

RIO Zoning Bylaw

Introduction and Discussion

Meeting 3: July 15, 2025

Intro Discussions: List of Topics

- A. Overall RIO Approval Process**
- B. Uses**
- c. Proximity to Commercial and Public Transportation**
- D. Lot Requirements: Size, Setbacks**
- E. Building Requirements: Height, FAR, other**
- F. Open Space and Amenities**
- G. District Eligibility and Density**
- H. OTHER: Signs, Parking, Off-Street Parking, etc.**

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Intro Discussions: Focus

- **How does it work?**
- **What are the issues?**

At this point, less focus on:

- **What is the answer?**

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Topic B: Permitted Uses In a RIO

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Topic B: Permitted Uses In a RIO

Zoning and Permitting: Zoning Map Change

1. Conventional Multi-Unit Dwelling Units
2. Assisted Elderly Living
3. Independent Elderly Housing
4. Nursing Homes and Skilled Nursing Facility

Topic B: Permitted Uses In a RIO

1. “Conventional Multi-Unit Dwelling Units”

➤ Definitions in ZBL:

- **Dwelling Unit or “Unit”** - A room, group of rooms, or dwelling forming a habitable unit for one housekeeping unit with facilities for living, sleeping, food storage and/or preparation and eating, and which is directly accessible from the outside or through a common hall without passing through any other dwelling unit.

OTHER CONNECTED DEFINITIONS

- **Conventional Units** - Dwelling Units **available to the general public on the open market without price restrictions or consumer income limitations.**
 - Since RIO added to IZ scope, RIO units are now both Conventional and Assisted.
- **Multi-Family Dwelling** - has the meaning provided in Section 3.6 **for use in Sections 3.6 and 3.6.1**
 - *Multi-Family Dwelling - A residential building containing four or more Dwelling Units*

SUMMARY: “Conventional Multi-Unit Dwelling Units” is not perfectly defined

Topic B: Permitted Uses In a RIO

2. Assisted Elderly Living

- Definition in ZBL:
 - **Assisted Elderly Housing** - A building or group of buildings that have on site medical, convalescent and nursing facilities for the residents but in all other manners is consistent with the definition and uses permitted for independent elderly housing projects.

SUMMARY: “Living” and “Housing” are meant to mean the same thing, but still are not the exact same words

Topic B: Permitted Uses In a RIO

3. Independent Elderly Housing

- Definition in ZBL:
 - **Independent Elderly Housing** - A building or group of buildings containing dwellings where the occupancy of the dwellings is restricted to persons 62 years of age or older or couples where either partner is 62 years of age or older. Independent elderly housing may include support services such as central dining, cleaning, linen, laundry and other personal support services. Further they may provide convenience retail services if said facilities do not have any exterior signs and comprise not more than 2% of the total floor area of the development. Independent Elderly Housing may include a medical service station for a house physician but not on site convalescent or nursing facilities. However, this definition shall not prevent independent elderly housing units from being developed as a distinct element in a larger development that includes assisted elderly housing units are on separate floors or separate buildings.

Topic B: Permitted Uses In a RIO

4. Nursing Homes and Skilled Nursing Facility

- Definition in ZBL:
 - **Nursing Homes and Skilled Nursing Facility** - A building housing a facility licensed to provide full time long term accommodation and a combination of personal and health care services in a supervised environment. Said facilities shall provide long term intensive, skilled and supportive nursing care, convalescent or chronic care to individuals who, by reason of advanced age, chronic illness, or infirmity, are unable to care for themselves. The facilities may contain common areas for therapy, recreation and dining; further the facilities may also include on-premise medical offices and treatment facilities related to the care of the tenants. For the purposes of this Bylaw, it includes: extended care facility, intermediate care facility, convalescent home and rest home.

Topic B: Permitted Uses In a RIO

- Questions / Discussion

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Topic C: Proximity to Commercial and Public
Transportation

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Topic C: Proximity to Commercial and Transportation

RIO Bylaw, Section A

“... located in close proximity to the Town’s Commercial Districts and public transportation.”

Topic C:

Proximity to Commercial and Transportation

Commercial Districts Definition in Zoning ByLaws

- Section 1.3: Definitions
 - **Commercial Districts** – has the meaning provided in Section 5.18 for use in Section 5.18.
- Section 5.18: Signs
 - **Commercial Districts** – Shall refer to the Business Districts, Business Districts A, Industrial, Industrial A, Lower Falls Village Commercial District, and Wellesley Square Commercial District.

Topic C: Proximity to Commercial and Transportation

Precedence in Law for a Specific Distance Definition

$\frac{1}{2}$ Mile

- Section 1.3 Definitions
 - **MBTA Community Project** – “... and is located within $\frac{1}{2}$ mile of MBTA Commuter Rail Station, ...”

- Model MA ADU Law (but not Wellesley 5.13 Accessory Dwelling Units)
 - **Parking Regulations** are allowed to be different/less if the ADU is within $\frac{1}{2}$ mile of Commuter Rail
 - Not relevant in Wellesley for ADUs - because we define no parking requirements for ADUs in the first place

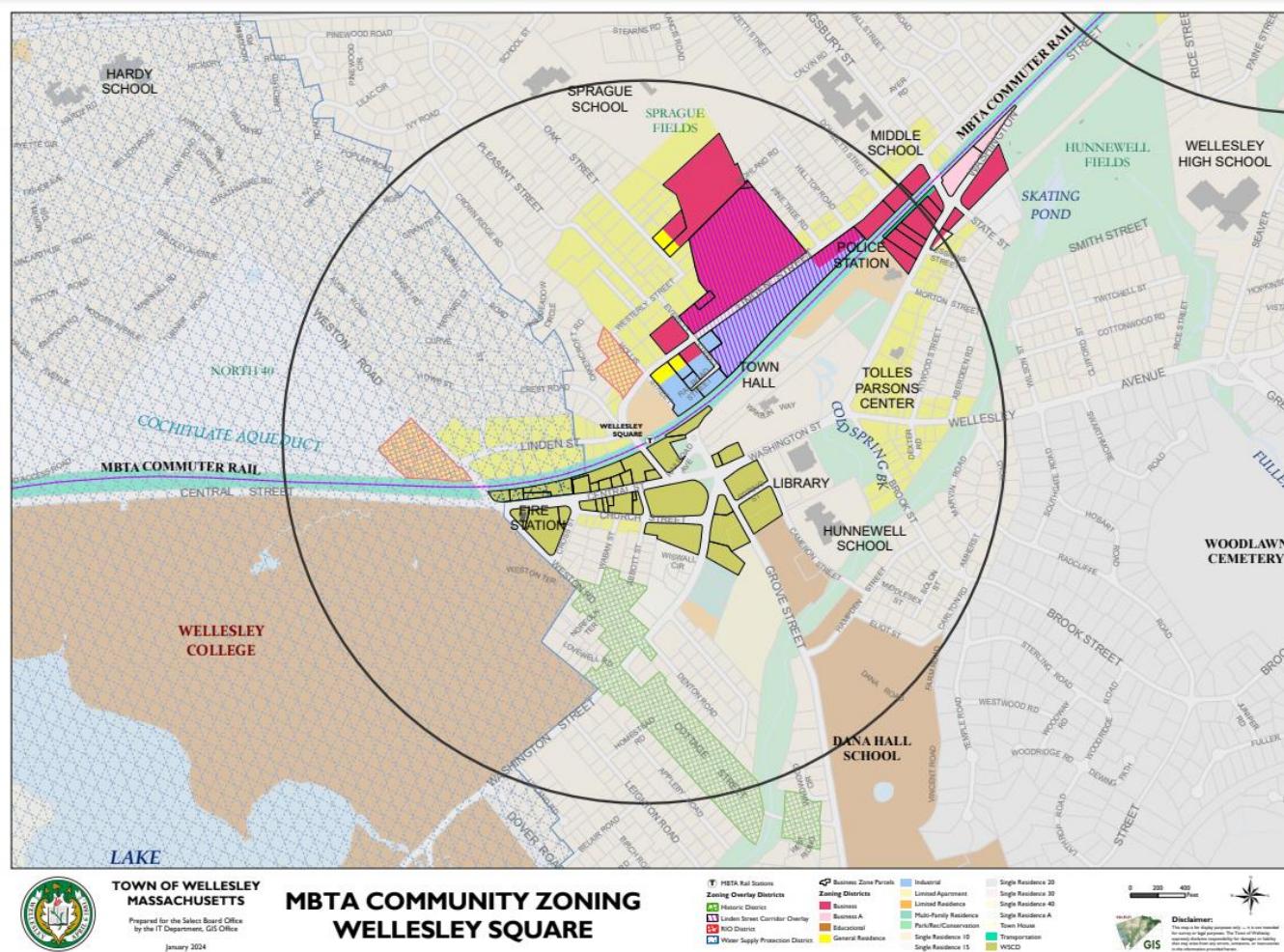
Topic C: Proximity to Commercial and Transportation

Public Transportation

- Commuter Rail Stations
- MWRTA Fixed Bus Line
- MWRTA Catch Connect Service?

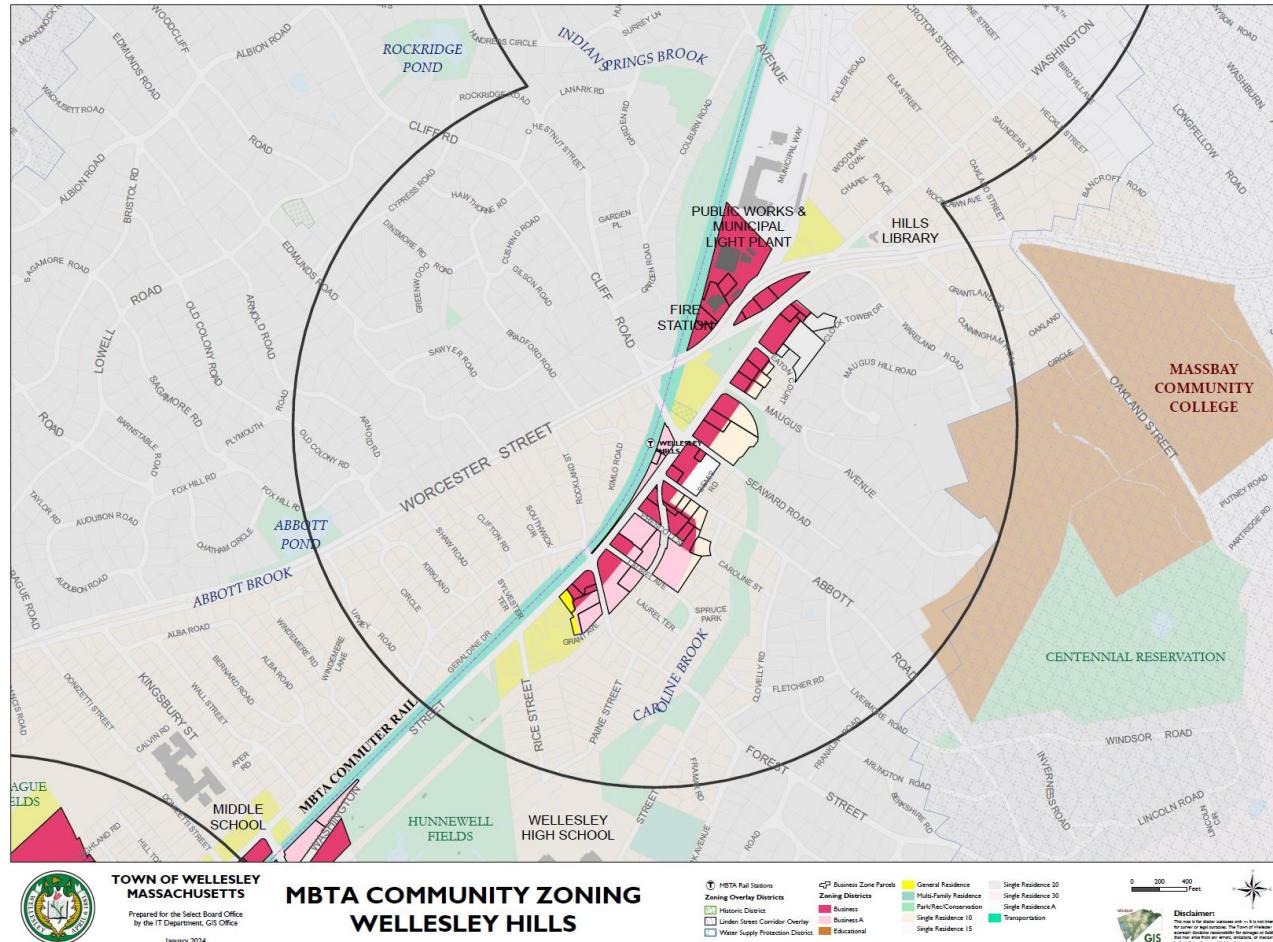
Topic C: Proximity to Commercial and Transportation

Wellesley Square Station



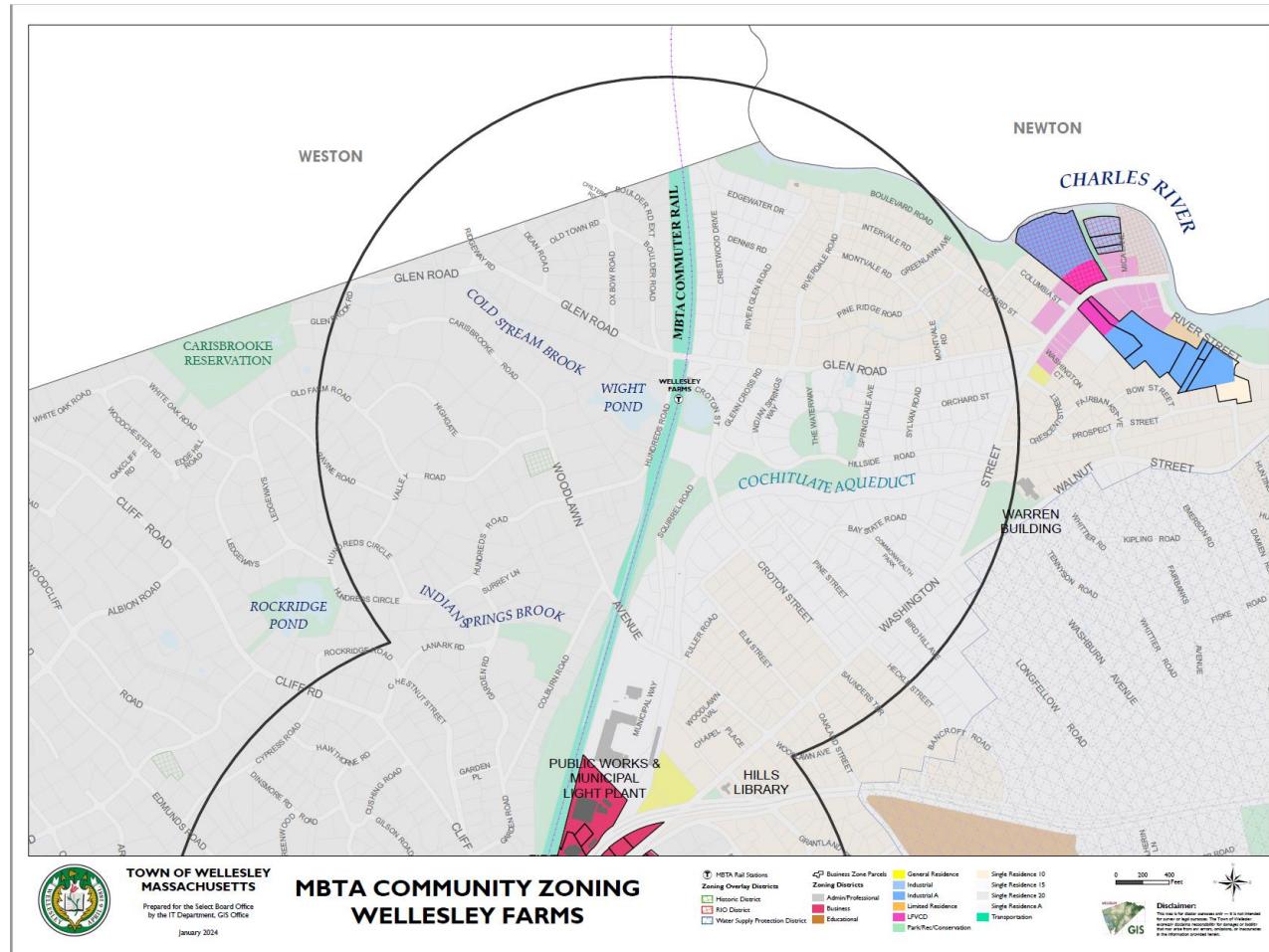
Topic C: Proximity to Commercial and Transportation

Wellesley Hills Station



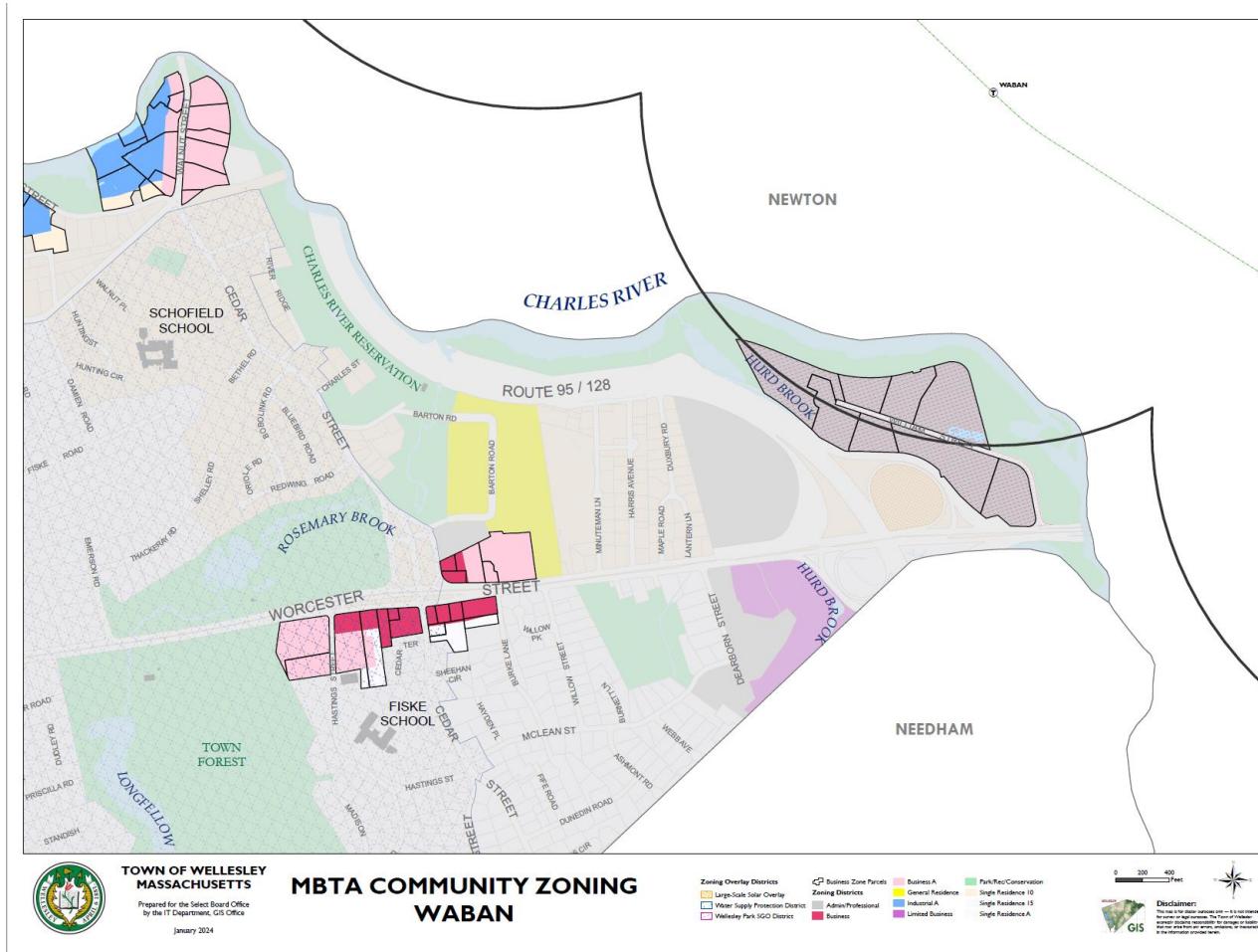
Topic C: Proximity to Commercial and Transportation

Wellesley Farms Station



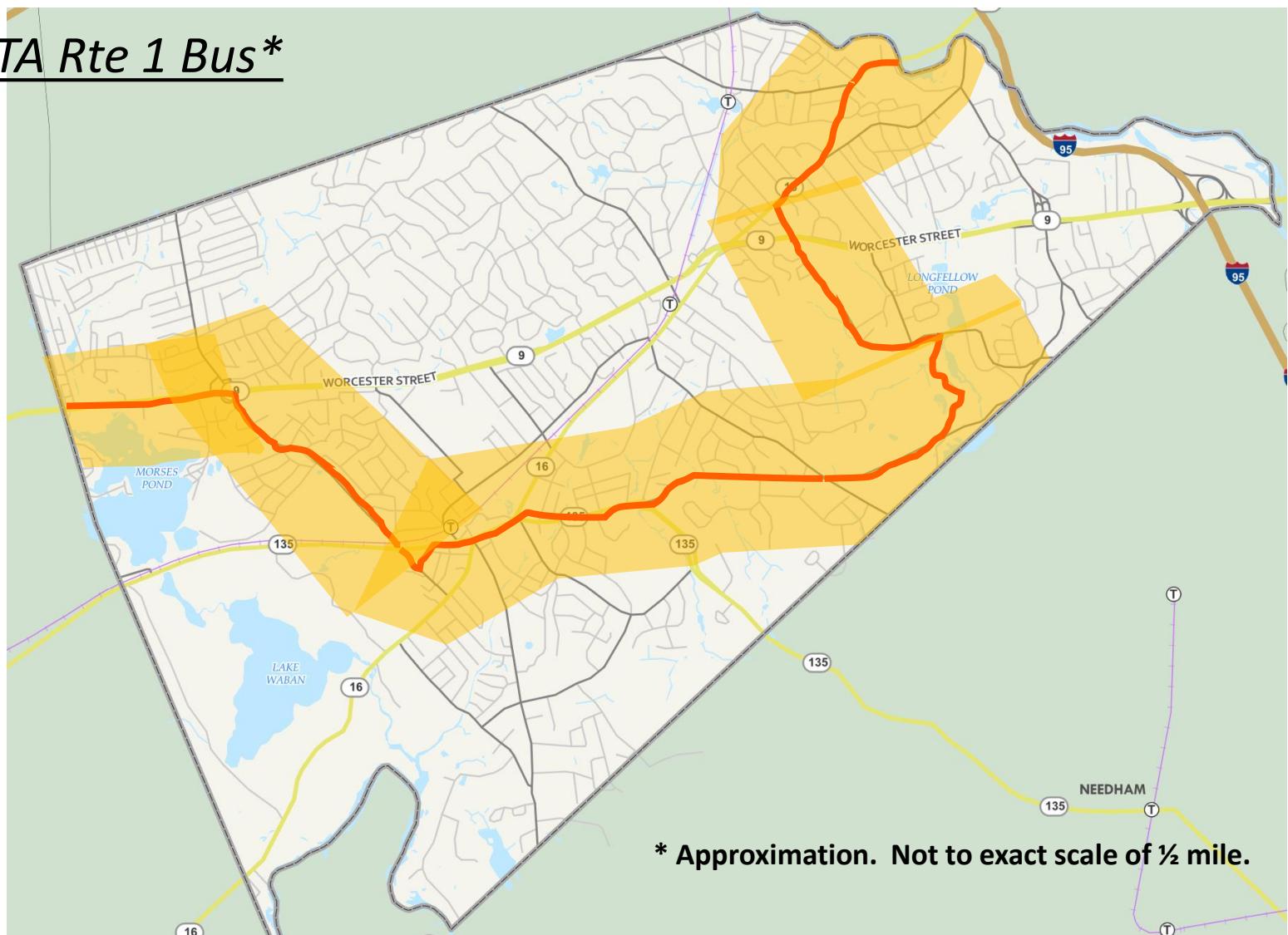
Topic C: Proximity to Commercial and Transportation

Waban Green Line



Topic C: Proximity to Commercial and Transportation

MWRTA Rte 1 Bus*



Topic C: Proximity to Commercial and Transportation

Potential Other Considerations

- Commercial Districts AND public transportation?
- Near Train Stations OR MWRTA Bus Line?
- What if a parcel “logically” fits but is 0.51 miles? Can/should there be a special action to approve it?
- How consider the fact that Bus routes periodically change ?
 - Within last ~3 years, Route 1 changed from Mass-Bay / Barton Road / Lower Falls (rather than current route of Mass Bay / Oakland & Washington Sts. / Lower Falls).
 - Bus routes have travelled, in the past, down Rte 9 East of Weston Road and down Washington Street through Wellesley Square and Wellesley Hills.

Topic C: **Proximity to Commercial and Transportation**

- Questions and Discussion

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Topic D: Lot Requirements

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Topic D: Lot Requirements

Parcel Size-Current RIO Bylaw

RIO Bylaw, Section A: Purpose

“... for a parcel or parcels greater than one acre ...”

RIO Bylaw, Section E: Minimum Lot or Building Site Area

“No building or group of buildings shall be constructed on a lot or development site containing less than 45,000 square feet. No building conversion shall be approved on a lot or development site containing less than 25,000 square feet”

Topic D: Lot Requirements

Parcel Size-Original RIO Bylaw

RIO Bylaw, Section A: Purpose

“To provide a residential reuse incentive for parcels where one or more of the following conditions apply:

1. general site conditions and access constraints impede long term successful commercial or industrial use;
2. the parcels that border the residential districts and their residential re-use would extend and complement the character and function of the existing surrounding neighborhood;

Topic D: Lot Requirements

Parcel Size-Original RIO Bylaw

3. the parcels border unique natural features, open space, or historic resources which would be better preserved and enjoyed by the public over the long term through residential rather than commercial or industrial uses”

RIO Bylaw, Section E: Minimum Lot or Building Site Area

“No building or group of buildings shall be constructed on a lot or development site containing less than 2 acres. No building conversion shall be approved on a lot or development site containing less than 25,000 square feet”

Topic D: Lot Requirements

Open Space

RIO Bylaw, Section F: Minimum Open Space

“There shall be provided a minimum open space as defined in Section 1.3 of 30 percent of the lot or development site area, one half of which shall be Enhanced Open Space as defined in Section 2.9, provided, however, that the amount of open space required for conversion projects shall be determined by the Planning Board under Section 3.2.O. Project Approval / Special Permit paragraph below....”

Topic D: Lot Requirements

Open Space

Zoning Bylaw Section 1.3: Definitions

Open Space - “The portion of a lot not covered by buildings, garages or other accessory buildings or structures, canopies, off-street parking areas, maneuvering aisles, loading areas or driveways. The portions of a lot devoted to lawn; landscaping; swimming pools constructed at or below grade; at grade terraces, patios, walks, tennis or other play courts; and woodland or wetland shall be considered as open space. Open space shall be free of automotive traffic, or parking.”

Topic D: Lot Requirements

Open Space

Zoning Bylaw Section 2.9: Admin and Professional Districts

“The term ‘**Enhanced Open Space**’ shall mean open space that enhances the quality of the community, such as (i) so-called "fitness trails" or walking/jogging paths, that may be made available to the public for passive recreational uses, or (ii) open space that enriches the local environmental and aesthetic and visual quality of the town, such as large (in excess of one acre) wooded or other open areas that are visible from public ways, or (iii) significant areas of contiguous open space that enhance the efficient absorption and drainage of storm water. With respect to open space that is made available for use by the public, the availability of such areas to the public may be limited or otherwise regulated (such as with respect to hours of availability) in a manner that is consistent with the operation, security and management of corporate office facilities.

Note: Why define Enhanced Open Space in 2.9, and NOT in Section 1.3: Definitions?

Topic D: Lot Requirements

Building Setbacks

RIO Bylaw, Section I: Building Setbacks

“Yard definitions shall be as specified in Section 5.3. RIO projects involving new construction shall provide the following:

Minimum Front Yard Depth: 25 feet

Minimum Side Yard Depth: 10 feet

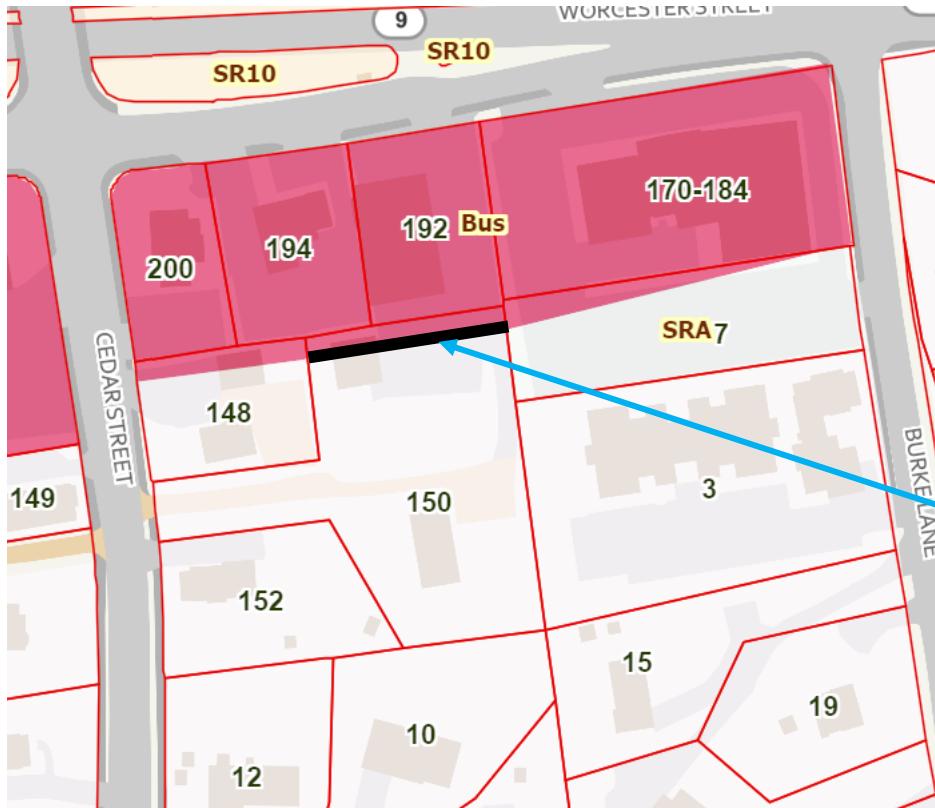
Minimum Rear Yard Depth: 10 feet

However, where the housing is not located in a residential zoning district but abuts a residential zoning district, the setback shall be 60 feet and a buffer of natural material and/or an earthen berm shall be installed to provide screening on a year-round basis.”

Topic D: Lot Requirements

Building Setbacks

Complexity created by a parcel of multiple lots



Applicability for Cedar RIO project is solely internal to the owner's parcel. Does it make sense to require buffer relief from yourself?

Topic D: Lot Requirements

- Questions and Discussion