

Elmwood Park Business District

To see if the Town will vote to amend the Zoning Bylaw as follows:

1. Adopt a new Article XXXII, Elmwood Park Business District, as follows:

Article XXXII
Elmwood Park Business District

§ 210-205. Purpose.

The zoning standards and controls in the Elmwood Park District are established to promote and maintain environmentally sustainable and energy efficient design and development practices as this area is redeveloped with new construction and renovation of sites and buildings. Toward that end, the purpose of this Article is to implement the following policies, principles and objectives:

- A. The land within the District will be redeveloped so that it contains a mix of uses;
- B. The land within the District will be designed to encourage pedestrian and non-motorized access, and will connect to adjacent open space, commercial, residential and recreational areas;
- C. Transportation access will be planned and designed to coordinate with and facilitate the redevelopment of the area;
- D. Buildings and landscaping will contribute to the character of the Town and enhance the District;
- E. Building design and location will be respectful of existing neighborhood settings, will encourage entry of daylight into interior spaces and will minimize interference with distant views into and out of the District;
- F. Site design and building design will utilize energy efficient planning and execution, such as the Leadership in Energy and Environmental Design Green Building Rating System (LEED) as developed and revised from time to time by the United States Green Building Council;
- G. Site design will utilize Low Impact Development techniques and principles.

§ 210-206. Uses permitted by right.

The following land uses are permitted in the Elmwood Park District:

- A. Public and private educational uses.
- B. Professional and medical offices.

- C. Licensed medical care facility for inpatient and outpatient services; health services facility.
- D. Museums, libraries and visual and performing arts galleries and facilities.
- E. Financial institutions and banks.
- F. Restaurants.
- G. Retail stores up to 15,000 gross square feet in area; provided, however, that food markets and grocery stores may not exceed 30,000 gross square feet in area.
- H. Hotels and inns, provided that such facilities include the following: 1) a minimum of 1,500 square feet of function and/or meeting room space; 2) restaurant; and 3) fitness center facilities. Such facilities may be located either within the building or on the same lot.
- I. Conference centers without a dormitory component.
- J. Genetic, biological and chemical research centers, laboratories and manufacturing and processing plants with a Biosafety Level of Level 1 (involving specific combinations of work, practices, safety equipment and facilities appropriate for infectious agents that do not ordinarily cause human disease) or Level 2 (involving specific combinations of work practices, safety equipment and facilities appropriate for infectious agents that can cause human disease, but whose potential for transmission is limited), as determined in accordance with the Guidelines of the U.S. Centers for Disease Control.
- K. Research and development; research centers and laboratories; associated manufacturing processes and facilities.
- L. Municipal Uses.
- M. Child care facilities.
- N. Agriculture, horticulture and viticulture on lots of 5 acres or more.
- O. Indoor recreation uses
- P. Athletic club/health and fitness club, health and wellness facilities and spas, provided that no activities are conducted outdoors.
- Q. Places of worship and other religious uses.
- R. Above or below ground parking structures that are accessory to a use or uses permitted by right or by special permit.
- S. Accessory uses.

§ 210-207. Uses allowed by Special Permit.

A. The following land uses shall be allowed in an Elmwood Park District upon the granting of a special permit by the Board of Appeals:

- (1) Outdoor activities/components of athletic club/health and fitness clubs, health and wellness facilities and spas.
- (2) Retail stores that contain more than 15,000 gross square feet and food markets or grocery stores that contain more than 30,000 gross square feet. In no case, however, shall a retail store, food market or grocery store exceed 40,000 gross square feet.
- (3) Above or below ground parking structures that are not accessory to a use or uses permitted by right or by special permit.
- (4) Conference center with a dormitory component.
- (5) Genetic, biological and chemical research centers, laboratories and manufacturing and processing plants with a Biosafety Level of Level 3 (involving specific combinations of work practices, safety equipment and facilities appropriate for infectious agents that may be transmitted by the respiratory route which can cause serious infection), as determined in accordance with the Guidelines of the U.S. Centers for Disease Control.

B. The following land uses shall be allowed in an Elmwood Park District upon the granting of a special permit by the Planning Board:

- (1) Registered marijuana dispensary.

§ 210-208. Size and setback requirements.

A. The following size and setback requirements shall apply:

- (1) Minimum lot frontage: 100 feet
- (2) Minimum lot area: 45,000 square feet
- (3) Maximum gross floor space of buildings and structures: Lot area multiplied by 1.0 square feet
- (4) Minimum setback from a property line abutting a street: 40 feet
- (5) Minimum side yard width: 10 feet to lot lines which are within the District; 30 feet to lot lines which are not within the District.

(6) Minimum rear yard width: 10 feet to lot lines which are within the District; 40 feet to lot lines which are not within the District.

(7) Maximum lot coverage by buildings: 60%

(8) Minimum pervious area: 20% of the lot

(9) Maximum building height: 70 feet, except that any building or portion of building located east of Parkwood Drive shall not exceed 45 feet in height.

B. Yard and setback exceptions: Notwithstanding the foregoing, no building or structure shall be erected or altered to be within 60 feet of an RA, RB, RLF or A District line.

§ 210-209. Design requirements.

In addition to the Site Plan Standards set forth in § 210-136.1, Site Plans shall conform to the following requirements:

A. Loading areas shall be provided only at the side or rear of a building. Such loading space shall be provided on the lot to service all loading requirements of the industry or use conducted thereon without requiring use of adjacent streets or driveways.

B. All required setback areas shall be landscaped with lawns or other vegetation within one year of the completion of building construction on any lot and shall thereafter be maintained by the owner.

C. The minimum yard width adjacent to an A, RA, RB or RLF District shall be maintained in a wooded state to provide effective year-round screening of abutting property.

D. Site design and landscaping shall complement the District's characteristics and enhance and/or screen the buildings, roadways and parking facilities. The design shall complement the terrain and site features.

E. The site design shall use natural and native drought tolerant plant materials with low water consumption and maintenance requirements. Existing trees shall be retained whenever possible, especially those which have the potential to be as tall as or taller than the tallest buildings in the District.

F. Naturalized plant groupings shall be included in landscape plans and designed to effectively break up paved areas and facades, strengthen vistas and provide shade.

G. Surface parking lots shall be located and designed so as not to be visually or physically prominent.

H. Parking garages shall be located and designed so as not to be visually more prominent than buildings containing occupiable space or open and landscaped areas. Parking facilities shall

be architecturally screened and/or sheltered by building or landscape elements so their visibility from roads or adjacent zoning districts is mitigated.

- I. Pedestrian and bicycle connections to lots within the District and to existing or planned transportation and open space networks outside the District shall be incorporated into site designs.
- J. Buildings facing more than one street shall present high quality and architecturally related faces to all of the streets. Blank facades are not permitted.
- K. The scale of large buildings shall be broken up by providing roofline, height and bulk variations.

§ 210-210. Sustainability.

- A. Projects are encouraged to meet the requirements of the most current applicable LEED building rating system at the level of “Certified” or better.
- B. Projects are encouraged to incorporate renewable and/or alternative energy technologies.

- 2. Insert the following new definition into § 210-4, Definitions, in appropriate alphabetical order:

LICENSED MEDICAL CARE FACILITY FOR INPATIENT AND OUTPATIENT SERVICES – A building that contains establishments dispensing health services for health maintenance and the diagnosis and treatment of medical, dental and physical conditions, including surgery. The term shall not include urgent medical care requiring emergency transportation, nursing homes or extended care facilities.

- 3. Change the zoning district of the following parcels of land, totaling approximately 54 acres, from Industrial B to Crossroads Redevelopment District:

86, 88 & 90 Elm St. (Assessors Map R23 Block 10 Lot 0), 5 Parkwood Dr. (Map R23 Block 11 Lot 0), the portion of 68 Elm St. (Map R23 Block 12 Lot 0) in the Industrial B District, 12 Parkwood Dr. (Map R17 Block 13 Lot 2), the portion of 35 Parkwood Dr. (Map R17 Block 13 Lot 4) in the Industrial B District, a lot on Parkwood Drive at Map R17 Block 13 Lot 3, and the parcel of land at Map R23 Block 9 Lot 0.

- 4. Amend the Zoning Map to remove the following parcels from the Hotel Overlay District:

Assessors Map R23 Block 10 Lot 0, Map R17 Block 13 Lot 4, Map R23 Block 11 Lot 0, Map R17 Block 13 Lot 2, Map R17 Block 13 Lot 3, and Map R23 Block 9 Lot 0.

5. Amend Article XXVII, Signs, by deleting the title “Industrial A and Industrial B Districts” of subsection (3) in § 210-180, Sign regulations by zoning district, and inserting therefor a new title as follows:

(3) Industrial A, Industrial B and Elmwood Park Business District

6. Amend Subsection A of Article I, General Provisions, by inserting in alphabetical order, the following:

EPBD Elmwood Park Business District