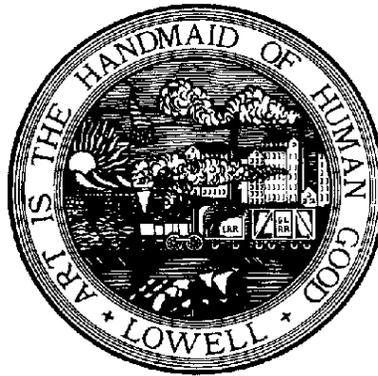


Hamilton Canal District Form-Based Code Zoning Section



City of Lowell Zoning Section 10.3

Adopted by the Lowell City Council: February 24, 2009

This document includes all approved amendments through May 25, 2010

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NEW SECTION 10.3

10.3 Hamilton Canal District Form-Based Code (HCD-FBC)

10.3.1 Purpose and Intent

The purpose of the Hamilton Canal District Form-Based Code (HCD-FBC) is to ensure that the development of the Hamilton Canal District (HCD) is consistent with the goals of the Hamilton Canal District Master Plan dated September 2008, adopted by the City council on September 23, 2008 and the Jackson Appleton Middlesex (JAM) Urban Revitalization and Development Plan, adopted by the City Council March 28, 2000, as amended through August 26, 2008. The intent is to set forth administrative standards to facilitate timely and comprehensive review of Development Proposals within the Hamilton Canal District.

The HCD-FBC consists of two parts. The first part is this Section 10.3 of the Lowell Zoning Ordinance. This part is designed to work in conjunction with the second part of the HCD-FBC which has been adopted by the Lowell Planning Board as Appendix A of the Subdivision of Land Standards of the City of Lowell (hereinafter, the Subdivision Standards)

The HCD-FBC is designed to reinforce the key goals and objectives of the Hamilton Canal District Master Plan, which are to:

- Develop an exciting new extension of Downtown Lowell to support new local residents and employees.
- Provide a viable, safe and comfortable pedestrian experience that links the Gallagher Terminal to Downtown Lowell.
- Develop a new signature site that draws from the successful loft reconstruction downtown, while including a variety of old and new buildings that will complement the existing historic fabric.
- Successfully develop a residential component that appeals to consumers seeking an urban experience with access to Downtown Lowell, rail access to Boston or highway access to the Route 3 and Interstate 495 corridors.
- Create a new place that respects the urban character of the City with buildings that meet the sidewalks and active first-floor uses.
- Acknowledge and reflect the historic Canals as a significant amenity which is integral to the Hamilton Canal District.
- Continue progress to make this area of the City even safer, by creating an active street presence, and encouraging a significant population who will provide 'eyes on the street' during both day and evening hours.
- Support significant pedestrian amenities including upgrades to streets, sidewalks, street trees and lighting.
- Develop sites around the Canal Walks that will make the walkways more inviting and interesting, while also creating origins and destinations along the walkways.
- Significantly increase the City's employment base and tax revenues from the Hamilton Canal District.
- Integrate the Hamilton Canal District with related planning and development initiatives and/or projects in the area including the upgrading of Middlesex Street, improvement of pedestrian connections to the Gallagher Terminal, the development of the Canal Walks, as well as the proposed expansion of transit to support downtown circulation.
- Incorporate planning for energy efficiency and sustainability in the

redevelopment of the Hamilton Canal District, including, where feasible, the use of renewable energy sources, green building construction, and operational standards.

For this reason, the HCD-FBC regulates some items (build-to lines, façade Fenestration, use of Open Space, etc.) more specifically than other items (particularly use). This is designed to reinforce the need for a quality urban design while allowing the flexibility for the district to evolve while continuing to meet the goals of the Hamilton Canal District Master Plan for the development and the JAM Urban Revitalization and Development Plan.

10.3.2 Definitions

Definitions in Section 2 of the Lowell Zoning Ordinance shall apply within the Hamilton Canal District. Where a term defined below is also defined in Section 2, the definition below will apply within the HCD-FBC. Additional definitions provided below also only apply within the Hamilton Canal District.

Building Façade: Any exterior face of a building other than its roof.

Building Form Standard (BFS): Regulations controlling the configuration, features and functions of buildings. Setbacks, build-to lines, Heights, minimum and maximum Parcel Coverage and all other standards established by the BFS are mandatory standards for construction on the identified Parcel.

Build-To-Line (BTL): A line along which a Building Façade must to be located. Projections and Encroachments may cross the minimum BTL. The Build-to-Line is expressed as a range of minimum and maximum distances from an adjacent Property Line. The intent of the BTL is to create a predominant 'Street Wall' within the HCD. On a given side or a portion of a side of a Parcel indicated within a Building Form Standard, the Street Wall Percentage shall dictate the minimum percentage of that side or portion of a side indicated which shall contain a Street Wall between the minimum and maximum BTL. The portion of a Street Wall that is required to meet the minimum Street Wall Percentage shall be at least equal in Height to the minimum Height indicated along that side, and no greater in Height than the maximum Height indicated on that side. If there is additional Street Wall along a side or portion of a side indicated, it need not meet the maximum BTL requirement, but must be set back no greater than the Maximum Setback if one is specified in the Building Form Standard.

Canal: For the purpose of the HCD project the term Canal shall apply to the Merrimack Canal, Pawtucket Canal, Hamilton Canal and Lower Pawtucket Canal.

Canal Frontage: The edge of a Parcel that fronts on a Canal or a Canal Walk.

Canal Walk: A pedestrian oriented walkway along a Canal in the Hamilton Canal District. Canal Walks are typically built on land owned by the Commonwealth of Massachusetts over which the recreational rights are controlled by the National Park Service. Canal Walks are specified on the Open Space Regulatory Plan for the Hamilton Canal District. These walks are to be designed into the pedestrian pattern within the Hamilton Canal District.

Development Parcel: A Parcel within the Hamilton Canal District where a Development Proposal may be proposed and developed in compliance with the HCD-FBC.

Development Proposal: The erection, extension, or modification of any building or part thereof, or the change in use of any building or land, for which the applicant is required to obtain a building permit, except as follows:

- Modification to the interior of a structure
- Change of use from one allowed use to another allowed use without modification to the exterior of the structure or the land.
- Fit-out of interior retail space without modification to the location, type or form of Fenestration.
- Maintenance and/or repair projects without modification to the structure, including but not limited to replacement of roofs and repair of windows.

Encroachments: Elements of a building that extend beyond the Parcel, with the appropriate permissions. . Unless otherwise specified (See 10.3.11 (14b)), Encroachments shall be at least 10 feet above the level of the sidewalk, or immediate adjacent property.

Fenestration: The arrangement, proportioning and design of windows, doors and openings.

Functional Design Standards (FDS): Section 10.3.11 of the HCD-FBC. Standards related to the orientation and configuration of buildings as they are viewed from streets and public places. The FDS promote high quality, pedestrian-oriented sustainable development that adapts to changing conditions over time without dictating architectural style.

Garage Entry: The vehicle entrance into an above-grade, at-grade, or subsurface parking facility within a building.

Green Wall: A wall as a part of a building that is substantially covered with vegetation, either climbing plants growing directly on the wall or vegetated panels attached to a structural wall.

Green Roof: A Rooftop Rainwater Retention Facility as defined in this HCD-FBC.

Ground Floor Treatments: A Building Façade's elements and features to be incorporated into the design of the first story of the building. Ground Floor Treatments are subject to the Standards of Section 10.3.11(14). The standards are designed to enhance the pedestrian experience by creating attractive, active and safe experiences along the sidewalk, Canal Walk, park or other Open Space along the ground floor of a given structure.

Hamilton Canal District (HCD): The area within the boundary on the Zoning Map sheet of the Regulating Plan, including the seven Hamilton Canal Zoning Districts, as well as the Open Space and streets on the Regulating Plan. The Hamilton Canal District is not a district as defined in G.L. c. 40A, s 4. Also see Hamilton Canal Zoning Districts.

Hamilton Canal District Form-Based Code (HCD-FBC): The development regulations for the Hamilton Canal District, consisting of this section (10.3) of the Zoning

Ordinance for the City of Lowell, and Appendix A of the Subdivision Standards of the City of Lowell.

Hamilton Canal District (HCD) Master Plan: The document from which the Hamilton Canal District Form-Based Code is created, based upon the series of public vision sessions completed in 2007 and 2008, and approved by the Lowell City Council on September 23, 2008

Hamilton Canal District Review Group (HCDRG): The review group established in the provisions of 10.3.5(2) and 10.3.5(3) to review Development Proposals for compliance with the provisions of the HCD-FBC.

Hamilton Canal Zoning Districts: The seven districts within the HCD-FBC for the purpose of zoning regulations. These are zoning districts as defined within G.L. c. 40A s. 4.

Height: For the purpose of the HCD-FBC, except as otherwise noted, Height shall be defined as building Height in Section 2 of the Zoning Ordinance, except that when the mean ground level is calculated, buildings with Canal frontage shall not calculate the mean ground level at the Canal but instead use all other sides of the building. Height shall not include mechanical penthouses or other rooftop equipment.

High Technology Manufacturing, Assembly and Processing: Manufacturing, assembly and/or processing subject to the following standards: 1) all noise and vibration shall be limited to the interior of the structure; 2) the use emits no odors, dust, gas, radiation, broadcast interference, glare, or hazard; and 3) the nature of the business is such that products developed require employees with technical knowledge of the process and product.

Historic: A site, building or object at least fifty years old that is significant in the local, state or American history, architecture, archeology, engineering or culture. For the purpose of the HCD-FBC, exemptions for 'Historic' buildings and walls shall be for those that meet this definition and are all or a portion of a building standing as of January 1, 2003.

Jackson Appleton Middlesex (JAM) Urban Revitalization and Development Plan (JAM Plan): The plan adopted by the City Council on March 28, 2000, amended through, August 26, 2008 under the provisions of G.L. 121B to manage development within the plan area, including the Hamilton Canal District.

Live/Work, Live/Sell Space: A structure or portion of a structure that combines a commercial activity allowed in the zoning district with a residential living space allowed in the zoning district. The residential living space shall be for the owner of the commercial or manufacturing business, or the owner's employee(s), and that person's household. The commercial activity shall be the responsibility of the resident owner or employee, and the activity conducted shall be subject to all applicable regulations and licenses associated with the activity and the premises. Within the HCD, the Live/Work and/or Live/Sell space need not meet the requirements of an "Artist live/work space" identified within Section 2 of the Lowell Zoning Ordinance. Allowance of Live/Work or Live/Sell space shall not allow an individual or family to live within a retail storefront designed exclusively for commercial use.

Loading/Service Area: The portion of a building where delivery pickup and drop-offs take place, either by trucks or other automobile, including those supporting commercial and/or retail uses and for the removal of trash and recycling.

Material Change Order: Any deviation in the Development Project from the plans submitted to the HCDRG and approved in a Definitive Certificate of Consistency.

Open Space: Parcel of portions thereof that are to be kept free of permanent structures (not including public art and/or landscape features) from the ground to the sky. These areas shall be designed and used in accordance with Appendix A of the Subdivision Standards.

Parcel: The standard development unit with the zoning districts in the Hamilton Canal District. A Parcel is identified on a Building Form Standard. A Parcel within the Hamilton Canal Zoning Districts meets the definition of a lot under Section 2 of this Zoning Ordinance. Parcels cannot be divided, but can be developed with one or more buildings. Parcels can be Development Parcels, upon which all or a portion of the Parcel may be developed with buildings or Open Space Parcels, which are not to be developed with buildings, but improved according to the Open Space regulations in Appendix A of the Subdivision Standards.

Parcel Coverage: The area of a Parcel that is occupied by a building or buildings.

Pedestrian Pathway: Public ways or ways open to the public through easements which allow access for pedestrians but do not provide access for motorized vehicles other than public safety vehicles.

Projections: As defined in Section 2 of the Zoning Ordinance. Projections within the HCD may project beyond the BTL as indicated in the BFS, but shall remain within the Parcel.

Property Line: Lines defining Parcels within the HCD, and separating these Parcels from one another, from public rights-of-way, and from Parcels in separate ownership.

Regulating Plan: A series of three maps regulating the Hamilton Canal District:

Zoning Map / BFS Regulation Plan: Document designating the Zoning Districts within the HCD as well as providing a key to where the BFS apply.

Open Space Standards Regulating Plan: Document designating the Open Space Parcels within the HCD as they are regulated in Appendix A of the Subdivision Standards.

Street Standards Regulating Plan: Document designating the streets allowed within the HCD and indicating the street types required for each street. Street types are indicated in Appendix A of the Subdivision Standards.

Rooftop Rainwater Retention Facilities (Green Roof): Vegetation or soil or a growing medium planted on a roof over a waterproofing membrane, such that it filters and retains all or a portion of stormwater run-off from the roof in addition to potentially achieving other environmental benefits such as reducing building heating and cooling needs. Green Roofs should meet the standards outlined in Volume 2, Chapter 2 of

the Massachusetts Stormwater Handbook by the Department of Environmental Protection.

Rooftop Clean Energy Facilities: A facility mounted on a building roof that generates energy from natural resources such as sunlight, wind or rain.

Setback Area: Any area of a Parcel not otherwise occupied by a building that is located between a Parcel line along a Primary Street and the façade of a building on that Parcel.

Setback, Maximum: Maximum distance behind a Property Line on a given side indicated within the BFS at which any portion of a Building Façade in excess of the Minimum Street Wall Percentage must be located. If no building façade is located along a section of a Parcel line in excess of the minimum Street Wall Percentage, no Maximum Setback shall apply.

Stepback: A setback of the building façade above a specified Height or number of stories.

Story: Where used within the BFS, the term 'Story' or 'Stories' shall be as it is defined in Section 2 of the Zoning Ordinance.

Street Furniture: Objects and pieces of equipment installed along streets to serve pedestrians, including but not limited to bike racks, trash bins, newspaper boxes, transit shelters and seating.

Street, Primary: Streets identified as types 1A, 1B, 2A, 2C, 2D, 3A, 3C or 6 according to the Appendix A of the Subdivision Standards of the City of Lowell

Street, Secondary: Any street within the HCD which is not a Primary Street.

Street Wall: A wall within a Development Parcel which forms the outside edge of a building along a street, Pedestrian Pathway, Canal Walk, or adjacent Parcel.

Street Wall Percentage: The minimum percentage of a given side or a portion of a side indicated on the BFS that must have a Street Wall between the prescribed minimum and maximum BTL. This Street Wall shall have a Height within the Height range indicated on the BFS. (Also see the definition for Build-To-Line)

Treeway: The area between the curblines of a street and the clear section of a sidewalk. This area is used primarily, but not exclusively, for street trees, street lights, parking meters and/or Street Furniture.

Zoning Ordinance: The Lowell Zoning Ordinance adopted by the City of Lowell on December 7, 2004, as amended, including this Section 10.3.

10.3.3 Establishment of Districts

1. Zoning Districts

The HCD-FBC covers the 25 acres of the Hamilton Canal District Master Plan, as

shown on the zoning map. The area is divided into seven (7) HCD Zoning Districts. Within the HCD Zoning District, the regulations of this code shall apply.

The zoning districts are:

- HCD-A: HCD Core District
This is the central zoning district of the HCD with mixed-use mid-rise buildings. This district is designed to promote preservation of Historic buildings and remnant walls and to reflect historic scale of buildings, with the development of a contemporary millyard.
- HCD-B: HCD Signature District
This zoning district along the point of the peninsula between the Hamilton and Pawtucket and Lower Pawtucket Canals is ideally suited for a signature building that will highlight the identity of the district. This district is designed to maximize the benefits of the Canal views and create a focal point from many vantage points.
- HCD-C: HCD Park District
This zoning district is suited for development of structured parking with retail lining Primary Streets. This district is designed to provide parking if required but allow other appropriate uses consistent with the HCD Master Plan.
- HCD-D: HCD Canal Point District
This small uniquely shaped zoning district on the confluence of the Merrimack and Pawtucket Canals is well suited for construction of small structures with a lower Height than the remainder of the district. This district is designed to promote a welcoming use that complements nearby national park uses and the remainder of the district.
- HCD-E: HCD Revere Street District
This zoning district on the southeast corner of Jackson and Revere Street is well suited to a building that will effect a transition between the Historic mill buildings to the east and the courthouse to the west. This district is designed to promote economic development of the Jackson and Middlesex Street areas.
- HCD-F: HCD Courthouse District
This zoning district covers the site identified by DCAM for construction of the Lowell Trial Court. This district is designed to promote development of a civic building that serves the public, serves as an entry point into the district and links the district closer to the Gallagher Terminal.
- HCD-G: HCD Gateway District
This district is designed to promote downtown economic development. The district can accommodate commercial, research, retail and/or residential uses in buildings linked together and adjacent to adequate nearby structured parking.

No buildings may be constructed on any land within the Hamilton Canal District that is not within one of the zoning districts established above. All remaining areas within the boundary of the HCD are streets or Open Space as shown on the Street Standard Regulating Plan and the Open Space Standard Regulating Plan in Appendix A of the Subdivision Standards.

2. Dimensional Standards for HCD Zoning Districts

Dimensional standards within the zoning districts are summarized in the dimensional table in Section 10.3.8(2) and detailed in the Building Form Standards in Section 10.3.8(3).

3. Use Regulations for HCD Zoning Districts

Uses are regulated within these zoning districts by the table in Section 10.3.10 (4).

10.3.4 Application of the District

Because the provisions of the HCD-FBC encompassed in this Section 10.3 provide comprehensive substantive and procedural requirements applicable to Development Proposals in the Hamilton Canal District, the provisions of the HCD-FBC supersede and replace those contained in the Zoning Ordinance, except as follows:

- Purpose and Authority of the Zoning Ordinance, as established in Article 1.
- Definitions in Section 2 of the Zoning Ordinance, except as modified by Section 10.3.2.
- Regulations for home occupations as specified in Section 4.3.3 and 4.3.4 of the Zoning Ordinance.
- Regulation of non-conforming uses and structures in Section 4.5 of the Zoning Ordinance, except as hereinafter noted.
- Special permit regulations for telecommunications as specified in Section 7.6 of the Zoning Ordinance.
- Section 9.5 of the Zoning Ordinance, as it applies to the Priority Development Site shown on the Zoning Map.
- Administration regulations as specified in Section 11.1 of the Zoning Ordinance.
- Regulations governing the process for variances as specified in Section 11.2 of the Zoning Ordinance.
- Regulations governing the process for special permits as specified in Section 11.3 of the Zoning Ordinance.

Where there appears to be a conflict between this HCD-FBC and other requirements of the Zoning Ordinance, the requirements set forth in the HCD-FBC shall prevail.

10.3.5 Application Process, Administration, Enforcement & Appeals

1. Projects Subject to Review

Development Proposals, as defined in Section 10.3.2, shall be subject to the review process in this Section 10.3.5 (2) through 10.3.5 (12).

Buildings, structures or signs erected, substantially altered, moved, or changed in use and land altered or changed in use shall be subject to the applicable zoning and to the administration and enforcement provisions of Section 10.3.5 (12).

2. Establishment of the Hamilton Canal District Review Group

To assist in the review and administration of Development Proposals submitted under

the HCD-FBC, there shall be a Hamilton Canal District Review Group (HCDRG) composed of the following City officials:

- a. The Director of Planning and Permitting within the Division of Planning and Development, who shall be the chairperson of the HCDRG;
- b. The Building Commissioner, within the Inspectional Services Department; and
- c. The Urban Renewal Project Manager within the Division of Planning and Development.

Each member of the HCDRG may appoint a City official or staff member as a designee to act in their place. If the position of any member of the HCDRG is eliminated, that official's membership on the HCDRG shall be assumed by the City official or staff member to whom the responsibilities of that position are assigned, as follows:

- Director of Planning and Permitting: position assumed by the official or staff member responsible for coordinating and developing amendments to the Zoning Ordinance
- Building Commissioner: position assumed by the administrator of the Zoning Ordinance, as intended by Section 11.1.1 of this Zoning Ordinance
- Urban Renewal Project Manager: position assumed by the official or staff member responsible for coordination of the JAM Plan or, in the absence of such plan, the official or staff member responsible for the coordination of urban redevelopment projects

3. *Responsibilities and Functioning of the HCDRG*

- a. The responsibilities of the HCDRG shall include:
 - i. Reviewing and approving or denying an application for a Preliminary and a Definitive Certificate of Consistency referred to it by the Building Commissioner pursuant to Section 10.3.5(6) and 10.3.5(8);
 - ii. Providing its recommendation to the Planning Board on any application for a HCD Special Permit pursuant to Section 10.3.5(10);
 - iii. Providing its recommendation to the Board of Appeals on any application for a variance from the zoning provisions of the HCD-FBC pursuant to Section 10.3.5(11); and
 - iv. Providing its recommendation to the Building Commissioner regarding any action to enforce the provisions of the HCD-FBC pursuant to Section 10.3.5(12).
- b. The HCDRG shall meet upon the call of the chairperson as required to respond to requests for HCDRG action under this HCD-FBC.

4. *Recommended Pre-Application Conference*

Parties intending to submit an application for approval of a Development Proposal governed by the HCD-FBC are strongly encouraged to meet with the Director of Planning and Permitting in the Division of Planning and Development prior to the submittal of the application to identify and anticipate any issues of concern in advance of submittal.

5. Preliminary Certificate of Consistency: Application Requirements

A Development Proposal may be submitted for a request of a Preliminary Certificate of Consistency. The Preliminary Certificate of Consistency review process is optional. An application for a Preliminary Certificate of Consistency in conformity with the HCD-FBC shall be submitted to the Building Commissioner, and shall include the following:

- a. A brief narrative describing the Development Proposal;
- b. Six (6) sets of plans for the Development Proposal at a level of detail sufficient to determine consistency with the HCD-FBC, at a scale sufficient to read prepared by a Registered Professional Engineer, Registered Land Surveyor, Architect, or Landscape Architect, as appropriate, and including the following information, which shall be submitted on the following sheets:
 - i. Existing conditions.
 - A. Location of all existing natural features, including Canals, Canal walls, building remnants, ponds, brooks, streams, wetlands, elevations and topography, proposed and existing contours.
 - B. Owners of record of all abutting lots as of the most current City of Lowell Tax Assessors' records and the approximate locations (may be based on City of Lowell GIS data or aerial photography) of all buildings or structures on abutting lots that are located within 30'-0" of the lot lines of the proposed Development Proposal site
 - ii. Site layout.
 - A. Location and dimensions of all proposed buildings and other construction;
 - B. Internal roadways and accessways to adjacent public roadways;
 - C. Location of trash dumpsters and recycling containers; and
 - D. Paths of safe emergency egress from all proposed buildings to the public right-of-way.
 - iii. Parking.
 - A. Location and dimensions of all parking areas, Loading/Service Areas, walkways, and driveways.
 - iv. Landscaping and lighting.
 - A. Location and type of external lighting; and
 - B. Location, type, dimensions and quantities of landscaping and screening.

- v. Utilities.
 - A. Location and dimensions of utilities, including water, surface drainage, sewer, fire hydrants and other waste disposal.
- vi. Architectural plans and drawings.
 - A. Architectural plans, which shall include all levels of the proposed building; and
 - B. Architectural elevation drawings of all proposed buildings, sufficient to determine consistency with the Functional Design Standards.
- c. A completed Hamilton Canal District Code Preliminary Review Checklist, the form of which shall be developed, maintained, and made available by the Director of Planning and Permitting in the Division of Planning and Development, demonstrating compliance with the provisions of the HCD-FBC; and
- d. Any other documents and/or materials required by the HCDRG to determine consistency with the HCD-FBC

6. Preliminary Certificate of Consistency Review

An application for a Preliminary Certificate of Consistency in conformity with the requirements of Section 10.3.5(5) shall be reviewed according to the following process:

- a. Within three (3) days after receipt of application materials, the Building Commissioner shall refer the application to the HCDRG.
- b. The HCDRG shall meet within ten (10) days after the building commissioner's date of referral of the referred application to determine whether to issue a Preliminary Certificate of Consistency stating that the Development Proposal, as shown, complies with the provisions of the HCD-FBC.
- c. If the HCDRG finds that the application includes sufficient information to determine consistency with the HCD-FBC, and that it is in all respects consistent with the HCD-FBC, it shall issue a Preliminary Certificate of Consistency for the Development Proposal within three (3) days of its meeting.
- d. The Preliminary Certificate of Consistency shall be valid for twelve (12) months from the date that the Certificate is issued.
- e. If the HCDRG finds that the application is not in all respects consistent with the HCD-FBC, or if insufficient information is available to determine consistency with the HCD-FBC, it shall refuse to issue the Certificate of Consistency and, within three (3) days of its meeting,

shall refer the application back to the Building Commissioner with a list of sections of the HCD-FBC for which the Development Proposal is not consistent and/or a list of sections of the HCD-FBC for which consistency cannot be determined.

- f. Within 14 days of receiving a determination on an application for a Preliminary Certificate of Consistency from the HCDRG, the Building Commissioner shall forward this determination to the parties that submitted the application for the Preliminary Certificate of Consistency.
- g. The Preliminary Certificate of Consistency shall not be sufficient to issue a building permit.

7. Definitive Certificate of Consistency: Application Requirements

An application for approval a Definitive Certificate of Consistency, demonstrating conformity with the HCD-FBC shall be submitted to the Building Commissioner concurrently with the application for building permit for a Development Proposal. In addition to the materials and information required by the Building Commissioner for the building permit application, the application shall also include:

- a. A brief narrative describing the Development Proposal;
- b. Six (6) sets of completed plans for the Development Proposal at a scale sufficient to read prepared by a Registered Professional Engineer, Registered Land Surveyor, Architect, or Landscape Architect, as appropriate, and including the following information, which shall be submitted on the following sheets:
 - i. Existing conditions.
 - A. Location of all existing natural features, including Canals, Canal walls, building remnants, ponds, brooks, streams, wetlands, elevations and topography, proposed and existing contours.
 - B. Owners of record of all abutting lots as of the most current City of Lowell Tax Assessors' records and the approximate locations (may be based on City of Lowell GIS data or aerial photography) of all buildings or structures on abutting lots that are located within 30'-0" of the lot lines of the proposed Development Proposal site
 - ii. Site layout.
 - A. Location and dimensions of all proposed buildings and other construction;
 - B. Internal roadways and accessways to adjacent public roadways;
 - C. Location of trash dumpsters and recycling containers; and
 - D. Paths of safe emergency egress from all proposed buildings to the public right-of-way.

- iii. Parking.
 - A. Location and dimensions of all parking areas, Loading/Service Areas, walkways, and driveways.
- iv. Landscaping and lighting.
 - A. Location and type of external lighting; and
 - B. Location, type, dimensions and quantities of landscaping and screening.
- v. Utilities.
 - A. Location and dimensions of utilities, including water, surface drainage, sewer, fire hydrants and other waste disposal.
- vi. Architectural plans and drawings.
 - A. Architectural plans, which shall include all levels of the proposed building; and
 - B. Architectural elevation drawings of all proposed buildings.
- c. A completed Hamilton Canal District Code Definitive Review Checklist, the form of which shall be developed, maintained, and made available by the Director of Planning and Permitting in the Division of Planning and Development, demonstrating compliance with the provisions of the HCD-FBC; and
- d. Any other documents and/or materials required by the HCDRG to determine consistency with the HCD-FBC.

8. *Definitive Certificate of Consistency Review*

An application for a Definitive Certificate of Consistency in conformity with the requirements of Section 10.3.5(7) shall be reviewed according to the following process:

- a. Within three (3) days after receipt of application materials, the Building Commissioner shall refer the application to the HCDRG.
- b. The HCDRG shall meet within ten (10) days after the building commissioner's date of referral of the referred application to determine whether to issue a Certificate of Consistency stating that the Development Proposal complies with the provisions of the HCD-FBC.
- c. If the HCDRG finds that the application is in all respects consistent with the HCD-FBC, it shall issue a Definitive Certificate of Consistency for the Development Proposal within three (3) days of its meeting and

refer the application back to the Building Commissioner for issuance of the building permit. Within fourteen (14) days of receipt of the Definitive Certificate of Consistency from the HCDRG, the Building Commissioner shall complete his review of the application. The Building Commissioner shall not deny issuance of the requested building permit for a Development Proposal based on a failure to comply with the provisions of the HCD-FBC if the HCDRG has issued a Definitive Certificate of Consistency for that Development Proposal.

- d. If the HCDRG issued a Preliminary Certificate of Consistency for the Development Proposal within the twelve (12) months preceding the application for the Definitive Certificate of Consistency, the HCDRG review shall be based upon the consistency of the Development Proposal with the preliminary application. If the HCDRG determines that the submittal for the Definitive Certificate of Consistency has not changed any element of the Development Proposal that was determined to be consistent with the HCD-FBC in the preliminary review, the HCDRG shall issue the Definitive Certificate of Consistency.
- e. If the HCDRG finds that the application is not in all respects consistent with the HCD-FBC, it shall refuse to issue the Definitive Certificate of Consistency and, within three (3) days of its meeting, shall refer the application back to the Building Commissioner with a recommendation not to issue the requested building permit based on that lack of consistency. Within fourteen (14) days of receipt of the HCDRG's negative recommendation, the Building Commissioner shall complete his review of the application. The Building Commissioner shall deny issuance of the requested building permit for a Development Proposal based on a failure to comply with the provisions of the HCD-FBC if the HCDRG makes a negative recommendation on that Development Proposal.
- f. Any person aggrieved by the Building Commissioner's grant or denial or a building permit pursuant to Section 10.3.5(8)(c) or (e) may seek review of that decision by the Board of Appeals pursuant to the provisions of Section 11.2.2(2) of the Zoning Ordinance and G.L. c. 40A, §§ 8 and 15.
- g. A Definitive Certificate of Consistency shall lapse after 12 months if an applicant does not secure a building permit. Extensions for good cause may be provided by the HCDRG upon written request of the applicant.

9. *Material Change Orders*

After the HCDRG has issued a Definitive Certificate of Consistency, any deviation in the Development Proposal from the plans submitted to the HCDRG shall be considered to be a Material Change Order.

- a. Material Change Orders shall be submitted to the HCDRG through the Building Commissioner for review and approval, and shall include sufficient information to determine compliance with the HCD-FBC.

- b. Within three (3) days after receipt of a complete application for a Material Change Order, the Building Commissioner shall refer the application to the HCDRG.
- c. The HCDRG shall meet within ten (10) days after the building commissioner's date of referral of the referred application to determine whether to approve a Material Change Order stating that the Development Proposal, as modified, still complies with the provisions of the HCD-FBC.
- d. If the HCDRG finds that the application includes sufficient information to determine consistency with the HCD-FBC, and that it is in all respects consistent with the HCD-FBC, it shall issue an Updated Definitive Certificate of Consistency reflecting the Material Change Order within three (3) days of its meeting.
- e. If the HCDRG finds that the Material Change Order no longer keeps the Development Project consistent with the HCD-FBC, or if insufficient information is available to determine consistency with the HCD-FBC, it shall refuse to issue the Revised Definitive Certificate of Consistency, within three (3) days of its meeting, shall refer the application back to the Building Commissioner with a list of sections of the HCD-FBC for which the Development Proposal is not consistent and/or a list of sections of the HCD-FBC for which consistency cannot be determined.
- f. Within 7 days of receiving a determination on an application for a Material Change Order (either a Revised Definitive Certificate of Consistency or a determination that the HCDRG will not issue an Updated Definitive Certificate of Consistency) from the HCDRG, the Building Commissioner shall forward this determination to the parties that submitted the application for the Material Change Order.
- g. Upon issuance of a Revised Definitive Certificate of Consistency, the Building Commissioner may modify building permits and/or issue new building permits for a project consistent with the Updated Definitive Certificate of Consistency.

10. *Hamilton Canal District Special Permit*

- a. In those limited cases where, due to unforeseen circumstances or new information or technologies not available when the HCD-FBC was first adopted, an applicant believes that the provisions of the HCD-FBC, strictly interpreted, would prevent an innovative, high-quality development, that applicant may apply for a Hamilton Canal District Special Permit (HCD Special Permit) from the Planning Board pursuant to the provisions of Section 11.3 of the Zoning Ordinance and G.L. c. 40A, § 9, as supplemented by the provisions of this Section 10.3.5(10). The applicant shall also file three copies of this application with the HCDRG concurrently with its submittal to the Planning Board. The HCDRG shall meet and make a recommendation regarding the HCD Special Permit application to the Planning Board within thirty (30) days of the date of filing with the Planning Board. The Planning

Board shall not hold a hearing or render any decision on an appeal for HCD Special Permit until the HCDRG's recommendation has been received and considered, provided that if no such recommendation is received within this thirty (30)-day period, the Planning Board may hold a hearing and render its decision without such recommendation. The HCD Special Permit procedure shall not be available for changes in permitted uses in the Hamilton Canal District.

- b. The Planning Board shall evaluate an application for a HCD Special Permit according to the following four (4) criteria:
 - i. The unforeseen circumstances or new information or technologies not available when the HCD-FBC was first adopted specific to the Development Proposal, as identified and, demonstrated by the applicant.
 - ii. The general Special Permit criteria set forth in Section 11.3.2 of the Zoning Ordinance.
 - iii. Consistency of the Development Proposal with the provisions of the HCD Master Plan generally and with respect to the subject property.
 - iv. Consistency of the Development Proposal with the intent of the Hamilton Canal District as outlined in Section 10.3.1.
- c. The Planning Board shall grant a HCD Special Permit only upon its written determination that
 - i. all criteria set forth in Section 10.3.5(10)(b), above, have been satisfied and the specific manner in which this has been accomplished;
 - ii. the adverse effects of the Development Proposal will not outweigh its beneficial impacts to the City or the neighborhood in view of the particular characteristics of the subject property and of the proposal in relation to that subject property; and
 - iii. the Proposed Development would not otherwise be proposed in the absence of identified unforeseen circumstances or specific information or technology not available when the HCD-FBC was first adopted.

11. Variances

Any person seeking one or more variances from the provisions of the HCD-FBC with respect to a Development Proposal shall submit an application to the Board of Appeals pursuant to the provisions of Section 11.2.2(3) of the Zoning Ordinance and G.L. c. 40A, § 10, and shall file a copy of the application with HCDRG concurrently with its submittal to the Board of Appeals. The HCDRG shall meet and make a recommendation regarding the variance application to the Board of Appeals within thirty (30) days of the date of filing. The Board of Appeals shall not hold a hearing or render any decision on an appeal for variance(s) until the HCDRG's recommendation

has been received and considered, provided that if no such recommendation is received within this thirty (30)-day period, the Board of Appeals may hold a hearing and render its decision without such recommendation.

12. Administration and Enforcement

The Building Commissioner shall administer and enforce the provisions of the HCD-FBC in accordance with the provisions of this Section 10.3.5 and Section 11.1 of the Zoning Ordinance, provided that prior to taking any action to enforce compliance with the provisions of the HCD-FBC, the Building Commissioner shall notify the HCDRG regarding such intended action not less than seven (7) days prior thereto and consider any recommendation regarding enforcement made by the HCDRG prior to the taking of such action.

10.3.6 Reserved.

10.3.7 Regulating Plan

The Regulating Plan determines which development standards apply to which Parcels within the Hamilton Canal District. The Regulating Plan operates with three parts:

The first portion of the three-part Regulating Plan is the Zoning Map and BFS Regulating Plan. Each Development Parcel within the HCD is placed within a “zoning district” and provided with a “Building Form Standard.” The zoning districts are identified within Section 10.3.3 and their Dimensional Standards are summarized in Section 10.3.8(2) of the HCD-FBC. Parcels identified on the Zoning Map and BFS Regulating Plan are subject to the Building Form Standards in Section 10.3.8(3) of the HCD-FBC. Development Proposals throughout the Hamilton Canal District shall also meet the conditions of the Functional Design Standards in Section 10.3.11 of the HCD-FBC. The Zoning Map and BFS Regulating Plan is included herein. The Zoning Districts on the Zoning Map and BFS Regulating Plan also appear on the city’s official zoning map.

The second portion of the three-part Regulating Plan is the Street Standards Regulating Plan. This portion of the Regulating Plan identifies streets within the HCD, and is located within Section A5-1 of Appendix A of the Subdivision standards.

The third part of the three-part Regulating Plan is the Open Space Standards Regulating Plan. The HCD-FBC identifies Open Space standards that regulate the public Open Space, private Open Space, public Canal Walks and park resources. This portion of the Regulating Plan is located within Section A6-1 of Appendix A of the Subdivision standards.

HAMILTON CANAL DISTRICT

Lowell, MA

District Boundary:



Zone HCD-A:



Zone HCD-B:



Zone HCD-C:



Zone HCD-D:



Zone HCD-E:



Zone HCD-F:



Zone HCD-G:



Open Space:



Historic Buildings:



Zoning Map & Building Form Standards Regulating Plan



10.3.8 Building Form Standards

1. Introduction to the Building Form Standards

Building Form Standards govern the development of Parcels within the zoning districts of the Hamilton Canal District. Building Form Standards codify the HCD requirements in a graphical format that clearly establishes the allowed minimum and maximum coverage and Height, as well as elements that are required to create an attractive public space adjacent to the buildings. All provisions of the Building Form Standards are mandatory; they have been adopted as part of the Zoning Ordinance.

The dimensional table in Section 10.3.8(2) summarizes the Parcel sizes, Parcel Coverage, Setbacks, Build-To Lines, Height, Encroachments and Projections that are regulated by the Building Form Standards.

2. Dimensional Standards

This table summarizes the regulations in the Building Form Standards and does not supplant those regulations. Dimensions for BTL, Height range, Height, Projections and Encroachments are shown in feet. Notes below the table are indicated in the table as 'n. #'.

Dimensional Standards in HCD Zoning Districts												
District On Map	District Name	Minimum Parcel Size (n. 11)	Parcel Coverage		Streetside Build-To Lines		Other Build-To Lines		Height		Maximum Projections	Maximum Encroachments
			Min	Max	Min-Max	Min % Street Wall and Height Range	Min-Max	Min % Street Wall and Height Range	Min.	Max.		
HCD-A	Core	0.3 acres	55%	100%	0 – 4 (n. 2)	22% to 75% at 55-70 (n. 1)	Varies (n. 1)	Varies (n. 1)	55	70	6 (n. 3)	4 (n. 4)
HCD-B	Signature	0.5 acres	55%	75%	0 - 4	65% at 55-70	0 - n/a (n. 9)	Varies (n. 1)	55	170	6	4
HCD-C	Park	1.0 acre	45%	80%	0 - 4	65% at 30-60	Varies (n. 8)	Varies (n. 8)	30	60	none allowed	4
HCD-D	Canal Point	0.2 acres	75%	100%	0 – n/a	n/a	0 – n/a	n/a	20	40	n/a	4 (n. 5)
HCD-E	Revere Street	0.5 acres	55%	100%	0 - 4 (n. 6)	30% at 55-85(n. 7)	n/a	30% (n. 6)	55	85	6	3
HCD-F	Courthouse	1.0 acre	25%	85%	0 – n/a	n/a	0 - n/a	n/a	90	180	none allowed	none allowed
HCD-G	Gateway	0.6 acres	55%	85%	0 – 4	65% at 55-70 (n. 10)	24-28	65% at 55-70	55	70	4	4

Notes to the Dimensional Standards Table:

- n. 1. See BFS
- n. 2. Historic walls are allowed to remain in current location or be rebuilt, allowing 0-25 min/max on Parcel 6.
- n. 3. No Projections allowed off Historic walls.
- n. 4. No Encroachments allowed off Historic walls.
- n. 5. Encroachments allowed on east side only, along Street Type 1C
- n. 6. 20 foot maximum BTL on South Side.
- n. 7. 55% Street Wall Percentage on north side.
- n. 8. 0 -4 on South Side, 15 feet minimum from Canal on east and northeast side. 40 feet maximum Height from ground by Canal on east and northeast.
- n. 9. 12 foot minimum BTL on N side between the east corner and the edge of the cul-de-sac circle.
- n. 10. SE Street Wall at 45% to 60% instead of 65%, per BFS. Street sites for Gateway District are SE and SW as well as NE side of Parcel 1
- n. 11. There are no minimum Floor Area Ratio requirements within any of the HCD zoning districts. A minimum of 25 feet of frontage is required for development on any Parcel.

3. Building Form Standards

Hamilton Canal District

Parcel 1 (Zoning District HCD-E: HCD Revere Street District)

Zoning District Description:

This zoning district on the southeast corner of Jackson and Revere Street is well suited to a building that will effect a transition between the historic mill buildings to the east and the courthouse to the west. This district is designed to promote economic development of the Jackson and Middlesex Street areas.

Parcel Description:

This parcel is the only parcel in Zone HCD-E.
Parcel Size: 0.5 acre

Standards for Parcel 1

A: Site Configuration

Site Configuration for Parcel 1						
Side	Build To Line* (feet)		Street Wall*		Maximum Setback*	
	Minimum	Maximum	Minimum street wall %*	Height range	Up to x%	Up to x feet
N	5	9	55%	55' -- 85'	45%	50
E	0	4	30%	55' -- 85'	70%	50
S	7	20	30%	55' -- 85'	70%	50
W	0	4	30%	55' -- 85'	70%	50

*See definitions for an understanding of Build To Line, Street Wall % and Maximum Setback

Parcel Coverage: 55% minimum -- 90% maximum

B: Building Configuration

Floors: 10' minimum clear first floor height

Encroachment: Allowed at 10' minimum above the sidewalk level and is allowed extend out 3' maximum

Projections: Allowed at 10' minimum above the sidewalk level and is allowed to extend out 6' maximum into setback area; and extend 3' maximum beyond property line.

Maximum Height: 85'

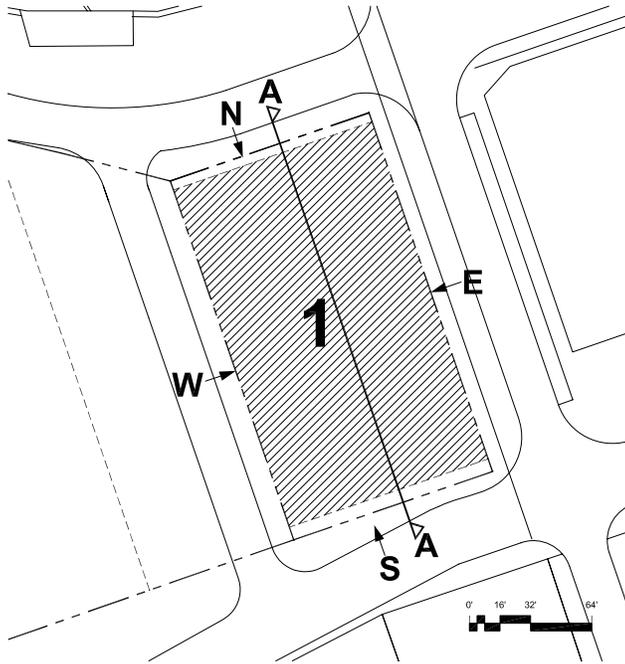
C: Other Requirements

- Any vehicular access to below-grade parking must be provided along the North side of the parcel.

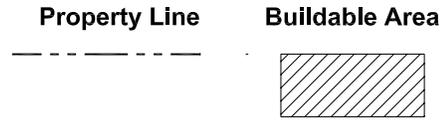
D: Uses – See Also Allowed Uses Table at 10.3.10(4)

Allowed Uses in the HCD-E: HCD Revere Street District:	
See notes under Section 10.3.10(4)	
Lower Level (See note #1)	P, R, IRE, RRC, UTP, OL
Street Level	R, IRE, RRC, UTP, OL
Upper Levels	R, IRE, UTP, OL

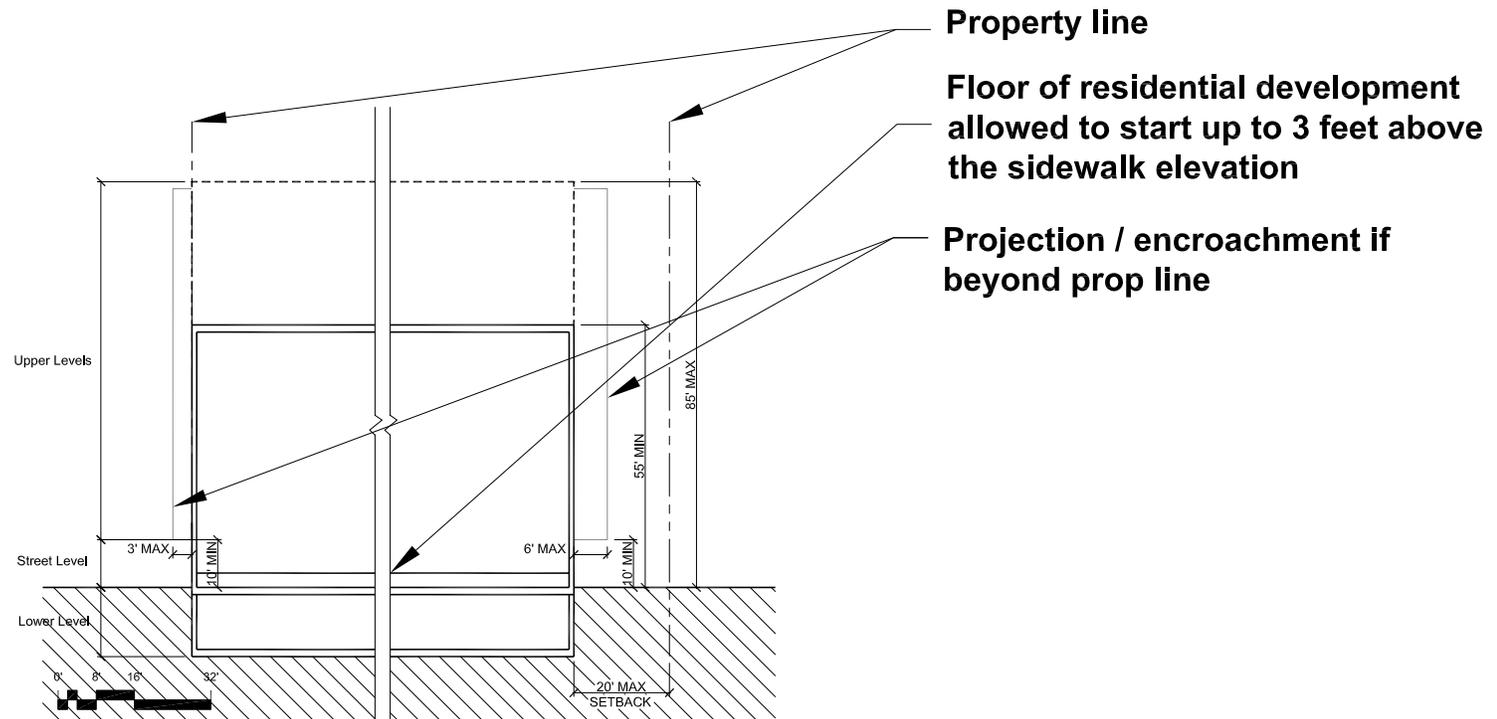
Parcel 1: Graphical Standards



Site Configuration Standard



KEY PLAN



**Vertical Dimension Standard
Section A-A**

Hamilton Canal District

Parcel 2 (Zoning District HCD-A: HCD Core District)

Zoning District Description:

This is the central zoning district of the HCD with mixed-use mid-rise buildings. This district is designed to promote preservation of Historic buildings and remnant walls and to reflect historic scale of buildings, with the development of a contemporary mill yard.

Parcel Description:

This parcel is one of eight building parcels in Zone HCD-A.
Parcel Size: 0.47 acre

Standards for Parcel 2

A: Site Configuration

Site Configuration for Parcel 2						
Side	Build To Line* (feet)		Street Wall		Maximum Setback*	
	Minimum	Maximum	Minimum street wall %*	Height range	Up to x%	Up to x feet
N1	12	n/a	n/a	55' -- 70'	n/a	n/a
N2	0	n/a	n/a	55' -- 70'	n/a	n/a
N3	12	n/a	n/a	55' -- 70'	n/a	n/a
E	0	4	65%	55' -- 70'	35%	20
S	10	20	50%	55' -- 70'	50%	20

*See definitions for an understanding of Build To Line, Street Wall % and Maximum Setback

Parcel Coverage: 55% minimum -- 100% maximum

B: Building Configuration

Floors: 10' minimum clear first floor

Projections: Not allowed

Projections: Allowed at 10' minimum above the street level and allowed to extend out 6' max within setback areas.

Encroachment: Allowed at 10' minimum above the street level and allowed to extend out 4' maximum. Encroachments on south side are not allowed.

Maximum Height: 70'

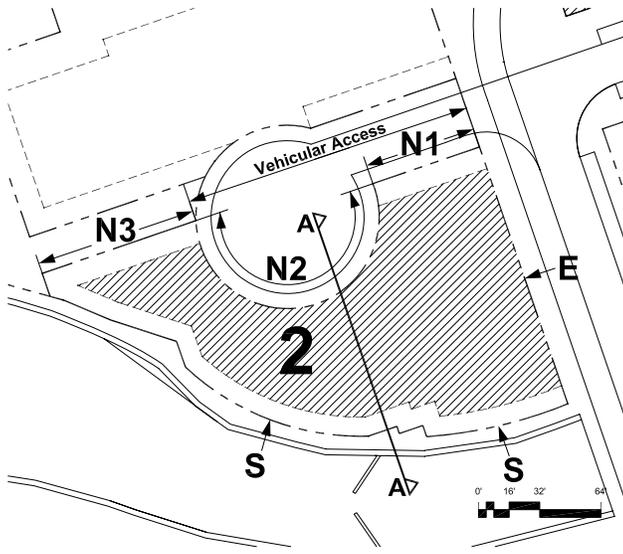
C: Other Requirements

- 1.) Any vehicular access to below-grade parking must be provided along the North side of the parcel, within the frontage defined on plan.
- 2.) Southern façade must generally follow the bend of the Hamilton canal.

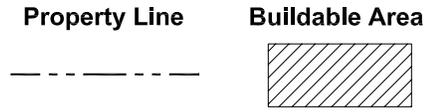
D: Uses – See Also Allowed Uses Table at 10.3.10(4)

Allowed Uses in the HCD-A: HCD Core District:	
See notes under Section 10.3.10(4)	
Lower Level (See note #1)	P, R, IRE, RRC, UTP, OL
Canal Level	R, IRE, RRC, P (See note #2), UTP, OL
Street Level	R, IRE, RRC, UTP, OL
Upper Levels	R, IRE, RRC, UTP, OL

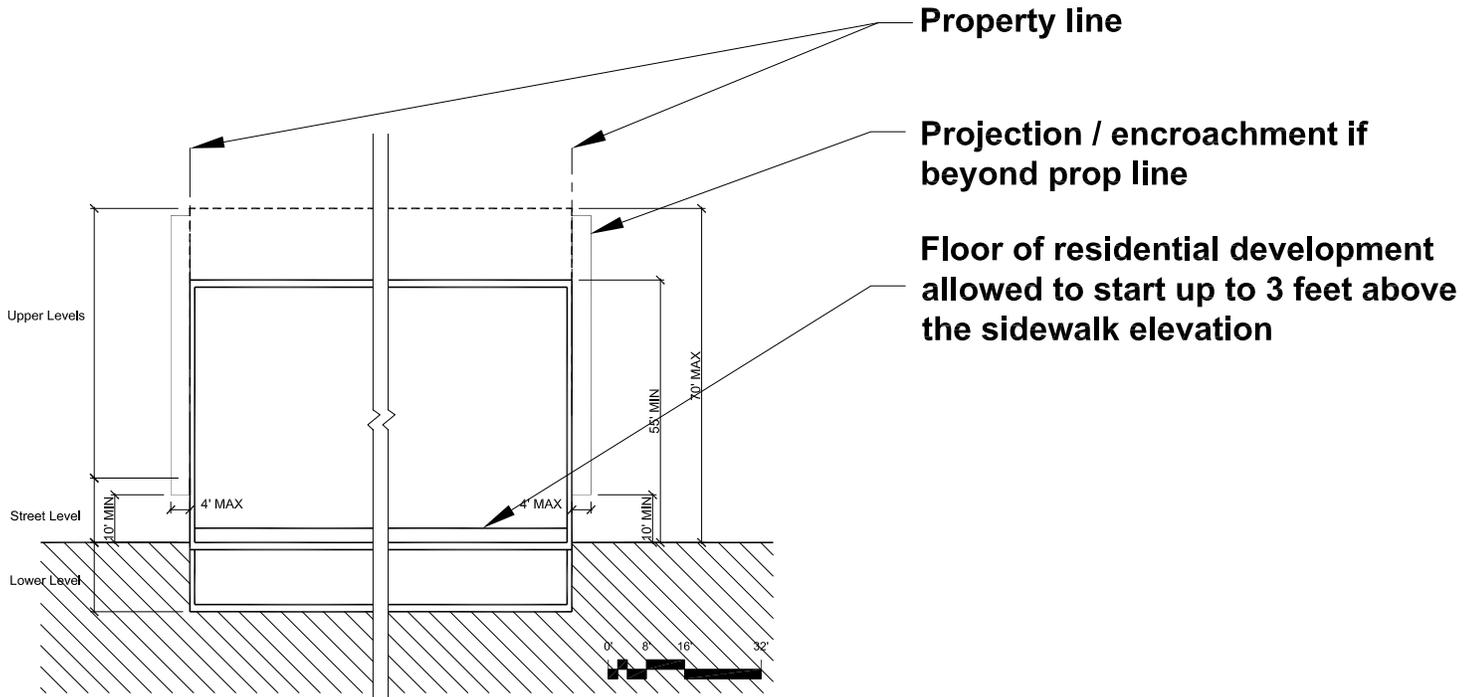
Parcel 2: Graphical Standards



Site Configuration Standard



KEY PLAN



**Vertical Dimension Standard
Section A-A**

Hamilton Canal District

Parcel 4 (Zoning District HCD-B: HCD Signature District)

Zoning District Description:

This zoning district along the point of the peninsula between the Hamilton and Pawtucket and Lower Pawtucket Canals is ideally suited for a signature building that will highlight the identity of the district. This district is designed to maximize the benefits of the canal views and create a focal point from many vantage points.

Parcel Description:

This parcel is one of one building parcels in Zone HCD-B.
Parcel Size: 0.56 acre

Standards for Parcel 4

A: Site Configuration

Site Configuration for Parcel 4						
Side	Build To Line* (feet)		Street Wall		Maximum Setback*	
	Minimum	Maximum	Minimum street wall %*	Height range	Up to x%	Up to x feet
N1	**	**	65%	55' -- 70'	35%	20
N2	20	n/a	n/a	55' -- 170'	n/a	n/a
E	0	4	65%	55' -- 70'	35%	20
S1	12	36	50%	55' -- ***	50%	20
S2	0	n/a	n/a	55' -- ***	n/a	n/a
S3	12	n/a	n/a	55' -- 170'	n/a	n/a
W1	12	n/a	n/a	55' -- 170'	n/a	n/a
W2	20	n/a	n/a	55' -- 170'	n/a	n/a

*See definitions for an understanding of Build To Line, Street Wall % and Maximum Setback
 **N1 minimum setback starts 12' below the Northeast corner and extends perpendicular to the East street wall. N1 maximum setback must not be more than 10' more than the minimum.
 ***See height requirements below

Parcel Coverage: 55% minimum -- 75% maximum

B: Building Configuration

Height: Building mass must step down from 160' maximum or from 170' if the top floor is no more than 20% of the building footprint. These steps must happen from the West side of the parcel down to the East side of the parcel in 3 steps. Each building step may not be more than 4 full stories and no less than 2 full stories in height.

- Step one must be setback 20'-40' from the East street wall
- Step two must be setback 60'-80' from the East street wall
- Step three must be setback a minimum of 120' from the East street wall

Any portion of the N1 façade must be 55'-70' in height for a minimum length of 120' beginning at the Northeast corner. Any façade above the 70' must be setback a minimum of 8'.

Floors: 10' minimum clear first floor

Projections: Allowed at 10' minimum above the street level and is allowed to extend out 6' max within setback areas

Encroachment: Allowed at 10' minimum above the street level and is allowed to extend out 4' max beyond property line.

Maximum Height: 170'

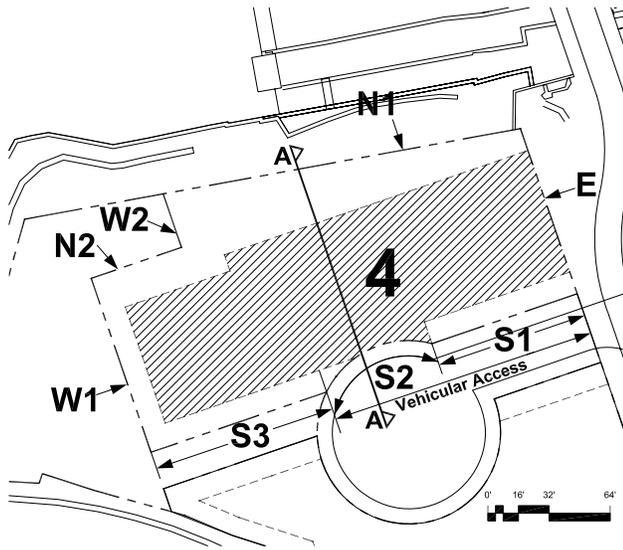
C: Other Requirements

- 1.) Any vehicular access to below-grade parking must be provided along the South side of the parcel within the frontage defined on the plan.
- 2.) Vehicular access must be provided at grade on northern edge of parcel at a minimum of 12'.

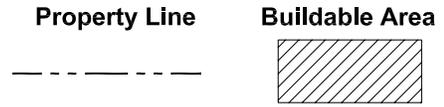
D: Uses – See Also Allowed Uses Table at 10.3.10(4)

Allowed Uses in the HCD-B: HCD: Signature District:	
See notes under Section 10.3.10(4)	
Lower Level (See note #1)	P, R, IRE, RRC, UTP, OL
Street Level	R, IRE, RRC, UTP, OL
Upper Levels	R, IRE, RRC, UTP, OL

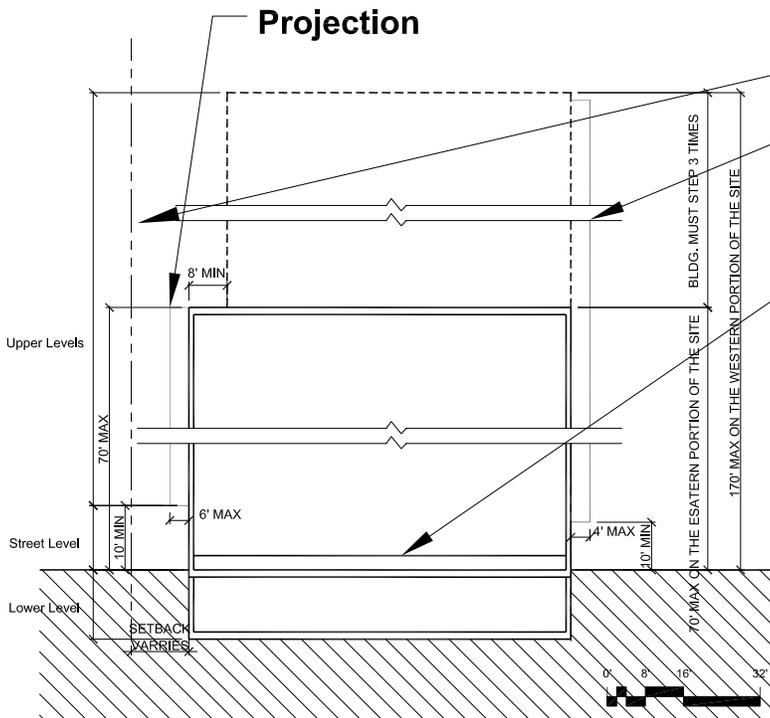
Parcel 4: Graphical Standards



Site Configuration Standard

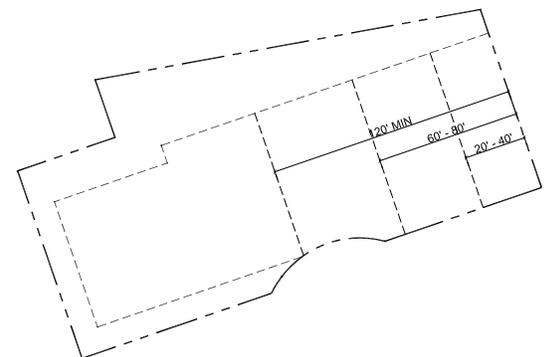


KEY PLAN



Vertical Dimension Standard
Section A-A

- Property line
- Projection / encroachment if beyond property line
- Floor of residential development allowed to start up to 3 feet above the sidewalk elevation



Building Stepping Diagram

Hamilton Canal District

Parcel 5 (Zoning District HCD-A: HCD Core District)

Zoning District Description:

This is the central zoning district of the HCD with mixed-use mid-rise buildings. This district is designed to promote preservation of Historic buildings and remnant walls and to reflect historic scale of buildings, with the development of a contemporary mill yard.

Parcel Description:

This parcel is one of eight building parcels in Zone HCD-A.
Parcel Size: 0.51 acre.

Standards for Parcel 5

A: Site Configuration

Site Configuration for Parcel 5						
Side	Build To Line* (feet)		Street Wall		Maximum Setback*	
	Minimum	Maximum	Minimum street wall %*	Height range	Up to x%	Up to x feet
N	0	4	45%	55' -- 70'	55%	70
E	30	40	45%	55' -- 70'	55%	75
S	10	15	75%	55' -- 70'	25%	20
W	0	4	75%	55' -- 70'	25%	20

*See definitions for an understanding of Build To Line, Street Wall % and Maximum Setback

Parcel Coverage: 55% minimum -- 100% maximum

B: Building Configuration

Floors: 10' minimum clear first floor height

Projections: Allowed at 10' minimum above the sidewalk level and is allowed to extend out 6' max within setback areas.

Encroachment: Allowed at 10' minimum above the sidewalk level and is allowed to extend out 4' maximum beyond property line.

Maximum Height: 70'

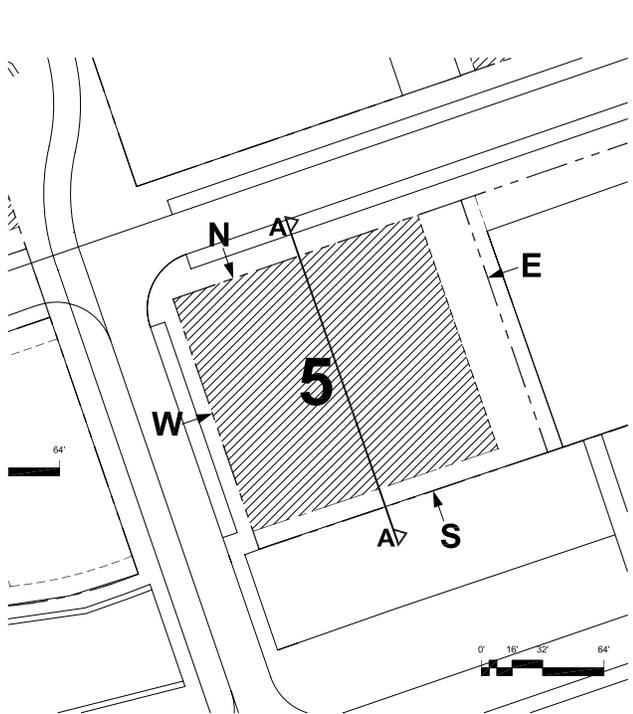
C: Other Requirements

- 1.) Building entries must be located along new streets.
- 2.) Any vehicular/service access must be provided along the east side of the site within the 30'-40' setback.

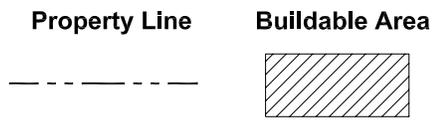
D: Uses – See Also Allowed Uses Table at 10.3.10(4)

Allowed Uses in the HCD-A: HCD Core District:	
See notes under Section 10.3.10(4)	
Lower Level (See note #1)	P, R, IRE, RRC, UTP, OL
Canal Level	R, IRE, RRC, P (See note #2), UTP, OL
Street Level	R, IRE, RRC, UTP, OL
Upper Levels	R, IRE, RRC, UTP, OL

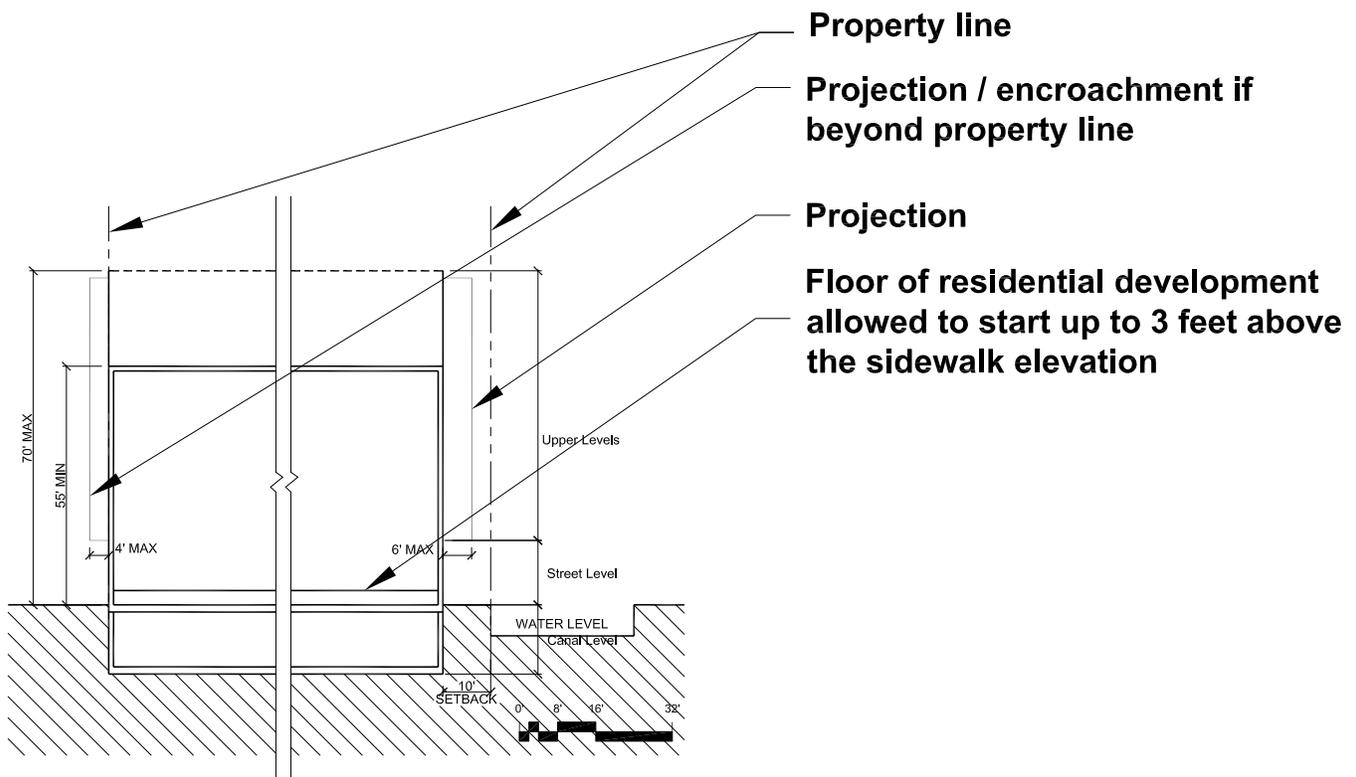
Parcel 5: Graphical Standards



Site Configuration Standard



KEY PLAN



Vertical Dimension Standard
Section A-A

Hamilton Canal District

Parcel 6 (Zoning District HCD-A: HCD Core District)

Zoning District Description:

This is the central zoning district of the HCD with mixed-use mid-rise buildings. This district is designed to promote preservation of Historic buildings and remnant walls and to reflect historic scale of buildings, with the development of a contemporary mill yard.

Parcel Description:

This parcel is one of eight building parcels in Zone HCD-A.
Parcel Size: 0.35 acre.

Standards for Parcel 6

A: Site Configuration

Site Configuration for Parcel 6						
Side	Build To Line* (feet)		Street Wall		Maximum Setback*	
	Minimum	Maximum	Minimum street Wall %*	Height range	Up to x%	Up to x feet
N	0	25	65%	55' -- 70'	35%	20
E1	24	28	65%	55' -- 70'	35%	20
E2	**	n/a	n/a	55' -- 70'	n/a	n/a
E3	0	n/a	n/a	55' -- 70'	n/a	n/a
S	0	10	65%	55' -- 70'	35%	20
W	8	12	65%	55' -- 70'	35%	20
*See definitions for an understanding of Build To Line, Street Wall % and Maximum Setback						
** See site configuration standard						

Parcel Coverage: 55% minimum -- 100% maximum (No more than one building is permitted on this site.)

B: Building Configuration

Floors: Not allowed

Projections: Not allowed

Encroachment: Allowed at 10' minimum above the sidewalk level and is allowed to extend out 4' maximum on North side only.

Maximum Height: 70'

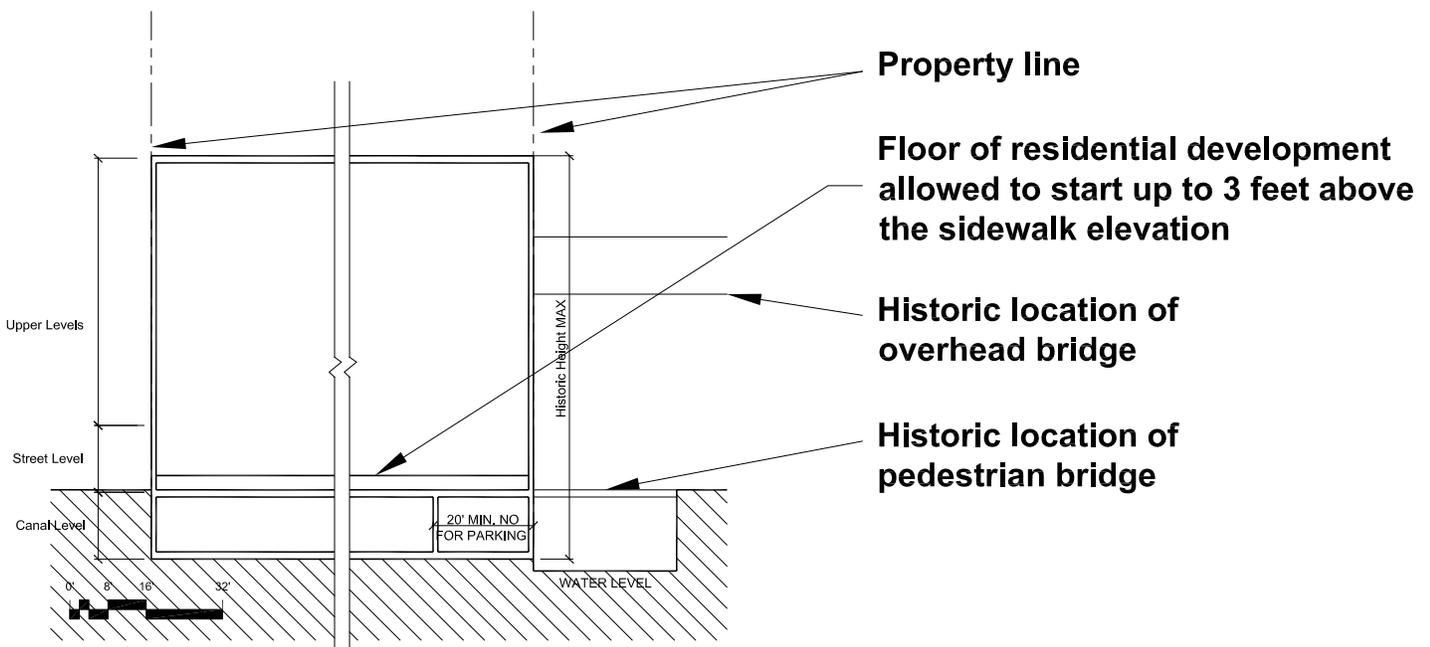
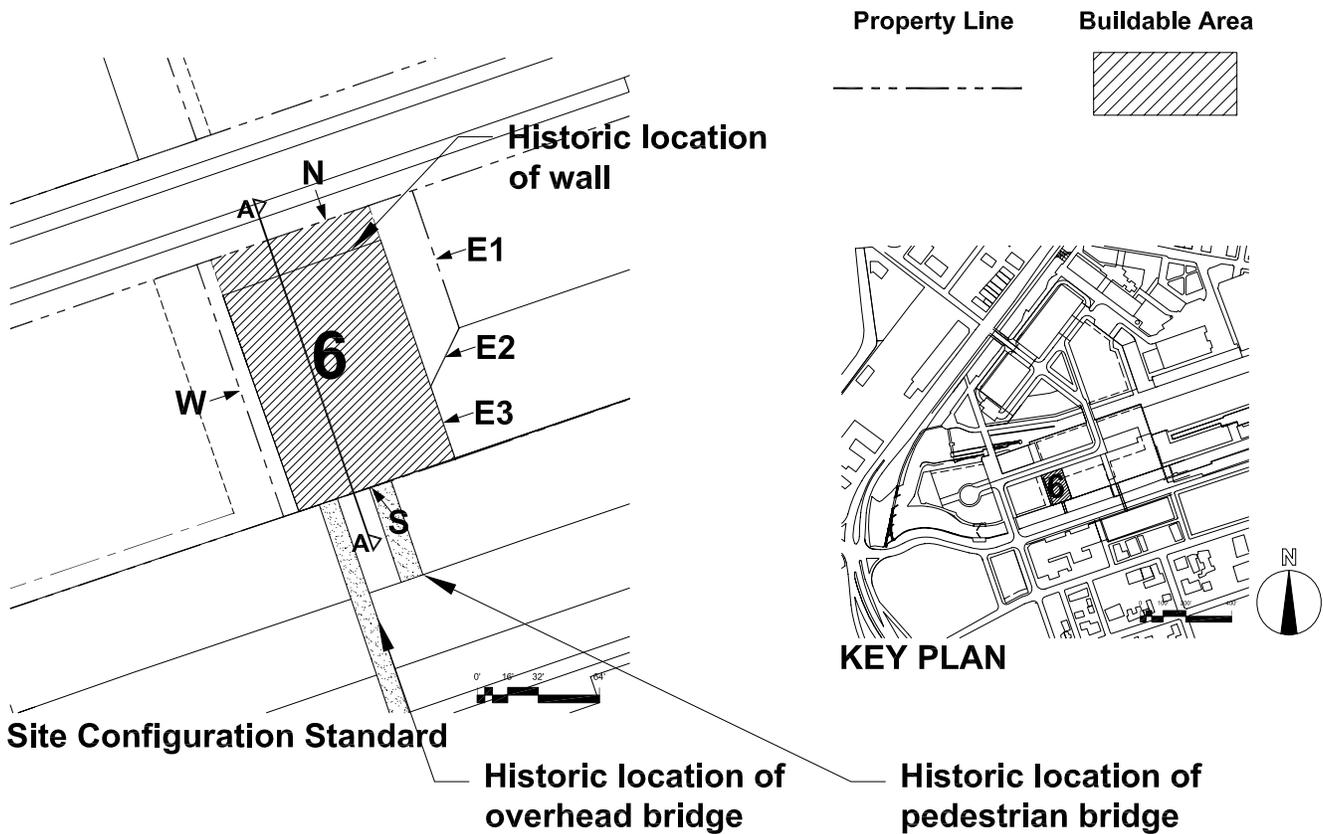
C: Other Requirements

- 1.) East, South and West walls of existing building to be restored if structurally sound.
- 2.) Reconstruct pedestrian bridge across Hamilton Canal to meet ADA/AAB access requirements.
- 3.) Any vehicular access to below-grade parking must be provided along the West side of the parcel.

D: Uses – See Also Allowed Uses Table at 10.3.10(4)

Allowed Uses in the HCD-A: HCD Core District:	
See notes under Section 10.3.10(4)	
Lower Level (See note #1)	P, R, IRE, RRC, UTP, OL
Canal Level	R, IRE, RRC, P (See note #2), UTP, OL
Street Level	R, IRE, RRC, UTP, OL
Upper Levels	R, IRE, RRC, UTP, OL

Parcel 6: Graphical Standards



**Vertical Dimension Standard
Section A-A**

Hamilton Canal District

Parcel 7 (Zoning District HCD-A: HCD Core District)

Zoning District Description:

This is the central zoning district of the HCD with mixed-use mid-rise buildings. This district is designed to promote preservation of Historic buildings and remnant walls and to reflect historic scale of buildings, with the development of a contemporary mill yard.

Parcel Description:

This parcel is one of eight building parcels in Zone HCD-A.
Parcel Size: 1.28 acre.

Standards for Parcel 7

A: Site Configuration

Site Configuration for Parcel 7						
Side	Build To Line* (feet)		Street Wall		Maximum Setback*	
	Minimum	Maximum	Minimum street wall %*	Height range	Up to x%	Up to x feet
N1	74	100	75%	55' -- 70'	25%	50
N2	60	90	75%	55' -- 70'	25%	50
N3	0	4	75%	55' -- 70'	25%	50
E1	0	4	75%	55' -- 70'	25%	50
E2	0	15	75%	55' -- 70'	25%	50
S	0	10	75%	55' -- 70'	25%	50
W1	350	354	75%	55' -- 70'	25%	50
W2	0	10	75%	55' -- 70'	25%	50
W3	**	**	n/a	55' -- 70'	n/a	n/a
W4	0	4	75%	55' -- 70'	25%	50

*See definitions for an understanding of Build To Line, Street Wall % and Maximum Setback
** See site configuration standard

Parcel Coverage: 55% minimum -- 100% maximum

B: Building Configuration

Floors: Not allowed
Projections: Not allowed beyond setback
Encroachment: Not allowed
Maximum Height: 70'

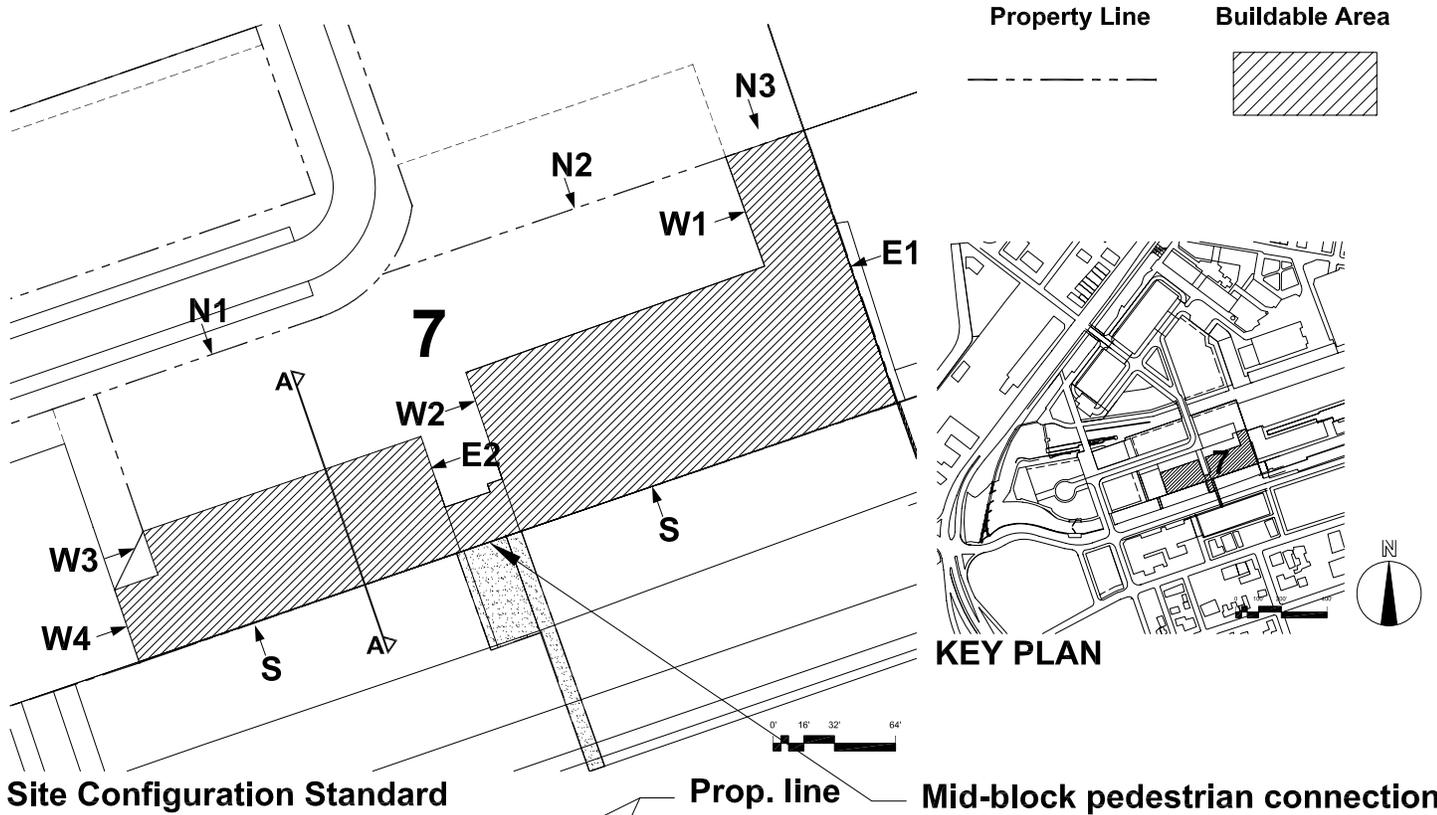
C: Other Requirements

- 1.) Mid-block pedestrian path through the site of the historic opening is required.
- 2.) Rehabilitate existing street level pedestrian bridge over Hamilton canal.
- 3.) Rehabilitate existing overhead bridge over Hamilton canal.

D: Uses – See Also Allowed Uses Table at 10.3.10(4)

Allowed Uses in the HCD-A: HCD Core District:	
See notes under Section 10.3.10(4)	
Lower Level (See note #1)	P, R, IRE, RRC, UTP, OL
Canal Level	R, IRE, RRC, P (See note #2), UTP, OL
Street Level	R, IRE, RRC, UTP, OL
Upper Levels	R, IRE, RRC, UTP, OL

Parcel 7: Graphical Standards



Site Configuration Standard

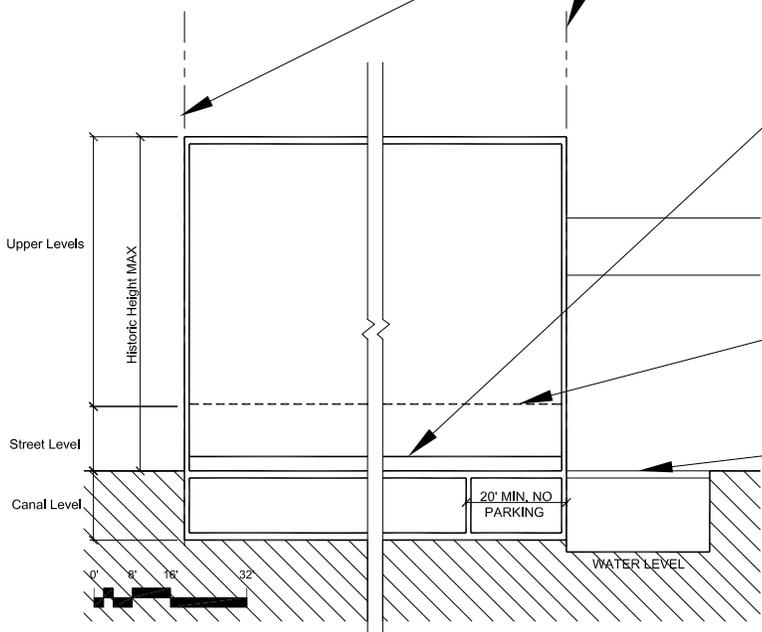
Prop. line — Mid-block pedestrian connection is required through this area

Floor of residential development allowed to start up to 3 feet above the sidewalk elevation

Rehabilitate existing overhead bridge

Mid block pedestrian connection is required through this area

Rehabilitate existing pedestrian bridge



Vertical Dimension Standard
Section A-A

Hamilton Canal District

Parcel 8 (Zoning District HCD-A: HCD Core District)

Zoning District Description:

This is the central zoning district of the HCD with mixed-use mid-rise buildings. This district is designed to promote preservation of Historic buildings and remnant walls and to reflect historic scale of buildings, with the development of a contemporary mill yard.

Parcel Description:

This parcel is one of eight building parcels in Zone HCD-A.
Parcel Size: 0.82 acre.

Standards for Parcel 8

A: Site Configuration

Site Configuration for Parcel 8						
Side	Build To Line* (feet)		Street Wall		Maximum Setback*	
	Minimum	Maximum	Minimum street wall %*	Height range	Up to x%	Up to x feet
N	10	15	50%	25' -- 70'	n/a	30
E	0	4	50%	55' -- 70'	50%	45
S1	50	54	65%	55' -- 70'	35%	15
S2	0	4	100%	10' -- 70'	0%	n/a
W1	0	4	65%	55' -- 70'	35%	15
W2	161	165	55%	10'-- 70'	n/a	n/a

*See definitions for an understanding of Build To Line, Street Wall % and Maximum Setback

Parcel Coverage: 55% minimum -- 100% maximum (No more than one building is permitted on this site).

B: Building Configuration

Floors: 10' minimum clear first floor height

Projections: Allowed at 10' minimum above the sidewalk level and is allowed to extend out 6' maximum

Encroachment: Allowed at 10' minimum above the sidewalk level and is allowed to extend out 4' maximum

Maximum Height: 70'

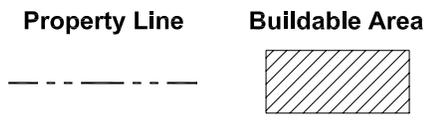
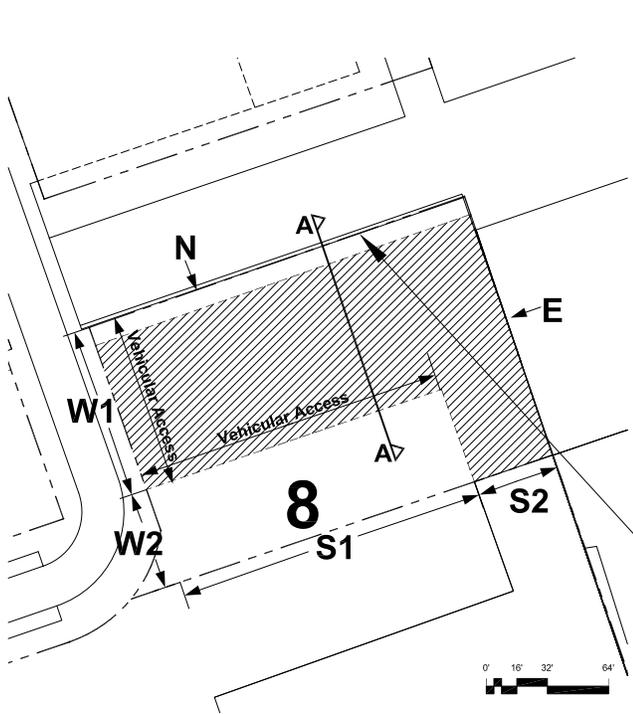
C: Other Requirements

- 1.) Canal remnant wall to be preserved and stabilized
- 2.) Any vehicular access must be provided along the South or West side of the parcel within the frontage defined on the plan.

D: Uses – See Also Allowed Uses Table at 10.3.10(4)

Allowed Uses in the HCD-A: HCD Core District:	
See notes under Section 10.3.10(4)	
Lower Level (See note #1)	P, R, IRE, RRC, UTP, OL
Canal Level	R, IRE, RRC, P (See note #2), UTP, OL
Street Level	R, IRE, RRC, UTP, OL
Upper Levels	R, IRE, RRC, UTP, OL

Parcel 8: Graphical Standards



Site Configuration Standard

Remnant wall

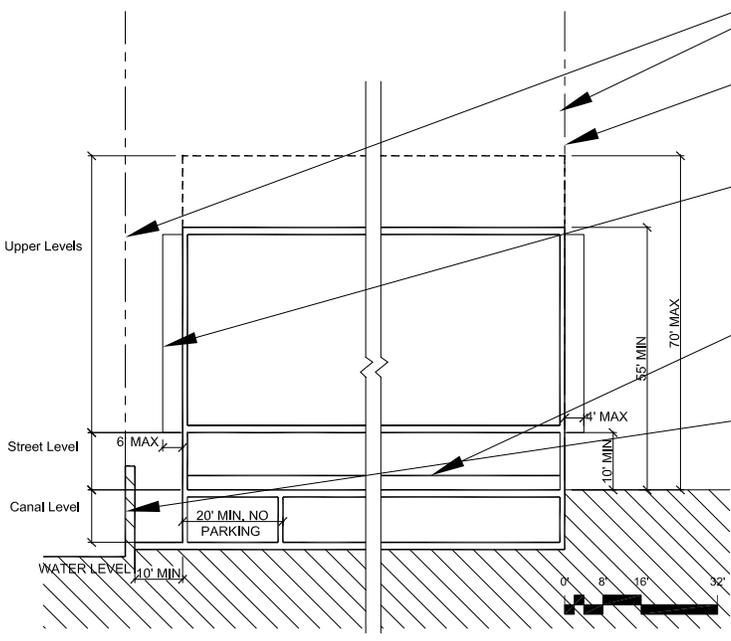
Property line

Projection / encroachment if beyond property line

Projection

Floor of residential development allowed to start up to 3 feet above the sidewalk elevation

Remnant wall



**Vertical Dimension Standard
Section A-A**

Hamilton Canal District

Parcel 9 (Zoning District HCD-A: HCD Core District)

Zoning District Description:

This is the central zoning district of the HCD with mixed-use mid-rise buildings. This district is designed to promote preservation of Historic buildings and remnant walls and to reflect historic scale of buildings, with the development of a contemporary mill yard.

Parcel Description:

This parcel is one of eight building parcels in Zone HCD-A.
Parcel Size: 0.52 acre.

Standards for Parcel 9

A: Site Configuration

Site Configuration for Parcel 9						
Side	Build To Line* (feet)		Street Wall		Maximum Setback*	
	Minimum	Maximum	Minimum street wall %*	Height range	Up to x%	Up to x feet
N	10	n/a	n/a	< 70'	n/a	30
E	0	4	65%	55' -- 70'	35%	15
S	0	4	65%	55' -- 70'	35%	15
W	10	n/a	n/a	55' -- 70'	n/a	n/a

*See definitions for an understanding of Build To Line, Street Wall % and Maximum Setback

Parcel Coverage: 55% minimum -- 100% Maximum

B: Building Configuration

Floors: 10' minimum clear first floor height

Projections: Allowed at 10' minimum above the sidewalk level and is allowed to extend out 6' maximum

Encroachment: Allowed at 10' minimum above the sidewalk level and is allowed to extend out 4' maximum

Maximum Height: 70'

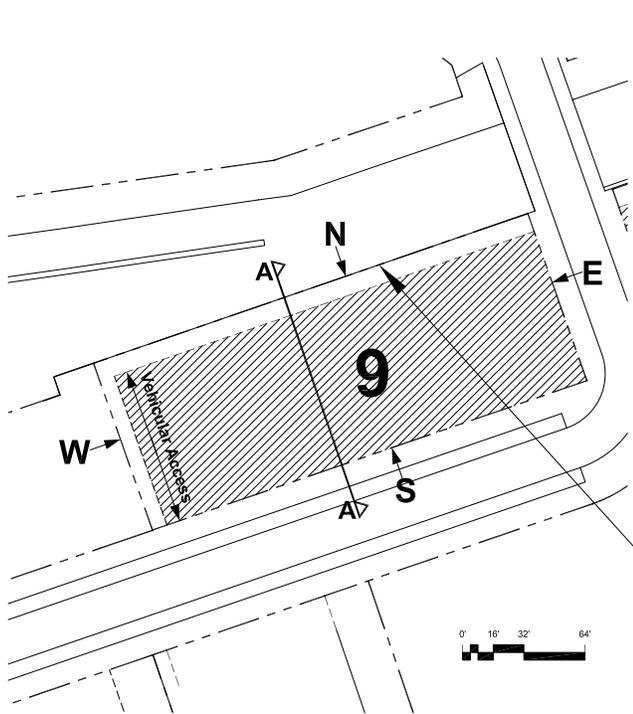
C: Other Requirements

- 1.) Building entries must be located along new street alignments
- 2.) Canal remnant wall to be preserved and stabilized
- 3.) Any vehicular access must be provided along the West side of the parcel within the frontage defined on the plan.

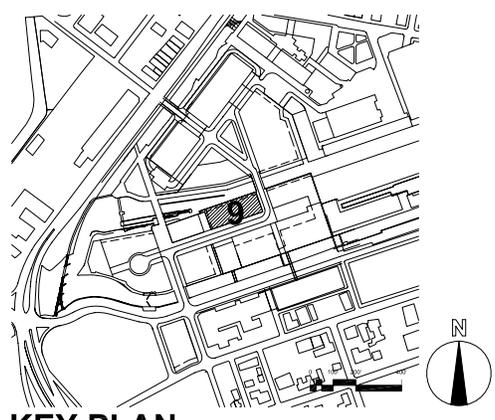
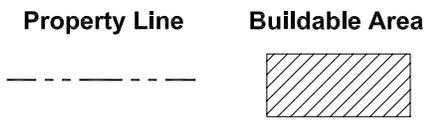
D: Uses – See Also Allowed Uses Table at 10.3.10(4)

Allowed Uses in the HCD-A: HCD Core District:	
See notes under Section 10.3.10(4)	
Lower Level (See note #1)	P, R, IRE, RRC, UTP, OL
Canal Level	R, IRE, RRC, P (See note #2), UTP, OL
Street Level	R, IRE, RRC, UTP, OL
Upper Levels	R, IRE, RRC, UTP, OL

Parcel 9: Graphical Standards

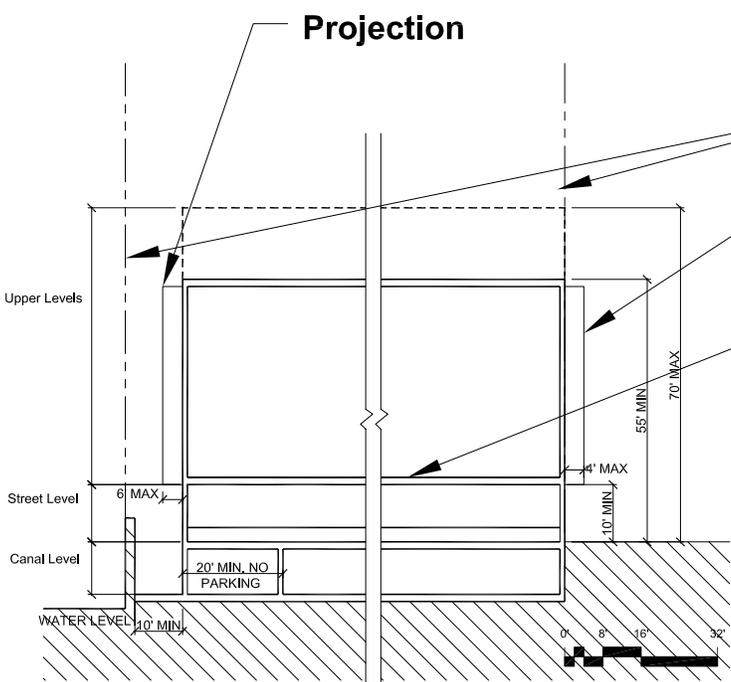


Site Configuration Standard



KEY PLAN

Remnant wall



Vertical Dimension Standard
Section A-A

- Property line
- Projection / encroachment if beyond property line
- Floor of residential development allowed to start up to 3 feet above the sidewalk elevation

Hamilton Canal District

Parcel 10 (Zoning District HCD-A: HCD Core District)

Zoning District Description:

This is the central zoning district of the HCD with mixed-use mid-rise buildings. This district is designed to promote preservation of Historic buildings and remnant walls and to reflect historic scale of buildings, with the development of a contemporary mill yard.

Parcel Description:

This parcel is one of eight building parcels in Zone HCD-A.
Parcel Size: 0.34 acre.

Standards for Parcel 10

A: Site Configuration

Site Configuration for Parcel 10						
Side	BTL* (feet)		Street Wall		Maximum Setback*	
	Minimum	Maximum	Minimum street wall %*	Height range	Up to x%	Up to x feet
N	0	10	75%	55' -- 70'	25%	10
E	30	40	75%	55' -- 70'	25%	10
S	0	4	75%	55' -- 70'	25%	10
W	0	4	75%	55' -- 70'	25%	10
*See definitions for an understanding of Build To Line, Street Wall % and Maximum Setback						

Parcel Coverage: 55% minimum -- 100% Maximum

B: Building Configuration

Floors: Not allowed
Projections: Not allowed
Encroachment: Not allowed
Maximum Height: 70'

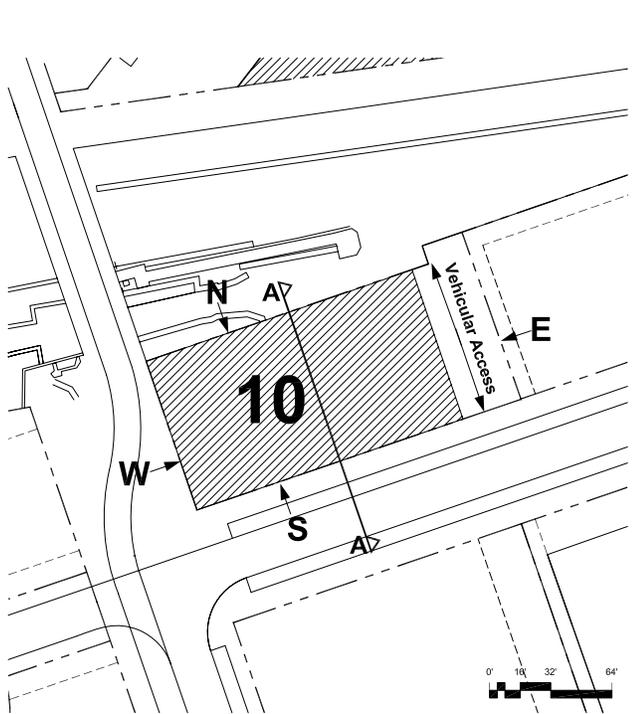
C: Other Requirements

- 1.) Building entries must be located along new streets.
- 2.) Restore existing historic exterior walls if structurally sound, minus the one and two story additions.
- 3.) The building is allowed to step back once and exceed the historic height if it steps back at a ratio of 1' for every 2' in height for a total maximum building height of 70'.
- 4.) Any vehicular access must be provided along the east side of the parcel within the frontage defined on the plan.

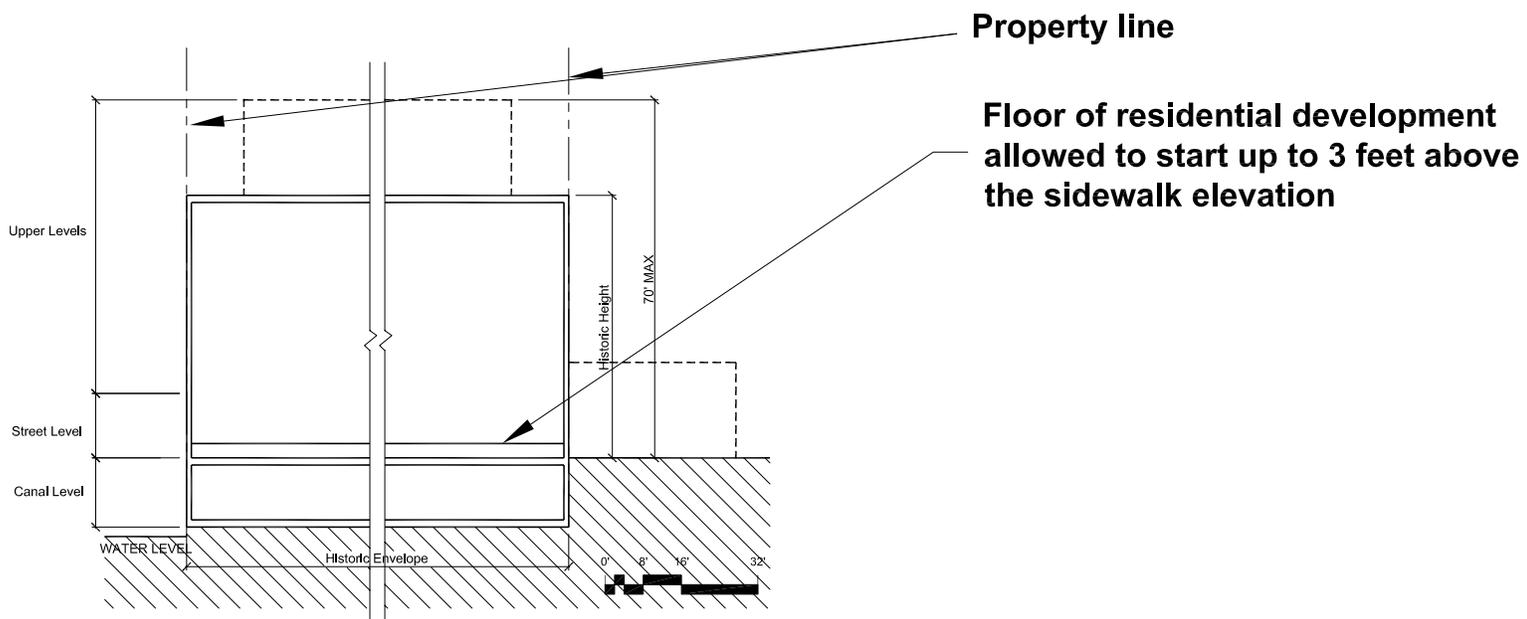
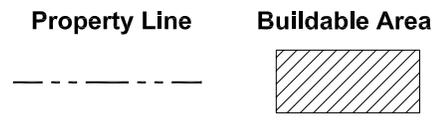
D: Uses – See Also Allowed Uses Table at 10.3.10(4)

Allowed Uses in the HCD-A: HCD Core District:	
See notes under Section 10.3.10(4)	
Lower Level (See note #1)	P, R, IRE, RRC, UTP, OL
Canal Level	R, IRE, RRC, P (See note #2), UTP, OL
Street Level	R, IRE, RRC, UTP, OL
Upper Levels	R, IRE, RRC, UTP, OL

Parcel 10: Graphical Standards



Site Configuration Standard



Vertical Dimension Standard Section A-A

Hamilton Canal District

Parcel 11 (Zoning District HCD-A: HCD Core District)

Zoning District Description:

This is the central zoning district of the HCD with mixed-use mid-rise buildings. This district is designed to promote preservation of Historic buildings and remnant walls and to reflect historic scale of buildings, with the development of a contemporary mill yard.

Parcel Description:

This parcel is one of eight building parcels in Zone HCD-A.
Parcel Size: 0.56 acre.

Standards for Parcel 11

A: Site Configuration

Site Configuration for Parcel 11						
Side	Build To Line* (feet)		Street Wall		Maximum Setback*	
	Minimum	Maximum	Minimum street wall %*	Height range	Up to x%	Up to x feet
N	0	30	80%	55' -- 70'	20%	30
E	0	4	22%	55' -- 70'	78%	60
S	0	15	65%	55' -- 70'	35%	20
W	0	4	22%	55' -- 70'	78%	60

*See definitions for an understanding of Build To Line, Street Wall % and Maximum Setback

Parcel Coverage: 60% minimum -- 100% Maximum

B: Building Configuration

Floors: 10' minimum clear first floor height

Projections: Allowed at 10' minimum above the sidewalk level and extend out 6' maximum

Encroachment: Allowed at 10' minimum above the sidewalk level and extend out 4' maximum

Maximum Height: 70'

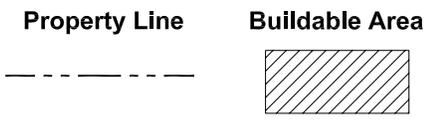
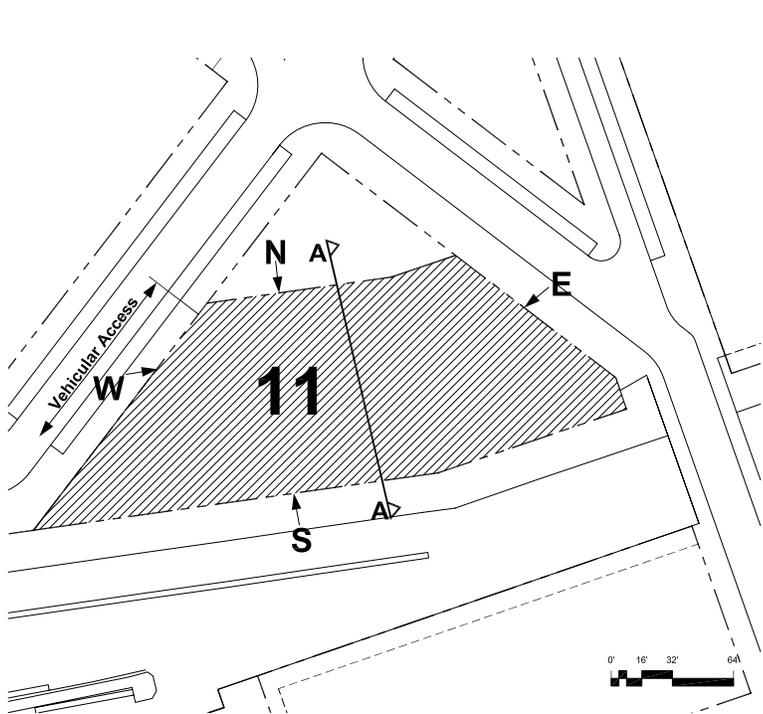
C: Other Requirements

- 1.) Vehicular/service access must be located along west side of the parcel within the frontage defined on the plan.

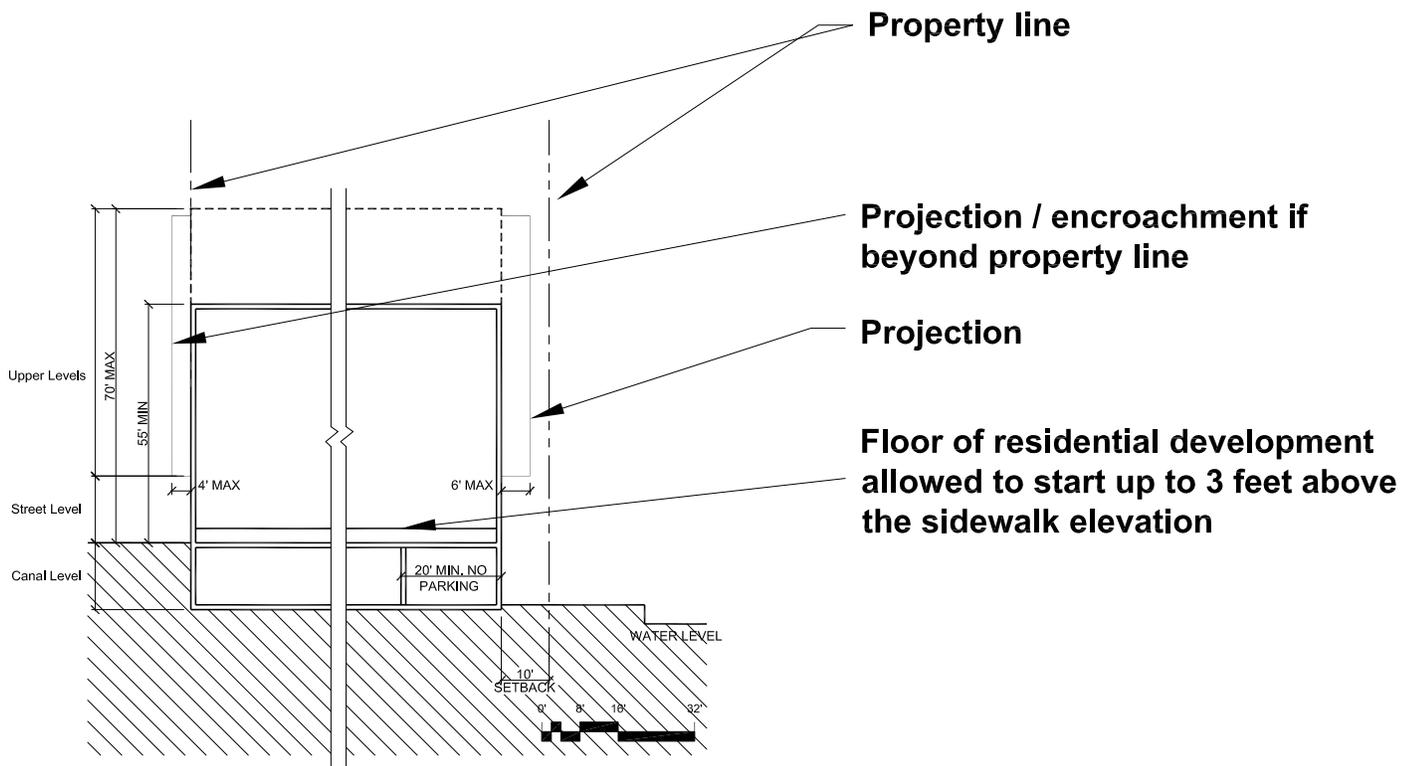
D: Uses – See Also Allowed Uses Table at 10.3.10(4)

Allowed Uses in the HCD-A: HCD Core District:	
See notes under Section 10.3.10(4)	
Lower Level (See note #1)	P, R, IRE, RRC, UTP, OL
Canal Level	R, IRE, RRC, P (See note #2), UTP, OL
Street Level	R, IRE, RRC, UTP, OL
Upper Levels	R, IRE, RRC, UTP, OL

Parcel 11: Graphical Standards



Site Configuration Standard



Vertical Dimension Standard Section A-A

Hamilton Canal District

Parcel 14 (Zoning District HCD-C: HCD Park District)

Zoning District Description:

This zoning district is suited for development of structured parking with retail lining primary streets. This district is designed to provide parking if required but allow other appropriate uses consistent with the HCD Master Plan.

Parcel Description:

This is the only parcel in Zone HCD-C.
Parcel Size: 1.48 acre.

Standards for Parcel 14

A: Site Configuration

Site Configuration for Parcel 14						
Side	Build To Line* (feet)		Street Wall		Maximum Setback*	
	Minimum	Maximum	Minimum street wall %*	Height range	Up to x%	Up to x feet
E1	15***	n/a	n/a	< 40' **	n/a	n/a
E2	15***	n/a	n/a	< 40' **	n/a	n/a
NE1	15	n/a	n/a	< 40' **	n/a	n/a
NE2	15***	n/a	n/a	< 40' **	n/a	n/a
NW	0	4	65%	30' -- 60'	35%	15
W	0	4	65%	30' -- 60'	35%	15
S	0	15	65%	30' -- 60'	35%	15

*See definitions for an understanding of Build To Line, Street Wall % and Maximum Setback
 **Height measured from existing canal wall
 ***Setback measured from face of existing canal

Parcel Coverage: 45% min -- 80% maximum

B: Building Configuration

Floors: NA

Projections: Not allowed beyond setback

Encroachment: Allowed at 10' minimum above the street level and is allowed to extend out 4' maximum

Maximum Height: 60' (see requirement 6)

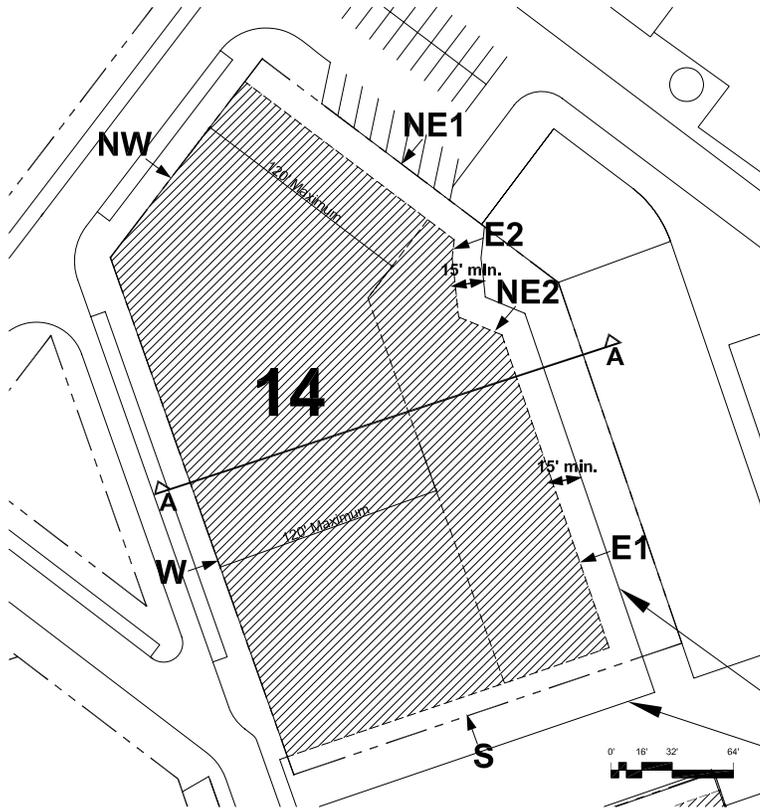
C: Other Requirements

- 1.) If West and Northwest elevations are higher than 40' (measured from existing canal wall) then the building is not allowed to be more than 120' deep. (see site configuration standards)
- 2.) Overhead bridge cannot be more than 20' wide and must be set back from the edge of the building a minimum of 10'
- 3.) Any vehicular access must be provided along the West or Northwest sides of the site
- 4.) Eastern façade to be a "green wall" if the building is a parking structure
- 5.) "Green roof" required on roof created by the Eastern wall setback if the building is a parking structure (see site elevation standard)
- 6.) Height not allowed to be greater than 40' above the existing canal wall where building is more than 120' from Northwest and West parcel line.

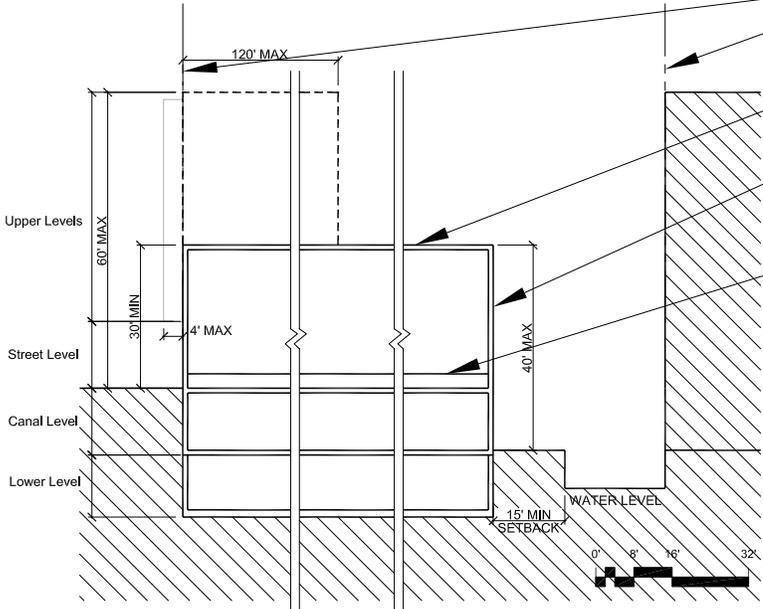
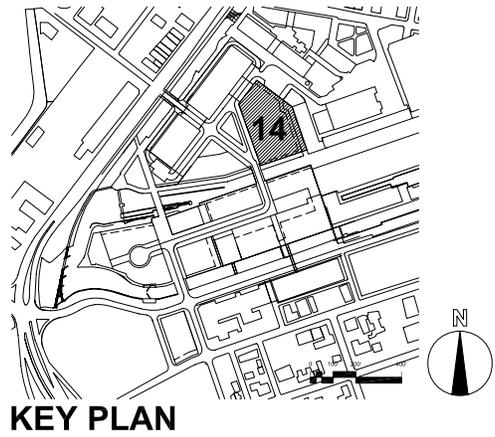
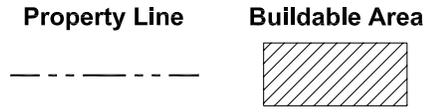
D: Uses – See Also Allowed Uses Table at 10.3.10(4)

Allowed Uses in the HCD-C: HCD Park District:	
See notes under Section 10.3.10(4)	
Lower Level (See note #1)	P, R, IRE, RRC, UTP, OL
Canal Level	R, IRE, RRC, P, UTP, OL
Street Level	R, IRE, RRC, P (See note #3), UTP, OL
Upper Levels	R, IRE, RRC, P, UTP, OL

Parcel 14: Graphical Standards



Site Configuration Standard



Vertical Dimension Standard
Section A-A

Canal wall

Property line

Green roof if use is a garage

Green wall if use is a garage

Floor of residential development
allowed to start up to 3 feet above
the sidewalk elevation



Example of a "green wall"

For illustrative purposes only.
See definitions of Green Wall
in section 10.2

Hamilton Canal District

Parcel 15 (Zoning District HCD-G: HCD Gateway District)

Zoning District Description:

This district is designed to promote downtown economic development. The district can accommodate commercial, research, retail and/or residential uses in buildings linked together and adjacent to adequate nearby structured parking.

Parcel Description:

This is one of two parcels in Zone HCD-G.
Parcel Size: 1.17 acres.

Standards for Parcel 15

A: Site Configuration

Site Configuration for Parcel 15						
Side	Build To Line* (feet)		Street Wall		Maximum Setback*	
	Minimum	Maximum	Minimum street wall %*	Height range	Up to x%	Up to x feet
NE	30	34	65%	55' -- 70'	35%	15
SE	0	4	45%	55' -- 70'	55%	60
SW	0	4	65%	55' -- 70'	35%	15
NW	24	28	65%	55' -- 70'	35%	15
*See definitions for an understanding of Build To Line, Street Wall % and Maximum Setback						

Parcel Coverage: 55% minimum -- 85% maximum

B: Building Configuration

Floors: 10' minimum clear first floor height

Projections: Allowed at 10' minimum above the sidewalk level and is allowed to extend out 4' maximum

Encroachment: Allowed at 10' minimum above the sidewalk level and is allowed to extend out 4' maximum

Maximum Height: 70'

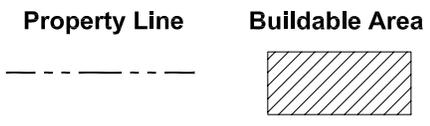
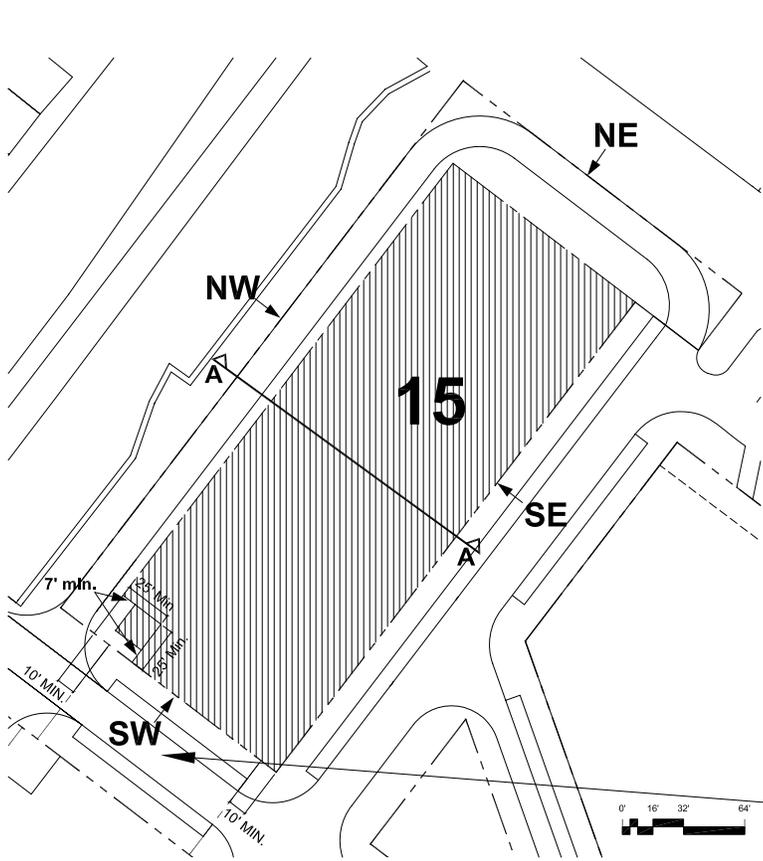
C: Other Requirements

- 1.) Overhead bridges allowed to connect to Parcel 16 at the third floor and above.
- 2.) Overhead bridges cannot be more than 20' wide and must be set back from the edge of the building a minimum of 10'.
- 3.) There must be a re-entrant corner in the West corner that is set back 25' minimum from the corner in each direction. With a minimum reveal of 7'. 50% of the area in the setback is allowed to be filled with built form.
- 4.) Access roads to be built to standards established in appendix A of the Subdivision Regulations.
- 5.) Any vehicular access must be provided along the Southeast side of the parcel within the frontage defined on the plan.
- 6.) Any loading access must be provided along the Northwest side.
- 7.) See R.O.W. street regulation plan for land use on Northwest & Northeast side of the parcel.

D: Uses – See Also Allowed Uses Table at 10.3.10(4)

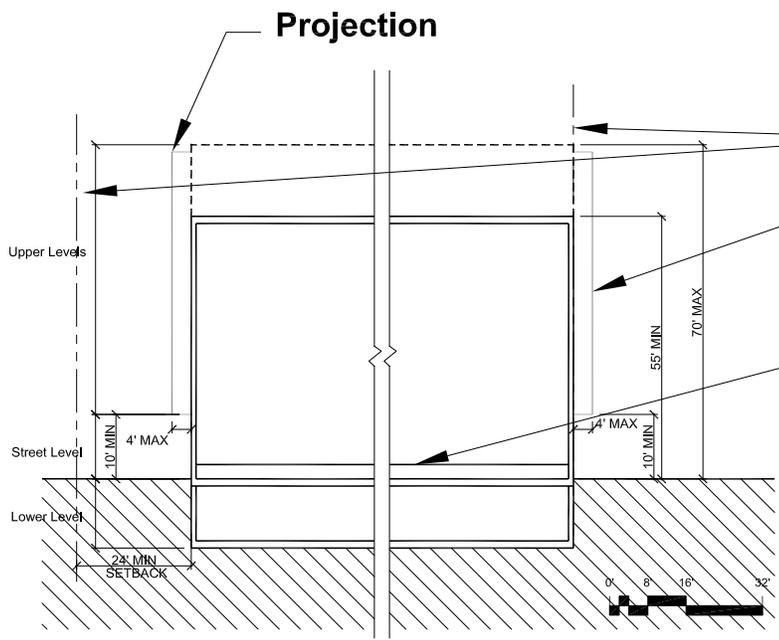
Allowed Uses in the HCD-G: HCD Gateway District:	
See notes under Section 10.3.10(4)	
Lower Level (See note #1)	P, R, IRE, RRC, UTP, OL
Street Level	R, IRE, RRC, UTP, OL
Upper Levels	R, IRE, RRC, UTP, OL

Parcel 15: Graphical Standards



Site Configuration Standard

Area where overhead bridge can be located



Property line
Projection / encroachment if beyond property line
Floor of residential development allowed to start up to 3 feet above the sidewalk elevation

**Vertical Dimension Standard
Section A-A**

Hamilton Canal District

Parcel 16 (Zoning District HCD-G: HCD Gateway District)

Zoning District Description:

This district is designed to promote downtown economic development. The district can accommodate commercial, research, retail and/or residential uses in buildings linked together and adjacent to adequate nearby structured parking.

Parcel Description:

This is one of two parcels in Zone G.
Parcel Size: 0.67 acres.

Standards for Parcel 16

A: Site Configuration

Site Configuration for Parcel 16						
Side	Build To Line* (feet)		Street Wall		Maximum Setback*	
	Minimum	Maximum	Minimum street wall %*	Height range	Up to x%	Up to x feet
NE	0	4	65%	55' -- 70'	35%	15
SE	0	4	60%	55' -- 70'	40%	60
SW	6	10	65%	55' -- 70'	35%	15
NW	24	28	65%	55' -- 70'	35%	15

*See definitions for an understanding of Build To Line, Street Wall % and Maximum Setback

Parcel Coverage: 55% minimum -- 85% maximum

B: Building Configuration

Floors: 10' minimum clear first floor height

Projections: Allowed at 10' minimum above the sidewalk level and is allowed to extend out 4' maximum

Encroachment: Allowed at 10' minimum above the sidewalk level and is allowed to extend out 4' maximum

Maximum Height: 70'

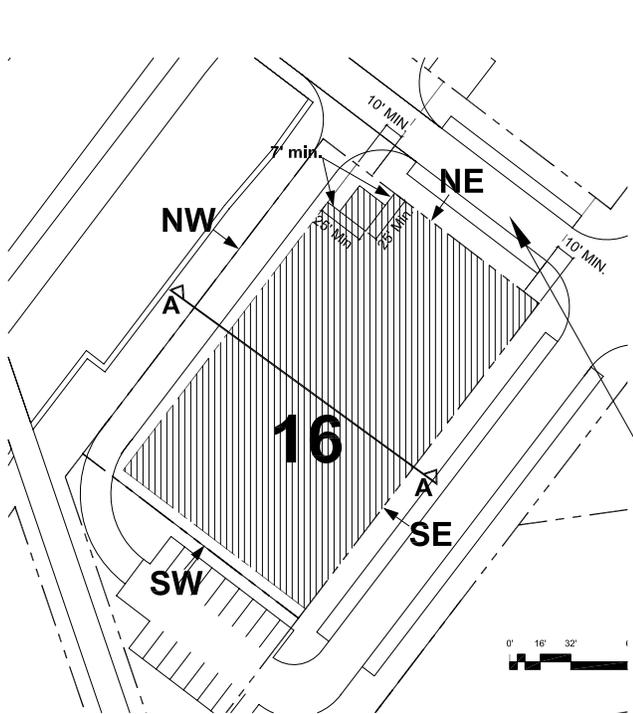
C: Other Requirements

- 1.) Overhead bridge allowed to connect to Parcel 15 at the third floor and above.
- 2.) Overhead bridge cannot be more than 20' wide and must be set back from the edge of the building a minimum of 10'.
- 3.) There must be a re-entrant corner in the North corner that is set back 25' minimum from the corner in each direction. With a minimum reveal of 7". 50% of the area in the setback is allowed to be filled with built form.
- 4.) Access roads to be built to standards established in appendix A of the Subdivision Regulations.
- 5.) Any vehicular access must be provided along the Southeast side of the parcel within the frontage defined on the plan.
- 6.) Any loading access must be provided along the Northwest side.
- 7.) See R.O.W. street regulation plan for land use on Northwest side of the parcel.

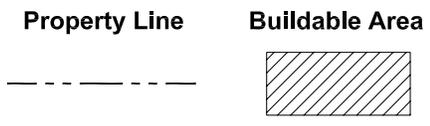
D: Uses – See Also Allowed Uses Table at 10.3.10(4)

Allowed Uses in the HCD-G: HCD Gateway District:	
See notes under Section 10.3.10(4)	
Lower Level (See note #1)	P, R, IRE, RRC, UTP, OL
Street Level	R, IRE, RRC, UTP, OL
Upper Levels	R, IRE, RRC, UTP, OL

Parcel 16: Graphical Standards

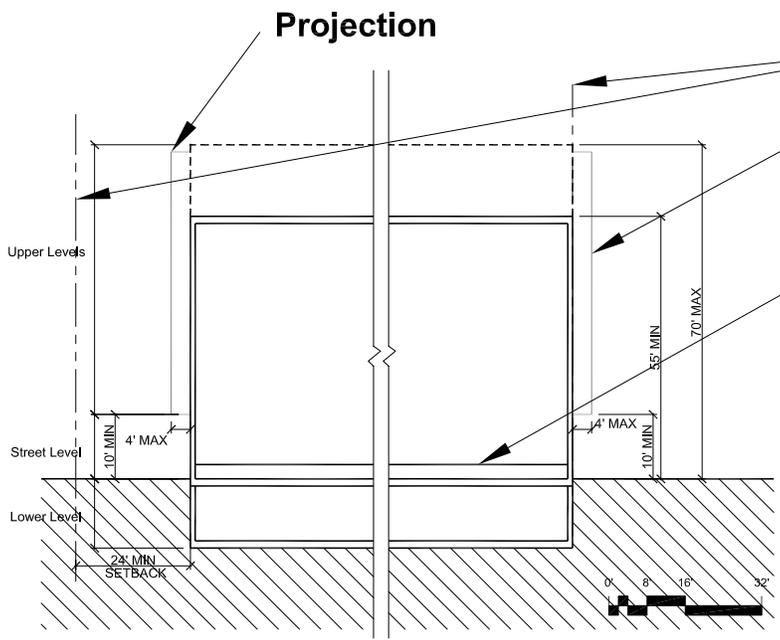


Site Configuration Standard



KEY PLAN

Area where overhead bridge can be located



Vertical Dimension Standard
Section A-A

Property line
Projection / encroachment if beyond property line
Floor of residential development allowed to start up to 3 feet above the sidewalk elevation

Hamilton Canal District

Parcel 17 (Zoning District HCD-D: HCD Canal Point District)

Zoning District Description:

This small uniquely shaped zoning district on the confluence of the Merrimack and Pawtucket Canals is well suited for construction of small structures with a lower height than the remainder of the district. This district is designed to promote a welcoming use that complements nearby national park uses and the remainder of the district.

Parcel Description:

This is the only parcel in Zone HCD-D.
Parcel Size: 0.2 acres.

Standards for Parcel 17

A: Site Configuration

Site Configuration for Parcel 17						
Side	Build To Line* (feet)		Street Wall		Maximum Setback*	
	Minimum	Maximum	Minimum street wall %*	Height range	Up to x%	Up to x feet
N	0	n/a	n/a	20' -- 40'	n/a	n/a
E	0	n/a	n/a	20' -- 40'	n/a	n/a
S	0	n/a	n/a	20' -- 40'	n/a	n/a
W	0	n/a	n/a	20' -- 40'	n/a	n/a

*See definitions for an understanding of Build To Line, Street Wall % and Maximum Setback

Parcel Coverage: 75% minimum -- 100% maximum (No more than one building is permitted on this site.).

B: Building Configuration

Floors: 10' minimum clear first floor height

Projections: Not allowed

Encroachment: Allowed at 12' minimum above the street level and is allowed to extend out 4' maximum only on the east side

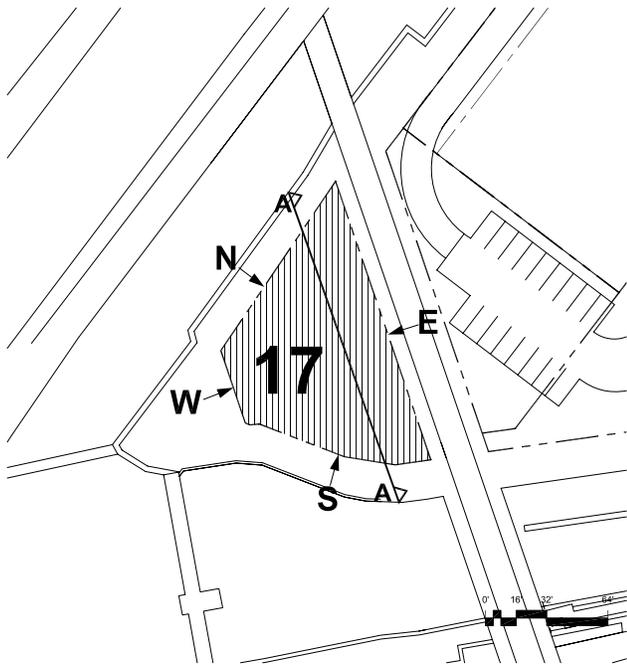
Maximum Height: 40'

C: Other Requirements

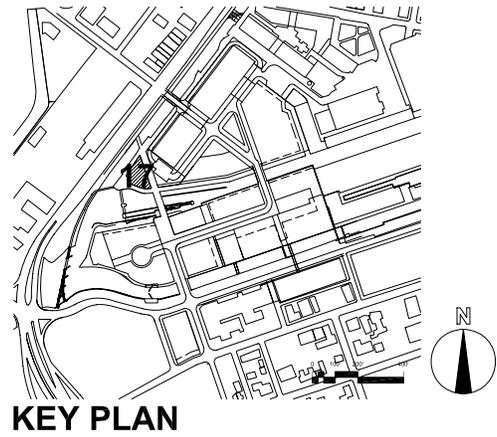
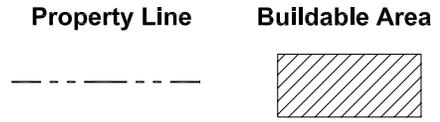
D: Uses – See Also Allowed Uses Table at 10.3.10(4)

Allowed Uses in the HCD-D: HCD Canal Point District:	
See notes under Section 10.3.10(4)	
Street Level	IRE, RRC, UTP, OL
Upper Levels	IRE, RRC, UTP, OL

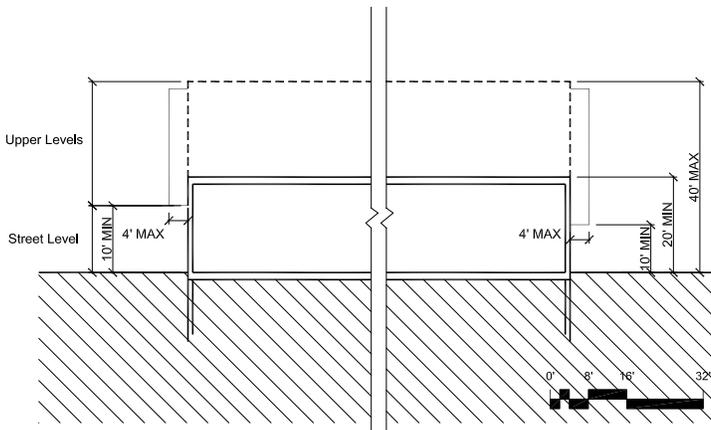
Parcel 17: Graphical Standards



Site Configuration Standard



KEY PLAN



**Vertical Dimension Standard
Section A-A**

Hamilton Canal District

Parcel 18 (Zoning District HCD-F: HCD Court House District)

Zoning District Description:

This zoning district covers the site identified by DCAM for construction of the Lowell Trial Court. This district is designed to promote development of a civic building that serves the public, serves as an entry point into the district and links the district closer to the Gallagher Terminal.

Parcel Description:

This is the only parcel in Zone HCD-F.
Parcel Size: 3.1 acres.

Standards for Parcel 18

A: Site Configuration

Site Configuration for Parcel 17						
Side	Build To Line* (feet)		Street Wall		Maximum Setback*	
	Minimum	Maximum	Minimum street wall %*	Height range	Up to x%	Up to x feet
N	20	n/a	n/a	90' -- 180'	n/a	n/a
E	80	n/a	n/a	90' -- 180'	n/a	n/a
S	0	n/a	n/a	90' -- 180'	n/a	n/a
W	0	n/a	n/a	90' -- 180'	n/a	n/a

*See definitions for an understanding of Build To Line, Street Wall % and Maximum Setback

Parcel Coverage: 25% minimum -- 85% maximum

B: Building Configuration

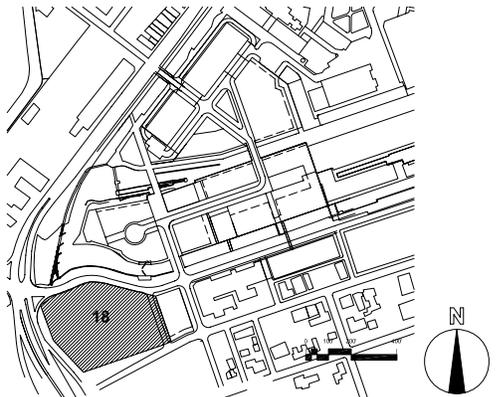
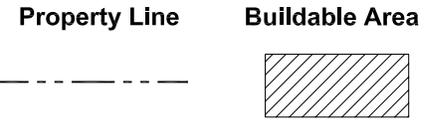
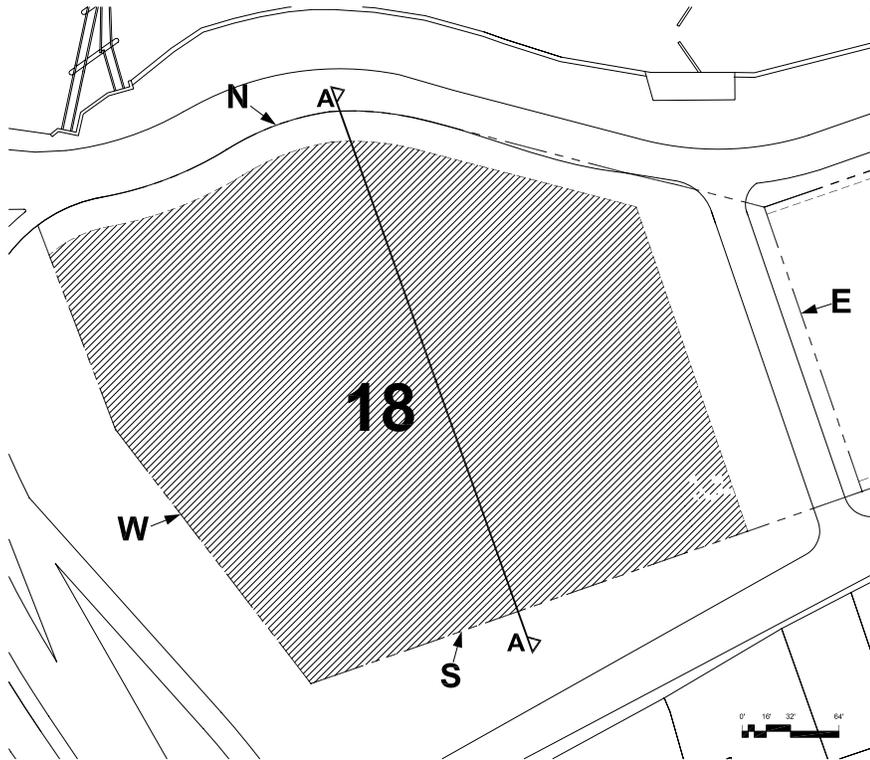
Floors: 10' minimum clear first floor height
Projections: Not allowed
Encroachment: Not allowed
Maximum Height: 180'

C: Other Requirements

D: Uses – See Also Allowed Uses Table at 10.3.10(4)

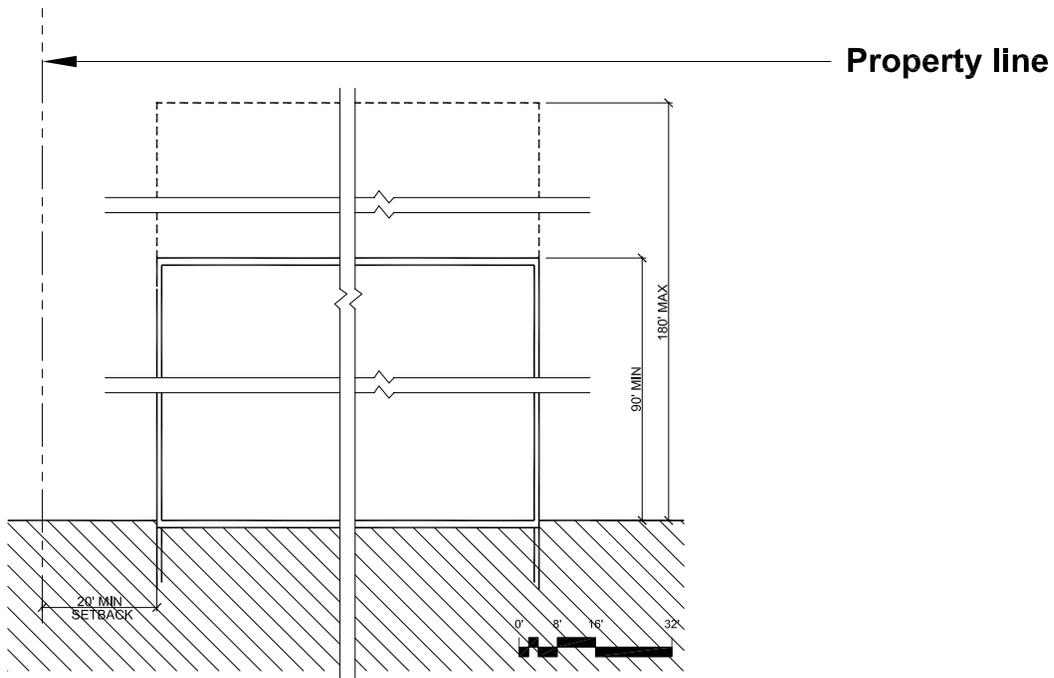
Allowed Uses in the HCD-F: HCD Courthouse District:	
See notes under Section 10.3.10(4)	
Lower Level (See note #1)	IRE, RRC, P, UTP, OL
Street Level	IRE, RRC, UTP, OL
Upper Levels	IRE, RRC, UTP, OL

Parcel 18: Graphical Standards



KEY PLAN

Site Configuration Standard



Vertical Dimension Standard
Section A-A

10.3.9 Reserved.

10.3.10 Use Regulations

Uses allowed in the district are in the following categories. Where a category is identified as allowed in a Section 10.3.10(4), all uses within that category listed below are allowed. Uses identified with an "SP" in the list below will only be allowed with special permit from the Board of Appeals issued under the regulations of Section 11.3 of the Zoning Ordinance, and only if they are within a use category allowed in a Section 10.3.10(4). All uses within a use category not listed as allowed in Section 10.3.10(4) are not allowed in that location. Allowed uses may be mixed within a building or Development Parcel in the Hamilton Canal District.

1. Uses Allowed in the Hamilton Canal District

Uses in the Hamilton Canal District are regulated according to six broad categories listed below. Buildings may be constructed or converted to the uses within each category if that category is allowed in the applicable zoning district and Building Form Standard:

1. RESIDENTIAL USES
Three (3) or more dwelling units on one lot (in any combination of attached or semi-detached dwelling units, multi-family structures, or as a part of a mixed-use project with other uses allowed in the district, including townhouse developments)
Three (3) or more dwelling units in a building with a legal non-residential use on the ground floor
Senior Congregate Housing, including, but not limited to, assisted living facilities
Tourist home, Bed & Breakfast Inn (SP)
Boarding or Lodging house, single-room occupancy, fraternity (SP)
Dormitory
Hotel
Live/Work and/or Live/Sell space

2. INSTITUTIONAL, RECREATIONAL & EDUCATIONAL USES
Use of land or structures for exempt religious purpose
Use of land or structures for exempt educational purposes on land owned or leased by the Commonwealth or any of its agencies, subdivisions or bodies politic or by a religious sect or denomination or by a nonprofit educational corporation
Nonexempt educational use of land or structures, including, but not limited to, trade, professional or other schools conducted as a gainful business
Licensed child care facility
Library or museum open to the public or connected with a permitted educational use and not conducted as a gainful business
Commercial recreational facility, indoor and/or outdoor
Community center, settlement house, humane society, or other similar facility operated by an educational, non-profit, public, or religious institution or organization not conducted as a gainful business
Club or lodge, private
Licensed hospital or other licensed establishment for the care of sick, aged, disabled or convalescent persons
Other health care facility
Institutional use not listed in any other use category

3. RETAIL, RESTAURANT, AND CONSUMER SERVICE USES
Retail operation
Service Business
Restaurant, including take-out restaurant
Bar, saloon, or other establishment where alcoholic beverages are sold and consumed, but which is not licensed to prepare or serve food, with or without an entertainment license
Veterinary establishment, kennel or pet shops or similar establishments
Funeral or undertaking establishment.
Massage Therapy establishments (SP)
Body Art establishments (SP)
Art/Craft Studio
Open air retail, restaurant and service
Sales place for flowers, garden supplies, agricultural produce conducted partly or wholly outdoors, commercial green house or nursery not exempt pursuant to G.L. c. 40A, s. 3

4. STRUCTURED PARKING
Parking structures other than those provided as an accessory use to the principal use being conducted on the lot, owned and or operated by a public, private or non-profit entity
A private parking structure used for the parking of passenger cars of residents of other lots located within 1500 feet or their guests

5. UTILITIES, TELECOMMUNICATIONS, AND PUBLIC SERVICE USES
Public utility or service facilities
Municipal facility, other than those set forth below
Municipal service facilities operated by the City of Lowell Department of Public Works, Lowell Water Utility, or Lowell Wastewater Utility, limited to those necessary to support the development of the HCD, and subject to the Functional Design Standards
Radio or television studio
Radio or television transmission stations
Telecommunications facilities (SP subject to Section 7.6 of the Zoning Ordinance)

6. OFFICE AND LABORATORY USES
Business or professional office
Medical or dental center or clinic, including laboratories incidental thereto
Telephone Answering Service/Call Center
Laboratories or research facilities, provided any manufacturing is incidental to the operation of the facility, does not exceed fifty percent of the gross floor area of the building and is not injurious to the surrounding area by nature of dust, noise, smoke and odors
Scientific Uses which are necessary in connection with scientific research, scientific development or related production activities
High Technology Manufacturing, Assembly, and/or Processing

2. Accessory Uses Allowed in the Hamilton Canal District

The following accessory uses are allowed in the Hamilton Canal District:

The renting of rooms or the furnishing of table board by a resident owner to not more than two (2) nontransient roomers or boarders
Provision of a garage for occupants, employees, customers, or visitors, subject to Building Form Standards
Temporary building or use incidental to a building development
Home occupation per section 4.3.3 of the Zoning Ordinance
Home occupation per section 4.3.4 of the Zoning Ordinance (SP)
Common accessory facilities to exclusively serve the residents of an on-site multi-family residential building or complex of buildings, including but not limited to: a management/maintenance office, exercise facility, common meeting area or computer room
Green Walls
Rooftop Rainwater Retention Facilities
Rooftop Clean Energy Generation Facilities
Building support functions, subject to the Functional Design Standards

3. Uses Not Allowed in the Hamilton Canal District

The following uses are not allowed in the Hamilton Canal District. Such a use cannot be varied or authorized by the Board of Appeals. An applicant desiring to conduct such a use of activity not authorized will need to apply for amendment to the zoning code in the manner provided for by MGL Chapter 40A.

Any use or activity not specifically listed in the preceding tables as an allowed or accessory use
Any use or activity that is listed in a preceding broad use category table, if that category of use is not referenced as allowed within the BFS and/or zoning district that corresponds to a development site
One detached dwelling unit on a lot occupied by not more than one family
Two attached or detached dwelling units on a lot
Trailer
Motel
Cemetery
Drive-in or drive-through establishment, including restaurant, beverage service establishment, refreshment stand, bank, retail or consumer service establishment, where motorist does not have to leave his car
Adult entertainment establishment
Place for exhibition, lettering or sale of gravestones
Open air or drive-in theater or other open air place of entertainment or athletics conducted for profit
Open lot storage of new building materials, machinery and new metals, junk, scrap metal, rags, waste paper and similar materials, used lumber or other building material, coal, coke, sand, or other similar material
Automotive Sales, service station, repair garage, auto body shop, paint shop or car washing establishment, except an accessory car washing establishment within an enclosed garage
Lot for stowing towed vehicles
Surface parking lots (except parking identified in Appendix A of the subdivision standards, and temporary parking that may be allowed by Section 10.3.12 (2))
Distribution center, delivery center, delivery warehouse
Self-storage facility, except as accessory to on-site residential uses
Steam laundry or dry cleaning plant (except dry cleaning drop-off facility, an allowed retail use)
Food and beverage manufacturing, bottling or processing and commissary
Commercial storage warehouse, cold storage plant, or storage building
Wholesale business, including storage associated with said business
Manufacturing, assembly, reconditioning and processing plant (except as otherwise permitted)
RR freight terminals, shops and yards (except for uses accessory to the operation of the heritage trolley system)
Rendering or preparation of grease tallow, fats and oils, manufacture of shortening, table and other food oils but not including garbage, dead animals, offal or refuse reductions
Stone cutting, shaping and finishing, (except for art and craft uses as a part of an art studio)
Recycling facility, (except accessory on-site storage of materials to be recycled)
Dismantling or wrecking of used motor vehicles and/or storage and sale of the parts
Truck or bus terminal, yard or building for storage or servicing of trailers, trucks, shipping containers, or buses and parking lot for trucks.
Processing of sand and gravel and the manufacture of bituminous concrete.
Open lot storage of junk, scrap, rags, paper, junked vehicles and other similar salvage articles
Manufacture, processing, assembly or other industrial operations, including stockyard, petroleum refining, smelting incineration of garbage, cement, lime or gypsum manufacture, explosives or fireworks manufacture
Contractor Garage
Portable Storage Unit or Shipping Container larger than 120 sf

4. Use Regulations Within HCD Zoning Districts

Uses are allowed in the HCD zoning districts as shown in the following table:

Use Standards for HCD Zoning districts					
District On Map	District Name	Allowed Uses			
		Lower Level (See #1)	Canal Level	Street Level	Upper Levels
HCD-A	Core	P, R, IRE, RRC, UTP, OL	R, IRE, RRC, P (See #2), UTP, OL	R, IRE, RRC, UTP, OL	R, IRE, RRC, UTP, OL
HCD-B	Signature	P, R, IRE, RRC, UTP, OL	n/a	R, IRE, RRC, UTP, OL	R, IRE, RRC, UTP, OL
HCD-C	Park	P, R, IRE, RRC, UTP, OL	R, IRE, RRC, P, UTP, OL	R, IRE, RRC, P (See #3), UTP, OL	R, IRE, RRC, P, UTP, OL
HCD-D	Canal Point	n/a	n/a	IRE, RRC, UTP, OL	IRE, RRC, UTP, OL
HCD-E	Revere Street	P, R, IRE, RRC, UTP, OL	n/a	R, IRE, RRC, UTP, OL	R, IRE, UTP, OL
HCD-F	Courthouse	IRE, RRC, P, UTP, OL	n/a	IRE, RRC, UTP, OL	IRE, RRC, UTP, OL
HCD-G	Gateway	P, R, IRE, RRC, UTP, OL	n/a	R, IRE, RRC, UTP, OL	R, IRE, RRC, UTP, OL

Notes to the Use Standards Table:

1. Lower levels are levels below street grade, except that lower levels that border Canals are considered 'canal level' uses, and are not 'lower level' uses
2. Structured Parking as a use shall be set back at least 20 feet from a building walls closest to Canals, except in the case of Historic rehabilitation along the south side of the Pawtucket Canal
3. See 10.3.11(4)

Key to Allowed Uses (See 10.3.10(1)):

- R=Residential
- IRE=Institutional, Recreational and Educational
- RRC=Retail, Restaurant and Consumer Services
- P=Structured Parking
- UTP=Utilities, Telecommunications and Public Service
- OL=Office and Laboratory

10.3.11 Functional Design Standards

This section includes standards related to the orientation and configuration of buildings as they are viewed from streets and public spaces. The purpose of the standards is to promote high quality, pedestrian-oriented sustainable development that adapts to changing conditions over time without dictating architectural style.

1. Access: Where the provision of access to building entries is necessary to meet requirements of the Americans with Disabilities Act or other state or federal regulations ensuring access for the disabled and such provision requires an exception to other standards (such as Build-to-Line), such exception is allowed only to serve those access facilities.
2. Loading/Service Areas: The location of loading and/or service areas, where required, is defined in the standards for each Parcel. Loading/Service Areas, except within the millyard (Parcels 7 and 8), shall be screened from all streets. Loading/Service Areas within building footprints shall be provided with garage doors, which shall be kept closed when such areas are not in use. Garage doors and other screening elements shall have an architectural character consistent with that of the building.
3. Parking Garage Entries: The location of parking garage entries, where required, is defined in the standards for each Parcel. With the exception of development allowed on Parcel 14, parking garage entries shall be provided with garage doors, which shall be kept closed outside of normal business hours. Garage doors and other screening elements shall completely cover the opening, but need not be opaque.
4. Parking Location: Permissible locations for surface and structured parking, and screening of parking are defined in the Building Form Standards for each Parcel. Parking garages shall not have exposed structured parking (except for garage entries) at the ground floor level along any street.
5. Fenestration: Any Building Façade along a street or Open Space shall have openings and glazing that together constitute not less than 25% of the Building Façade. Historic walls restored within the HCD need not meet this standard. Also see Section 10.3.11 (14a). To meet the Fenestration requirements of the FDS, only the areas of glazing within windows and doors as a percentage of the overall square footage of each Building Façade will be measured.
6. Rooftop Equipment: Rooftop equipment shall be screened from view, shall be set back from roof edges a minimum of 10 (ten) feet, and shall conform to city's Noise Ordinance.
7. Mechanical Penthouses: Shall not cover more than 30% of a rooftop, shall not be more than 15 feet in Height, shall be set back a minimum of 10 (ten) feet from roof edges, and shall have an architectural screening.
8. Utility Equipment: Subject to the requirements of the relevant codes and the requirements and approval of the city and the various utility companies, all utility installations shall be incorporated within buildings, placed underground, or otherwise screened from view. This includes but is not

limited to gas and electric meters, transformers, traffic control equipment, and pump station buildings.

9. **Trash Handling and Recycling:** All refuse containers are subject to the provisions of Chapter 270 of the Code of Ordinances of the City of Lowell. Refuse containers in the Hamilton Canal District shall be located inside of the primary structure which they serve. No trash handling areas or dumpsters shall be allowed outside of building. Refuse containers may be moved outside within four hours of scheduled pick-up times, and shall be returned to their inside storage location within four hours after being emptied. Any trash pick-up areas shall be enclosed or screened from public view. Each building shall provide on-site facilities for recycling storage. Each building shall provide for private removal of trash and recycling on a schedule that ensures that refuse and recycling containers do not require outdoor storage.

10. **Snow Removal:** The property owner is responsible for snow removal for all privately owned roadways and Open Spaces that are publicly accessible.

11. **Signs:** Signs are subject to the approval of the Lowell Historic Board, but shall not require any special permit. Furthermore, the following signs are prohibited in the Hamilton Canal District:

- a. Any sign which, by reason of its size, location, content, coloring or manner of illumination, constitutes a traffic hazard or a detriment to traffic safety in the opinion of the Building Commissioner by obstructing the vision of drivers, or detracting from the visibility of any traffic sign or control device on public streets and roads.
- b. Any sign which obstructs free ingress to or egress from a required door, window, fire escape or other required exitway or which obstructs a window, door or other opening for providing light or air or interferes with proper function of the building.
- c. Any sign or sign structure which is structurally unsafe; or constitutes a hazard to safety or health by reason of inadequate maintenance, dilapidation or abandonment; or is not kept in good repair; or is capable of causing electrical shocks to persons likely to come in contact with it.
- d. Signs making use of words such as STOP, LOOK, DANGER, etc., or any phrases, symbols, or characters, in such a manner as to interfere with, mislead, or confuse traffic.
- e. Any sign now or hereafter existing which no longer advertises a bona fide business conducted or product sold. Such signs shall be removed at owner's expense.
- f. Any sign affixed to a fence, utility pole or structure, or tree, shrub, rock or other natural objects.

12. **Illumination.** Permanent lighting provided on private Parcels within the HCD shall be installed in a manner that will prevent direct light from shining onto adjacent property or the night sky. String lights used in connection with commercial premises for commercial purposes, other than temporary holiday decorations, are not allowed.

13. **Security:** Exterior grates covering windows and entries are not allowed in the Hamilton Canal District.

14. Ground Floor Treatments:
- a. Transparency: For all ground floor nonresidential uses located along streets, Canal Walks, and other public spaces, at least 40 percent of the wall area between 3 and 7 feet in height shall consist of windows, glass doors or other transparent (clear or slightly tinted) building surfaces. Historic walls restored within the HCD need not meet this standard.
 - b. Primary Building Access: Primary pedestrian building entrances shall be located on the face of the building along the street except where entries may be located directly onto an Open Space Parcel. Buildings fronting on a Primary Street as well as a Secondary Street shall have a primary building access off a Primary Street or Open Space Parcel. Buildings fronting on Canal Walks or other public spaces may have additional pedestrian entrances on the buildings fronting these spaces. Primary building entries may incorporate entranceway cover Encroachments. Such Encroachments are allowed to exceed the Encroachment provisions in the Dimensional Standards and BFS. Such Encroachments may be below the standard 10 foot height above ground level, but no lower than 7 feet, and allowed to extend over the entire sidewalk perpendicular to the entry door for a length of up to 20 feet.
 - c. Retail Access: Each retail use with exterior ground level visibility along a street or other public space shall have a direct public entry from the street or public space.
 - d. Residential Privacy: Buildings with ground floor residential uses shall use at least one of the following methods to provide privacy for residents:
 - i. raising the floor level between 24 and 36 inches above the sidewalk grade (which shall be allowed for all residential uses otherwise at street grade); and/or,
 - ii. providing a landscape buffer between the building façade and adjacent pedestrian or vehicular ways.
 - e. Residential Entries: A building or portion of a building with first-floor residential use along a street may be set back up to 10 feet beyond the Build-To Line if the following conditions are met:
 - i. The entire area between the building and the Build-To Line that would otherwise be required is occupied by stoops, stairways to unit entries, landscaping and/or decorative fencing; and,
 - ii. Residential units along a street have a front entry spaced at a distance of less than 25 feet along a sidewalk.
 - f. Pedestrian Experience on Primary Streets: Any portion of a building built at a Build-To Line along a Primary Street shall encompass at least one of the following:
 - i. Retail storefronts (with uses allowed under 10.3.10(1) item #3, with entrances no more than every 100 feet; or,
 - ii. Residential units and/or lobbies (with uses allowed under 10.3.10(1) item #1) with individual or common entry doors no more than every 50 feet; or,

- iii. Permanent or revolving public art installation attached to the building, behind windows within the building or within the public right of way adjacent to the building; or,
- iv. Office or institutional uses where at least 65% of the wall area between 3 and 7 feet in height consists of windows, glass doors or other transparent (clear or slightly tinted) building surfaces providing an unobstructed visual connection from outside to the inside of the building; or,
- v. Architectural variation at the first floor through changes in materials or treatments at intervals at or below 50 feet along the length of the sidewalk.

15. Setback Areas: Any area of a Parcel not otherwise occupied by a building that is located between a Parcel line along a Primary Street and the façade of a building on that Parcel shall be dedicated to one or more of the following purposes:

- a. Open air restaurant or other open air retail uses
- b. Formal landscaped courtyard areas open for access and use by the public, with trees, gardens (including community gardens and/or sculpture gardens), courtyards and/or planters, walls or fences (no greater than 3 feet in height), including paved walkways, subject to the following restrictions: 1) Landscaped areas inaccessible for walking shall not be greater than 75% of the Setback Area; 2) No more than 50% of the ground shall be covered by mulch or asphalt; 3) Areas with greater than 30% landscaped only as lawn with no other landscape features are not allowed; and 4) Trees not on the planting list provided in Appendix A of the Subdivision Standards shall not be allowed.
- c. Private landscaped courtyard areas behind fences or walls that reflect the architectural character and materials of the building on the Parcel, up to seven feet in height with openings spaced at least every 40 feet for public views and/or private access into the courtyard.
- d. Patios with moveable seating
- e. Active recreational uses including but not limited to playgrounds
- f. A sign indicating the use and/or tenants in the building, provided that the sign is scaled to be visible for pedestrians and/or traffic moving at slow speeds may also be located within Setback Areas.

Any portion of a Setback Area where ambient street lighting does not provide illumination to a level adequate for the area to be seen from the adjacent Primary Street, shall include supplemental lighting at a level that is comparable to the light level along the adjacent sidewalk, without violating the provisions of 10.3.11(12).

Parking of any motorized vehicles shall not be allowed in the Setback Areas, with the exception of short-term parking associated with drop-off areas and/or Loading/Service Areas.

16. Multiple Buildings on a Parcel: Where a Parcel has more than one building, the space between the buildings shall comply with all of the provisions of Section 10.3.11(15).

17. Streets and Open Space Parcels: All land identified on the Street Standards Regulating Plan and the Open Space Standards Regulating Plan within Appendix A of the Subdivision Standards shall be developed according to the provisions therein.

18. Accessory Buildings: Accessory buildings are allowed within Open Spaces and within the Setback Areas of buildable Parcels. Accessory buildings are limited to 10% of the total Parcel Coverage, but do not count towards the maximum Parcel Coverage. Retail, restaurant and Consumer Service uses are allowed within Accessory Buildings.

19. Rooftop Rainwater Retention Facilities & Rooftop Clean Energy Facilities: Rooftop Rainwater Retention Facilities and Rooftop Clean Energy Facilities shall be exempt from the dimensional limits of 10.3.11(6) and 10.3.11(7).

10.3.12 Other Applicable Regulations

1. Temporary Building or Use: The commissioner of buildings shall grant a permit for a temporary building or use incidental to a building development, which does not comply with the provisions of the HCD-FBC, where reasonably required for such development. Such permit may be issued for an initial period of not more than two (2) years. Permits may be renewed by the commissioner of buildings for successive periods of not more than two (2) years each.

2. Temporary Parking Facilities: No Parcel in the Hamilton Canal District identified on the Regulating Plan as a site for construction of a building shall be used for surface parking, except for use as temporary parking facilities for construction vehicles and vehicles of construction workers related to the development of other Parcels within the Hamilton Canal District or if owned, operated, and managed by the City of Lowell. Temporary parking facilities will not be subject to the protection of pre-existing non-conforming uses that are allowed by Section 4 of the code, unless such facilities are owned by the City of Lowell. [Ord. 5-25-10]

3. Wetlands: This regulation shall not limit the review of development under the Wetlands Regulations of Section Chapter 280 of the Code of Ordinances for the City of Lowell.

4. Parking: Consistent with the regulatory standard for urban development within the core of Lowell's downtown, and due to the proximity of publicly accessible parking facilities, Development Proposals, and other projects within the HCD will not be required to provide on-site parking, but may provide on-site parking where it is permitted by the HCD-FBC.

5. Telecommunications Facilities: Where allowed, Telecommunication Facilities shall be subject to Section 7.6 of the Zoning Ordinance including all required Special Permits.

10.3.13 Severability

If any provision of the HCD-FBC is found to be invalid by a court of competent jurisdiction, the remainder of the HCD-FBC shall not be affected but shall remain in full force. The invalidity of any provision of the HCD-FBC shall not affect the validity of the remainder of the Zoning Ordinance.