 in the Zoning Ordinance are permitted.

Commercial: The following uses are permitted: banks or financial institutions; retail sales establishments; business offices; professional offices; medical or dental clinics; professional service establishments; general service and repair establishments; business center developments; restaurants, fast food restaurants; tourist information centers; funeral homes; commercial recreation facilities; membership clubs; hotels; motels; automobile and vehicle repair; wholesaling; rental and service of tools and equipment;

and sale of building materials. Gasoline service stations, with or without accessory service bays for repairs, and including a convenience food store, but *not* including body or fender repair, painting, or used car sales or storage are permitted only by a Conditional Use Permit granted by the Planning Board. Adult entertainment businesses are permitted subject to the standards found in Section 45-9-16 of the Zoning Ordinance and all other applicable zoning and site plan requirements.

Industrial: The following uses are permitted: manufacturing; light manufacturing; warehousing; wholesale and rental trades; research and development facilities; and information processing. Truck terminals are permitted, provided that the site is enclosed on all sides by a fence or wall at least six (6) feet in height and its parking area is paved and protected by barriers or wheel stops. The site must be limited to one (1) entrance and one (1) exit no wider than thirty (30) feet each. Excavation operations are permitted in the PZ zone only if they are located in the portion of the town bounded by the Merrimack River, the town of Merrimack town line, the F.E. Everett Turnpike, and Route 101/I-293.

Public / Institutional: The following uses are permitted: churches or other places of worship; educational institutions; hospitals and sanatoriums; nursing homes; public parks and playgrounds; cemeteries; golf courses/country clubs; community centers; government facilities; and public/private recreation and open space are permitted. Day care facilities are allowed, providing that there is no less than fifty (50) square feet of play area for each child, and that activities associated with such use are properly screened or fenced from adjoining properties.

Agricultural: Gardens, nurseries, and greenhouses and general farming are permitted.

Accessory Use: Warehousing facilities, business offices, commercial service facilities, and water dependent structures and customary accessory uses are permitted.

Telecommunications: Wireless telecommunications facilities are permitted subject to the standards found in Section 45-4-16 of the Zoning Ordinance, and all other applicable zoning and site plan requirements.

Applicable Performance Dimensional Regulations

(Varies based upon utility and shared access provision. See Section 45-9-7 and Figure 45.5, "Table of Performance Dimensional Standards" of Zoning Ordinance.)

Part Three: Analysis, Findings, and Recommendations

Analysis and Findings: RA

Infill residential development in this District will contribute to the traffic demands on the Corridor. Few large parcels seem available for major subdivision activity along the Corridor, making changes to the use and dimensional requirements of this District generally unnecessary.

Analysis and Findings: CO

Use Regulations:

The CO District permits a wide array of commercial uses, including most retail and office uses. Given the Town's goals for its town center area, and its desire to control the growth of trip generation on the Corridor, narrowing the range of permissible land uses may be an appropriate action.

Fast food restaurants, automotive uses, and large-scale retail establishments should continue to be discouraged. Establishing retail and office thresholds based on ultimate size should also be considered. Potentially scrutinizing and removing selected uses, or subjecting them to special exception review may also be warranted.

Density Regulations:

The dimensional regulations applicable to this District foster low-density commercial development situated on large lots with abundant lot frontage and setbacks. The Town's desires for aesthetic treatment within these setback areas could be strengthened beyond the reference to and specifications for the "Buffer Zone" requirements.

Recommendations Applicable to CO Districts on 101:

In the Town's Table of Uses, "Retail Sales" permitted in the CO District is subject to a footnote #5 that lists a range of retail uses that are permissible as well as those that are excluded. While sales of automobiles, trucks, and other vehicles are excluded, automotive accessory items are not. It is recommended that such use be excluded from the CO Districts that have frontage along 101, because such uses are presently retailed within "box style" store units, and are not consistent with the character desired for the Corridor. This recommendation could be addressed through a small text amendment to footnote #5, referenced above.

A further recommendation to be considered relates to the ultimate size of retail and office development, and a maximum size threshold for retail stores within multi-tenant buildings. These proposed requirements would help ensure that large box retail developments, more appropriate to regional shopping environments and highways, are not likely to locate on 101, so that the Corridor maintains a more "local" orientation. The Town should consider establishing maximum size (based on gross floor area) as shown in the table that follows:

	<u>Present Requirement</u>	<u>Proposed Requirement</u>
Maximum Building Size:	None	20,000 sq. ft./ up to 25,000 maximum potentially allowable with a “design review” bonus from Planning Board, for exemplary project design.
Maximum Size of Retail Store in Multi-tenant Building:	None	15,000 sq. ft.

The setback requirement applicable to this district also needs to be customized for Route 101. Currently, a 60-foot front yard setback is required, pushing back structures on a lot and subordinating building form to the dominance of parking areas. A minimum setback and maximum setback should be established from the streetline or front lot line. A 25-foot minimum and a 40-foot maximum should be considered for the Town Center area. For the area west of Wallace Road, a larger minimum and maximum setback could be established (and in no case should a setback exceed 80-100 feet).

Analysis and Findings: HC

While two small zones only minimally represent this District on the Corridor, it does allow a greater array of land uses and is more permissive than many of the other zoning districts within the Town. Encouraging redevelopment of land within these zones to be more compatible with abutting residential and commercial land uses is important. Fostering a New England design and development vocabulary should be pursued, through either specific amendments to this District or revisions to the Town’s site plan regulations. A combination of both requirements and incentives may be needed to achieve more favorable development outcomes on a long-term basis.

Recommendations Applicable to HC Districts on 101:

The recommendations related to the CO Districts, previously described, are also relevant to the HC Districts, although because of the size of the HC districts and their distance from the Town Center, there may be less urgency in terms of implementation.

It may be useful to tailor the use regulations away from automotive uses, similar to the recommendation for the CO District, by limiting retail uses to general merchandise, excluding sale of automobiles, vehicles, and automotive accessories and parts. This could be accomplished through a text amendment to footnote #8 In the Town’s Table of Uses. The setback and maximum development thresholds recommended for the CO District may also be appropriate to apply to the HC district.

Analysis and Findings: OF

The Town has a professional office park along the Constitution Drive area. Since this land is mostly developed, there may not be a need to fashion zoning amendments related to use and density requirements at this time.

Analysis and Findings: Historic District

Proposed development outside the Historic District should strive to use the characteristics of Bedford's historic buildings as the inspiration for the built form of any new development. This objective should be emphasized in any new zoning procedures or district guidelines for the 101 Corridor.

Analysis and Findings: PZ

Application of U.S. Route 3 Corridor Performance Zoning District Concepts to the 101 Corridor

This District is one of the most comprehensive special zoning districts in the New England region. The District enables a wide array of uses to be permitted and establishes great flexibility in relation to development standards. An array of performance standards specifically designed to improve the aesthetic and functional aspects of development is included. It includes a table of performance dimensional standards that allows minimum lot area, minimum lot frontage, front yard setback requirements, and maximum impervious coverage to be varied, if special performance criteria is met.

Greater dimensional flexibility and incentives are granted for achievement of a variety of amenities and accomplishments, including the following:

- Shared access;
- Providing interconnected parking lots;
- Providing needed easement areas on lots; and
- Connection to municipal water and sewer.

There are extensive requirements for landscape performance standards and provisions that, among other things, provide incentives to save mature healthy trees. Detailed figures are provided in the regulation that reflect how to maximize bonus and incentive provisions, as well as meet applicable standards.

Flexible parking standards are included in the performance zone, as well as standards for signage and lighting. Environmental performance standards related to sound, wetland protection, and development of slope and shoreland protection areas are also included.

It is the opinion of the consulting team that some of the standards incentives and requirements of the Performance Zone could well be adapted for application to the nonresidential zones along Route 101. ***What is not applicable to 101 Corridor is the extensive list of permissible uses in the PZ Zone, particularly the large array of***

commercial and industrial uses, as well as accessory uses such as warehouse facilities, or the building height and maximum impervious surface allowances.

However, the following standards may have application to 101:

- **Front yard setback reduction:** As an incentive to subordinate parking in relation to building form; and
- **Dimensional flexibility:** For landscaping standards and options in shared access and interconnected parking lots.

Other zoning incentives that follow the types of principles found in the Performance Zone could be considered along 101 to accomplish Master Plan objectives. These could include provision of pedestrian and bike access and pathways linking important parts of the Town, providing better management of traffic and initiatives on and off-site to provide gathering places and open space opportunities, and linkages to or provision of civic space.

Many of the transportation actions described in the Strategic Master Plan Update 2000 related to Transportation and Infrastructure, including safe and functional crossings for local roads, traffic safety improvements, streetscape and landscape improvements, all merit exploration for establishing new standards and incentives to be included in the Zoning Ordinance for use in selected areas along the 101 Corridor.

Development that improves the aesthetic qualities of the Town also could be awarded with specialized incentives. Some of the concepts and ideas that are contained within the Performance Zone could be applied to commercial areas along 101. This could be done as an overlay provision, to be superimposed beyond existing zoning requirements, where property owners and developers could aspire to achieve a variety of goals, and be awarded greater dimensional flexibility than what would otherwise exist in the underlying Commercial and Office zones.

In fashioning any new zoning requirements or an overlay district for the Corridor, greater simplicity than the structure and content of the PZ Zone should be pursued, particularly since the overall size of existing commercial zones on 101 are less extensive, and more limited development is anticipated. It is also important to note that the “design guidelines” approach delineated in Option #2 in Part Four of this report, is the recommended initial zoning strategy for the Corridor.

Off-Street Parking Requirements

The Town has both general and specific provisions for parking that are applicable to all zoning districts, as well as special design requirements and standards for the Route 3 Corridor Performance Zoning district.

It appears that the Town has the correct parking space ratio requirements for the predominant land uses that are anticipated along the 101 Corridor. However, while there are important landscaping, lighting, and geometric standards for parking lot design applicable to all commercial and office zoning districts, specialized standards and guidelines for the Corridor are important, and have been recommended and proposed for use by the consulting team.

Regulations for Signage

The Zoning Ordinance provides signage regulations for each zoning district in the Town. Residential zoning districts have the most restrictive regulations in terms of the allowable surface area of signs. The Commercial district allows free-standing signs not to exceed 32 sq. ft and an additional sign painted or attached to one wall of the building, not to exceed 10% of the sq. footage of the wall on which it is displayed and not to exceed 32 sq. ft.

For shopping centers or professional parks, one lot sign identifying the center of the center or park can be constructed not to exceed 50 sq. ft, and signs are allowed for each individual tenant, not to exceed 10% of the wall upon which it is displayed, and not to exceed 32 sq. ft. Wall signs or free standing signs located 150 ft or more from any street right-of-way may increase the sign area by utilizing a special formula.

There are similar sign regulations in the Office District. "Advertising media" shall not total over 32 sq. ft, and wall or free standing signs are regulated in the same manner as provided in the Commercial District. In the Highway Commercial District, one projecting ground or pole sign, and one flat sign to a (business) unit are allowed for each business, not to exceed 32 sq. ft in surface area. Any wall or free standing sign is subject to the same privileges provided in the Commercial and Office districts previously described.

The most comprehensive signage regulations are provided in the Route 3 Performance Zoning District. In this District, detailed sign standards are provided, including standards for landscaping around signs, sign placement, lettering, surface area, height, and number.

The consulting team recommends that this kind of comprehensive signage approach to regulating sign construction and placement be considered, but that the design guidelines prepared by for Route 101 by the Wallace Floyd Design Group be pursued as an initial approach to this challenge.

Part Four: Regulatory Options

It is clear from review of recent Town planning documents, including the Strategic Master Plan Update 2000, that the Town wishes to promote a decidedly different character for land uses along 101, as opposed to land uses along the Route 3 Corridor. It seems clear that land uses desired for 101 are those that will help promote or be compatible with the Town's village characteristics. Large-scale regional shopping centers and generic commercial uses are to be discouraged.

In order to accomplish these strategic objectives, and the Town's future vision for the Corridor, new zoning tools and guidelines will need to be fashioned. In the short term, the Town should consider establishing a lower amount of permissible gross floor area for commercial and office development along the Corridor, as discussed in the preceding section.

The Town could subject any retail or office development in either the Commercial or Office District along the Corridor to a design review process. This process should make use of the Commercial Architectural and Signage Guidelines (hereinafter referred to as "design guidelines") prepared by the Wallace Floyd Design Group. These guidelines will help foster the following:

- Establish a sense of entry to 101 in Bedford
- Encourage traditional building form
- Subordinate parking in relation to buildings
- Improve standards of signage and overall aesthetics
- Encourage high quality landscaping and pedestrian amenities
- Provide on-site lighting in traditional and pedestrian scale
- Enhance and protect the Town Center.

Design Review and Design Guidelines: An Initial Approach

There are two basic approaches that merit Town consideration to help guide the physical evolution of 101.

Option #1: Insert proposed design guidelines into the Zoning Ordinance, through an amendment to the Bylaw.

The advantage of this approach is that the actual guidelines will be viewed as mandatory, and similar to other zoning requirements such as minimum lot size, frontage, and other controls, even if the guidelines are not excessively prescriptive. The disadvantage of this approach is that it will make the guidelines seem less flexible, and also more difficult to change as new design ideas are proposed for the regulated areas.

A second option should be considered, that we believe would be viewed as flexible, easier to evolve, and more user-friendly:

Option #2: Add text to the Zoning Ordinance that describes the Design Guidelines to be used for 101, including for the Town Center, and briefly detail the “Design Review Process” that would augment the current “Site Plan Regulations” procedure in the Town’s Land Development Control regulations.

The approach assumes that both the Ordinance and development regulations would reference a “Design Manual” composed of the “Design Guidelines,” providing illustrations and examples.

The approach outlined above was recently adopted for the Route 1 East Corridor in Guilford, Connecticut, to address the Town’s concerns about sprawl and growth pressure in the region, and to help ensure that future growth along the corridor was developed with “place-based” considerations and respect for the Town’s built environment. Initial evidence suggests the above approach is working.

Another Design Manual and Design Guidelines approach was used in the North Cambridge neighborhood along Massachusetts Avenue, in Cambridge, MA. While design guidelines and illustrations are set forth separately from the City’s Zoning Ordinance, the City did down zone the area to reduce building height, in order to preserve the small-scale store fronts that abut Massachusetts Avenue in this district.

For the area of 101 that is part of the Town Center, more specifically focused guidelines have been proposed. The design guidelines approach, coupled with a few strategic text amendments in the Zoning Ordinance, is likely the right way to initially proceed. We also believe this approach could address a number of concerns, including:

- Ensuring quality design while avoiding the complexity of the framework used in the Route 3 Performance Zone; and
- Reflecting methods to enhance parking lot and site design that will not be viewed as excessively prescriptive.

Long Range Consideration of a Special Overlay District for the Town Center Area and Beyond

Because the Town has special objectives for guiding development along 101, and an array of strategic objectives for future growth and development along this roadway, it may be wise for the Town, on a long-range basis, to consider a special Overlay District to guide growth in this area. An Overlay District superimposes standards and occasionally incentives beyond what normally governs the underlying zoning districts. The Town’s Historic District, for example, functions as an Overlay District.

Overlay District zoning is frequently used when special or innovative zoning objectives are envisioned for an area. There is more frequent use of Overlay Districts in recent years by communities that want to achieve such objectives as storm water management, aquifer re-charge, and design quality.

Such a District could help property owners and the Town work together to further define and develop an image for the Corridor that is compatible with the Town's desired community character. Rather than containing prescriptive standards, although in some cases, such standards may be required, the Overlay District could establish design considerations related to built form, landscape quality, and access management. Such a district would contain a balance of design, landscape and engineering standards and objectives, as well as special incentives, to provide dimensional flexibility beyond what is rigidly established in the Town's table of dimensional standards that currently apply to the commercial districts that bound the Corridor.

While some of the standards in the Route 3 Performance Zoning District may be worthy of exporting to other contexts, including aspects of this new Overlay District—such as shared access and utility incentives, and landscape requirements—it is important that the definition of any new district be more straightforward and concise than the elaborate standards and incentives of the Performance Zone. This is important because the land area available for future commercial growth along 101 is significantly smaller than the land area of the Route 3 Corridor Performance Zone and that roadway's regional commercial context.

Finally, the Town may wish to call a new Overlay District for 101 the “Bedford Village District” since the vocabulary desired for this area is decidedly less intensive, more human scale, and more village oriented. The Town could consider applying the Overlay around the Town Center area alone, or apply it more comprehensively, to the area west of Wallace Road as well.

Revisions to the Non-Residential Site Plan Review Regulations

The Town of Bedford Planning Board is empowered to implement and adopt site plan review regulations for the review of non residential development. Since regulations may be periodically amended by the Planning Board following a public hearing, it would be useful for the Planning Board to consider amending the site plan regulations in particular sections to be more compatible with any new standards adopted related to the 101 Corridor project. At a minimum, text could be added to the existing site plan regulations to encourage shared access from existing curb openings, and opportunities to share parking. Further, adding language related to access management should be included as a basic “objective of the regulations” that are applicable to Route 101. The access management objectives could easily be added to the Purpose section of the regulations in Article 1.

Upon the adoption by the Town of any new standards or regulations that evolve from the Route 101 Plan, cross-referencing language should be added, to help applicants proposing site plans to navigate to other relevant sections of the Zoning Ordinance.

Should Rezoning Land along the Corridor be Considered?

Until design guidelines and maximum building size thresholds are established for the commercial districts along 101, the Town should resist and discourage requests to upzone land along 101. After guidelines and thresholds are established, the Town could consider adjusting commercial district boundaries, but only with the following considerations:

- The boundary change, based on build-out and traffic analysis, would not degrade levels of service;
- The change would offer access management advantages, e.g., curb-cut consolidation; and
- The change would have other aesthetic and design advantages.

It may be useful for the Town to consider allowing neo-traditional housing, perhaps in townhouses or in units placed above retail stores or offices to foster a more traditional “main street” environment in sections along 101. Presently, most forms of housing are prohibited within the CO and HC Districts. This exclusion deserves to be examined, particularly since alternatives to strip and sprawl-type development is desired for the Corridor.