

Memorandum



CAPE COD
COMMISSION

DATE: March 31, 2020

TO: Charleen Greenhalgh, Harwich Town Planner

FROM: Sarah Korjeff, Chloe Schaefer, Martha Hevenor, Steven Tupper

RE: West Harwich DCPC Ideas for Consideration

This memo is intended to provide the town with suggestions for possible implementing regulations that address the required and recommended guidelines in the West Harwich DCPC. Below is a recap of the goals and guidelines in the DCPC Ordinance, followed by a discussion of Traditional Development Pattern Features and how they relate to current zoning in the district. The next section in the memo – Other Issues to Discuss – provides possible questions to pose to a DCPC working committee or the general public to help gauge their support for various regulations and initiatives within the district. The table at the end of this memo summarizes the suggestions in the narrative, highlighting the differences between traditional patterns and current zoning, and describing potential changes to resolve those differences.

DCPC ORDINANCE

The West Harwich DCPC ordinance establishes the following goals and interests of the district:

- Protect historic resources in the district
- Respect traditional development patterns that support neighborhood and village development styles
- Enhance the character of the West Harwich District
- Support and enhance the small scale local economy in West Harwich
- Manage traffic congestion and improve access management along Route 28
- Improve bicyclist and pedestrian access and safety along the Route 28 corridor

The ordinance provides Guidelines for developing the District's Implementing Regulations.

Guideline 1: Historic and Cultural Resources

- Consider incentives to protect and preserve historic resources such as flexibility in dimensional regulations, allowing additional uses, or increased lot coverage on lots with historic structures

- Explore ways to prevent demolition of historic resources such as establishing a local or National Register historic district or strengthening the demolition delay bylaw
- Consider design guidelines for additions and alterations to historic structures

Guideline 2: Community Design

- Change dimensional regulations to be consistent with traditional development patterns, including building setback, parking location, and building massing. Traditional development patterns include, but are not limited to, buildings sited closer to the street and parking located to the side or rear of buildings with limited visual impact of parking along the street. The town should examine the scale, setbacks, and massing of existing historic structures to help define the appropriate scale and form of new development and redevelopment.
- Consider developing architectural and site design guidelines to protect community character

Guideline 3: Transportation Management and Safety

- Develop regulations that promote site access management best practices such as shared driveways and the minimization of number and width of curb cuts
- Work with MassDOT to explore ways to improve pedestrian, bicyclist, and transit accommodations along the Route 28 corridor
- Consider regulations that promote pedestrian connections to sites within the district
- Consider adopting regulations to limit high traffic generating uses within the district to improve traffic safety

Guideline 4: Balanced Local Economy

- Explore options for encouraging mixed use and multifamily development in forms consistent with the District's character
- Consider focusing density in one part of the District to create a village center focal point
- Review allowed uses and permitting processes and consider modifying them to support small-scale businesses, a diverse local economy, and reuse of historic properties
- Consider modifying lighting and signage regulations for the District to support its unique character

TRADITIONAL DEVELOPMENT PATTERN FEATURES

Building Setbacks

Average building setback varies a bit from one part of the District to another. The east end near Herring River has several larger historic structures that are spaced farther apart from one another

and have wider front lawns and deeper setbacks than most other lots in the district. To ensure new and redevelopment contributes to the streetscape, new setbacks may include both minimum and maximum building setbacks. The difference between the minimum and maximum allowed setbacks should match traditional setback patterns, which are generally 25-40 feet on the west side of Depot Road, and 35-55 feet on the east side of Depot Road. If a “core” area is desired, a different setback range for that area may be warranted. Along with building setbacks, the location of parking areas is most important to a site’s character and street presence (see bullet below).

- Recommended: Establish a minimum and maximum building setback for each part of the district
- Explore: Require new buildings to have slightly deeper setbacks than historic structures to keep historic buildings prominent (there is an excellent example of an office on south side adjacent to Herring River)
- Explore: Restrict parking and driveways between main building façade and street edge

Façade Widths

Most traditional building facades in the district are 25-50 feet wide. Note that some northside buildings with deep setbacks near the Dennis town line have facades that are much wider than the neighborhood pattern. A defined width for the primary façade can take the place of a required façade variation dimensional regulation.

- Recommended: To avoid long and uninteresting façades, establish a maximum width for the primary street-facing building façade of 25-50 feet, based on traditional building forms, with additional width allowed if façade variation standards are met
- Explore: Require a certain percentage of street frontage be occupied by a building to maintain character and force parking to the rear (Barnstable model); require a certain amount of façade variation for front facades over 50 feet in length

Access Standards

Some properties have wide or multiple curb cuts that should be combined and reduced in width to increase safety for all travelers and pedestrian comfort. This will also help protect streetscape character.

- Recommended: Limit curb cut width to 12 feet per lane and allow only one access point per lot onto main roadway (Eastham model); allow one curb cut access onto Route 28 unless site and roadway conditions necessitate a second curb cut for safety reasons
- Explore: Where possible, encourage shared access among properties to minimize curb cuts onto Route 28

Parking Location

Parking is to the side or rear for many properties throughout the district, though some lots with deep setbacks have parking in front. Parking in front of buildings should be prohibited.,. Large parking lots to the side also have a visual impact on the surrounding character so design features should be established to limit their impact. The town could allow exceptions on sites with historic structures where the existing building siting limits opportunities for placing parking to the side or rear.

- Recommended: Prohibit parking in front of buildings/front yard area, with some exceptions for reused historic structures
 - For example, Section 325-51L of the Harwich Commercial Village Overlay District prohibits parking in the front yard area if using Overlay District provisions; existing zoning otherwise allows up to 4 parking spaces in front yard
- Recommended: Require side parking lots to be set 20 feet further back than the street-facing building façade (Eastham model)
- Explore: Limit the amount of parking that can be adjacent to the streetscape; require larger landscape buffers for larger parking areas

Streetscape Definition

Landscaping and modest curb cuts are key elements to maintaining traditional character. A number of properties (both with buildings close to the street or placed farther back on the lot) have low fences or hedges to successfully define the street edge and establish a more residential feel.

- Explore: Require non-residential properties to use low fences or landscaping to define the street edge where parking is adjacent to the street; encourage use of low fences and landscaping along the streetscape on all properties through design guidance

OTHER ISSUES TO DISCUSS

Core Area

Do people want a “Core” area within the West Harwich DCPC where density might be greater and buildings might be closer to the street in more of a downtown configuration? If so, where?

- Explore: Harwich Commercial Village Overlay District allows greater maximum building coverage in Harwich Center and Harwich Port—is this desirable in a portion of West Harwich DCPC? The western two-thirds of the DCPC is within the Cape Cod Commission-identified Dennisport Community Activity Center.

Address Area Near Dennis Town Line

What character do people want to encourage here? Consider allowing shallower building setbacks in the area nearest the Dennis town line, noting several south side buildings in that area have less than 25-foot setbacks, while north side has a few buildings with 100-foot setbacks and parking in front.

- Explore: Would there be room for frontage buildings between existing north side buildings and street, or would redevelopment be necessary to bring buildings closer to the street?
- Explore: Would people like to see this area as the West Harwich “core” or somewhere else? Are there certain uses that would be appropriate here but less desirable elsewhere in the DCPC?

Address Area Around the Church

There are several more recent buildings around the church, as well as prominent parking areas, that create a “hole” in the historic pattern of the district. Preserving historic resources in this area is important to maintaining continuity of the historic district.

- Explore: What character would people like to see here in terms of density and building setbacks, acknowledging the potential for development/redevelopment of a vacant lot and other underutilized properties? Would this be a desirable “Core” area? Are there certain uses that would be appropriate here but less desirable elsewhere in the DCPC?
- Explore: Would better landscaping and streetscape definition through fencing/hedges help maintain the visual continuity of the historic district?

Flood Area Issues

Almost the entire District is within a SLOSH zone, and many buildings east of Mansion Street are within the FEMA FIRM AE zone, meaning they are vulnerable to flooding.

- Explore: What amount of elevation will be needed to get buildings above base flood elevation in the east end of the district—is it a significant amount or could it be done by elevating foundations a few feet/raising ground level a few feet? Increasing density in flood hazard area without mitigation should be discouraged.

Design Guidance for Rehabilitation/Alteration of Historic Structures

Several historic properties in the district have had numerous additions. Develop design guidance to stress the importance of retaining original features whenever additions are considered; encourage additions set back to side or rear of building so original historic structure remains prominent.

- Explore: Develop design guidance for additions or alterations to historic structures

- Explore: Highlight good examples of additions within the district and elsewhere

Design Guidance for New Construction

Address building massing, height, and roof forms and tie to appropriate building setbacks, façade widths discussed under Traditional Pattern Features to maintain and enhance the character of the District.

- Explore: Set a maximum individual building footprint; Eastham model has maximum 2,000-3,000 sf building footprint for frontage buildings, and maximum 8,000 sf building footprint if behind a frontage building
- Explore: Consider different maximum building heights for different roof forms in new construction; by allowing more height for steeply sloped roofs and placing a limit on second floor area, the Eastham model encourages sloped roofs

Encourage Desired Uses and Reuse of Historic Structures

Simplifying the permit process for rehabilitation and reuse of historic structures and for other desirable uses (potentially mixed use and diverse housing types) may help to encourage developments with desired uses and the reuse of historic structures. The town could define certain types of projects that would only require administrative review by designated town staff person and consider other zoning incentives for historic preservation.

- Explore: Eastham model has different review levels with administrative/staff site plan review for defined “minor” project types, Planning Board site plan review for “major” projects of a certain threshold, and combined site plan/special permit review for major projects with a higher threshold. Eastham has a simpler review process for projects that are bringing non-conforming properties into greater conformance with new dimensional regulations.
- Explore: Zoning incentives for historic preservation such as flexibility in lot coverage and other dimensional regulations, and allowing flexibility in parking location on properties with reused historic structures. Chatham is considering zoning incentives for historic preservation that allow an additional unit on certain lots where historic structures are preserved.

Minimum Standards for Building Maintenance

It may be useful for Town planning staff to identify and track properties where recent rehabilitation and investment has occurred, and also properties with vacant or underutilized buildings, to determine whether minimum maintenance requirements or other incentives would be effective and worth pursuing for the District.



WEST HARWICH DCPC IDEAS FOR CONSIDERATION

- Explore: Consider minimum maintenance or affirmative maintenance requirements for the District
- Explore: Potential for historic structure rehabilitation incentives and access to grant programs for reinvestment in the District

Views/Access to the Herring River

Does the town have plans to protect the open vista to the Herring River on the north side? Are there any concerns about the large, informal gravel parking area there?

OTHER HARWICH ZONING QUESTIONS

- Section 325-42 parking/loading design requirements say no more than 2 driveways per road frontage and curb cuts can't exceed 50 feet width, plus a table for minimum distance required between driveways and intersections. How are these regulations working? Should these be more restrictive to address safety in DCPC area?
- Section 325-43 landscape requirements for parking areas—are they sufficient for DCPC?

TABLE OF RECOMMENDATIONS

ISSUE	EXISTING CONDITIONS	CURRENT REGULATIONS	TYPE OF REGULATION	DESCRIPTION OF POTENTIAL CHANGE
BUILDING SETBACKS	Historic building setbacks range from about 14 feet to 94 feet. Most are 25-40 feet west of Depot Rd.; most are 35-55 feet east of Depot Rd.	25-foot minimum building setback for all but adult entertainment uses; no maximum building setback	Zoning/ Dimensional Regulations	<ul style="list-style-type: none"> Define appropriate range of front setbacks to preserve prominence of historic buildings and maintain character. Consider minimum and maximum setback range of 25-40 feet for new structures west of Depot Rd. and 35-55 feet east of Depot Rd.
BUILDING FACADE WIDTHS	Original historic structures have façades that are 25-50 feet wide (church is exception)	No limitation on building façade size other than lot setbacks	Zoning/ Dimensional Regulations; Design Guidelines	<ul style="list-style-type: none"> Define appropriate range of street-facing façade widths in keeping with established historic character Consider 25-50 foot façade width for new structures fronting on Route 28, allow side additions set well back from front façade
ACCESS/ CURB CUT STANDARDS	A few properties have wide open curb cuts along their frontage	No more than 2 driveways per road frontage; curb cut no wider than 50 feet; table for minimum distance between driveways	Zoning/ Dimensional Regulations; Parking and Loading Design Requirements (Section 325-42)	<ul style="list-style-type: none"> Limit number of access points onto Route 28 and limit width of curb cuts to 12 feet per lane Review distance required from busy intersections Provide safe pedestrian travel across site frontage

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PARKING LOCATION	Some properties have parking lots in front of buildings and some have large side parking areas along the road frontage	No more than 4 parking spaces allowed in front yard area; Commercial Village Overlay District restricts all parking in front yard area	Zoning/ Dimensional Regulations; Landscape Requirements (Section 325-43)	<ul style="list-style-type: none"> • Prohibit parking in front of buildings • Require side parking to be set at least 20 feet further back from road than front building façade • Require fencing/ screening/buffering for side yard parking • Limit width of side yard parking areas within certain distance of lot frontage • Possible exceptions for historic structures
STREETSCAPE DEFINITION	Some areas lack definition due to parking in front or multiple wide curb cuts	Parking and access standards are noted above	Zoning; Design Guidelines	<ul style="list-style-type: none"> • Establish buffer requirements between the street and any parking areas • Suggest use of low fences and hedges to define front property line in design guidelines
HISTORIC BUILDING PRESERVATION	Address vacant and underutilized historic buildings; provide incentives to continue investing in and preserving historic buildings	Demolition Delay bylaw is only historic structure protection	Zoning Incentives; Design Guidelines	<ul style="list-style-type: none"> • Discourage demolition of historic structures by allowing greater flexibility—i.e., allow greater lot coverage (as in Commercial Village Overlay), allow flexibility in parking location requirements, and allow additional dwelling units on lots with preserved historic structures • Provide simpler permit process/administrative review for historic structure reuse • Consider extending the demolition delay period • Consider an affirmative maintenance bylaw for commercial and mixed use properties

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ISSUE	EXISTING CONDITIONS	CURRENT REGULATIONS	TYPE OF REGULATION	DESCRIPTION OF POTENTIAL CHANGE
BUILDING ADDITIONS/ NEW CONSTRUCTION	Guide additions and new building designs consistent with traditional character of district	No limits on building additions or new construction besides setback and lot coverage requirements	Zoning/ Dimensional Regulations; Design Guidelines	<ul style="list-style-type: none"> Require additions to the side or rear of historic structures to preserve character of original buildings Provide design guidance for new buildings to be compatible with established historic character
ACCESSORY DWELLING UNITS	Few accessory dwelling units within district	Allowed by special permit in Section 325-14 T	Zoning; Design Guidelines	<ul style="list-style-type: none"> Allow accessory dwelling units in historic outbuildings and appropriately scaled secondary structures
MIXED USE	Few examples of mixed use within district	Section 325-51M; allowed by special permit; additional lot size required per unit	Zoning	<ul style="list-style-type: none"> Encourage mixed use to create a core/active area Encourage multifamily development through less restrictive multifamily zoning
FLOOD HAZARD AREAS	Numerous structures in AE zone and SLOSH zone	Section 325-108 addresses elevating buildings in flood areas	Zoning; Design Guidelines	<ul style="list-style-type: none"> Allow elevation of historic structures and surrounding land to address flood hazards Provide design guidance for when elevating more than 2-3 feet
USES	Range of commercial and residential uses exist within the district	Section 325 Attachment 1 lists uses that are permitted or require a special permit	Zoning/Site Plan Review Special Permit Criteria	<ul style="list-style-type: none"> Restrict uses with high traffic generation in all or most parts of DCPC Consider improved standards in current SPR regarding safety of access for this and other types of uses
BUILDING MASSING	Some recent structures are inconsistent with scale of original historic buildings	No building massing limitation other than 30% building coverage limit	Zoning/ Dimensional Regulations	<ul style="list-style-type: none"> Establish maximum building footprint for frontage buildings and for buildings screened by frontage buildings

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MAXIMUM BUILDING COVERAGE	Coverage requirements are the same throughout District	30% building coverage allowed throughout commercial zone	Zoning/ Dimensional Regulations	<ul style="list-style-type: none"> • Allow greater coverage within a specific Core area of the district; e.g., Commercial Village Overlay allows 50% building coverage
OFF STREET PARKING	Several large visible parking areas within the District	Section 325-39	Parking Standards	<ul style="list-style-type: none"> • Reduce current minimum standards • Provide range with maximum standard • Develop shared parking provisions