



# Town of Ashland

## MASSACHUSETTS

Ashland Downtown District  
Spring 2021 Town Meeting

To see if the Town will vote to replace the Town of Ashland Zoning Bylaw Chapter 282, Section 8.5, with the following:

### 8.5 ASHLAND DOWNTOWN DISTRICT (ADD)

**8.5.1 Purpose.** The purpose of this district isto:

1. Provide a framework to encourage the growth and development of a successful downtown that will promote village style redevelopment with a mix of commercial, retail, and residential uses in a walkable environment with a density that is consistent with the design principles herein, and that is functionally vibrant and active, and perceived to be an attractive destination visited by residents throughout Ashland and surrounding communities.
2. Broaden the tax base, enhance long-term economic vitality, improve the quality of life of residents, and improve the business climate by encouraging investment that will create employment and economic opportunity, attract other private investment and improvements to property. To reduce automobile dependency and air pollution by locating multiple destinations in close proximity. To strengthen the sense of community in Ashland by building on Downtown Ashland's inherent assets, historic architecture, and cultural offerings to rekindle entrepreneurship, downtown cooperation and civic engagement.

**8.5.2 Purpose of Sub-Areas.** The Ashland Downtown District (ADD) is divided into the three sub-areas designed to allow a mixture of land uses where feasible and appropriate. In addition, the ADD will:

1. focus on site and building design required to promote attractive, functional development,
2. allow greater flexibility in the use of land and design of buildings, structures, landscape and amenities, include a mix of retail, office, institutional and residential including affordable housing, and
3. the ADD is intended to foster a pedestrian friendly downtown with vibrant activities, shopping and an attractive place to live.

**8.5.3 Map.** This district is to be applied to the area referenced on the Zoning Map as Ashland Downtown District.

Sub-area A shall overlay all underlying districts so that any parcel of land lying in sub-area A shall also lie in the zoning district in which it was classified prior to May 10, 2006. Notwithstanding any regulations in this Section 8.5, all regulations of the

underlying zoning districts shall continue to apply within the Downtown District, so that the uses permitted in this Section 8.5 shall be in addition to the uses permitted in the underlying district; provided however, that the following uses shall be prohibited: Earth, vegetative materials and stone removal; and outdoor storage of goods associated with a permitted use without screening as required by Section 5.4. Where screening is provided in sub-area A for the outdoor storage of goods associated with a permitted use the requirements of Section 5.4 shall be increased so that such goods shall be screened from adjacent uses by landscaped buffers which shall be at least 15 feet in depth and which shall contain opaque screening comprised of walls, fences, berms, shrubs or evergreen plantings, or any combination thereof to prevent adverse impacts on neighboring properties. Opaque screens shall be opaque in all seasons of the year. When berms are used to meet the requirements for a buffer strip they shall be planted with living vegetation. The minimum, top width of a berm shall be three (3) feet, and the maximum side slope shall be 3:1. No more than twenty-five per cent (25%) of the coverage of a planted berm shall be mulch or non-living material.

**8.5.4 Sub-Areas.** There are three sub-areas in the ADD designed to promote and strengthen residential, retail and commercial development in the downtown area and to encourage mixed use that also promotes pedestrian and neighborhood activities in the downtown. The boundaries of the sub-areas on designated on the Ashland Zoning Map dated May 10, 2006.

1. Sub-area A is designed to promote the highest level of mixed use, encouraging retail on the first floor and commercial and/ or residential on the upper floors.
2. Sub-area B is designed to promote some mixed use where feasible especially commercial/retail on the first floor and residential on the upper floors.
3. Sub-area C is designed to allow mixed uses where feasible but at a lower density than A and B.

**8.5.5 Table of Uses.** A use listed in the "Table of Uses" shown below is permitted in any sub-area of the ADD denoted by the letter "Y" and is not permitted in any sub-area of the ADD denoted by the letter "N." If denoted by the letters "SP" the use is permitted only if the Planning Board grants a special permit as provided herein and makes such specific findings as may be required by the Bylaw in respect of such use. Within the ADD, the following listed development types of uses and mixed uses shall be allowed as designated: **[Amended 5-4-2016 ATM, Art. 23]**

<b>ASHLAND DOWNTOWN DISTRICT (ADD)</b>	<b>ADD-A</b>	<b>ADD-B</b>	<b>ADD-C</b>
<b>Permitted Residential Uses</b>			
Single family and two-family dwelling homes, other than mobile home	N	SP	Y
Multifamily dwellings (3 or more dwellings)	Y	Y	SP

<b>ASHLAND DOWNTOWN DISTRICT (ADD)</b>	<b>ADD-A</b>	<b>ADD-B</b>	<b>ADD-C</b>
Dwelling units and retail, office and/ or other allowed business in separate buildings on the same lot	YI	Y	SP
Mixed residential and commercial/ business	Y	Y	Y
Senior Residential Community pursuant to Sec 7.2 (no acreage requirement)	SP	SP	N
Cluster development pursuant to Sec 7.3	SP	N	N
Accessory family dwelling unit in compliance with Article IV, Special Regulations Sec 7.6	N	SP	SP
<b>Permitted Community Services</b>			
Religious or educational purposes on land owned or leased by a public body, religious group or nonprofit educational corporation	Y	Y	Y
Child daycare, adult care or assisted living facility	Y	Y	Y
Municipal uses not elsewhere specifically cited	Y	Y	SP
Post office	Y	Y	Y
Community center and public recreation center	SP	SP	SP
Nursing, convalescent, rest home, hospital	Y	Y	Y
Mixed business and residential use in the same building	Y	Y	Y
Mixed business and residential use in separate buildings on the same lot	Y	Y	Y
Business offices such as sale agents, real estate	Y	Y	Y
Bank or financial institutions without drive-up windows	Y	Y	Y
Bank or financial institutions with drive-up windows	SP	SP	N
Any use set forth above in a building with more than 20,000 sq. ft. of gross floor area	SP	N	N

<b>ASHLAND DOWNTOWN DISTRICT (ADD)</b>	<b>ADD-A</b>	<b>ADD-B</b>	<b>ADD-C</b>
Outdoor storage of products for sale	SP2	SP2	SP2
Home occupation in compliance with sec 3.2.1	Y	Y	Y
<b>Permitted Restaurant Uses</b>			
Restaurant and/or bakery with no outside seating and no drive-up window	Y	Y	Y
Restaurant and/or bakery, with outside seating and no drive-up window	Y	SP	SP
Restaurant, fast-food, no drive-up	SP	SP	N
Restaurant, fast-food with drive-up	SP	SP	N
Cafeteria, lunch or soda counter, ice cream establishment or food service	Y	Y	SP
Catering services	Y	SP	SP
<b>Permitted Retail Uses</b>			
Retail sales and/or services in building less than or equal to 10,000 sq. ft. of gross floor area	Y	Y	SP
Retail sales and/or services in building more than 10,000 sq. ft. of gross floor area	Y	SP	N
Open air vending (e.g. push carts)	SP	SP	SP
Bed-and-breakfast	SP	SP	SP
Veterinary, animal hospital, kennelin compliance with Sec 3.2 lots greater than five acres	Y	Y	Y
Agriculture, horticulture, viticulture or floriculture in compliance with Sec 3.2	Y	Y	Y
<b>Permitted Recreational Uses</b>			
Outdoorcommercialrecreationother than campgrounds	SP	SP	SP
Theaters and cinemas	Y	Y	SP
Indoorcommercialrecreation, including tennis club, health or fitness club, day spa	Y	Y	SP

<b>ASHLAND DOWNTOWN DISTRICT (ADD)</b>	<b>ADD-A</b>	<b>ADD-B</b>	<b>ADD-C</b>
Indoor bowling alleys and skating rinks	SP	SP	SP
<b>Permitted Light Industrial Uses</b>			
Printers and similar shops and trades	Y	Y	SP
Light manufacturing, research, assembly, testing	Y	SP	SP
Service industries, such as the repair of appliances	Y	Y	SP
<b>Prohibited Uses</b>			
Motor vehicle service stations, vehicle body repair, restoration, paint shop	N	N	N
Retail sales or rental of motor vehicles, trailers or motorized marine equipment	N	N	N
Adult entertainment establishments	N	N	N
Tattoo Parlors	N	N	N
Storage trailers and outdoor storage of goods associated with a business, retail, commercial or industrial use	N	N	N

**Notes on Ashland Downtown District Table of Uses**

- I. Ground floors of buildings which front on streets shall be reserved for non-residential uses except as specified below
  - a. Dwelling units shall be allowed on ground floors of buildings only where:
    - (i) the building is set behind another building which has non-residential uses on the ground floor; or
    - (ii) the residential portion of the first floor of a building is set behind street-front non-residential uses within the same building; or
    - (iii) in other cases where the SPGA feels that street-front residential uses will not have an adverse impact on the continuity of the non-residential street front uses.
2. Allowed as accessory use only.

**8.5.6 Lot and Dimensional Standards**

- I. The dimensional requirements in a mixed-use building shall be governed by the ground-floor use of the building. In cases of a mixture of uses in one building or structure, the regulation for each use shall apply to the portion of the building,

structure or land so used. The Planning Board may vary the dimensional and parking requirements of this section if, in its opinion, such change will result in an improved design and/or a design which reflects the design characteristics depicted in the renderings below in the Table Of Dimensional Requirements In The Ashland Downtown District. [Amended 5-4-2016 ATM, Art. 21]

<b>DIMENSIONAL STANDARDS (REQUIRED)</b>							
Building Type	Frontage (Min.)	Lot Size	Front Yard (Min./Max)	Side Yard (Min.)	Rear Yard (Min.)	FAR (Max.)	Height (Max.)
<b>Sub -Area A</b>							
Mixed-Use and Commercial	100'	35,000 SF	8' / 15'	0' if common wall; 15' otherwise	12'	2.0	3 Stories (max 38 feet)
Residential-only	100'	35,000 SF	15' / 15'	0' if common wall; 15' otherwise	12'	2.0	3 Stories (max 38 feet)
<b>Sub-Area B</b>							
Mixed-Use and Commercial	75'	20,000 SF	8' / 15'	0' if common wall; 10' otherwise	12'	1.5	3 Stories (max 38 feet)
Residential-only	75'	20,000 SF	15' / 15'	0' if common wall; 10' otherwise	12'	1.5	3 Stories (max 38 feet)
<b>Sub-Area C</b>							
Mixed-Use and Commercial	50'	8,000 SF	8' / 15'	0' if common wall; 10' otherwise	12'	1.5	3 Stories (max 38 feet)
Residential-only	50'	8,000 SF	15' / 15'	0' if common wall; 10' otherwise	12'	1.5	3 Stories (max 38 feet)

2. *Building Orientation.* Buildings shall be placed on the site to define the edges of streets and public spaces, constructed to be parallel to the street or public space. Multiple buildings on single lots are permitted. Where multiple buildings exist, to the extent practicable they shall be arranged to form a grid-like pattern.
3. *Front Yards.* The following standards shall apply to front yards.
  - a. Within the front yard setback, the space shall be used for one or more combination of:
    - (i) Outdoor seating associated with a ground-floor eating establishment
    - (ii) Publicly available open space, such as a plaza, or the like.
    - (iii) Garden space or other highly landscaped area, which in the opinion of the Planning Board contributes to the neighborhood's vibrancy
    - (iv) Other uses, which in the opinion of the Planning Board contributes to the neighborhood's vibrancy
  - b. The Planning Board may allow for greater front yards, whereby in its

judgement, doing so will contribute to an improved public realm.

c. Parking is prohibited within the front yard setback.

4. **Rear Yards.** Where a property abuts a residential district, the rear yard must be a minimum of 30 feet, which may be reduced to no more than a 12 foot rear yard through Special Permit by the Planning Board. Any reduction in the required rear yard setback will be at the discretion of the Planning Board, if in its opinion a reduced setback will not cause any adverse effects to the adjoining residential property.
5. **FAR (Floor Area Ratio).** The total floor area of all principal buildings on a lot divided by the area of said lot.
6. **(Reserved)**
7. **Height** may be increased up to 48 feet through a Special Permit by the Planning Board and in accordance with Section 9.3 to allow for architectural features that add to the building design and which shall not increase additional living space. Examples of such features include a pinnacle, cupola, a clock tower, a terrace, observation area, and the like.
8. **Minimum lot size and minimum frontage requirements** may be reduced upon issuance of a Special Permit by the Planning Board if, in its sole discretion, it finds that such a reduction will not negatively impact neighborhood character or have adverse impacts on abutting properties.

**8.5.7 General Regulations.** The Town of Ashland Design Review Guidelines (dated 2015 or the most recent edition), adopted by the Planning Board pursuant to the authority granted hereunder, available from the Town of Ashland Planning Department, shall guide the implementation of the standards of this section. All New signs will follow the sign requirements of the commercial "B: zones as noted in Sec 5.3." of this Zoning bylaw.

**8.5.8 Performance Standards; Criteria.** The ADD application and required plans shall meet the general performance criteria set forth in the regulations and design guidelines adopted pursuant to this Bylaw, including but not limited to Section 9.4 of this Zoning Bylaw. In addition, the Planning Board shall consider the criteria set forth in Section 8.5.14 and 9.3.2 of this Zoning Bylaw following general criteria, where relevant, before issuing a permit for development within the ADD.

1. Suitability of the site for the proposed use(s);
2. Impact on traffic and pedestrian flow and safety and access for emergency vehicles;
3. Adequacy of pedestrian access to buildings and between public spaces;
4. Impact on the visual character of the ADD and surrounding neighborhood;
5. Adequacy of utilities, including sewage disposal, water supply and stormwater drainage.

**8.5.9 Design Principles.** The leading design principles are:

1. To provide convenient and efficient pedestrian access within the ADD and to

surrounding neighborhoods and facilities,

2. To provide a safe and comfortable pedestrian environment with walkways, pedestrian conveniences and amenities, and
3. To encourage buildings with a pedestrian oriented scale and design.

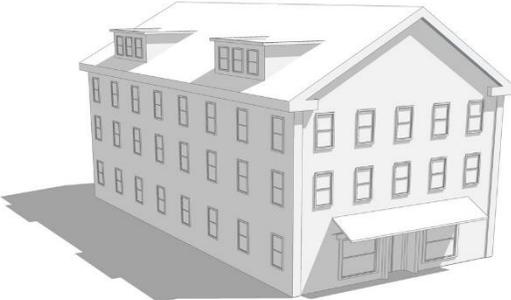
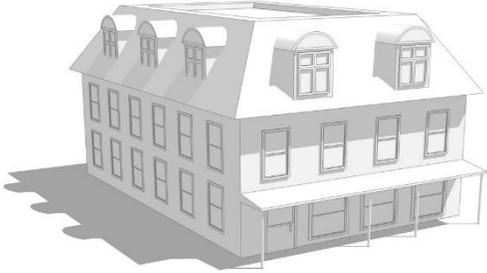
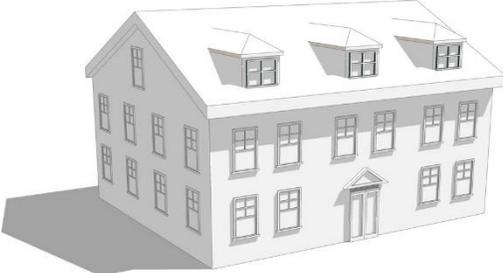
**8.5.10** To encourage buildings that are compatible with the context and historic nature of downtown Ashland lot design standards. The following standards shall apply to all lots in the ADD:

1. Sidewalks shall be required along the lots frontage on a street or streets and walkways between building entrances and the nearest street or streets with minimal interruption by driveways. Parking lot aisles, and access and interior driveways do not count as walkways;
2. Driveway and walkway connections to abutting lots are required within the ADD wherever feasible and appropriate.
3. An outdoor pedestrian area shall be provided on any lot where the floor area is 30,000 square feet or more. The pedestrian area shall be accented with pedestrian amenities such as benches and street furniture. Shade trees, ornamental trees and other landscaping shall be provided to create a separation between pedestrian and vehicular traffic, to highlight buildings and pedestrian spaces, to provide shelter from the sun, to minimize glare for drivers, to reduce noise, and to mitigate fumes.
4. The project must be connected to adjacent residential neighborhoods via pedestrian ways.
5. No driveway or parking lot shall be placed in the portion of a lot that is directly in front of a building as seen from a street, whether or not the building is located on the same lot as the driveway or parking lot, except that a driveway and parking lot may be placed in the front of a building that is located in the rear of another building when viewed from a street.

**8.5.11** Building Design Standards

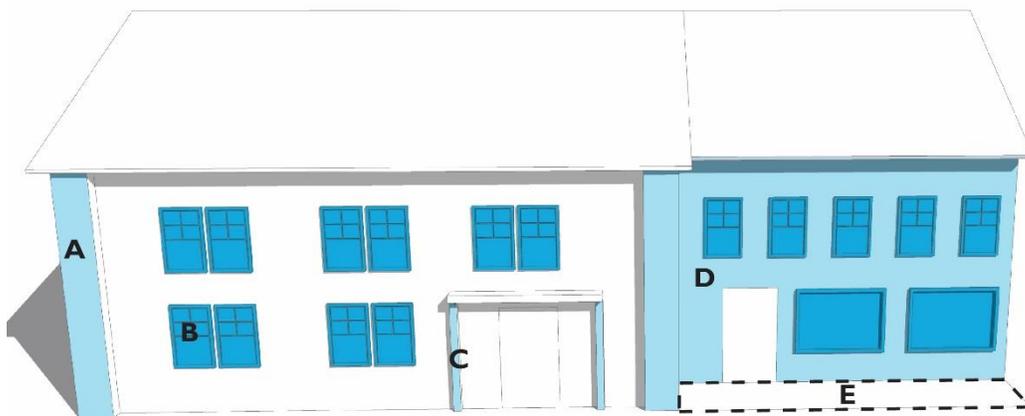
1. Buildings shall be of a design similar to the historic architecture in Downtown Ashland in terms of scale, massing, roof shape, spacing and exterior materials. The following diagrams are intended to provide inspiration and general examples of compatible buildings and are not intended to be exactly imitated.

Examples of general building and facade typologies compatible within context of downtown Ashland. Note that these diagrams are intended as only guides for development.



2. The building front facades shall be articulated to achieve a human scale and interest. The use of different textures, shadow lines, detailing and contrasting shapes is required.

- a. Where buildings are greater than 60 feet in width along the public right-of-way, buildings shall have vertical modulation elements at minimum every 45 feet. These required vertical articulation elements include a combination of changes in the vertical plane of the building (minimum two foot and maximum 4 feet), vertical architectural details such as columns, pilasters, and the like, varied fenestration patterns, changes of material, and other elements, which, in the opinion of the Planning Board achieve the desired effect.

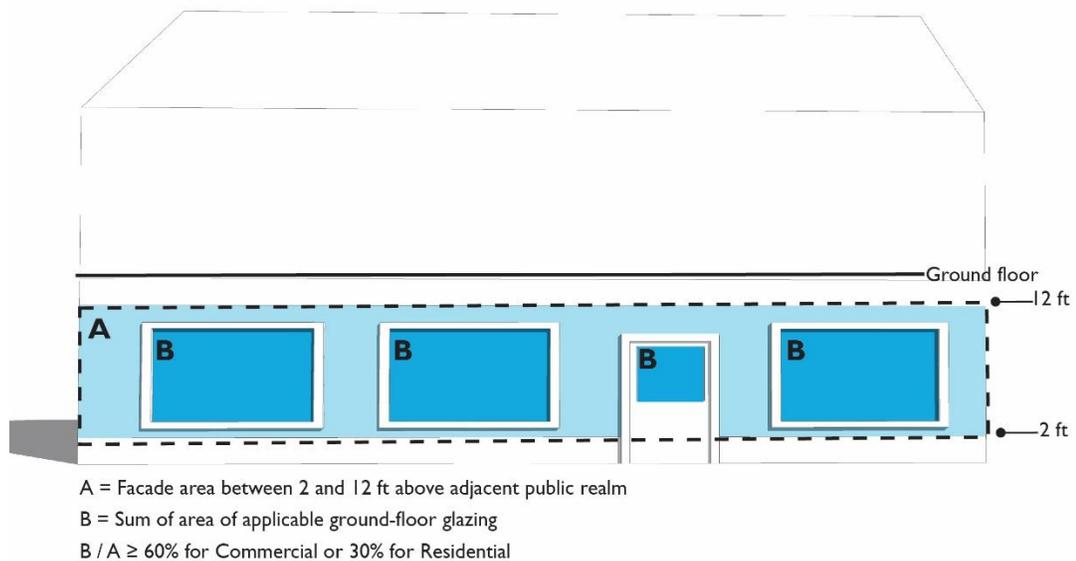


- A = Pilasters  
B = Varied fenestration pattern between bays  
C = Columns  
D = Varied colors or materials between bays  
E = Change in vertical plane between bays

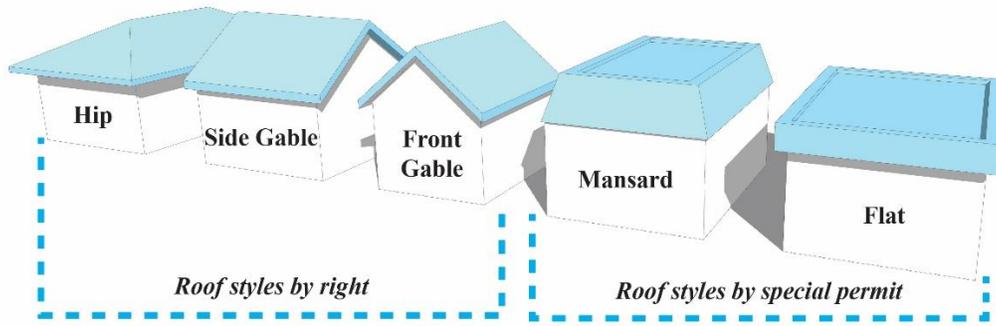
- b. Building facades should be horizontally articulated with a clearly defined base, middle, and top as illustrated below. For buildings three (3) stories and taller, the following standards apply:
- (i) The bottom one to two (2) stories of a building should be visually integrated as an appropriately scaled expression of the building's base. The base should be visually differentiated from the stories above by a horizontal expression line or cornice and include a change in color, building material, or pattern of fenestration.
  - (ii) The central portion of each facade should be visually integrated as an expression of the building's middle. The middle should be visually differentiated from the base and top by a horizontal expression line or cornice and include a change in color, building material, or pattern of fenestration.
  - (iii) The top story of each facade should have a cornice, parapet, roof element, or change in massing as an expression of the building's top.
  - (iv) Materials appearing heavier in weight should be used for the

building's base, with materials appearing similar or lighter in weight used above.

3. Facades shall have windows and doors with highly transparent, low reflectivity glass for a percentage of the total area of a ground-floor façade facing the public right-of-way. Facade glazing is measured between two (2) feet and twelve (12) feet of the ground floor above the applicable facade. For commercial uses, the required percentage is a minimum of 60% and for residential uses, the required percentage is 30%. Window casings shall be of style and scale appropriate to the historic nature of the downtown and be no less than 3 inches wide.



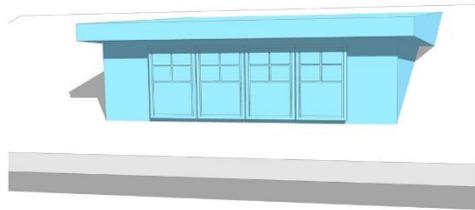
4. The following standards for roofs shall apply:
  - a. Buildings shall have one the following roof styles: front gable, side gable, or hip roof.
  - b. The minimum pitch requirement is a 7/12 ratio. The Planning Board may grant a Special Permit at its sole discretion and in accordance with Section 9.3 for a reduced pitch of an otherwise by-right roof style.
  - c. The Planning Board may grant a Special Permit in accordance with Section 9.3 for Mansard, flat roofs, or other roof styles if the applicant can demonstrate that the proposed design will enhance the character of the neighborhood through inclusion of historically appropriate architectural details, such as cornices, moldings, and the like.



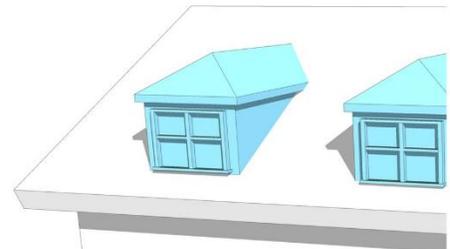
- Buildings shall be designed to include massing components with the intent of adding visual interest and reducing the perceived visual bulk of buildings. Massing components include dormers, shed dormers, cross gables, bay windows, upper story step-backs, or the like.

Examples of building components to be incorporated into building designs. Note that window treatments, roof styles, and proportions can vary, depending on the context of the building's design.

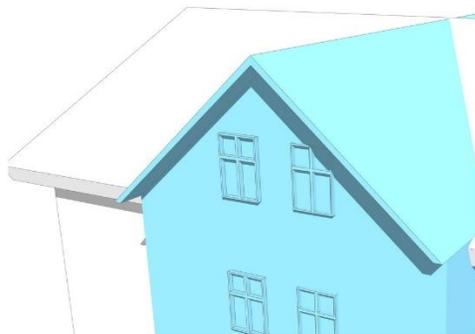
**Shed dormer (example)**



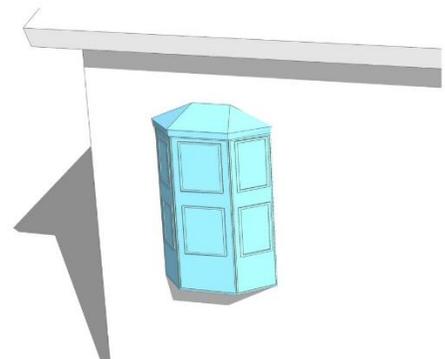
**Dormer (example)**



**Cross gable (example)**



**Bay window (example)**



8.5.12 Landscaping. See Section 5.4.

8.5.13 Parking and Loading. See Section 5.1 and 5.2. The schedule of parking requirements found in

Section 5.1 shall apply. However in the ADD, the number of parking spaces required for each use shall be 75% of those stated in Section 5.1. Where there is a mixture of land uses on one lot, the number of parking spaces required shall be only 75% of those stipulated above, that is, where there is a mixture of uses the parking requirement will be 56.25% (75%times 75%).

1. Shared Motor Vehicle Parking. Shared use of motor vehicle parking is strongly encouraged, however, parking spaces for one use shall not be considered as providing the required spaces for any other use, except when it can be clearly demonstrated that the need for parking occurs at different times. A shared parking agreement shall be submitted to the Planning Board as part of any permit request. Said shared parking agreement shall address issues such as the maintenance, stripping and snow plowing of the shared parking area.
  2. All parking areas, lots and/or facilities shall be connected to the parking areas, lots and/or facilities of all adjacent lots within the ADD, unless physical constraints, present site configuration, uncooperative abutters, or land vacancy precludes strict compliance.
- 8.5.14** Mandatory Findings. When a Special Permit is required, the Planning Board shall not issue a Special Permit unless without exception it shall find that the proposed use and development:
1. is in harmony with the purpose and intent of this Bylaw;
  2. is appropriate for the site for which the petition is submitted and is related harmoniously to the terrain and to the use, scale and proportions of existing and proposed buildings in the immediate vicinity that have functional or visual relationship to the proposed use;
  3. includes sufficient mitigating measures which shall be implemented as part of the special permit for any adverse effects noted in reports from town boards and agencies, reports from consultants, and public hearings;
  4. will result in no significant effect on level of service for any service provided by the Town, including fire, police and ambulance. Proof of no significant effect is the lack of need for the Town to add equipment and/or staff specifically due to the development;
  5. will provide adequate provision for pedestrian traffic; and
  6. will comply with all requirements of all applicable requirements of this By-law.
- 8.5.15** If, in the judgement of the Town Planner, the design(s) proposed in an application reflect the design characteristics encouraged in Subsection 8.5.7, the following stipulations shall take effect: **[Added 5-4-2016 ATM, Art.22]**
1. The Planning Board's maximum period of review and decision shall be ninety (90) days from the opening of a special permit public hearing and ninety (90) days from the opening of a meeting commencing a site plan review process, unless the review period is extended by mutual agreement of the Planning Board and applicant;
  2. Planning Board special permit and site plan review processes shall be conducted concurrently;
  3. A maximum of \$4,000.00 in up-front application fees shall be charged. This shall

not include peer review fees.