

To: Mayor Casale and the Beacon City Council
From: John Clarke, City Planner
Date: November 22, 2019
Re: Draft Historic Preservation and CMS Building Height Amendments

Based on recent discussions at City Council workshops, I have prepared draft amendments for the Historic Preservation chapter and for the building height section of the Central Main Street district. Any CMS changes could be incorporated with a larger set of text modifications associated with proposed revisions to the Zoning use and dimensional tables. I have completed a check of all sections of the Beacon Code for consistency and cross-references with the previously discussed table and district changes, as well as suggesting a few other amendments to outdated standards.

Draft Amendments to Chapter 134, Historic Preservation

In response to comments at the public information session for the proposed expansion of the Historic District and Landmark Overlay (HDLO) zone, the Council is considering changes to the Historic Preservation chapter, most specifically to exempt certain activities from Planning Board review. This draft does not address further financial incentives. In addition to clarifying certain definitions, additional HDLO actions that would be exempt for the requirement to receive a Certificate of Appropriateness include:

- Alterations to interior features or spaces;
- Alterations to exterior architectural features that are not visible from a public street, public sidewalk, or public park;
- Repair or replacement of an existing architectural feature in kind;
- Installation of a temporary sign as described in § 223-15F;
- Painting or color changes consistent with § 134-7B(3)(i);
- Addition of seasonal and removable accessory features, such as storm windows and holiday decorations;
- Alterations to existing landscaping, driveways, retaining walls, and other site features, unless the site feature is identified as a contributing historic element on the Historic Resource Inventory Form; and
- Emergency or security-related measures as approved by the Building Inspector.

It is important to note that these proposed changes would apply to all existing HDLO buildings and sites, as well as any future designated properties. Many of the Historic Preservation requirements have been in place and functioned successfully for decades, so changes to the standards should be considered carefully in the context of the entire historic overlay district, not just to satisfy individual requests from potential HDLO property owners.

Draft Amendments to the CMS District Building Height Section

The Council has discussed several changes in relation to the potential for four-story buildings by Special Permit in the CMS district. The first would extend the Council's authority from parcels in or abutting the HDLO zone to also include properties across the street from an HDLO parcel. The second draft revision would allow the Council to limit the length of any fourth story in addition to the already required 15-foot setbacks adjacent to any street frontage or near another zoning district.

All such special permits currently require a finding of no detrimental effects on shadows, parking, traffic, or views. The third change would also require a specific public benefit to justify the fourth floor. Examples of appropriate public benefits include:

- Additional below-market-rate housing above what would be otherwise mandated in Article IVB;
- Commercial uses included on an upper floor;
- Additional parking spaces available for general public use;
- Green building or renewable energy features beyond what is required by code; or
- The construction and/or maintenance of public plaza space or green space.

Other possible public benefits can be included in the zoning text.

I look forward to a lively discussion on these issues at the November 25 workshop.