

## Village Area Design Standards

Possible additions/revisions to section 5.22 and section 10.1 (Zoning Regulations)  
DRAFT 7 – 2/22/19 – for 3/27/19 Planning Commission public hearing

### New Definition in section 10.1

Public Open Space: An area designed and constructed with sufficient size, topography, green space, hardscape, natural features and amenities for non-exclusive, general public use that provides for recreation, relaxation, and fosters social interaction. Examples of public open space areas consistent with this definition in the village growth area would include parks, greens, plazas/squares, community gardens, trail systems, and recreation areas. Site improvements vary based on the intended uses, but typically will include landscaping, sidewalks and bike paths, trails, benches, picnic tables, playground equipment, sculpture and other art installations, gazebos, etc.

### New section within Section 5.22 (Village Area Design Standards)

#### **Public Open Space Standards:**

##### Applicability

Public open space is needed to address the impacts of larger development projects – particularly to fully address the purpose of the village growth area outlined in section 3.1 as well as the vision expressed in the Town Plan (goal 3.3 and action item 3.3.1). Public open space as defined in section 10.1 shall be provided in development projects with 10 or more new residential dwelling units (or equivalent for congregate care), or 6,000 square feet or more of new non-residential space. Although the provision of public open space to coincide with appropriate Official Map elements is encouraged, the requirements of this section may be satisfied in locations not identified on the Official Map. The provision of public open space is not meant to preclude the provision of private open spaces, the use of which may be limited to specific individuals or groups.

##### Size & Location

Plans for public open space shall be reviewed and approved by the DRB as part of the review of the project and shall be of a type, design, size, and location to support and facilitate community use and enjoyment. The type and design of the public open space shall have a nexus to the nature of the proposed development. The necessary size will vary depending on the intended use, the nature of the development and surrounding neighborhood, and the proximity of other public spaces. The necessary size shall be roughly proportional to the nature and extent of the proposed project and its impacts, using the following minimum guidelines:

Residential Development: 200 square feet per dwelling unit<sup>1</sup>

Nonresidential Development<sup>3</sup>:

| <u>Building Floor Area<sup>2</sup> (sq. ft.)</u> | <u>Minimum public open space (sq. ft.)</u>                 |
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| 6,000 – 13,500                                   | 2,000 sq. ft.  |
| 13,501 – 50,000                                  | 15% of building floor area                                 |
| 50,001 +   | the greater of 7,500 sq. ft. or 10% of building floor area |

<sup>1</sup> Equivalent for congregate care.

<sup>2</sup> Total floor area of all floors for all non-residential space.

<sup>3</sup> Minimum for mixed residential/non-residential projects is cumulative – e.g., a project with 100 dwelling units and 12,000 square feet of non-residential space would need a minimum of 22,000 sq. ft. of public open space (20,000 sq. ft. for the 100 dwelling units plus 2,000 sq. ft. for the 12,000 square feet of non-residential building floor area).

Public open spaces shall be designed to complement rather than duplicate the functions of other nearby public spaces, and to adequately and safely accommodate the proposed activities, meaning due consideration shall be given to sufficient dimensions, types, of walking surfaces, ground covers, seating, water features, shrub and tree planting, lighting fixtures, play structures, and other hardscape. Trails and pathways outside of the public open space area may constitute up to 30% of the minimum public open space size requirement. A 20 foot width shall be used for the purpose of calculating trail/pathway area, unless the public easement area is less, or the DRB approves an alternative width. The following improvements and infrastructure shall not count toward the minimum public open space size requirement: roads, access drives, parking areas, sidewalks and bike lanes along adjacent roads, stormwater treatment areas (e.g., detention ponds, swales/ditches, constructed wetlands, etc.), above-ground utility infrastructure (e.g., cabinets, vaults, telecommunication boxes, HVAC equipment), ground-mounted solar installations. With the exception of properly constructed trails and pathways, the following areas shall not count toward the minimum public open space size requirement: flood hazard areas, stream setback and buffer areas, steep slopes exceeding 15%, and wetlands and wetland buffer areas.

Public open spaces shall be sited in prominent locations that are: easily accessible to the general public; in close proximity to uses that either generate significant pedestrian traffic (e.g., high density residential) or attract the general public (e.g., retail, service establishment, restaurant); connected to surrounding uses and other nearby green spaces via bike/pedestrian infrastructure. With the exception of trails and pathways, public open spaces shall comply with the following:

- They shall include at least 60 feet of road frontage, unless the DRB approves a lesser amount that provides adequate access.
- The shape/configuration shall be adequate to support the intended use.
- Larger, contiguous blocks of public open space are encouraged as these tend to allow more uses than a collection of separate, smaller areas.
- Long, narrow open spaces with the smaller of the length or width less than 20% of the larger dimension are prohibited, unless approved by the DRB.

#### Availability

Public open space areas shall be accessible and available for public use; however, landowners may impose reasonable restrictions on the use as long as these do not nullify the intent of this requirement nor the purpose of the public open space. Examples of reasonable restrictions include, but are not limited to: specifying acceptable hours of use (e.g., dawn to dusk); prohibiting certain activities (e.g., skateboarding, motorized vehicles, etc.); addressing nuisance activity/behavior (e.g., smoking, noise levels, etc.).

Public open space may be in private ownership, to be set aside as common land, as a separate lot, or as a portion of one or more lots. For public open space in private ownership, maintenance of the space and its improvements shall be the responsibility of the landowner unless there is an agreement with the Town to provide maintenance and upkeep. Public open space may be offered to the Town via an irrevocable offer of dedication (e.g., easement or fee title ownership); however, acceptance of property is the purview of the Select Board.

Features/Amenities

Public open spaces shall include:

- Landscaping, hardscaping, artwork, and structures (as appropriate) that provide visual interest and encourage public use.
- Shade trees (in addition to street trees) to provide summer shade and vertical differentiation.
- Sidewalks or paths to facilitate easy access within the space.
- Bike storage – e.g., bike racks, bike lockers, etc.
- Outdoor seating sufficient in type and quantity for the intended use.

Above-ground utility infrastructure (e.g., cabinets, vaults, telecommunication boxes, HVAC equipment) shall be placed at the perimeter of the public open space to the greatest extent possible and shall be well-screened. Such utility infrastructure placed within or immediately adjacent to public open space areas shall be well-screened with year-round vegetation (e.g., evergreen) or fencing, or it shall be visually enhanced to serve as public art.

Off-site Allowance

With the exception of connecting trails and pathways, the required public open space shall be provided within the project area. However, to ensure flexibility for both the Town and the applicant, the DRB, at its sole discretion, may allow required public open space to be provided outside of the project area. Public open space provided outside the project area shall be sited within or immediately adjacent to the village growth area zoning districts, and the same design standards listed above shall apply. An applicant proposing public open space outside of the project area shall demonstrate control or ownership of the off-site area by submitting draft legal documents (easement deeds, warranty deeds, agreements, etc.) with the request for an off-site allowance.

Contribution Alternative

In lieu of providing all of the public open space as required by these regulations, the DRB, at its sole discretion, may allow an applicant to contribute to a suitable Town-managed fund that will be used for the creation or improvement of public open space in the village growth area. The contribution amount shall be no less than \$10 per square foot of the minimum required public open space that is not being provided within the project area (see below for examples). In such cases, the applicant shall demonstrate the following:

- Providing the required public open space would materially affect the ability of the project applicant to develop the site in a manner consistent with the Town’s land use regulations, particularly the village growth area purpose outlined in section 3.1.
- The project’s occupants will have access to other public open space areas within one half-mile of the project site.
- For projects on one or more parcels that total 10 acres or more, at least 50% of the minimum required public open space is being created within the project site.

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| <p>NOTE -<br/>recommend<br/>that the<br/>Select Board<br/>create a<br/>suitable fund</p> |
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Calculation examples

(note – one acre equals 43,560 square feet)

**Project A:** Two acres; 12 dwelling units; 3,000 sq ft non-residential floor area

12 units x 200 = 2,400 sq ft open space; 3,000 sq ft non-resid = 0 open space  
Minimum public open space = 2,400 sq ft

Contribution Alternative:

Minimum on-site open space = 0

Minimum contribution = \$24,000 (2,400 sq ft x \$10/sq ft)

**Project B:** 20 acres; 60 dwelling units; 10,000 sq ft non-residential floor area  
60 units x 200 = 12,000 sq ft open space; 10,000 sq ft non-resid = 2,000 sq ft open space  
Minimum public open space = 14,000 sq ft

Contribution Alternative:

Minimum on-site open space = 7,000 sq ft

Minimum contribution = \$70,000 (7,000 sq ft x \$10/sq ft)

**Project C:** 40 acres; 100 dwelling units; 20,000 sq ft non-residential floor area  
100 units x 200 = 20,000 sq ft; 20,000 sq ft non-resid = 3,000 sq ft  
Minimum public open space = 23,000 sq ft

Contribution Alternative:

Minimum on-site open space = 11,500 sq ft

Minimum contribution = \$115,000 (11,500 sq ft x \$10/sq ft)