



CAPE COD
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Iyannough Road Regional Commercial Center Redevelopment Strategy



Prepared by the Cape Cod Commission

PROJECT MANAGER:

Leslie Richardson, Chief Economic Development Officer



Introduction

The Town of Barnstable requested technical assistance from the Cape Cod Commission (CCC) to develop a redevelopment strategy for the four major retail centers along Iyannough Road (Cape Cod Mall, Capetown Plaza, Festival Plaza, and Southwind Plaza). District Local Technical Assistance (DLTA) funding from the State of Massachusetts was used to complete the local zoning aspects of this project. This report includes a summary of the work completed prior to addressing the zoning as well as a draft model zoning and accompanying outline of design guidelines.

POLICY CONTEXT - TOWN OF BARNSTABLE COMPREHENSIVE PLAN 2010

The Town of Barnstable Comprehensive Plan (LCP) designates the study areas as part of a larger Regional Commercial Center. The LCP notes that existing regulations are not sufficiently managing traffic, economic development and community character in this area. It also notes that there is significant growth potential along the corridors. The area is mostly within a zone of contribution for drinking water and an impaired watershed for coastal water quality.

The LCP identifies infill and redevelopment as part of the town's overall growth management strategy. Redevelopment and infill are seen as opportunities to improve overall site design, function, and community character. The Rt. 132 corridor is designated for redevelopment, infill, and the inclusion of green buffers between "defined areas of dense development." The LCP proposes that the town adopt a traffic neutral policy for the area while enhancing pedestrian access, expanding transit, and increasing the number of public spaces. The corridor is also seen as a transfer of development rights receiving area.

In terms of economic development, the LCP calls for the town to encourage year round skilled employment opportunities offering livable wages. They suggest the establishment of a business improvement district to invest in the aesthetics of the area and for a permitting process that is both expedited and fair. A major goal of the town is to increase the tax



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revenue generated by this area. The development of a regional conference center proximate to the airport was the one potential use specified in the LCP.

PROJECT GOAL

The overall goal of this project is to stimulate the redevelopment of the four major retail centers along Iyannough Road (aka Route 132) to improve the area's form and function while increasing economic opportunity and the Town's non-residential tax base.

TASKS

The Cape Cod Commission agreed to a comprehensive scope of work with the Town of Barnstable for the following tasks:

- Baseline research
- Inventory & property assessment
- Developer interviews
- Design charettes
- Analysis of current regulatory structures/documents
- Zoning workshop – goals and methods
- Draft zoning
- Outline a Design and Infrastructure Plan

The final three items pertaining to the local zoning was funded through the State's DLTA program.



The Study Area

DESCRIPTION AND INVENTORY



Capetown Plaza



Cape Cod Mall

The study area included the four major retail centers along Iyannough Road/Rt. 132 in Hyannis. These are:

- Cape Cod Mall,
- Capetown Plaza,
- Festival Plaza, and
- Southwind Plaza

The Cape Cod Mall is the region's only indoor shopping mall. It was opened in 1970 housing anchor stores that had previously been located on Main Street in Hyannis. The Mall was purchased by Simon Property Group of Indiana in the late 1990's and renovated. It is currently fully occupied with 822,857 SF of leasable area.

The Capetown Plaza is owned by the Town of Barnstable through the Barnstable Municipal Airport and is leased and managed by WS Development. The strip mall was built in the 1960s; the current lease ends in 2024. Capetown has 237,736 SF of leasable area and has some vacancies. The main anchor store is K-mart.

The Festival Plaza is owned and managed by KIMCO realty, a large publicly owned company with properties in 45 states. Festival offers



225,630 SF of leasable space and has several vacancies currently. The plaza is anchored by Shaw’s supermarket, Home Goods, and Toys R Us. PetSmart is housed in a stand-alone building.

The Southwind Plaza is owned by Wilder Companies of Boston. The property offers 215,000 SF of leasable area and is anchored by Home Depot and recently added Kohl’s.

Retail Center Size and Occupancy Status				
Property	Occupied	Permitted	Vacant	Grand Total
Cape Cod Mall	822,857	0	0	822,857
Cape Town	174,692	0	63,044	237,736
Festival	TBD	0	TBD	0
Southwind	116,407	8,850	89,743	215,000
Grand Total	1,113,956	8,850	152,787	1,275,593

Source: Retail Center Websites

Retail Center Tax Status			
Property	Sum of 2012 Tax	Sum of total AV	Average of total AV/SF
Cape Cod Mall	1,344,218.05	118,248,900.00	58.04
Cape Town	256,539.44	22,567,400.00	107.19
Festival	247,469.80	22,830,500.00	172.20
Southwind	269,981.31	24,940,400.00	102.34
Grand Total	2,118,208.60	188,587,200.00	92.24

Source: Town of Barnstable Assessors Database – Property Record Cards

INTERVIEWS WITH MANAGEMENT COMPANIES

LOUIS C. MASIELLO, VICE PRESIDENT OF DEVELOPMENT, WS DEVELOPMENT - CAPE TOWN PLAZA

The Cape Town Plaza is currently leased to Cape Town Plaza LLC of which WS Development is the majority and managing general partner. The previous lessee, Cape LLC, is a minority partner in Cape Town Plaza LLC. The owner of the property is the Town of Barnstable through the Airport



Commission. There is twelve years left on this lease with no option for extension or renewal. According to Mr. Masiello, this poses difficulties in leasing the individual spaces as most businesses seek a longer lease period prior to making investments in the space.

Pending either a new lease or purchase of the property, WS Development would like to convert this site to a “lifestyle center” similar to Derby Street in Hingham, Massachusetts. The Urban Land Institute defines a lifestyle center as containing upscale national chain specialty stores, dining and entertainment in an open air setting. WS Development would like to anchor this center with an organic grocery store (between 30,000 and 50,000 square feet) and larger scale apparel store. The entire center would ideally be between 300,000 and 350,000 square feet of gross leasable area. In their estimation, parking could be as low as one to one and a half spaces per 1,000 square feet of gross leasable area. In addition to retail uses, WS Development sees the potential for office uses as a part of the larger package. They did not see a market for housing on this property.

KELLI A. BURKE, VICE PRESIDENT, DEVELOPMENT SERVICES, THE WILDER COMPANIES - SOUTHWIND PLAZA

The Wilder Companies are working aggressively to fill the vacancies at the Southwind Plaza. They have strong prospects for both the former Stop & Shop site and the Borders site. The Cape Cod Commission and Town of Barnstable have approved changes to the Borders site for a proposed Whole Foods grocery store.

Once they are back up to full occupancy they are considering two projects. The first is an approximately 8,000 SF building next to the Borders building that is fully permitted and the second is a redesign of the internal section of the Plaza between the Home Depot and the former Stop & Shop building that is only in the conceptual phase. This will likely remove most of the smaller spaces, which they have had difficulty leasing, and replace these with either one or two larger box stores.

The Wilder Companies expressed interest in improving pedestrian amenities in the Plaza, showing willingness to cut into some of the parking assuming they can under the existing lease agreements. Energy efficiency provisions were discussed and the developer stated that



regulations requiring energy efficiency or use of renewables are helpful to them in working with their leaseholders. The developer noted that they control the site lighting, parking area, irrigation, and exteriors of the buildings. Lease agreements, they stated, are generally 10 years with some as few as 5 or as many as 30 years. Often leases include prohibitions on certain types of retain and non-retail uses. In the long-term, however, the developer is considering Southwind as a possible hotel location. The developer did have concerns with regional and local regulatory processes, particularly as elements of the site are non-conforming under current zoning. They expressed appreciation for the Town's staff level site plan review process.

NICHOLAS P. BROWN, ASSISTANT DIRECTOR ACQUISITIONS &
DEVELOPMENT NORTHEAST REGION, KIMCO REALTY - FESTIVAL
MALL

KIMCO Realty is a large publicly traded company with properties in 45 states. They specialize in Neighborhood Shopping Centers which are open air malls usually built around a supermarket and other large box stores. They have approximately 125 properties in the Northeast region including the Festival Mall in Hyannis.

The Festival Mall currently has four vacancies and includes Shaw's supermarket which they believe to be at risk given the new Stop & Shop next door. They see three options for re-tenanting that space if Shaw's leaves. First, they could seek out another supermarket or smaller box store for the space. Alternatively, they would consider making it into a stand-alone building for a national retailer such as Target that prefers this model. This would likely require land division or sub-division, and sale of a resulting lot to the prospective business. A third option would be to divide the Shaw's space into two smaller components for national retailers that desire smaller spaces.

KIMCO emphasized that their tenants' needs drive the sign and parking design for the property and will generally not accept alterations to their standard signage or tolerate parking below 4 spaces /1,000 GLA. They showed little interest in public spaces or UV installations, particularly over parking but also on the roof, unless significant incentives were in place. In the long-term they see this property continuing along the same vein as a neighborhood scale retail mall with the possible addition of



gyms, restaurants, salons, liquor stores and the like. They noted that some large retailers are becoming obsolete or downsizing with the prevalence of retail internet sales but that discount retail stores still seem to be doing quite well.

LEO FEIN, GENERAL MANAGER OF THE CAPE COD MALL, SIMON PROPERTY GROUP INC.

Cape Cod Mall currently enjoys around 95.5% occupancy (considered full occupancy) without having to provide extensive discounts on rent or services. Simon has been able to leverage their ownership of other large malls in Massachusetts to ensure full occupancy at the Cape Cod Mall by requiring retailers interested in their prime locations to locate on the Cape as well. It can be more difficult to fill the Cape Cod Mall with national retailers than in other areas due to the Cape's seasonal economy which translates into lower overall sales relative to year-round store locations. Twenty seven percent of sales at the Cape Cod Mall are made between July and September and another twenty seven percent in November and December. The model they follow is at least 85% retailers, 3% restaurants (exclusive of the food court) and about 10% personal services.

Simon, Inc. does not have any immediate plans to change the core set of buildings that make up the Mall. They have contemplated a stand-alone building for a business chain such as Target and have even purchased additional abutting property with this possibility in mind. They have maintained excess parking – which is expensive and harbors no annual return on investment – in case an opportunity for a stand-alone chain emerges. They had discussed the possibility of constructing a sky walk connection with the adjacent hotel to the east but those discussions fell through because the hotel decided against expansion.

Macy's owns their portion of the building but the remainder of the Mall building is owned by Simon, including the 128,000 sq ft Sears store. (Simon also owns the detached Sears auto building). Any changes to the building façades must be approved by the tenants. Simon has been working on re-landscaping the building and site entrances to make them more appealing to customers.



Redevelopment Scenarios

DESIGN CHARETTES

Having completed the background research, an inventory of the property tenants, and met with the developer/owners of the four retail centers, the staff of the Cape Cod Commission and the Town of Barnstable completed a series of design workshops. The first workshop was with Commission





planning, transportation, regulatory, and economic development staff. The staff was broken up into two teams and the retail malls were paired by location with the Cape Cod Mall linked with the Cape Town Plaza, and the Festival and Southwind plazas paired together.

The staff was asked to consider and sketch out three scenarios:

1. Immediate term changes under current land use regulations that would not require regional review;
2. Medium term changes that may require regional review but are not a major departure from the current land use regulations or uses and layouts of the sites; and
3. Long-term concepts for redevelopment that are not necessarily consistent with current land use regulations or uses and layouts of the sites.



The first scenario proved unsatisfying because it came down to mostly landscaping and small changes that the Commission and even the Town had very little influence over. The teams had more luck with the medium (2015) and long-term (2030) scenarios. Each team had an hour to complete the scenarios and then changed mall sites so that all participants worked on plans for all the sites. In total four plans were sketched and three were transferred into digital renderings (one did not get beyond road layout and was not used to go forward).

The next workshop involved staff from the Town’s Growth Management Department. The Town staff was brought through

The first scenario proved

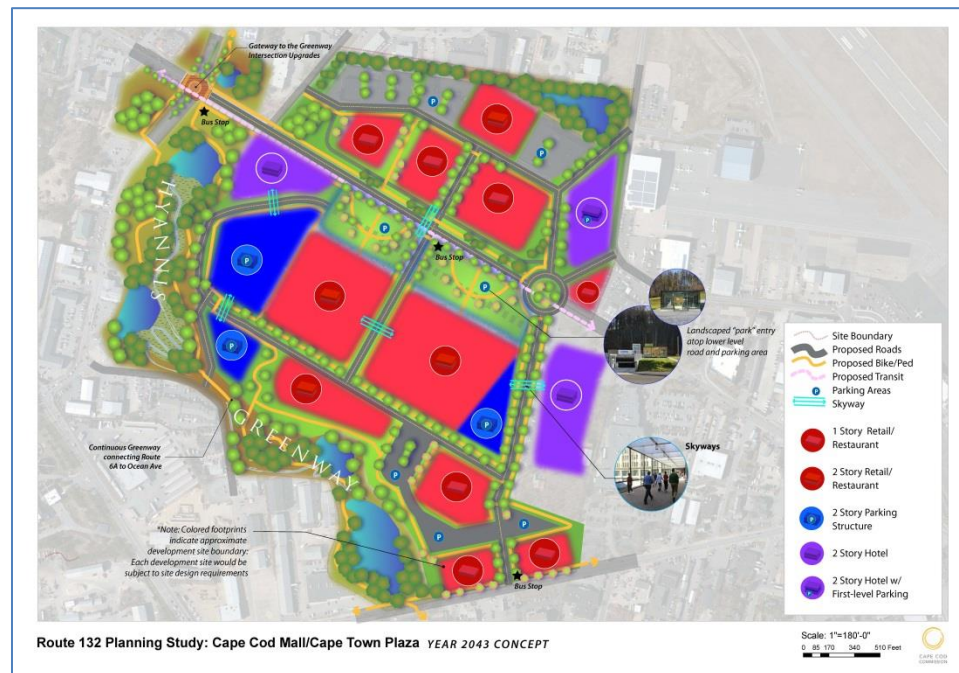




much the same process as Commission staff in the first workshop. Town staff narrowed down the desired scenarios to the medium and long-term scenarios. During the workshop, Commission staff presented the goals of the project and the background gleaned from tasks 1-3 to the town staff. Town staff then broke into two teams and began work on the scenarios, rotating members midway through to ensure that everyone got to work on the two pairs of malls. Once completed Town staff presented their sketches and compared them to the work of Commission staff to identify commonalities that might be worthwhile to include in the final concept plan.

DRAFT MASTERPLANS

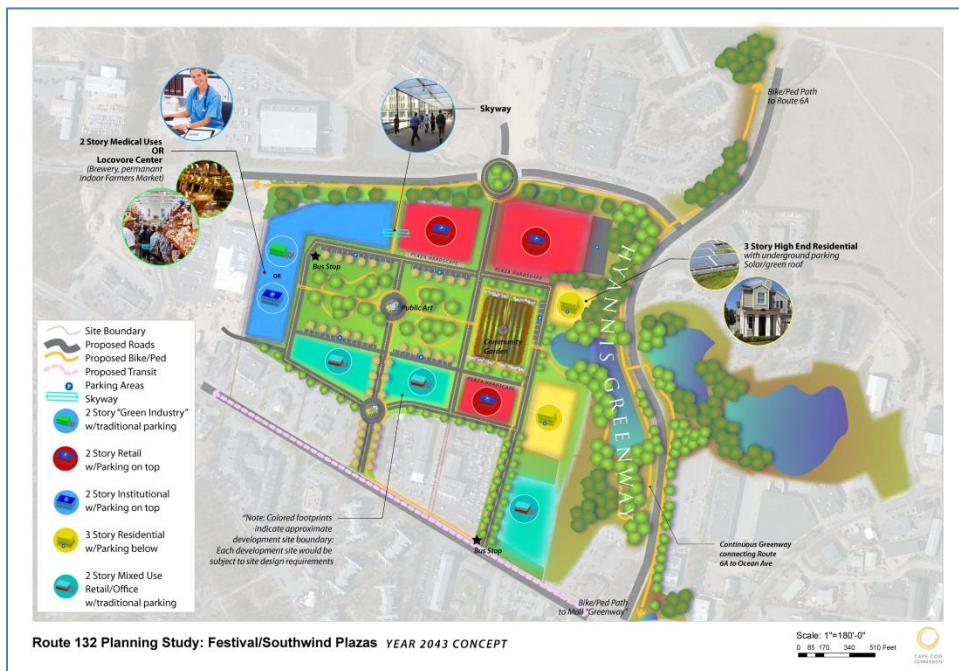
After the design charettes were completed, Commission staff combined and refined the concepts into two master plans, one for the Cape Cod Mall



and the Cape Town Plaza and one for the Festival and Southwind Malls. The master plans illustrated open space, building footprints, and surface and structured parking. These master plans were used as guidelines in crafting the draft zoning and design & infrastructure plan included later in this report. These master plans may ultimately be revised and used in



conjunction with the zoning and regional regulatory protocol to guide future redevelopment. At this point, however, they are just conceptual.





Regional Commercial Center Zoning

BACKGROUND

EXISTING ZONING

The town's zoning within the study area is complex – consisting of three underlying districts (Highway, Highway Business, and Industrial) as well as two overlay districts (Groundwater Protection Overlay and Shopping Center Redevelopment Overlay District). The interplay between the districts is complicated, and as applied, the goals and requirements of those individual districts could potentially lead to conflict and inconsistencies between them. Vested rights and the treatment of zoning nonconformities further complicate the zoning picture and affect in large part whether major redevelopment is likely to occur in the study area. Additionally, some of the existing zoning provisions are outdated. An updated “unified” zoning framework for the study area, with a single, consolidated underlying zoning district harmonized with the goals of the existing overlay districts, could improve land use on the four sites. . A range of options for updating the zoning should be explored, from minor zoning changes (e.g. revised site development standards and an updated use table) to more comprehensive overhaul/revision strategies, which could include development incentives/ bonuses to encourage balanced redevelopment.

GOALS FOR NEW ZONING

Complement Downtown

The Regional Retail Centers should not detract or compete with Downtown Hyannis.

Support Regional & Town Economic Balance - Attract Wealth to the Region - Contain National Chain Stores

The zoning should effectively attract large retail to this area and thus should free up other locations for different types of development.

Encourage Economic and Population Diversity



Zoning should be flexible enough to allow for a diversity of uses yet to emerge in the market place.

Maximize Use of Infrastructure

Develop where wastewater infrastructure already exists. Improve existing infrastructure – particularly to foster pedestrian and alternative transportation, and recreational open space.

Efficient Permitting

Permitting must be efficient, equitable and predictable.

Neighborhood Connections

Ensure safer pedestrian connections to residential neighborhoods to the south and within the Rte. 132 corridor.

Compact Development

Un-development of grey fields and underused parking areas

Desirable Environment

Improve pedestrian and visitor experience with unique way finding, landscaping, LID, and recreational open space.

PURPOSE

The purpose of the Regional Commercial Centers Zoning District is to establish a catchment area within Cape Cod’s recognized primary economic center for large scale retail development and other compatible uses in a location served by adequate transportation, wastewater, and other necessary or desirable infrastructure. The suggested standards and regulations herein are intended to support the goals of the Barnstable Comprehensive Plan to create a vibrant regional commercial center that complements the smaller scale uses in downtown Hyannis and other villages. Given the changing nature of the retail market, these recommendations are intended to update zoning with the flexibility to support emerging development trends such as maker’s spaces and other ways of sharing spaces for creative economic activities. The proposed regulations seek to enhance the aesthetics of the area, maintain balanced and stable economic activity, and minimize development impacts on the built and natural environments. Development and redevelopment in the Regional Commercial Center Zoning District should:

- a) Incorporate sustainable site design;
- b) Manage vehicle access to Iyannough Road and Attucks Lane and maximize interconnections between Commercial Center properties;



- c) Use Low Impact Design for storm water management and landscaping;
- d) Cluster development on the site to maximize public recreational spaces and landscaped areas, and mitigate development impacts;
- e) Incorporate energy efficiency and appropriate on-site energy generation.

APPLICABILITY

This [article] establishes the Regional Commercial Center Zoning District, as shown on [Town of Barnstable Zoning Map, dated XX]

The Regional Commercial Center Zoning District Regulating Plan, [shown on page xx], accompanies the zoning text. It illustrates the site design goals and designates the locations where different standards in the accompanying zoning apply.

DEFINITIONS

Commercial Shared Use Kitchen: A space available, including for rent on an hourly basis, for small scale manufacturing or preparation and packaging of food for sale to the general public. Consumption of such products on the premises is allowed as an accessory use.

Design and Infrastructure Plan: A plan establishing site and building design guidelines for new development and redevelopment.

Low Impact Development (LID): A comprehensive land planning and engineering design approach with a goal of maintaining and enhancing the pre-development hydrologic regime of urban and developing watersheds.

Mixed Use Development: A single building or a single development that contains commercial and residential land uses that are planned as a unified whole and functionally integrated.

Structured Parking: A structure composed of two or more levels or floors used primarily for the parking of motor vehicles. A parking structure may be totally below grade, partially above or totally above grade with levels



either open or enclosed. A parking structure may be stand alone, part of, or attached to another building.

Primary Access: A curb cut and point of entry marked with appropriately scaled frontage buildings, dark sky compliant lighting, landscaping, trees, and or public art.

USE REGULATIONS

PERMITTED PRINCIPAL USES

The following uses are allowed by right as principal permitted uses:

- Hotel
- Office
- Retail
- Commercial Shared Use Kitchen
- Mixed use Development
- Restaurant
- Parking, including Structured Parking
- Municipal Uses

PERMITTED ACCESSORY USES

The following accessory uses or accessory buildings are permitted within the underlying zoning district, provided that any such use or building is customarily incidental to, subordinate to and on the same lot as the principal use it serves except as otherwise provided for herein:

Discussion: Any permitted uses could also be accessory uses. It may be preferable to allow all permitted uses in the district as principal uses, rather than creating a separate category for each. In addition, the town may wish to include language to allow similar compatible uses not specifically enumerated. For example, the town may want to specifically consider and enumerate transportation uses like taxi stands, shuttle bus services and kiosks, and the like as permitted accessory uses, which could facilitate shared parking and transportation between properties in the district and in the overall area. Development of shared parking has the potential to reduce impervious coverage in the district and make transportation more efficient in the area.



CONDITIONAL USES

Discussion: The Town may want to conditionally allow buildings over a certain gross floor area, by right and without the need for a special permit, to ensure they are compatible with the standards and requirements proposed.

SITE PLAN REVIEW

Discussion: Refer to Site Plan Review section from the ordinance. If the Town wants to adopt special site plan review procedures for this zoning district, then provide it here.

SPECIAL PERMIT AUTHORIZATION

The Zoning Board of Appeals is the Special Permit Granting Authority for the Regional Commercial Center zoning district.

Discussion: While this is noted here there is the expectation that development will be by right and there will be no need for special permits – uses not listed are simply not allowed.

CHANGES, EXPANSION, ALTERATION OF NON-CONFORMING USES

CONTINUATION

Any lawfully nonconforming lot, structure, or use existing at the time of the adoption of this ordinance that does not conform to the zoning provisions shall be allowed to continue.

ALTERATION AND EXPANSION

By Right

The alteration and expansion of a lawfully nonconforming building or structure or intensification of a lawfully nonconforming use is permitted by right provided that the alteration conforms to the following:



1. Dimensional standards in Section xx
2. xx key design elements -

By Special Permit

The alteration or expansion of a lawfully nonconforming building or structure or intensification of a lawfully nonconforming use that does not qualify under the “by right” provisions in Section xx, shall be allowed only by special permit from the Zoning Board of Appeals. In granting such a special permit, the Board shall find that:

1. The proposed alterations and/or expansions are not substantially more detrimental to the character or environment of the neighborhood than the existing use, building or structure;
2. The proposed alterations are consistent with the purpose of the ordinance...and with xx design standards.
3. Any dimensional relief granted will result in improved building layout or site design, including enhanced pedestrian amenities, public open space, and Low Impact Development approaches for stormwater management and landscaping.

Discussion: The idea here is to encourage conformance with new dimensional and design standards when buildings are altered/redeveloped by allowing changes by right provided they conform to new dimensional standards. If not – Special Permit authorization is needed.

Demolition and reconstruction of nonconforming structures is not specifically referenced or defined in this section, though the town may want to do so. The town may also wish to associate special standards with demolition and reconstruction distinct from those associated with the general alteration or expansion of nonconforming structures.

The town may also want to examine and consider the effect that its current practice of grandfathering lot coverage limitations and uses involving hazardous waste, proscribed under the ordinance’s current water protection overlay districts, might have on a property owner’s incentive to redevelop and update properties for improved aesthetics and environmental protection, and closer compliance with the proposed zoning amendments.



DIMENSIONAL STANDARDS

LOTS, BLOCKS AND CURB CUTS

Lot Size and Frontage: The minimum lot size for the Regional Commercial Center zoning district is 26 acres. The minimum lot frontage requirement along Route 132, Route 28 and Attuck's Lane is 500 feet.

Discussion: The minimum lot size and minimum lot frontage requirements above are recommended to support continuing single ownership of these large parcels and to facilitate protection of buffers and green space that supports the overall goals of the district. The town will want to consider whether the new district should allow relatively small minimum lot sizes, or require relatively large minimum lot sizes.

Smaller lots would make land subdivision more likely, which in turn would allow new, additional lots to be created and sold. With the allowance for smaller lots, there is a greater potential for more, detached buildings in the district, in separate ownership and control. This approach might allow for greater land use and development variability as the retail landscape and commercial land uses and patterns evolve over time.

On the other hand, a relatively large lot size (e.g. indexed to the smallest of the lots configured in the area of the district at the time the zoning amendments are adopted; 26 acres is the size of the CapeTown Plaza) would not encourage land subdivision and the creation of additional building lots. If no significant changes in regulations are made, land use patterns would probably remain close to the status quo, with the land supporting large building footprints comprised of attached building modules. Large lot sizes would likely allow for more control in a single ownership or development entity and more flexibility in land use, development and business operations, including the establishment of complementary zoning uses and physical vehicular and pedestrian interconnections between adjoining properties.

Block Size and Enclosure: The interior of each site shall employ a network of blocks and circulation to encourage pedestrian activity throughout the site. Internal to the site, block size shall be between 225 feet and 375 feet in length. Blocks fronting on a regional roadway shall not result in additional curb cuts on the regional roadway. Buildings shall occupy at least 70% of any block face in Primary Access areas that serve as pedestrian corridors. Parking lots shall be set back at least 15 feet further from the road edge than the adjacent building facades.



Discussion: The minimum and maximum block size, as well as the 70% building enclosure requirement, are designed to encourage pedestrian activity within the site by ensuring that pedestrian interest is maintained and walking distances limited. Blocks fronting on the regional roadway are restricted from creating additional curb cuts in an effort to protect safety and circulation consistent with previous DRI decisions.

Curb Cuts: No new curb cuts may be created on regional roadways. Existing curb cuts may be consolidated or relocated on the same roadway, provided the distance between curb cuts in that development is at least 475 feet. One Primary Access, with a curb cut not to exceed 55 feet in width measured curb to curb, may be provided onto any regional roadway. Any Primary Access that is greater than 36 feet in width measured curb to curb shall accommodate pedestrians with a pedestrian refuge median. Other access points shall be no greater than 25 feet in width, measured curb to curb.

Discussion: Standards for curb cuts in the zoning ordinance should align with any standards for minimum required driveway and intersection separation in the town's subdivision regulations. The number of Primary Access curb cuts into a development may also be limited to ensure that access points are appropriately sized for the roadway.

BUILDING PLACEMENT, HEIGHT AND MASSING

Building placement, height and massing standards are determined by their proximity to the major regional roadways adjacent to the subject properties as identified on the Regulating Plan attached herein. The purpose of these areas is as follows:

- Area A defines the area immediately adjacent to the road edge and is intended to provide a landscaped buffer to reduce the impact of the development on the site. No structures or parking are allowed within Area A, except that small frontage buildings are permitted within 75 feet of the Primary Access point as measured from the edge of curb, provided that a minimum setback of 25 feet from the regional roadway is provided.
- Area B extends from the limits of Area A towards the interior of the site and allows structures of small to moderate height and



massing. These structures act as frontage buildings to screen large structures from external roadways.

- Area C is the innermost portion of site and is intended to allow the greatest flexibility in building height and massing.

The placement, height and massing requirements in Areas A, B and C vary depending on the adjacent regional roadway, as described in the table below.

	Regional Roadway	Area A	Area B	Area C
Setbacks and Area Boundaries	Route 132	0-100 ft	100-200 ft	200 ft and above
	Route 28	0-25 ft	25-200 ft	200 ft and above
	Attuck's Lane	0-100 ft	No requirement	100 ft and above
	Independence Drive	0-150 ft	No requirement	150 ft and above
	Other property lines	Required as stipulated by the boundary of the preferred greenbelt as shown on the Regulating Plan.	Required as stipulated by the boundary of the preferred greenbelt as shown on the Regulating Plan. ¹	Required as stipulated by the boundary of the preferred greenbelt as shown on the Regulating Plan. ¹
Massing	Massing Limitations	Buildings allowed only within 75 feet of Primary Access; Building footprint limited to between 4,000 and 15,000 square feet	Building footprint size limited to between 4,000 and 15,000 square feet.	No requirement
	Height	Building height	Shall not exceed 20 feet (as measured to the highest point) if they have a flat roof, and shall not exceed 35 feet (as measured to the highest point) if they have a pitched roof with at least a 7:10 slope.	Shall not exceed 20 feet (as measured to the highest point) if they have a flat roof, and shall not exceed 35 feet (as measured to the highest point) if they have a pitched roof with at least a 7:10 slope.
Height bonus		Not applicable	Not applicable	Buildings that incorporate

¹ Encroachments into greenbelt may be permitted if the use is determined to be appropriately linked to use of the greenbelt, and if an equivalent landscaped area is provided in an equally beneficial portion of the site.



	Regional Roadway	Area A	Area B	Area C
				structured or rooftop parking, or provide solar or a green roof on 50% or more of their building footprint are allowed an additional 10 feet of building height.

Discussion: The height bonus should be linked to the number of parking spaces provided through means other than surface parking, or to the square feet of solar or green roof area, so that the bonus is proportional to the benefit provided.

COVERAGE

Green Space: A 30% green space requirement shall be provided by development, either on- or off-site, using any or all of the following methods:

- Greenway Open Space as shown on the Regulating Plan (including buffers to ponds) , which may include removal of existing impervious or developed areas .
- Landscape buffers within Area A on the Regulating Plan.
- Additional Green Space, not designated on the Regulating Plan, that provides or furthers connections at least 50-feet in width to the Greenway Corridor.
- On-site landscaped areas incorporating LID, excluding parking lot landscaping

Public Spaces: Project shall also incorporate ___% or ___ s.f. per 1,000 s.f. gross floor area (or gross leasable area, as applicable) of publicly accessible spaces in Area C of the site, such as plazas, pocket parks and outdoor seating areas.

Discussion: The town should determine the appropriate amount of public space that should be required and whether to link it to gross floor area or gross leasable area.



Surface Parking: Surface parking at grade level shall cover no more than 40-45% of the lot. For the purposes of this requirement, landscaped islands as recommended in the design principles of the Design and Infrastructure Plan shall be included in the surface parking calculations. For parking requirements, see the Code Section 240-24.1-10.A(4)(c & d).

Rooftop Parking: Rooftop parking or structured parking will not be counted toward this parking coverage limit.

LANDSCAPING

Landscaping general design standards: The following features shall be incorporated into the design of the proposed landscape and shown on the required landscape plans.

- Preliminary Landscape Plan required. A preliminary landscape plan, prepared in compliance with this section for all landscaped lot areas shall be submitted.
- Integral part of project design. Landscaping shall be planned as an integral part of the overall project design and not simply be located in excess space after parking areas and structures have been planned.
- Consideration for access. Pedestrian access to sidewalks and structures shall be considered in the design of all landscaped areas.
- Minimum width. Landscaped areas shall not be less than five feet in width.
- Consideration of stormwater and local habitat. Landscaping and site design elements shall encourage the capture and infiltration of stormwater throughout the site and connect when possible to contiguous open space areas to foster sustainability.

Plant materials: Plant materials shall be selected and installed to comply with the following requirements:

- Mix of non-invasive materials. An appropriate mix of plant sizes and non-invasive plant materials shall be provided. Plant materials shall emphasize a low maintenance mix of drought



tolerant and native species and minimize large areas of turf. Turf may not be implemented in islands less than 8' in width.

- Tree requirements. Trees shall be planted in areas of public view. The clustering of trees is encouraged. Mature trees are required.
- Performance standards. The trees and shrubs shall be carefully selected so that they do not interfere with service lines, parking areas or driveways and traffic safety sight areas.

Maintenance required: Where a landscape plan is required, all installed landscaping shall be permanently maintained in compliance with this Section. Once installed, no landscaping shall be removed unless it is replaced with landscaping of a similar design, character, and coverage at maturity.

Maintenance shall consist of regular care including mowing, clearing of debris and weeds, monitoring for pests and disease, mowing, pruning, the removal and timely replacement of dead or dying plants, treating for disease or injury using Integrated Pest Management (IPM), watering, careful fertilization with organic materials, the repair and timely replacement of irrigation systems and integrated architectural features, or any other similar act(s) which promotes growth, health, beauty, and the life of plants, shrubs, trees, or turf.

Discussion: Green Infrastructure was stated as an important development goal, which could be accomplished via the developer in exchange for development credits. Using permeable materials for parking stalls, incorporating electric vehicle charging stations, constructing solar panels over parking spaces, or showcasing demonstrative stormwater facilities are some examples of best management practices which could qualify.

PARKING

The number of parking spaces shall be based on average levels of parking demand for the proposed use, including information supplied by the project proponent, rather than peak levels of demand; however, the number of spaces shall not exceed 4 spaces per thousand square feet of gross leasable floor area.

Surface parking shall be setback a minimum of 125 feet from regional roadways, except surface parking may be located directly behind frontage buildings located in Area A or B. Surface parking lots shall be located at



least 15 feet further back from the property line or road edge than the building facades.

PARKING LOT LANDSCAPING

Perimeter landscaped area required: For parking lots in Area B with frontage on regional roadways, the minimum landscaped buffer area shall comply with the Regulating Plan and setback requirements. All parking lots in Area C (internal to the site) shall have a minimum 5' wide perimeter landscaped area.

Minimum amount of landscaped area required: The minimum amount of landscaped area required is 45-50 square feet per 20 spaces of surface parking. This required landscaping is to be over and above perimeter landscaped area required, above. However, plans which integrate parking lot landscaping via swales or runnels for stormwater conveyance are encouraged.

Planting of trees within parking lots required: At least one tree for every four vehicle parking spaces required/provided shall be planted and evenly distributed throughout the parking lot. Clustering of trees may be required in buffer areas in order to create a desired landscape character.

Landscape materials: Landscaping materials shall be provided throughout the parking lot area using an appropriate combination of trees, shrubs, and ground cover. Drought-tolerant landscape materials shall be emphasized.

Parking Lots proximate to Primary Access points: Parking lots near Primary Access points shall provide a concentration of landscape elements, including specimen trees flowering plants, enhanced paving, and wayfinding.

MASTER SIGN PLAN

A Master Sign Plan is intended to integrate project signs into the architectural design of the site, thereby creating an architectural statement of high quality. A Master Sign Plan provides a flexible means of applying and modifying the sign regulations (TBD) to ensure high quality in the design and display of multiple permanent signs for a project or use and to encourage creativity and excellence in the design of signs. It is



expected that the design quality of signs proposed under a Master Sign Plan will be of a superior quality and creativity to those that might result through the normal sign permit process. The provisions of a Master Sign Plan shall not include temporary banners.

Discussion: It might be useful to develop sign regulations specific to this proposed district which specify height limits, spacing, and lighting as part of the zoning.



Regional Commercial Center Design & Infrastructure Plan

REGIONAL COMMERCIAL CENTER DESIGN PRINCIPLES

GENERAL DEVELOPMENT GOALS

Development should be arranged on the lot to meet the following general development goals:

- Protect ponds and other surface waters via pond buffers;
- Facilitate improvements to water quality by encouraging green infrastructure techniques for in-situ stormwater and wastewater management;
- Protect and maximize areas of contiguous undeveloped land;
- Protect and buffer existing protected open space areas;
- Facilitate pedestrian circulation and the establishment and extension of a network of sidewalks, greenways, trails, and bikeways;
- Consolidate access points and eliminate existing curb cuts where possible.
- Encourage on-site density by limiting on-site impervious area associated with surface parking and encouraging structured parking through private and public investment;
- Facilitate innovative design approaches to lower energy consumption and foster sustainability, such as the siting of on-site renewable energy and use of low albedo/recycled materials.
- Encourage public/private investment in infrastructure.
- Improve marketability and raise property values.



REGULATING PLAN

This plan is intended to conceptually illustrate the site goals articulated above and designate the locations where different standards in the accompanying zoning apply. The Regulating Plan is intended to more clearly communicate the desired physical character of the area and to guide new development and redevelopment so that it contributes towards the overall site planning goals.

Discussion: The General Development Goals and the Regulating Plan describe the over-arching site planning goals for the area. Specific standards are provided in the zoning, and more details outlined in the design guidelines. The Regulating Plan functions as a conceptual master plan, outlining the most important design elements for the type of land use envisioned.

GATEWAYS

Gateways to the development shall be identified. Each development shall be limited to one Primary Access point per adjacent public street. Primary Access points are encouraged to mirror those of adjacent developments in order to encourage shared infrastructure. At Primary Access points, the importance as an entry point should be marked with appropriately scaled frontage buildings, signage, dark sky compliant lighting, landscaping, trees, and/or public art. All gateway locations should reinforce the identity of the development and be supported by high quality architectural design and landscaping. Other points of access shall have full pedestrian accommodation and landscaping, and shall limit the amount of impervious surface or driveway pavement.

LINKAGES

Enhance linkages to adjacent developments for both pedestrians and vehicles. Incorporate special pavement treatments, landscape plantings, lighting and signage to improve way-finding and to foster a comfortable pedestrian environment.

- Key linkages to be reinforced include:
 - Across Route 132 between the Cape Cod Mall and Capetown Plaza.
 - Internal connection between the Festival and Southwind Plazas.
 - Across Route 28 between the Cape Cod Mall and the residential areas to the south.



ACCESSIBILITY

All site elements should be designed in accordance with universal design principles, and shall follow American for Disabilities Act (ADA) requirements.

Discussion: The entrances into the development are important to clearly indicate the access points for visitors and to present an attractive and inviting first impression to the site. Buffering at the edges of the properties to screen development from passers-by is an important goal for the sites, and therefore the number of gateways/entrances should be limited. All access points that break through the buffered areas should be designed for pedestrian comfort and should provide pedestrian connections with adjacent development and neighborhoods.

Accommodations for ADA should also be incorporated into any design for these areas.

STREETSCAPE – EXTERNAL

Provide attractive, deep vegetated buffers along portions of the site that border regional roadways, with limited areas for development. In areas where buffers are crossed by gateway or Primary Access points, either create active storefronts to encourage pedestrian activity and movement between sites, or landscaped areas that are consistent with pedestrian activity, such as pathways and small gathering/plaza areas. In order to encourage alternative transportation methods to and from these sites , all roadway frontages should have a fully accessible sidewalk and bike route accommodation.

STREETSCAPE - INTERNAL

Create a critical mass of active storefronts (retail and restaurant) at the ground floor level to encourage pedestrian activity and links throughout the site, particularly along primary travel routes internal to the site and leading to points where pedestrian linkages to adjacent properties and neighborhoods are identified. High-quality architectural features and materials should be used on all buildings where high-pedestrian activity is desired. Long stretches of blank walls, parking, service/loading areas shall be avoided on all pedestrian travel routes.

Discussion: The character and function of the streetscape will vary depending on where on the site it is located and the intended uses. As articulated in the overall site planning goals, the portions of the sites adjacent to the roadway are intended to provide a buffer to the development contained within the core of the site. The size and



configuration of the buffer will vary from site to site. However, internal to the site, the goal is to create a walkable, pedestrian oriented experience typical of a village or town center. As such, the design and use of the buildings in areas where pedestrian activity is desired should include design elements such as display windows, outdoor seating areas, and awnings.

TRANSIT CONNECTIVITY

Gateways or access points, both primary and secondary, should include accommodation for bus stops/shelters and, when possible, turnouts; as well as bike racks and seating areas. Transit stops should be well lit with recognizable design features and be part of a circulation network to and from the site which includes grade separated bicycle/pedestrian pathways and safe crossings.

PARKING

Limit surface parking. Parking spaces located in internal vehicular travel routes that mimic on-street parking are strongly encouraged. Surface parking areas should be designed to avoid long, uninterrupted rows of vehicles by breaking them into separate parking lots divided by tree lines, alleys, pedestrian areas, or buildings. Surface parking should be screened from offsite views by vegetated buffers or structures. Planted islands in parking areas with shade trees, dwarf shrub varieties and perennials are encouraged. Planted islands should minimize turf and also serve as drainage channels and incorporate LID practices according to the sustainable site design Best Management Practices (BMPs - below). Limiting irrigation in parking areas is encouraged to reduce overspray onto pavement.

PARKING STRUCTURES

Parking structures that are incorporated into, and proximate to, development are encouraged. Parking structures should be designed with clear entrances/exits and should be partly fronted by active ground floor uses, with their facades incorporating appropriate architectural details. All structures shall incorporate features and details that create interest and are in keeping with the scale and function of the development. Parking structures should be set back from road edges, and appropriate landscaping should be incorporated to screen views of the structure. Parking structures should not exceed the height of adjacent or surrounding buildings and should be secondary in mass and scale. Living walls and climbing vines which vary in planting material are encouraged to minimize large stretches of blank parking walls.



STREETS

Interior automobile circulation shall be predominantly accommodated on driveways that have the character of streets and are designed with wide sidewalks, Low Impact Design (LID)/green street landscaping and amenities. On-street parking is strongly encouraged. Travel lanes should be narrow to discourage speeding and improve the pedestrian experience. These streets are intended to have a character typical of a Main Street, including tree canopy, pedestrian activity, and street furniture. At key intersections and entry points, streets should include crosswalks, ample pedestrian space and signature landscaping.

Discussion: The development is intended to accommodate regional retail uses, but at the same time create an environment where pedestrian activity is encouraged. One way to create a more comfortable pedestrian experience is to provide “on-street” parking in order to protect pedestrians from moving vehicles. The amount of impervious area on the site should be reduced, particularly the amount of surface parking that is currently in the area. Many of the existing parking spaces are underutilized and remote to destinations within the properties. Structured parking would allow more vehicles to park in closer proximity to the development and would allow creation of buffers or a greenway.

BUILDING CHARACTER

Storefronts and entrances adjacent to pedestrian ways should be constructed of high quality, durable materials. Awnings and canopies are encouraged. Materials should be consistent with the palette established for the development, and may include a mix of traditional materials accented by more modern materials where appropriate.

BUILDING MASSING AND HEIGHT

Buildings shall incorporate a variety of heights, eave lines, and plane changes (or façade variation). Building character should be informed by the mass and scale of structures in the vicinity, placing the form of the building in context with its surroundings.

Where flat and pitched roof forms are mixed, pitched roofs should predominate with flat roofed portions limited to secondary areas and masses. Parking structures should not exceed the height of adjacent or surrounding buildings and should be secondary in mass and scale.



SERVICE AREAS

Service areas should be to the rear of lots and screened by structures and/or landscaping. The configuration of lots to promote sharing of service areas is encouraged.

Discussion: With large-scale buildings envisioned, it is essential that the design incorporate a variety of strategies that break down the bulk and mass of the structure. As articulated in the Commission's design guidelines, a number of options exist to achieve this goal, such as varying the façade, roof line and eave line and designing buildings to have the appearance of several attached masses, rather than one single mass. Although pitched roofs are generally appropriate in areas of modest building mass and areas where pedestrian scaled designs are needed, portions of larger buildings are more appropriately designed with flat roofs when they are not highly visible, and/or where they don't define the overall appearance.

INTERIOR PUBLIC SPACES

Create active public spaces within Area C of the development, integrated into the interior streetscape and circulation network to encourage pedestrian activity, small scale outdoor events and vending opportunities, and to include ornamental landscaping, decorative hardscaping, public art/water features, lighting and furniture. The use of permeable hardscaping materials and LID (Low Impact Development) approaches are encouraged in order to reduce water demand and need for maintenance of engineered facilities.

GREENWAY CORRIDORS

A greenway is a continuous corridor of open space which can vary in scale and programmatic purpose, from a narrow pathway that cuts through dense or urbanized areas to a large scale park. Greenways benefit the public health through recreational opportunity, open space protection, and circulation connectivity. They also stimulate economic development by improving abutting property values. Greenways offer diverse cultural, natural and scenic features and can be destination areas within communities. Greenways accommodate a universal group of users through paved and unimproved trail networks. Greenways can also minimize the need for built infrastructure; they create a natural buffer zone that conserves and protects waterways and treats stormwater to improve water quality. This prevents soil erosion, provides pollution control, and reduces costs resulting from flood damage.



FINANCING THE GREENWAY

Zoning may begin to define an area to designate a potential greenway plan, however, in order to accumulate the parcels necessary to establish a continuous network it is recommended that the Town develop and endorse a Greenway concept plan and establish a partnership group for the oversight of its design and implementation. A partnership program will seek to leverage local public funding with state, federal, and private funds to purchase property and initiate designs. This group will also need to engage in the careful negotiation of property rights for the designated area through purchase agreements, easements, eminent domain, and land swap.

GREENWAY OPEN SPACE AREAS

Greenway open space areas are intended to provide a minimum 100' buffer between all development and ponds. In some cases, removal of paved parking or other impervious surfaces will be necessary to achieve this goal. In these cases, restoration with appropriate buffer plantings is highly encouraged. Acceptable uses within this buffer include unpaved pedestrian scale pathways and vegetated swales, and habitat restoration plantings. Where possible, greenway open space areas may be expanded beyond this buffer to include additional recreational open space, which may serve the local community as a public park and include paved bikeways/multiuse paths, wayfinding, small scale recreational uses, and gathering areas.

FRONTAGE LANDSCAPING

Landscaping located in area A of the regulating plan should function to buffer development via landscaped berms, decorative fences and seating walls and should include minor pedestrian access points which meander into the site at regular (200') intervals to encourage accessibility.

In areas where buffers are crossed by gateway access, either create active storefronts to encourage pedestrian activity and movement between sites or landscaped areas that are consistent with pedestrian activity, such as pathways and small gathering/plaza areas with amenities such as street furniture, bike racks, lighting and ornamental landscaping at gateways.

INTERIOR LANDSCAPING

Landscaping in Areas B & C should function to encourage pedestrian connectivity and usable spaces. Landscaping should be designed to



remain functional and attractive during all seasons through a thoughtful selection of plant varieties; Plants should be selected so that landscaping can be maintained with minimal care and the need for watering, pesticides or fertilizers is minimized or eliminated (something about Zone II); A combination of mulched planting beds, decorative pavers and sustainable groundcover plant varieties are preferred over lawn areas. Best Management Practices recommended for individual site components are listed below.

Lawn and Turf areas should utilize a drought tolerant “Cape Cod” grass seed mix in lawn areas, consisting of the appropriate three part ration of Perennial Blue Grass, Chewings Fescue/Red Fescue, and Perennial Rye. Lawn or turf areas should not be planted in strips that are less than six (6) feet in width.

Table of Recommended Landscape Best Management Practices for Site Components

AREA TO DESIGN	RECOMMENDED BMPs (See below for description)
Sidewalk	Tree box filters; infiltration planter/rain garden, recycled content in concrete, flow through planters, decorative planters and window boxes.
Entry plaza	Amended soils, Rain gardens, trees for shade; recycled content in pavers; structural soil, flow through planters
Greenway Open Space Areas	Amended Soils, Habitat restoration plantings, rain gardens, vegetated swales
Parking areas	Trees for shade, vegetated filter strips, recycled content in asphalt, pervious pavement, Vegetated swales
Frontage Landscaping /Screening buffer	Vine screens, planted walls, windbreak/planted & bermed buffer



Slopes	Turf alternatives such as drought resistant groundcovers, habitat planting; minimize site disturbance, erosion and sediment control
Gathering area/outdoor dining	High-albedo paving; infiltration areas; recycled content in pavers and furnishings; pervious pavement
Roof areas	Solar panels; green roof plantings; high albedo paint
South facing walls	Living wall treatments; climbing vines

Below is a listing of Best Management Practices (BMPs) mentioned in the above table.

Amended Soil: Amended soils with appropriate compost serve numerous benefits: infiltration; detention, retention; better plant establishment and growth; reduced summer irrigation needs; reduced fertilizer need; increased physical/chemical/microbial pollution reduction; and reduced erosion potential.

Green Roof Plantings: A green roof is a lightweight vegetated roof system with waterproofing material, drainage, lightweight growing medium, and specially selected plants. A green roof can reduce site impervious area and manage stormwater runoff. Green roofs reduce peak runoff to near predevelopment rates and reduce annual runoff volume. Green roofs also help mitigate runoff temperatures by keeping roofs cool and retaining most of the runoff in dry seasons. Green roofs typically have thin layers of lightweight growing medium (4 to 8 inches) and lowgrowing succulent vegetation. Alternatively, roof gardens that are designed to be walked on have deeper soils (8+ inches) and are more heavily planted.

Habitat Restoration Plantings: A habitat is a space that provides food, water and shelter for the survival and reproduction of an organism. Habitat plantings replicate the layers and symbiotic relationship between plant species by utilizing native plantings indigenous to the region in order to mimic predevelopment conditions.

High Albedo Paint/Surfaces: Concrete surfaces absorb heat from sunlight due to their low solar reflectivity (albedo). This increases the local ambient temperature in urban areas (the so-called "heat-island")



effect). The heat-island effect leads to a waste of energy because of increased cooling costs. It also adversely affects air quality, which in turn can be detrimental to human health. Light colored materials have a higher Solar Reflective Index (SRI) and improve reflectivity (albedo), reducing cooling costs on site.

Living Wall Treatments: Living walls or green walls are self sufficient vertical gardens that are attached to the exterior or interior of a building. They differ from green façades (e.g. ivy walls) in that the plants root in a structural support which is fastened to the wall itself. The plants receive water and nutrients from within the vertical support instead of from the ground.

Permeable Pavement: Permeable pavement allows for the absorption and infiltration of rainwater and snow melt onsite. Permeable pavement provides a stable load-bearing surface without increasing a project's total impervious area. The two main categories of porous pavements are 1) pervious concrete and asphalt, and 2) permeable pavers. Permeable concrete and asphalt are poured in place and resemble their solid counterparts, except the fines (sand and finer material) are removed to create more void space for water to flow through. Permeable pavers are solid, discrete units typically made of pre-cast concrete, brick, stone, or cobbles and set to allow water to flow between them.

Tree Box Filters: Curbside containers placed below grade, covered with a grate, filled with amended soils and planted with a tree in the center. They are often underlain with gravel material.

Flow Through Planters: Flow-through planters are structural landscaped reservoirs that collect stormwater and filter out pollutants as the water percolates through the vegetation, growing medium, and gravel. These are appropriate where soils do not drain well or there are site constraints.

Infiltration Planter/Rain Garden: Infiltration Planters (also known as rain gardens) are landscaped reservoirs that collect, filter, and infiltrate stormwater runoff, allowing pollutants to settle and filter out as the water percolates through planter soil and infiltrates into the ground. Depending on the site, infiltration planters can vary in shape and construction, with or without walls to contain the facility, or formed as a shallow, basin-like depression.

Vegetated Swale: A vegetated swale is a gently sloping landscaped depression that collects and conveys stormwater runoff, and is narrow and at least 100 feet in length. The densely planted swale filters stormwater as it flows the length of the swale and allows infiltration of



water into the ground. The vegetated swale may discharge to a storm sewer or other approved discharge point where soils do not drain well.

LIGHTING

Lighting should be incorporated thoughtfully into the site design strategy to emphasize pedestrian safety and crime prevention and should follow best practices for dark sky compliance.

SIGNAGE

Signage should be of an appropriate scale to its surroundings and accommodate the needs of users with visual impairments. Wayfinding plans should be thoughtfully implemented with a designated hierarchy to reduce driver and pedestrian confusion. Shared signage plans are encouraged to reduce sign clutter.



Next steps

1. Adopt a Public Investment Strategy

The economic and aesthetic revitalization of an area depends on both private and public investment, often with public investment taking the lead. Typically, the public sector invests in the public spaces – the roadways and streetscape, open and recreational areas, and the infrastructure serving the area. The public investment has a positive impact on property values and signals to the private sector that their investments will not be in vain.

In the area surrounding the four regional commercial centers along Iyannough Road (Rt. 132), public investment in the streetscape; a greenway; transit, bike, and pedestrian amenities; and structured parking would all signal the private sector that this is an area ripe for investment. Our first recommendation is therefore to develop a long-term public investment strategy for the area.

A public investment strategy for the regional economic center area would consider investments in the streetscape that would help to brand the area, reduce visual confusion and conflicts, and create a more soothing experience to the users that would encourage them to stay and invest their time and resources in the businesses located along this corridor. Linked to investment in the streetscape would be the development of a greenway that could ultimately connect this area to Downtown Hyannis and Barnstable Village.

A Greenway Vision

A greenway is a continuous corridor of open space which can vary in scale and programmatic purpose, from a narrow pathway that cuts through dense or urbanized areas to a large scale park. Greenways benefit the public health through recreational opportunity, open space protection, and circulation connectivity. They also stimulate economic development by improving abutting property values. Greenways offer diverse cultural, natural and scenic features and can be destination areas within communities. Greenways accommodate a universal group of users through paved and unimproved trail networks. Greenways can also minimize the need for built infrastructure; they create a



natural buffer zone that conserves and protects waterways and treats stormwater to improve water quality. This prevents soil erosion, provides pollution control, and reduces costs resulting from flood damage.

Implementing/ Financing the Greenway

Zoning revisions can lay the groundwork for establishment of a greenway; however, in order to implement the Greenway, fee or easement rights in real property currently in private ownership will likely need to be acquired to secure the land necessary to establish a continuous network through purchase, eminent domain, land swap, or some combination of these methods. The town should explore whether the necessary property rights could be obtained in whole or part as a condition of permitting approvals in the designated area. It is recommended that the Town develop and endorse a Greenway concept plan and establish a working group for the oversight of its design and implementation. The group might consist of representatives from municipal and other public officials, private stakeholders/ property owners, and the public at large, to foster a sense of public/private partnership. The group should seek to obtain and/or leverage local public funding and other state, federal, and private funds to acquire the necessary property rights, and to fund and initiate design and construction. The group could also help facilitate the Town's negotiation for acquisition of property rights in the designated area. .

Potential Funding Sources (there are many more)

District Improvement Financing: The District Improvement Financing Program (DIF) is a locally driven public financing alternative available to all cities and towns in the Commonwealth. DIF enables municipalities to fund public works, infrastructure and development projects by allocating future, incremental tax revenues collected from a predefined district to pay project costs.

<http://www.mass.gov/hed/business/funding/infrastructure/dif/>

Mass Works: The MassWorks Infrastructure Program provides a one-stop shop for municipalities and other eligible public entities seeking public infrastructure funding to support economic development and job creation.

<http://www.mass.gov/hed/economic/eohed/pro/infrastructure/massworks/>

Federal Transit Enhancement Funds: The Transportation Efficiency Act of the 21st Century (TEA21), and its predecessor, the Intermodal Surface Transportation Efficiency Act (ISTEA), is the single largest source of federal funding for greenway and other bicycle and pedestrian projects in the United States. It is administered through the United States Department of Transportation and provides up to 80% of the cost of developing and constructing facilities such as greenways, rail-trails, sidewalks and bike lanes.

http://www.fhwa.dot.gov/environment/transportation_enhancements/guidance/te_provision.cfm



MA Recreational Trails Program: The Massachusetts Department of Conservation and Recreation (DCR) accepts applications for Recreational Trails Grants on an annual basis.

<http://www.mass.gov/eea/agencies/dcr/services-and-assistance/grants-and-technical-assistance/recreational-trails-grants-program.html>

2. Complete Stakeholder Outreach

Prior to finalizing any zoning changes or design guidelines, it would be prudent to re-engage the property owners/manager regarding the suggestions included in this report. Public hearings and engagement will be central to any zoning amendment process.

3. Complete Zoning and Design Plan for New District

Included in this report are draft zoning concepts that needs to be vetted by town officials, stakeholders, and the public including the proposed zone boundaries, and how this zoning might work with the existing overlay districts to accomplish the towns goals. The design should be visually presented to ensure that the concepts articulated in words can be well understood. The design plan would also benefit from a peer review by other planners, site designers, and architects.

4. Regional Regulatory Approach for New District

In conjunction with the local actions suggested herein, regional regulatory tools may also be employed to encourage redevelopment and otherwise maintain economic stability in this area.

Modification to existing DRI Decisions

Changes to approved DRI projects occasioned by local permitting requirements and conditions may be approved by an administrative, staff level minor modification process to the DRI decision.

District of Critical Planning Concern (DCPC)

A DCPC may be proposed for, among other reasons, a 'time-out' to consider and establish new or amended local land use regulations in furtherance of a defined development goal of the town. Additionally, zoning regulation adopted pursuant to a DCPC



designation need not provide the same protections afforded nonconformities under the state's zoning enabling act.

DRI Threshold Changes under Chapter H

The Town (or the Commission itself, pursuant to recently approved regulatory amendments) may seek to raise (or in the case of the Commission, raise or lift) certain mandatory DRI review thresholds in designated areas, pursuant to Chapter H of the Cod of Cape Cod Commission Regulations.

Growth Incentive Zone (GIZ)

A Town may seek to designate areas for mixed use development as GIZs, in which projects may be developed with greater density and are exempt from many types of mandatory DRI review, in exchange for reducing development in resource sensitive areas outside the GIZ. GIZs are designated for a term of years.

Development Agreement

As an alternative to DRI permitting, an applicant may seek to enter into a Development Agreement with the Commission and/or a town, if the town has adopted regulation authorizing the same, for projects deemed eligible. Development Agreements provide timing advantages, regulatory predictability, and some flexibility to permit and develop phased, complex projects.