

SECTION 32

LIFE SCIENCES AND BUSINESS OVERLAY DISTRICT (LBOD)

33.1 Purpose and Objectives of District

The purpose of the Life Sciences and Business Overlay District (LBOD or District) is to encourage the redevelopment of vacant or underutilized properties into projects that:

1. Promote the health, safety, and general welfare of the community by encouraging the redevelopment of underutilized properties into productive use;
2. Promote the health, safety and general welfare of the community by encouraging uses and site development that minimizes the amount of impervious paved parking areas through the use of shared parking lots and driveway curb cuts;
3. Consist primarily of life sciences, research and development, advanced manufacturing, light manufacturing, research and testing laboratory and/or office space with associated accessory uses;
4. Provide significant employment opportunities for residents of Woburn and nearby communities at salaries above minimum wage;
5. Are appropriate in scale and located in an area that provides proximate access to major highways and to public transportation.

33.2 Establishment and Applicability

This District shall be applied to the parcels shown on Woburn Assessors' Map 29, Block 01, Lot 2; Map 29, Block 01, Lot 3; Map 29, Block 01, Lot 4; and Map 29, Block 01, Lot 5. The LBOD must contain a minimum of 20 acres, but may be subdivided into smaller lots with a minimum lot size of three acres.

1. For the purposes of this section, the LBOD shall be deemed to overlay the above parcels as shown on the Zoning Map of the City of Woburn, as amended.
2. For the purposes of the WZO, the LBOD may include any use set forth in Section 33.6 below, which uses may be commingled into a single structure with other uses authorized in accordance with Section 33.5.1 and 33.5.2 or may be located in separate structures on the lot, provided however that Accessory Uses must meet the definition of the term Accessory Use.

33.3 Authority of Permit Granting Authority

The City Council shall be the Permit Granting Authority for both Special Permits and Site Plan Review approval where applicable. Except for a reduction in the 200 foot requirement set forth in Section 33.6.2.4, the City Council may elect to vary the dimensional and parking requirements of this Section 33 by Special Permit if, in its opinion, such change or accessory use shall result in an improved project and will not nullify or substantially derogate from the intent or purpose and objectives of this section.

33.4 Exclusivity/Control

Except as specifically provided herein, uses and provisions of the WZO relating to the underlying zoning district not otherwise impacted by this Section 33 shall continue to remain in full force and effect with the exception of 5.2.1.4 and, provided further that the City Council shall in all cases be the Special Permit Granting and Site Plan Approval Authority, as applicable. In addition, if a property owner obtains Site Plan Review and/or a Special Permit with Site Plan review under the LBOD, and elects to exercise its rights thereunder said property shall be subject to all LBOD requirements except as otherwise set forth herein and shall not be permitted to revert to the underlying zoning district. Notwithstanding the foregoing, this Section 33 of the WZO exclusively controls the establishment, development, and design of any development undertaken at any LBOD and supersedes any other provision of the WZO except Sections 2 (Definitions), 3 (Administration Enforcement and Appeals), 7 (Non-Conforming Uses), 9 (Floodway and Flood Plain Districts), 13-1 through 13-5 inclusive (Sign Regulations), 18 (Development Impact Assessment and Mitigation) and 26 (Solar Photovoltaic Installations). If any activity requires one or more Special Permits under said Section 9, a special permit application may be submitted to and considered by the City Council as the sole Special Permit Granting Authority concurrently with any Special Permit or Site Plan Review application submitted pursuant to Section 33. In the event of any conflict between the provisions of this Section and any other provision of the WZO, the provisions of this Section shall govern and control.

33.5 Uses

1. Uses Allowed By Right with Site Plan Review
 1. Business, professional and general offices less than 25,000 square feet;
 2. Parking facilities below grade;
 3. Solar Energy Systems:
 - a. Roof – Mounted
 - b. Solar Carport/Canopy

- c. Ground-Mounted, Small-Scale
 - d. Ground-Mounted, Medium-Scale
 - e. Ground-Mounted, Large-Scale
 - f. Off-Grid
 - g. Passive
4. Solar Thermal System
2. Uses Allowed By Special Permit with Site Plan Review
 1. Business, professional and general offices in excess of 25,000 square feet;
 2. Advanced Manufacturing;
 3. Research and testing laboratory including vivarium use;
 4. Manufacturing in the fields of biotechnology, medical, pharmaceutical, physical, biological and behavioral sciences and technology, environmental science, engineering, including but not limited to, comparative medicine, bioengineering, cell biology, human and animal nutrition, including production of equipment, apparatus, machines and devices for research, development, manufacturing and advance and practical application in any such field or area, and including, office, administrative support facilities related to any of the foregoing activities. All development proposals shall comply with applicable Federal, State and local laws, regulations and ordinances including, without limitation, regulations and ordinances governing air pollution, water pollution control, noise and illumination;
 5. Biomedical facilities defined by the National Institute of Health as a Biolevel-1 (BL-1) or Biolevel-2 (BL-2);
 6. Overnight parking of vehicles associated with business operations, provided that one additional on-site parking space is provided for each such vehicle;
 7. Parking facilities above grade;
 8. Restaurant, Full Service and/or Restaurant/Fast Food located inside a building (including but not limited to an employee cafeteria or coffee shop) primarily serving employees and invitees. Any Restaurant/Fast Food shall not be visible (including signage) from the exterior of the building;
 9. Accessory storage and distribution use;
 10. Accessory uses normally incidental to a Research and Testing Laboratory, Advanced Manufacturing, and Manufacturing including Group H-2 and Group H-3 uses as defined by the current International Building Code as published by the International Code Council with Commonwealth of Massachusetts amendments to the International Building Code as set forth in 780 CMR

Basic/Commercial Code, Massachusetts State Building Code. Group H-2 and Group H-3 uses shall be limited to ten percent (10%) of the gross floor area of a building;

11. Accessory retail or consumer service uses in an office building or industrial building; and
12. Other accessory uses, provided they meet the definition of Accessory Use.

3. Uses Not Permitted

1. Wholesale or retail sales of vehicles of any kind;
2. Heavy Manufacturing;
3. Hospital; Special Hospital and Extended Care Facility
4. Residential; and
5. Any use not expressly authorized by this Section except for accessory uses that may be authorized by a Special Permit pursuant to Section 33.4.

33.6 Density and Dimensional Regulations

1. General Provisions

1. The maximum building height of 40 feet within 150 feet from the westerly and easterly boundaries of the LBOD which adjoin Residential districts as shown on the Zoning Map for the LBOD shall not be varied by Special Permit, in accordance with Section 33.3.
2. Structures erected on a building and not used for human occupancy, such as but not limited to, air and exhaust equipment, chimneys, heating-ventilating or air-conditioning equipment, solar or photovoltaic panels, elevator housings, antennae, skylights, cupolas, spires, mechanical and acoustical screening and the like ("rooftop structures") may exceed the maximum height of a building in feet provided no part of the rooftop structure(s) is more than 25 feet higher than the maximum permitted height of the building and the total horizontal coverage of such rooftop structures on the building shall not exceed 60%, with the exception of an aggregate area not to exceed 7% percent of the total roof area which shall be allowed to have rooftop structures which extend no more than 35 feet above the roof line.
3. The specific dimensional requirements of Section 33.6.2 below shall apply only to the District as a whole and not to individual lots.

4. The Minimum Street Frontage requirement set forth in Section 33.6.2 below may be satisfied by the aggregate Frontage of any non-contiguous parcels within the District.
5. Parking facilities within a building shall be included in the calculation of a building's height, notwithstanding the definition of HEIGHT OF A BUILDING in Section 2 and the provisions of Section 6.1 Table of Dimensional Regulations.
6. Dimensional and Density Requirements for Solar Photovoltaic installations shall be as set forth in Section 26.5 of the WZO, but provided that no setback requirements shall apply to Solar Photovoltaic installations proposed within any yard abutting I-95.

2. Specific Requirements

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| 1. | Minimum District Size: | 20 acres |
| 2. | Minimum Lot Size | 3 acres |
| 3. | Minimum Street Frontage: | 100 feet |
| 4. | Minimum Landscaped Useable Open Space: | 25% |
| 5. | Minimum Front Yard Setback: | 25 feet |
| 6. | Minimum Side Yard Setback: | 25 feet |
| 7. | Minimum Rear Yard Setback: | 25 feet |
| 8. | Maximum Building Height: | 40 feet |

3. Along the westerly and easterly boundaries of the LBOD which adjoin Residential districts as shown on the Zoning Map for the LBOD there shall be a buffer area of seventy (70) feet in addition to the minimum side and rear yard setback: The buffer area shall contain a screen of evergreen plantings along the full extent of its border with the residential district and at least ten (10) feet from such border. In the case of a buffer along a Road, such evergreen plantings shall not be less than three (3) feet in width and six (6) feet in height at the time of occupancy of such lot, and shall thereafter be maintained by the owner or occupants so as to maintain a dense screen year round. Other alternative screening devices may be permitted by Special Permit where topography, soils, or other conditions make the planting or maintenance of such a hedge impracticable.
4. A building containing Group H-2 and Group H-3 uses as defined in Section 33.5.10 above shall be located a minimum of 200 feet from the westerly and easterly boundaries of the LBOD which adjoin Residential districts as shown on the Zoning Map for the LBOD.

33.7 Off-Street Parking Requirements

1. Off-street parking requirements shall be as set forth in Section 8 of the WZO entitled Off Street Parking and Loading Facilities Regulations, except as noted in Section 33.7.2 below.
2. Advanced Manufacturing, Manufacturing and Research and Testing, Laboratory uses in the LBOD shall provide parking at the ratio of two (2) spaces for every 1,000 sq. ft. of net floor area.
3. The minimum pavement width for any road, driveway or access aisle shall be 20 feet for one-way traffic and 24 feet for two-way traffic.
4. Notwithstanding anything to the contrary in this Section 33, the use of shared parking to fulfill parking demands that occur at different times of day is strongly encouraged. The minimum parking requirements in this Section 33.7 may be reduced by the City Council through Site Plan Review if the applicant can demonstrate that shared spaces will meet parking demands by using acceptable methodologies (e.g. the Urban Land Institute Shared Parking Report, ITE Shared Parking Guidelines, or other approved studies).
5. Electric Vehicle Charging Parking shall be allowed and included within total parking requirement(s).

33.8 Design Standards

1. All utility and site construction details shall conform to the standards of the WZO, where applicable, and in the case of a subdivision the Woburn Planning Board's Land Subdivision Rules and Regulations, unless otherwise waived thereunder.

33.9 Sign Regulations

1. Signage in a LBOD shall be as authorized by the City Council via an approved Site Plan or Special Permit Plan of Record but are subject to the provisions of Sections 13-1 through 13-5 inclusive.

33.10 Permitting Requirements

1. All uses listed as being allowed by right with Site Plan Review shall obtain Site Plan Review from the City Council in accordance with the

requirements of this Section. Site Plan Review approval shall require a majority affirmative vote of the City Council.

2. All uses listed as being allowed by Special Permit with Site Plan Review shall be obtained from the City Council in accordance with the requirements of this Section. In cases where both a Special Permit and Site Plan Review are required, the applications shall be processed concurrently. Approval of a Special Permit with Site Plan Review shall require a two-thirds vote of the City Council.
3. An application package for either Site Plan Review or a Special Permit with Site Plan Review in accordance with this Section shall contain all of the material listed in 33.11 and 33.12 and shall be delivered to the Woburn City Clerk at City Hall during regular business hours or to the City Council at a regular or special meeting thereof.
4. An application that fails to meet the requirements of Sections 33.11 and 33.12 shall be deemed incomplete and shall not be assigned for public hearing. In the event the City Council (or City Clerk on behalf of the City Council) deems an application incomplete or inadequate to provide a proper understanding of the matter, the applicant shall be advised of same and given an opportunity to submit additional information, revise the plan, or substitute new one(s). An application may be dismissed for failure to comply with these requirements within 30 days after notice of such failure. The statutory time frames of M.G.L. Chapter 40A Section 11 and for Site Plan Review shall not start until an application is deemed complete.
5. The City Council may authorize/waive the following when granting Site Plan Review or approving a Special Permit with Site Plan Review under this Section:
 1. Section 5.2.1.4. (access to the buildable portion of a lot)
 2. Section 5.2.4 (use of land in different districts for access)

Notwithstanding any other provision herein, access to any parcel of land within the LBOD that is accessed via an approved Subdivision Right of Way shall not be subject to the requirements of Section 5.2.4 provided that all access is from the approved Subdivision Right of Way.

6. The City Council shall not be authorized to grant a Special Permit to permit the substitution of compact car parking stalls for more than thirty percent of the required number of parking spaces (Section 8.2.3).

7. The City Council may impose conditions on any Special Permit or Site Plan Review decision for manufacturing uses that require (a) all resulting odors, gases and particulate matter from proposed operations be effectively contained on the property or so disposed of so as not to have an adverse impact on surrounding outside air quality; (b) all noise, vibration, flashing or lighting (which is continuous and not the result of short term operation of emergency generators or other equipment) from manufacturing operations shall be perceptible normally without instruments either at the boundary line of the property adjacent to a residential zoning district on the Zoning Map or at any point within the nearest occupied residential lot within the City of Woburn more than 150 feet from the location of such activity on the property, whichever is closer to the intended use.

33.11 Application Requirements

A complete application package for either Site Plan Review or a Special Permit with Site Plan Review shall contain all of the following:

1. Twenty-four (24) copies of a Life Sciences and Business District Site Plan Review/Special Permit with Site Plan Review Application and two copies of an Application Checklist for Life Sciences and Business District Development, both of which shall be in forms approved by the City Clerk;
2. Two copies of a deed certifying ownership and, where applicable, a statement certifying prospective ownership of the premises involved as well as evidence that the applicant has permission of the owner to make such application if the applicant is not the owner;
3. Legal description, street address(es) and/or other description of the location of the premises involved;
4. Two sets of mailing labels showing the names and addresses of all "parties in interest" as defined by M.G.L. Chapter 40A Section 11 (this list must be certified by the Woburn Assessors' Office);
5. 24 copies of plans meeting all of the requirements of Section 33.11, at a minimum size of 24"x36", drawn to scale and dimensionally correct. Required plans are all those applicable to the establishment of the findings and conditions specified in Section 33.13.4 below. Such plans shall include building floor and façade plans, plot plans showing existing conditions and lot lines, traffic circulation, landscaping and topographical plans.

6. Evidence as required to show the effects of the proposed project upon traffic, drainage, road capacity and city utilities, including studies such as traffic generation and parking utilization analyses;
7. Evidence as to the status of all permit applications to/decisions from other City, State or Federal agencies concerning the project including the Woburn Board of Appeals, Woburn Conservation Commission and MassDEP;
8. Any information not listed herein but which is required in order to properly consider all of the requested special permit(s) and waiver(s);
9. A filing fee of \$1,500.00 plus the cost of publishing all required legal notices; and
10. An electronic copy of the entire application package (including all documents and plans) in Word and .pdf format.

33.12 Plan Content Requirements

Plans submitted as part of an application for Site Plan Review or Special Permit with Site Plan Review in accordance with this Section shall contain the following information:

1. A locus map drawn at a scale of 1" = 800' that shows the subject property and all zoning and historic district boundary lines that lie within the locus;
2. The location and name of all streets in the immediate vicinity of the proposed project with a notation as to whether the street is a public or privately-owned right-of-way;
3. The location and dimensions of all existing and proposed buildings on the site and the general location of buildings on abutting properties;
4. Existing and proposed setbacks of all existing and proposed buildings;
5. Existing and proposed contour elevations in two foot increments;
6. A table calculating the amount of parking required for all existing and proposed uses, and the location, size and type of parking spaces, parking areas, loading and unloading and service areas;
7. Information sufficient to demonstrate that satisfactory arrangements will be made to facilitate vehicular and pedestrian movement to, from and within

the site including information on driveways, parking lot aisles, walkways, and sidewalks;

8. Information on the location, size, and capacity of existing and proposed utilities which will service the project (water and sewer service, hydrant locations, drainage, electrical, cable, etc.);
9. Information on the method of surface and subsurface drainage disposal;
10. Location, size, type and number of existing and proposed landscaping features, including trees to be retained or removed;
11. Information on the type, number, and intensity of lighting;
12. A table displaying all applicable use and dimensional regulations and corresponding specifications of the proposal;
13. Provisions for refuse removal and snow removal/storage;
14. Any additional information the City Council deems necessary to evaluate the proposed project as it relates to any of the special permit or waiver requests, surrounding areas, anticipated traffic and public safety issues and the intent of the WZO.

33.13 Procedures for Approval

1. A Site Plan Review or Special Permit with Site Plan Review application for land in a Life Sciences and Business District shall include requests for any special permit(s) and/or waiver(s) that may be required by the WZO. Applications will be processed by the City Council in accordance with the notification procedures and time line outlined in M.G.L. Chapter 40A Section 11.
2. Within three business days of receipt of an application for Site Plan Review or Special Permit with Site Plan Review under this Section, the City Clerk shall distribute eight copies of the application to the Planning Board and one copy each to the City Engineer, Building Commissioner, Conservation Commission, Board of Health, and Police and Fire Departments for review and comment. The City Council may forward copies of the application to other City agents and agencies as well, for informational purposes only.

3. City agents and agencies to whom an application has been referred shall transmit comments and recommendations to the City Council within 60 days of receipt of the application.
4. The City Council shall not issue a Special Permit unless it finds the proposal will meet the following conditions:
 1. The ways providing vehicular and pedestrian access have the capacity to provide safe ingress and egress to property and proposed structures thereon and uses thereof with particular reference to automotive and pedestrian safety and convenience, traffic flow and control and emergency access in case of fire, emergency or catastrophe.
 2. Adequate water, sewerage and drainage facilities exist or will exist to service the proposed use.
 3. Adequate off-street parking and loading areas have been provided where required and will not result in undue noise, glare, or odor effects on adjoining properties or on properties generally in the district.
 4. Satisfactory provision has been made for snow storage/removal to ensure safety and for refuse collection, disposal and service areas to minimize negative impacts on adjacent uses.
 5. Exterior lighting has been designed to minimize glare and any negative impacts on abutting roadways and properties and to be compatible and in harmony with other properties in the immediate area.
 6. Appropriate yards and other open space and landscaping have been provided as required and reasonable steps have been taken to insure the privacy of adjacent existing uses.
 7. The proposed use is generally compatible in scale and character with adjacent properties and other properties in the district.
 8. The proposed use(s) or structure(s) will not detract from the general purposes of this Section 33 and either comply in all respects with the provisions of the WZO or has obtained relief (i.e. waiver, special permit or variance) as may be required.

9. Satisfactory provision has been made to allow for accessory Group H-2 and Group H-3 uses to ensure safety and minimize negative impacts on adjacent properties.
 10. The proposal incorporates additional conditions and requirements as the City Council finds reasonably appropriate to safeguard the neighborhood or otherwise serve the purposes of this Ordinance, including but not limited to the following: Front, side or rear yards greater than the minimum required by this ordinance; requirements for screening, buffers, planting strips, fences or walls; modification of proposed exterior facades of the structure; limitation upon the size, number of occupants, method and time of operation, or extent of facilities; regulation of the number, size and location of drives, access ways, or other traffic features, and off-street parking or loading, or other special features beyond the minimum required in the ordinance.
5. When approving an application under this Section the City Council may attach all reasonable and necessary conditions to ensure that uses of surrounding property are adequately safeguarded and that the purpose of both the WZO and the LBOD are maintained.

33.14 Validity of Decision

1. No Special Permit granted under this Section shall be valid until it is recorded at the Middlesex Registry of Deeds and a copy of the approved Plan of Record is filed with the Building Commissioner.
2. Approval of a Site Plan or a Special Permit with Site Plan Review shall remain valid and shall run with the land indefinitely, provided that a valid building permit has been issued and commencement of construction or substantial use has commenced within three years after the decision is issued, which time shall be extended by the time required to adjudicate any appeal from such approval. For purposes of Projects that are phased, the commencement of construction or substantial use on any Project phase shall constitute commencement of construction of all remaining phases of the Project. This three year period may also be extended for a specific period of time by majority vote of the City Council if it finds the project proponent is actively pursuing other required permits for the project or that there is other good cause for the failure to commence building construction within the three year period. Requests for extensions must be filed with the City Council prior to the expiration of the three year period.

If building construction has not commenced within three years after the decision is issued (or any City Council-approved extension of the three-year period), then Site Plan Review approval or a Special Permit with Site Plan Review shall be null and void, and no construction shall thereafter commence unless a new Site Plan Review or Special Permit with Site Plan Review is approved in accordance with the provisions of this Section.

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