



Planning Board Recommendations 2024 Zoning Articles

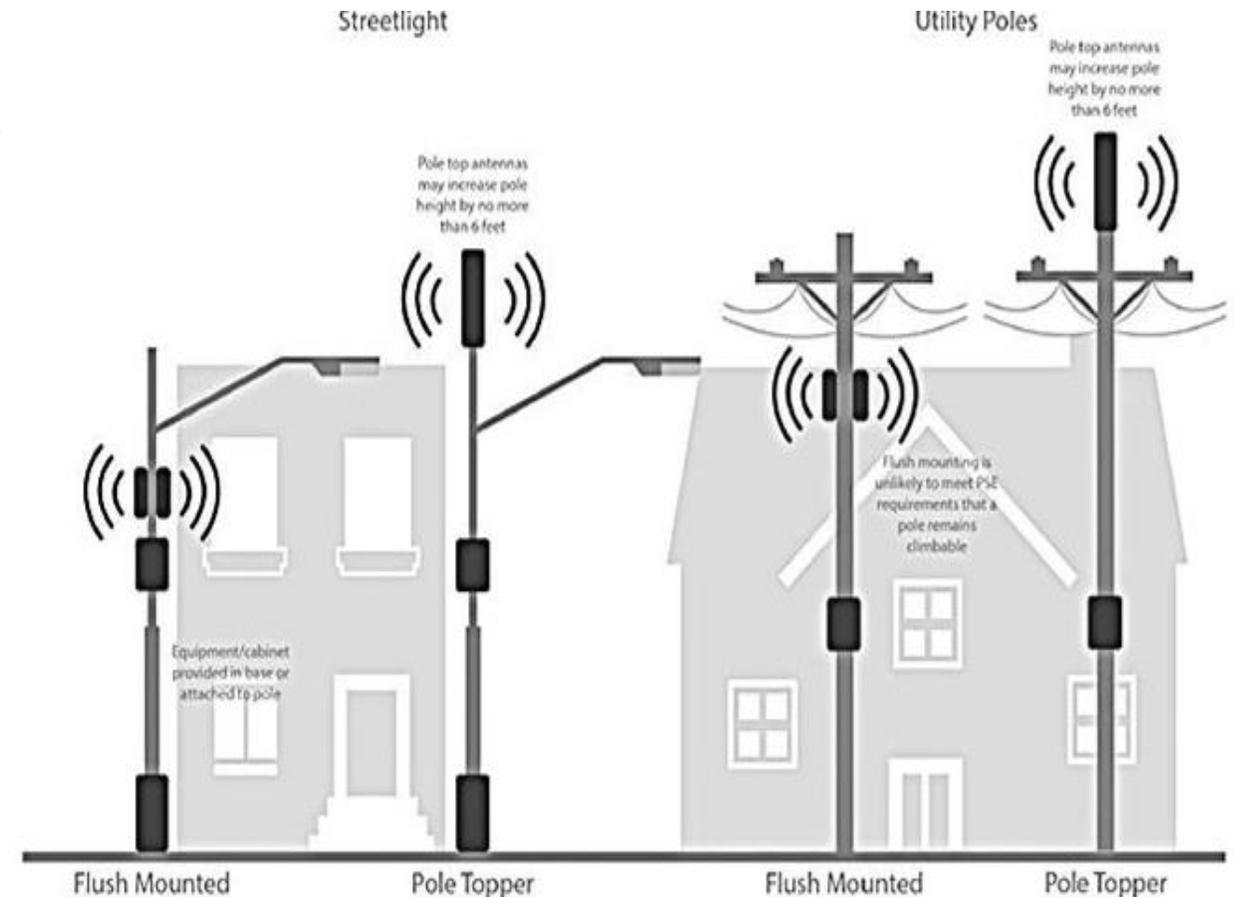
Select Board Briefing
April 8, 2024

Article 28: Personal Wireless Service Facilities

Intent: Encourage improved wireless services throughout the Town by expanding the allowed types and locations facilities under Section V-E of the By-Law.

Regulations:

1. Create a definition and allowances for small cell wireless facilities to be located within or on non-residential host structures.
2. Allows cell towers to be located in the Official and Open Space District.



Article 30: Update of Floodplain Map and Regulations

Intent:

1. Revise the map references and the associated zoning map for the Floodplain Protection Overlay District to incorporate revisions on the Flood Insurance Rate Maps issued by Federal Emergency Management Agency (FEMA) for the Charles Watershed.
2. Restructure the related floodplain regulations under Section III-C to be more consistent with other special regulations in the Zoning By-Law, while maintaining all language required to participate in the National Flood Insurance Program.

Impact:

1. Compliance would result in increase in number of affected properties
2. Noncompliance would make all properties ineligible for federal flood insurance

Status:

1. FEMA issued Letter of Final Determination on January 3, 2024
2. Compliance Deadline is July 3, 2024

Article 31: Groundwater Protection Overlay District

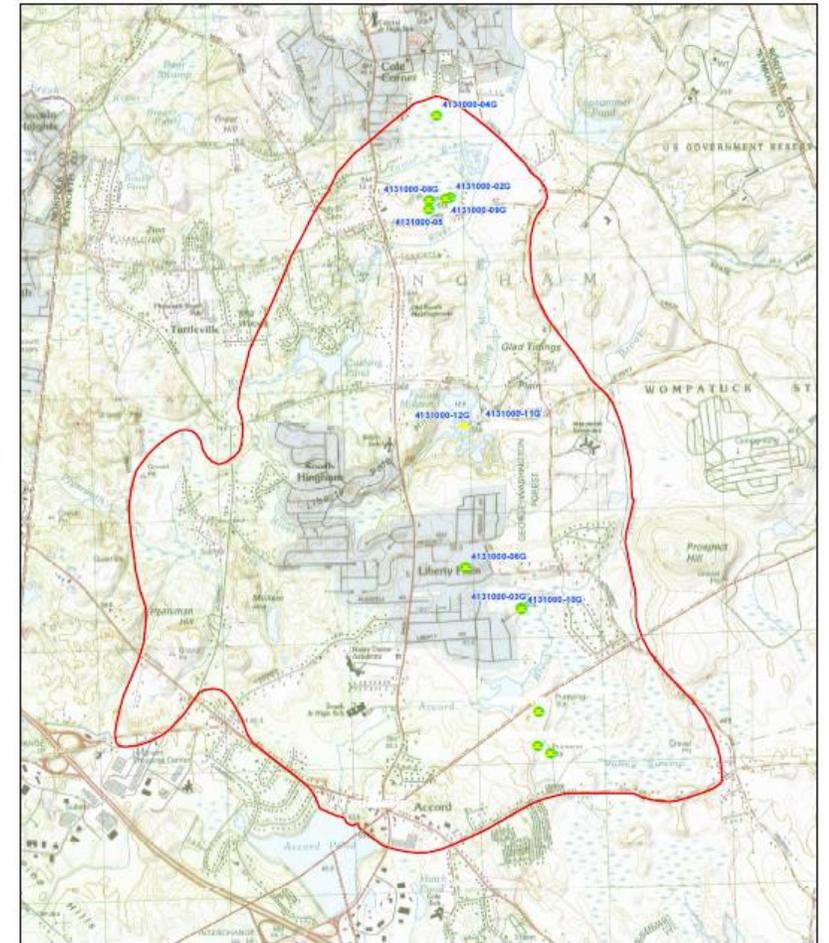
Intent: Replace the existing Accord Pond Watershed and Hingham Aquifer Protection District regulations under Section III-D with a new Ground Water Protection Overlay District and to amend the associated zoning map to depict the boundaries of the MassDEP approved Zone II as shown on a plan entitled “Hingham Public Water Supply Wells”, with MassDEP Approval: 9/1998.

Map: Based on MassDEP Approved Zone II Boundaries

Regulations: Based on MassDEP Model Bylaw

Status:

1. By-Law reviewed by WRWS, Health Dept, and DEP
2. Compliance deadline is November 14, 2024



Zone II Recharge Area for Free, Downing, Prospect, Scotland and Fulling Mill Wells

Article 32: Brew Pub, Brewery, Winery, Distillery Use

Intent: Create a new use for brew pubs, breweries, wineries, and distilleries that would be allowed under Section III-A by special permit in the Business A, Business B, and Industrial Park Districts.

Regulations:

Item 1 Amend subsection 4.18 of the Schedule of Uses under Section III-A to 4.18A; and

Item 2 Insert a new subsection 4.18B to the Schedule of Uses under Section III-A as follows:

Residence					Business		Office Park*	Waterfront Business	Waterfront Recreation	Industrial	Industrial Park*	Limited Industrial Park	Business Recreation	Official and Open Space
A	B	C	D	E	A**	B								
4.18B Brew pubs, breweries, wineries, distilleries, which may include beer gardens, tasting areas, food and/or beverage.														
O	O	O	O	O	A2	A2	O	O	O	O	A2	O	O	O

Item 3 Amend Section VI to include definitions for each category with reference to state statute

Consistent with Master Plan:

Support local businesses and attract new enterprises that provide employment and deliver goods and services to residents and visitors alike.

Article 33: EV Charging Parking Requirements

Intent:

Update provisions of Section V-A Off-Street Parking Requirements to clarify that Electric Vehicle Charging requirements are only applicable to new or reconstructed parking lots that meet minimum size requirements.

Regulation:

New or reconstructed parking lots containing 20 or more parking spaces shall provide infrastructure to make a minimum of 25 percent of the spaces compatible with electric vehicle charging and a minimum of 10 percent shall be equipped with electric vehicle charging stations.

Consistent with Master Plan:

Consider an addition to the Zoning By-Law to require EV charging stations at commercial developments.

Article 34: MBTA Communities Multifamily Housing

2021 State Law Requires Zoning Capacity, Not Production

Section 3A of M.G.L. c. 40A requires that an MBTA community **shall** have at least one zoning district of reasonable size in which multi-family housing is permitted as of right and meets other criteria set forth in the statute, including:

- Minimum gross density of 15 units per acre;
- Not more than ½ miles from a commuter rail station, subway station, ferry terminal, or bus station, if applicable;
- No age restrictions; and
- Suitable for families with children.

2022 DHCD/EOHLC 3A Guidelines Include More State Requirements

Community	Community category	2020 Housing Units	Minimum multi-family unit capacity*	Minimum land area**	Developable station area***	% of district to be located in station area
Hingham	Commuter Rail	9,930	1,490	50	757	75%

Potential Financial and Legal Impacts of Noncompliance

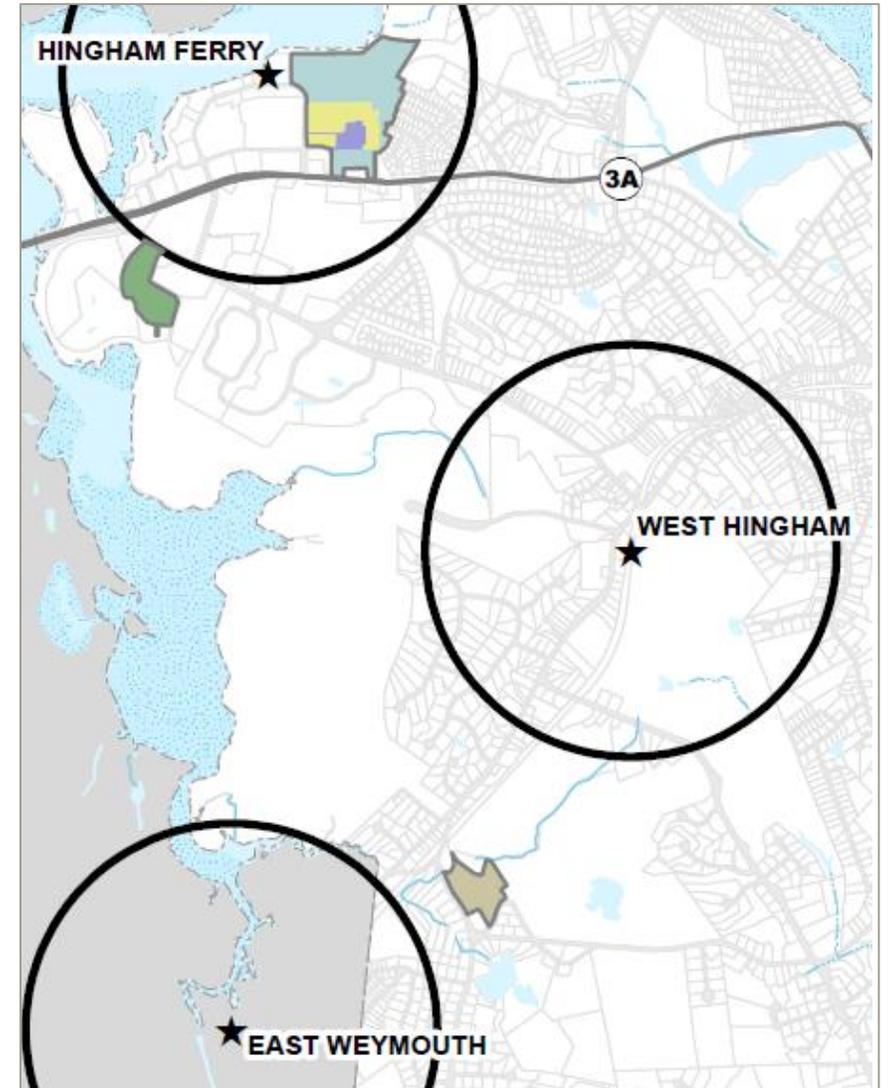
Article 34: MBTA Communities Multifamily Housing

Process Summary:

- Public Meetings (2 PB Meetings; 3 Joint SB/PB Meetings)
- Working Group Recommendations on Map and Regs
- Draft Zoning Review (3 Public Meetings)
- Other Public Outreach, Info, and Input
- State Grants for Technical Assistance
- Public Hearings
 - Consideration of Alternate District Location (2)
 - Revisions to original Article (6)

Overlay District Summary:

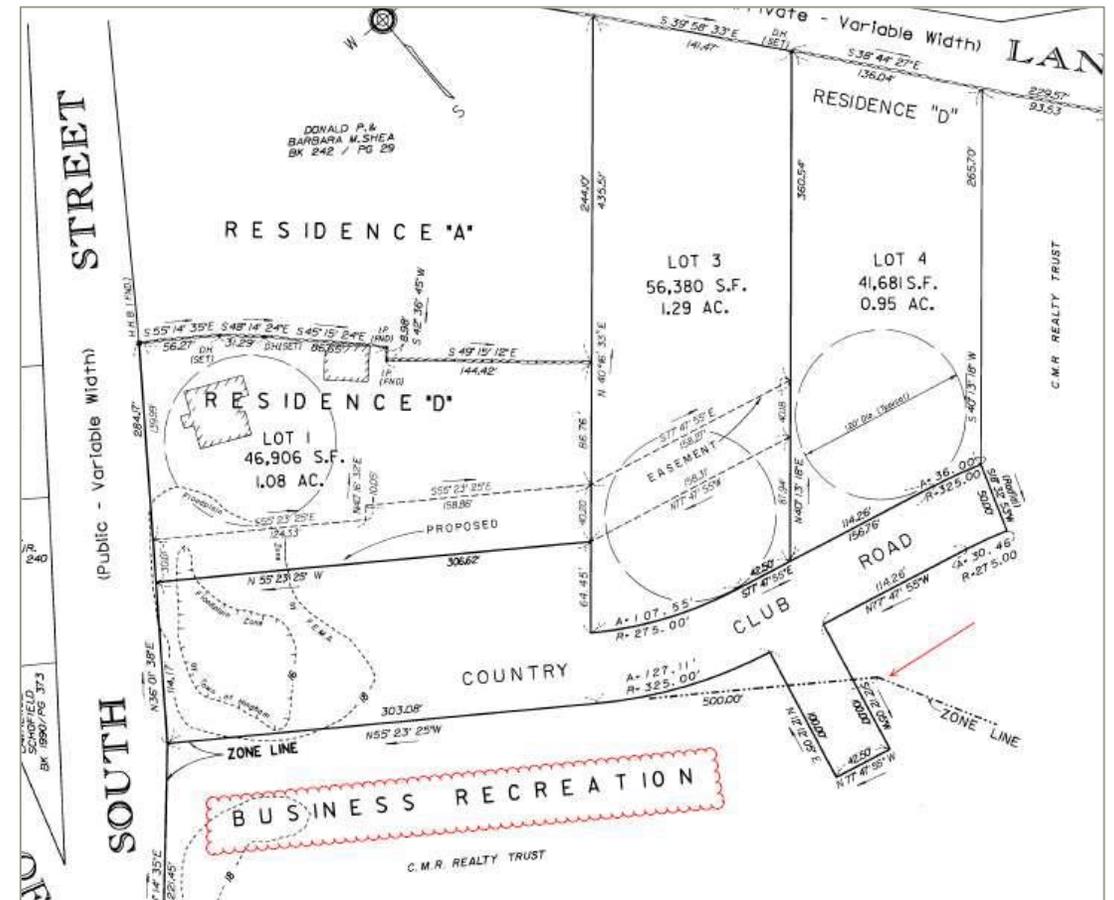
- 52 Developable Acres; 1,493 Unit Capacity
- 5 Sub-districts with Densities of 8 – 42 Units/Acre
- Inclusionary Zoning Requirement of 10% - 15%
- Approval Requires Compliance with all Submittal Requirements, Use and Dimensional Standards in By-Law



Article 35: South Shore Country Club Zoning District

Intent:

Confirm that the parcel of land shown as “Country Club Road” on a plan recorded at the Plymouth County Registry of Deeds in Plan Book 30, Page 619 was rezoned from Residence District D to Business Recreation District by the votes under Article 17 of the 1976 Annual Town Meeting and Article 28 of the 2004 Annual Town Meeting and, to the extent that any portion of said parcel has not been heretofore rezoned to the Business Recreation District, vote to amend the Zoning Map of the Town of Hingham to rezone said portion of said parcel to the Business Recreation District.



Excerpt from 1988 South Shore Estates Definitive Plan, Plan Book 30, Page 619

Article 36: Abandonment or Discontinuance of Nonconforming Conditions

Intent:

1. Clarify that a conforming single-family or two-family dwelling use could be reestablished in an existing nonconforming building that has been discontinued or abandoned.
2. Allow by special permit (A1) a nonconforming single-family dwelling that has been abandoned through demolition to be reconstructed within certain time (10 years) and dimensional parameters (no new or extended nonconformities).
3. Apply the same time parameters to the reestablishment of existing, dimensionally nonconforming buildings for permitted uses other than single-family or two-family dwellings.

Regulations: Replaces Sections III-I.1.d. and III-I.1.e.

Article 37: Special Requirements in the Official and Open Space District

Intent:

1. Remove certain special requirements applicable in the Official and Open Space District that require structures and other improvements to be located 50' - 100' from a residential district.
2. Create exemptions for certain recreational improvements, including backstops, fencing, and safety netting and existing playground equipment, basketball hoops, goal posts, and field lighting, provided the improvement is located not closer than 15-feet from a property line.

minimum lot size		maximum height		maximum percentage which may be covered by all buildings	minimum yard dimensions			special requirements applicable to each district
area	frontage	feet	stories		front	side	rear	
OFFICIAL AND OPEN SPACE DISTRICT								
	20'	35'		10%	40'	40'	40'	1, 2, 5, 6, 15

Consistent with Master Plan and Comprehensive Athletic Field and Outdoor Court Study

Art. 38: Maximum Height in Harbor Overlay District

Intent:

1. Eliminate the requirement that the height of buildings in the Overlay District be measured from the Pre-Construction Grade rather than the Finished Grade.
2. Allow space located between the maximum wall height of 20-feet and maximum roof peak height of 28-feet for buildings to be occupied.

Regulations:

Replace Section III-H.6.a.(i) (Official and Open Space) and Section III-H.6.b.(ii) (Waterfront Business)

Consistent with the Master Plan:

Enhance public access to the harbor and its amenities while protecting the coastline.

Redesign and restore the wharves and related harbor infrastructure to be more resilient in the face of projected sea-level rise, following recommendations from the Climate Change study.

Article 39: Update to Nursing Home Use

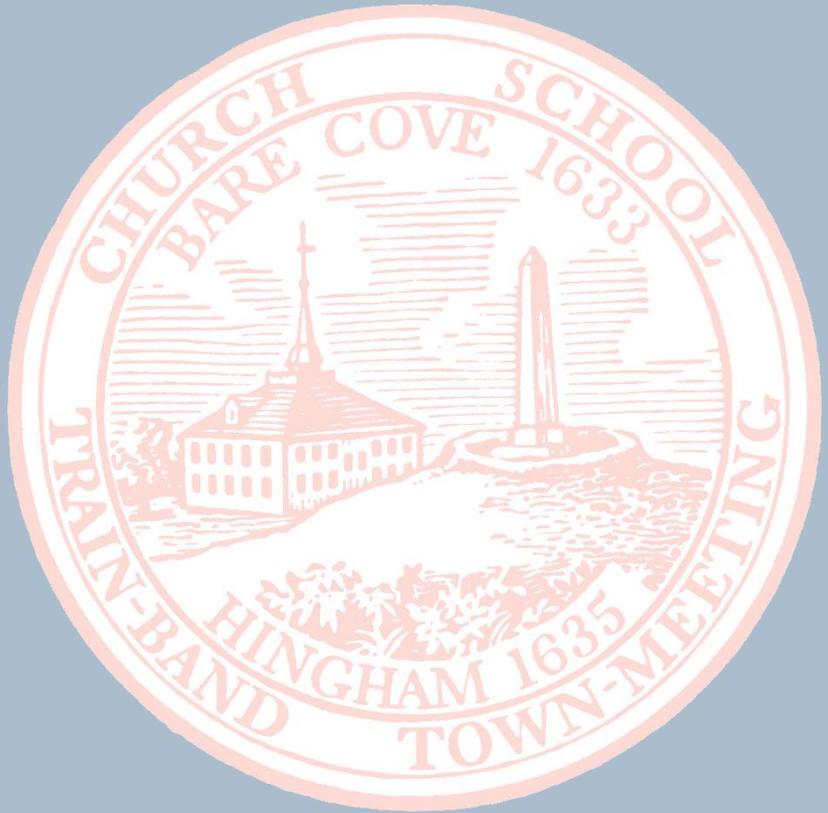
Intent: Broaden the existing "nursing home" use under Section III-A,3.8B to (1) include a specific reference to "assisted living facilities" and (2) provide for the care of both disabled and elderly persons.

Redline:

3.8B Nursing home, assisted living facility, rest home, convalescent home, congregate living facility, ~~charitable institution~~ or other non-correctional institutional use providing support and care for disabled or elderly persons

Consistent with Master Plan:

Provide for the development of housing that is appropriately designed, managed, and located for older adults and people with disabilities.



Questions and Discussion

Thank you for your participation!

Please contact the Community Planning Department or visit the Pending Zoning Article webpage at www.hingham-ma.gov/679 for more information.