

9.7.6 Hotels, Motels and Motor Courts: Buildings containing hotel, motel, or motor court rooms for hire subject to the regulations of MGL C. 140 S. 7, shall be restricted to the following development standards:

- A. Rooms shall be no smaller than 350 sf.
- B. Suites shall be no smaller than 700 sf.
- C. Kitchenettes may be allowed in rooms of at least 350 sf subject to the granting of a special permit by the Dennis Planning Board.
- D. Hotel, motel or motor court rooms for hire subject to the regulations of MGL C. 140 S. 7 with kitchenettes shall not be converted to timeshare units as governed by MGL Chapter 183B.

9.7.7 Parking: To maintain a pedestrian-friendly environment, parking lots shall be located behind or beside buildings. On-site parking shall not exceed 5 spaces per 1,000 square feet of building and shall not be less than 50% of the number required based upon Section 3.1 unless authorized by a Special Permit by the Planning Board. Shared use of parking is strongly encouraged. A shared parking agreement shall be submitted with site development plans as part of any Special Permit request. Said shared parking agreement shall address issues such as the maintenance, striping and snow plowing of the shared parking area. Driveways shall not occupy more than 25% of the frontage of any parcel, except for lots less than 40 feet wide. No more than one curb cut on Route 28 shall be allowed for any lot. For lots with alternative access, driveways shall take their access off of the alternative access unless otherwise permitted by Special Permit. No parking shall be located between a building and Route 28 or School Street.

9.7.8 Loading docks, trash compactors, and trash containers shall not be accessed directly from Route 28. Trash compactors shall be enclosed to minimize noise. Outdoor storage and trash containers shall be fully enclosed on 3 sides with solid walls a minimum of six feet high with a solid gate, six feet high, which shall be kept closed.

9.7.9 Lighting: All developments in the West Dennis Village Zoning Districts shall use full cutoff light fixtures for exterior lighting. For the purpose of this section, a “full cutoff light fixture” is one in which no more than 2.5% of the total output is emitted at 90 degrees from the vertical pole or building wall on which it is mounted.

9.7.10 Primary Commercial Building Entrances: For visibility and accessibility, all primary commercial entrances used by the public shall be visible from the right -of-way and the sidewalk, shall have an entrance directly accessible from the sidewalk and shall be no more than 75 feet from the sidewalk.

9.7.11 For visibility of retail businesses all commercial facades shall have at least 70% transparent glass between 3 feet and 8 feet above the walking surface facing the right of way or parking lot. The sills of windows shall not be higher than 3 feet above the walking surface. Blank walls are prohibited along public right of ways. Up to one half of the window area may be used for temporary displays of merchandise or advertising. Outside of said advertising signs located within the windows, no other architectural features shall be used to block the view into the building. The Planning Board may, by Special Permit waive any of the requirements of this section.

9.7.12 The West Dennis Village Zoning Districts shall have a consistent and distinct identity through the use of similar and compatible architectural design. All development shall be subject to design controls consistent with West Dennis Village Site and Architectural Design Guidelines as adopted by the Dennis Planning Board. Design consideration shall be given to the harmonious blend of commercial and residential land uses consistent with the village character of West Dennis.

Architectural treatment of buildings, including materials, color and style, shall be compatible with the district's historical architectural character and with buildings located within the West Dennis Village

Zoning Districts. Compatibility may be achieved through the use of similar building massing, materials, scale, colors, or other architectural features (detailing) as is present in adjacent and nearby structures within the same block or directly across any road which are representative of the history of West Dennis. Facades facing Route 28 shall not include flat or shed roofs.

For the purpose of this section the Dennis Planning Board shall adopt West Dennis Village Site and Architectural Design Guidelines

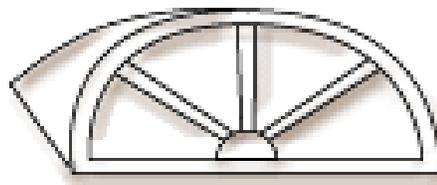
9.7.13 Buildings or portions of a building mass over 75 feet wide are encouraged to divide their elevations into smaller parts. A pronounced change in massing, pronounced changes in wall planes and introducing significant variations in the cornice/roofline are all possible methods to accomplish the desired divisions of elevations into smaller parts.



The roof pitch may be interrupted by “dog-house” or “eye-brow” style dormers or sky-lights to provide for daylight and ventilation.



Dog House Dormer



Eye-brow dormer

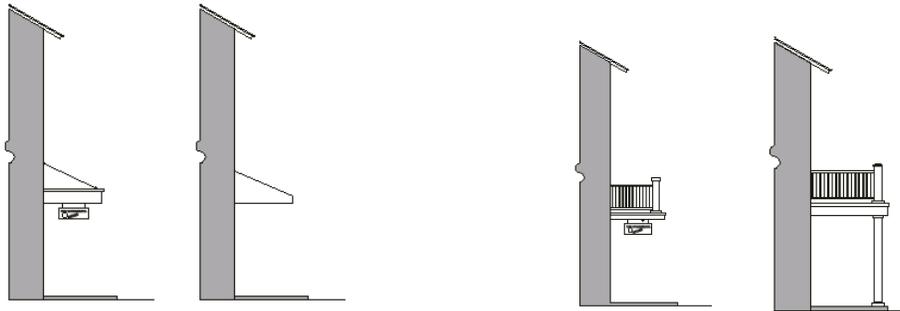
9.7.14 The following elements are prohibited:

- (a) structures which are of symbolic design for reasons of advertising
- (b) high intensity, metallic, or fluorescent colors
- (c) neon tubing, fiber optics or similar lighting
- (d) high gloss vinyl and plastic awnings
- (e) unpainted or plain/unfinished exterior facades other than natural wood or brick

- (f) smooth faced painted concrete masonry block
- (g) drive-through facilities (except for bank drive-throughs which are allowed by Special Permit).
- (h) use of storage containers except during construction or as regulated as a temporary use.

9.7.15. Setbacks and Build-to Lines

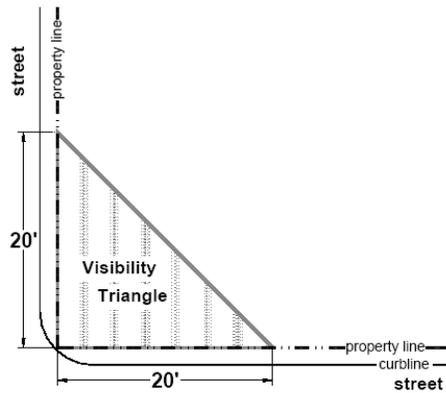
- A. The West Dennis Village Districts represent a varied architectural character. As such, the Planning Board needs infinite latitude in applying the standards for front setbacks and build-to lines. A strict adherence to the setback and build-to lines could result in the unnecessary removal of some signature structures within the zoning districts. Similarly, strict adherence could obliterate the street-side facades by requiring additions in front of other signature structures. The Planning Board, after consultation with the Dennis Historical Commission, may waive strict adherence to front setback and build-to lines to preserve historical continuity.
- B. For all new buildings or additions to the front or street side of existing buildings in the West Dennis Village Zoning Districts, up to fifty percent of the front or street side facade area of the first floor, or first and second floors in buildings with more than one floor, shall extend no deeper onto a property than the maximum front setback line so that the building visually reinforces the building facade line of the street. The remainder of the building facade may be set back from the front or street side property line to accommodate shop entrances, arcades, plazas, sidewalk cafes, other approved urban design amenities, or landscaping required pursuant to the provisions of this section.
- C. Marquees, awnings, open air balconies and colonnades may occur forward of the Minimum Front Setback Line but shall not extend more than ten feet into the front setback area.



Awnings and Marquees

Open Air Balconies and Colonnades

- D. Accessory open patios or courts, the outside display of merchandise, sidewalk cafes, etc. provided between the building and the sidewalk or adjacent buildings on abutting side property lines are allowed within the setback requirements and are considered to meet the structural setback requirements of this section. Except adjacent to existing residentially zoned parcels outside the West Dennis Village Zoning Districts.
- E. Accessory rooftop equipment may extend to 42 feet (46 feet for three story structures), provided that they are set back from the exterior wall(s) by at least 10 feet, and are enclosed or screened with materials compatible with the building and are not visible from the ground. Accessory equipment may not exceed 20% of the roof area.
- F. On a corner lot no structure, sign or sign structures shall be located within a clear sight triangle area. The clear sight triangle area is formed by the street right-of-way lines and the line connecting points twenty (20) feet from the intersection of such street right-of-way lines extended.



Clear sight triangle

9.7.16. All junction and accessory boxes, mechanical, electrical or other service equipment shall be minimized from view of adjacent property and public rights-of-way by landscaping or architectural treatment integrated with the building served.

9.7.17 Mechanical equipment, whether ground-level or rooftop, shall be screened from view of adjacent properties and public rights-of-way and designed to be perceived as an integral part of the building,

9.7.18 Pedestrian Amenities. One (1) pedestrian amenity for each twenty thousand (20,000) gross square feet of floor area or fraction thereof shall be incorporated into the overall development to create a pedestrian friendly atmosphere. Suggested amenities include, but are not limited to:

- (a) public art
- (b) clock tower
- (c) water feature/fountain
- (d) outdoor patio, courtyard or plaza
- (e) tables with umbrellas for open air eating or outdoor furniture

9.7.19 The maximum area for any single tenant or occupant space shall be 60,000 square feet.

9.7.20 Within the West Dennis Village Zoning Districts for any lot with frontage on Route 28 or School Street, the primary means of access to the upper stories of any structure shall be by means of a building entryway accessing Route 28 or School Street. Said entryway area shall include any building lobby area, internal directory, and mail delivery facilities.

9.7.21 Accessory Uses: Those uses which are customarily associated with permitted uses, but incidental to the primary uses including parking in excess of that required by the by-law, wastewater facilities, etc. may be shared by multiple property owners. Service bays shall not be allowed as accessory uses to retail uses in the West Dennis Village Zoning Districts.

9.7.22 A use which is noxious or offensive because of odor, dust, smoke, gas, noise, vibration, heat, glare, electrical interference, or is a nuisance beyond the limits of the lot on which the use is located, shall not be permitted.

9.8

## DEVELOPMENT PLANS AND STANDARDS

Site development plans for approval shall include:

### 1. Urban Design features:

- a. Blocks, streets, alleys, parks, patios, sidewalks and planting strips, storm water drainage features, outdoor seating areas for private commercial uses
- b. Building types (for example, patio house, townhouse, storefront retail built to sidewalk)
- c. Signage master plan
- d. Shared parking agreement

### 2. Architectural features:

- a. Building facades (should include photographs of similar structures for comparative purposes to meet the requirements of Section 9.7 above)
- b. Exterior features
- c. Building heights, set backs and build-to lines
- d. Roofs and rooftop features
- e. Exterior materials, doors and windows
- f. Exterior colors
- g. Signage, flags and banners
- h. Sign design standards as applicable and consistent with the Town of Dennis Sign By-law

### 3. On-site and off-site improvements

- a. Fences and walls
- b. Patio, square or plaza
- c. Landscaping with areas and plants noted
- d. Special pavement and sidewalk treatments
- e. Setbacks and sidewalk and utility easements
- f. Street and parking lot lighting
- g. Street furniture, trash containers, benches, newsracks, kiosks
- h. Parking standards including shared parking agreements
- i. Refuse storage and access
- j. Utilities: all utility lines shall be underground or provided from locations other than from Route 28 or School Street this provision may be waived or amended by the Planning Board.
- k. Traffic circulation plan and street improvements as needed to relieve excessive congestion.
- l. Water and Sewer availability study and infrastructure improvements as needed.

4. Permanent bicycle racks at the minimum rate of one bicycle space per every 5,000 sf of gross floor area.

5. Specific operational standards for permitted hours of operation for any business, delivery of stock in trade or supplies for any business, permitted levels of noise, including amplified sound, from any business or any entertainment special event, and other operating restrictions needed to promote compatible coexistence of mixed uses in the West Dennis Village Zoning Districts. Note, this is not intended to prohibit amplified indoor or outdoor entertainment which may be important to the vitality of the West Dennis Village Zoning Districts, it is intended to understand the operation of the facility in relation to neighboring land uses to ensure compatible uses and hours of operation. All normal licensing requirements will remain under the jurisdiction of the Dennis Board of Selectmen.

#### 9.9 OTHER REVIEWS AND APPROVALS

Construction approved in the West Dennis Village Zoning Districts must commence within 12 months of the issuance of a special permit or such approval shall expire unless an extension is approved by the Planning Board upon written request. After approval of a specific development plan changes of tenants in the West Dennis Village Zoning Districts may be approved administratively by the Building Commissioner consistent with the requirements of this section, provided that any changes be certified in writing by the Building Commissioner to comply with the standards of this ordinance and the approved regulating or development plan.

#### 9.10 WAIVERS

A waiver is an administrative procedure relating to a minor deviation from the specific language in the general regulations. The waiver allows a deviation that still meets the intent and purpose of the zoning ordinance. The Town Planner shall review waiver requests with the Planning Board, which allows the development plan to continue the streamlined approval process. The Planning Board may approve the waiver in review of the development plan, or may deny the waiver as not meeting the intent of the regulations. Along with the waivers specifically listed above, the Planning Board may consider waivers requests to parking area setbacks in Section 3.1.5.2 in order to promote a more cohesive development pattern within the West Dennis Village Zoning Districts and the provision of off-site parking within 300 feet of a principal structure (Section 3.1.7.1).