

Village (B-3) Zoning District

Updated February 12, 2019 for the February 14, 2019 Planning Board Public Hearing

Section I.E. Definitions - to be inserted where applicable (alphabetically)

Height Factor: The ratio between the front property line and the setback of a structure. For every additional ten feet in the structure's height above twenty feet, the front setback requirement will be increased by five feet respectively. For example, where the minimum front setback is 20 feet and the structure is planned to be forty feet in height, the front setback would be increased by ten feet thus resulting in a thirty foot setback. All calculations shall be rounded up to the next five feet (building height of thirty-five feet would require a thirty foot setback, while a thirty foot structure would require a twenty-five foot front setback).

Mixed-use: A development and/or redevelopment project that integrates a mixture of at least two or more different uses.

Mixed-use Building: A development and/or redevelopment of a site that integrates a mixture of at least two or more different uses such as restaurants, medical, educational, offices, research & development, exercise & fitness, residential, recreation, entertainment, and/or retail as permitted in the respective zoning district into one building.

Mixed-use Complex: A development and/or redevelopment project that integrates a mixture of at least two or more uses such as restaurants, offices, medical, educational, research & development, exercise & fitness, residential, recreational, entertainment, and/or retail as permitted in the respective zoning district within two or more separate structures. No single use shall occupy more than eighty-five percent of the combined total gross floor area of all buildings on-site.

~~**Mixed-use:** A building containing residential use on any floor above the ground floor of a building combined with an allowed non-residential use or uses on the ground floor and other floors of a building.~~

~~**Mixed-use Complex:** A parcel or contiguous parcels (whether or not in common ownership) of at least five acres with adaptive reuse of historic manufacturing structures for multifamily residential and allowed non-residential uses within the existing historic structures. Such Mixed-use Complex shall have shared parking and integrated facilities and infrastructure. Residential and non-residential uses may be in the same or separate buildings, provided however that neither the total residential uses nor the total non-residential uses shall exceed 80 percent~~

Section II.A Classes of Districts – to be inserted and amended where applicable

2.c. Village District: B-3

The purpose of the Village District is to foster and attract development opportunities that lead to a direct investment into pivotal areas where junctions or crossroads exist. The intent is to encourage redevelopment and reinvestment into neighborhood centers in order to re-establish these areas as fully integrated and functional vibrant village centers. A Village District shall include a mixture of various uses that are able to support and promote business and community within the area. Uses are intended to complement one another and allow for different offerings such as art and cultural spaces, public community space, educational/institutional use, entertainment, residential, office space, retail, and other small business enterprises.

Streetscapes and facades are required to be designed to blend with the context of existing neighborhoods in accordance with the respective design standards set forth for each Village, while aggressively promoting a walkable community that incorporates the use of bicycles and other non-vehicular modes of transportation in order to reduce short trip vehicular dependency. An area defined as a Village District is intended to provide all users a live-work-play-learn environment for all stages of life and all ability levels.

2.~~d~~e General Business consisting of subdistricts B-4

2.~~e~~f Central Business: CB

2.~~f~~g Business: B

Section II.K Village District - To be inserted as a new Section II.K

1. Purpose and Intent

Framingham possesses a variety of small neighborhood communities that may be reestablished as village centers throughout the City. These neighborhood communities have served, or have the potential to serve, as key economic centers for a variety of businesses that can support each other, while creating space for entrepreneurs. The purpose of a village center is to provide a central area of commerce that will benefit the neighboring region by supporting local residents, visitors, and the community as a whole. The intent of a Village (B-3) District is to:

- a. Provide a vibrant walkable mixed-use center that may include art and cultural galleries/studios, community space, educational/institutional space, amenity space, entertainment, office space, residential, retail, a mixture of business opportunities.
- b. Encourage adaptive reuse of abandoned, vacant, or underutilized properties that will re-energize the neighborhood.
- c. Inspire development and support a mixture of businesses and entrepreneurs through targeted workspaces, while allowing the surrounding community to take advantage of business opportunities, job creation, and economic resources.
- d. Develop parcels at an appropriate density that supports the best interest of those living in the community while encouraging ongoing investment and reinvestment in properties within the Village District.
- e. Allow for a mixture of uses that can support one another while attracting visitors to utilize the amenities and services offered within the Village.
- f. Advance an integrated neighborhood community that supports and encourages trails, public transportation, and bicycle oriented modes of transportation for short trips and recreational opportunities.
- g. Investigate and nurture educational and civic opportunities that can sustain viability within the community while growing its user base.
- h. Preserve, enhance, and provide opportunities that repurpose historical structures and retain a piece of the neighborhood's history for future uses and events, while supporting opportunities for the structure to flourish and thrive as a new use.

2. Village Design

- a. Projects within a B-3 District shall be required to comply with Design Standards as set forth for the respective village neighborhood. Projects that do not require site plan review and/or special permit approval shall adhere to the respective village center's design guidelines, pursuant to Section II.K.2.b of these Ordinances.
- b. Village Center Specific Design Guidelines
The Planning Board is responsible for ensuring that the respective village center's design guidelines are adhered and that all projects are designed to reflect the character of the respective village district.

- i. Nobscot Village

Nobscot Village District Guidelines (NVDG) have been developed to promote quality development that preserves and enhances the Nobscot B-3 District, while encouraging a walkable pedestrian- and bicycle-oriented environment. The NVDG are integral to the design of Nobscot B-3 District and shall be complied with as part of any site plan review and/or special permit approval for projects in Nobscot. The NVDG are located in the Planning Board Rules and Regulations (Article 27), entitled “Framingham Nobscot Village Design Guidelines.”
- c. General B-3 Design Requirements
 - i. Site - Plazas & Open Space
 - a) Projects shall incorporate plazas, pocket parks, public art, courtyards, and/or terraces to enhance connectivity and increase landscaped amenity areas.
 - b) Plazas, pocket parks, and/or courtyards should be used to expand the pedestrian sidewalk in strategic locations to accommodate community gathering opportunities.
 - c) Internal sidewalks must be at least five feet wide and provide access to each building entry, open space, and parking area. Sidewalks along main roadways must be a minimum of ten feet wide. The minimum sidewalk width must be maintained in areas where other activities are present.
 - d) The use of public art is strongly encouraged within landscaped areas and shall not be considered signage. Public art and murals shall not include a company’s name and/or corporate logo.
 - e) Outdoor dining areas are encouraged and shall be designed to allow proper flow and circulation of pedestrian movement.
 - ii. Site - Landscape and Materials
 - a) Street trees shall be installed along the entire property frontage and shall be spaced approximately twenty to thirty feet apart.
 - b) Paved areas shall include granite curbs and sidewalks constructed with brick or paver accents.
 - c) Projects shall be designed to create a landscape amenity area that enhances the pedestrian environment and streetscape, while relocating off-street parking to the side and/or rear of the site. The landscape amenity area shall be designed with a minimum width of seventy-five percent of the distance between the public right-of-way and the building. Such area shall incorporate street trees, outdoor seating, public art, patios and terraces, in addition to other similar improvements for the purposes of creating usable open space. Sidewalks and meandering pathways are strongly encouraged to be incorporated into the landscape amenity area.
 - d) Trees, shrubs, and landscape materials are required to comply with the Planning Board Rules and Regulations, Article 19.

- iii. Site - Furnishings and Lighting
 - a) Furniture, lighting, and related furnishings should be unique to the respective B-3 District and its particular public streetscape. Such furniture, lighting, and other furnishings within projects shall be consistent throughout the development site.
 - b) Pedestrian-scale lighting shall be installed in accordance with Article 22 of the Planning Board Rules and Regulations to enhance the pedestrian experience, provide additional safety, and prevent light pollution and spillover into abutting residential properties.
 - c) The use of illuminated bollards and ground lighting is strongly encouraged to be incorporated into all B-3 District projects.
- iv. Site - Service Areas and Utilities
 - a) Service bays and loading areas, dumpsters, and like equipment shall be located on the side or rear of a building and shall not be visible from roadways or open space areas. Such features shall be screened from the public view by using architectural forms, fencing, and/or landscaping materials. Dumpsters shall include a latching door lock system which shall be closed and locked when not in use.
 - b) All utilities are required to be placed underground to minimize the visual impact on the district and prevent damage to utility lines. Where transformers, switchboxes, and other utility cabinets are required, the applicant shall locate these and other such mechanical components away from the front of the building. Exposed utility transformers, switchboxes and cabinets shall be protected and screened by the installation of bollards, fencing, and landscaping features.
 - c) Rooftop equipment shall be adequately screened so as not to be visible from the ground or adjacent buildings.
 - d) Chain-link fencing is prohibited in any areas visible from a public way.
- v. Buildings – Massing and Character
 - a) The massing of buildings shall be designed to correspond to a pedestrian scale and to ensure that the buildings design promotes walkability.
 - b) New and/or redeveloped buildings shall be designed to blend and create a balance and proper transition area between the proposed project and existing development within the B-3 District.
 - c) Structures shall be designed to use multiple, harmonious exterior materials and color palettes that promote creativity and individuality while allowing the building to blend into the B-3 District.
 - d) A structure shall be designed to define a clear base, middle, and top of a structure that allows for visual interest in a traditional approach.
 - e) Structures should be designed to reduce massing and to promote a pedestrian scale at the streetscape. Such features may include porches, awnings, balconies, decks, and/or covered entries, in addition to breaking

up facades with distinct rooflines, varying heights, and variation in materials and color.

3. Multi-modal Circulation, Parking, Transportation

a. Off-street Parking

- i. Projects within the B-3 District shall comply with all applicable requirements set forth in Section IV.B of these Ordinances unless the Planning Board grants relief or alternative design is prescribed within Section II.K of these Ordinances.
- ii. Off-street parking standards as required pursuant to Section IV.B.2.a of these Ordinances shall mean maximum rather than minimum requirements. A special permit shall not be required when providing less than the number prescribed in Section IV.B.2.a of these Ordinances but rather a special permit shall be required if the number of off-street parking spaces exceeds the required number of off-street parking spaces.
- iii. Projects planned for the B-3 District are strongly encouraged to provide adequate off-street parking to meet the needs of the project but also preserve land for pedestrian and open space uses where possible.
- iv. Sites shall be designed to encourage pedestrian circulation through continuous connections between sidewalks, parking areas, structures, and open spaces.
- v. Below-grade parking, structured parking, and/or parking on the side and/or rear of a structure is required for all B-3 District projects.
- vi. Applicants are strongly encouraged to conduct a parking utilization study prior to filing an application. Such study shall demonstrate the opportunity for shared parking and the appropriate number of required off-street parking spaces.
- vii. Projects within a B-3 District are strongly encouraged to utilize Section IV.B.1.g of these Zoning Ordinances to reduce the required number of off-street parking spaces through the use of parking programs and shared off-street parking facilities.
- viii. Land banking off-street parking for future use is strongly encouraged where possible.
- ix. Projects shall reserve two off-street parking spaces near the main entrance during designated hours for food trucks, CSA pick-up, pop-up parks, events, and/or 15-minute temporary parking.

b. Curb Cuts and Access Drives

- i. The reduction and/or consolidation of curb cuts and the use of access driveways and alleyways with abutting properties is encouraged to the maximum extent possible and shall be permitted by-right within a B-3 District.
- ii. Curb cuts and access drives shall be designed in accordance with municipal standards and shall be reviewed and approved by the Department of Public Works (DPW), the Fire Department, and the Police Department to ensure adequate circulation.
- iii. The Planning Board may permit a drive aisle to be located between the public right-of-way and the structure for the purpose of accessible off-street parking and temporary drop-off parking if it finds that the overall façade design, site

plan, and operational characteristics of the facility will be improved such aisle location. Such drive aisle shall not be constructed to encroach upon the landscape amenity area (Section II.K.2.c.ii.c) of these Ordinances).

c. Transportation Impacts

- i. Development within the B-3 District shall be designed to prevent and/or mitigate any adverse impacts on the Level of Service (LOS) created by a project. Impacts to the transportation system within the B-3 District that degrade the LOS shall be mitigated as follows:

- a) Project Impact Transportation Improvements

The Applicant shall, as determined by the Planning Board, either conduct the necessary traffic improvements or provide a monetary contribution to the City up to 1.5 percent of the total construction value of the project (less the cost of land and construction labor cost).

- 1) Such payments shall be deposited into the Transportation Improvement Fund for the sole purpose of funding transportation improvements as directed by the Department of Public Works, the Applicants Traffic Engineer, and/or any other recommendations contained within relevant City studies for the respective B-3 District.
- 2) Said funds shall be used for improvements within a one mile radius of the respective District boundaries.
- 3) Unused funds shall be deposited into the Long Transportation Improvement Fund, as outlined in Section II.K.3.c.i.b), herein, and earmarked to be exclusively utilized for the respective Zoning District.

- b) Long Term Transportation Improvements

All projects within the B-3 District shall provide a cash payment equivalent to one percent of the total project cost (less the cost of the land or construction labor costs) for the purpose of long-range transportation implementation and maintenance.

- 1) Such payments shall be deposited into the Long Term Transportation Improvement Fund for the sole purpose of funding long-range transportation projects, maintenance, and necessary transportation improvements within one mile of the respective District boundaries, as determined by the Planning Board, the Department of Public Works, the Applicants Traffic Engineer, and/or any other recommendations contained within relevant City studies.

d. Pedestrian and Alternative Transportation

- i. Pedestrian circulation must provide continuous connections between public sidewalks, parking areas, building entries, and open spaces.
- ii. Pedestrian and bicycle connections should connect to local recreation assets wherever feasible.

- iii. Vehicular, pedestrian, and bicycle access should connect to adjacent properties.
- iv. Parking areas should be designed with distinctive paving so that paved areas can serve to expand an area to be used periodically for pedestrian uses or events will still count towards parking spaces.
- e. Complete Streets and Street Scape Improvements
 - i. Projects within a B-3 District shall incorporate Complete Streets infrastructure in accordance with the Framingham Complete Streets Policy, as amended.
 - ii. Development within a B-3 District shall provide accessibility to users of all ages, abilities, and modes of transportation. Connections to trails and open space are strongly encouraged for all projects, when possible.
 - iii. Installation and/or the replacement of sidewalks along a project's property frontage shall be borne by the Applicant and is required as part of a project.
 - iv. Installation of bicycle racks (Section IV.B.7 of these Ordinances), bicycle lockers, indoor bicycle parking, and other amenities to support bicycling are required to be incorporated into each project.
 - v. Streetscape and Trail Improvements

All projects within the B-3 District shall provide a cash payment of .5 percent of the total project cost (not including the cost of the land or construction labor costs) for the purpose of streetscape and/or trail improvements.

 - a) Such funds shall be utilized within the respective village neighborhood for street trees, street furniture, utilities, and associated improvements within the public right of way. Furthermore, such funds can be utilized for open space improvements of trails and sidewalks within the B-3 District or within one mile of the boundaries of the respective B-3 District to promote non-vehicular transportation options within the village center or connecting to the village center.
 - b) Funds shall be utilized by the Open Space and Recreation working group coordinator, or designee, the Department of Parks and Recreation, and/or the Department of Public Works, and are required to be approved for use by the Planning Board.

4. Solar and Alternative Energy

- a. The use of rooftop gardens, green roofs, solar carports, rooftop solar, etc. shall be incorporated into all projects within the B-3 District, to the maximum extent feasible.
- b. Projects should strive to incorporate alternative energy and energy efficient features, technologies and solar infrastructure within the design and construction of all new and redeveloped buildings within a B-3 District.
- c. Where feasible, electronic vehicle charging stations may be incorporated into a project.

5. Mixed-use within a Village District

- a. The layout of a respective B-3 District shall be designed as followed, which shall create a transition from the center to the edges of the B-3 District. Distances shall be measured along the property frontage, straight back (perpendicular) to the property boundary.

Distance from an intersection measured along property frontage	Allowed Uses ¹ – first floor	Allowed Uses ¹ – Second Floor and above
0-300'	Nonresidential ² Only	Nonresidential and residential
500'-800'	Nonresidential along property frontage Only	Nonresidential and residential
	Nonresidential along 75 percent of each side ³	
	25 percent combination of nonresidential and residential accessory along each side	
	Rear of a structure that faces a residential property may be residential and/or amenity space for the residential use	
801' and over	Nonresidential along the property frontage	Nonresidential and residential

- b. When there is more than one structure on a lot, such structures shall be spaced in accordance with the State Building Code for fire separation compliance.
- c. Mixed-use projects are encouraged to include the following elements:
 - i. Public spaces, community space, artist gallery space for Artist/Live Work Spaces, cultural space, small business and entrepreneurial space, anchor tenants, medical uses, and/or institutional or educational space, workforce housing.
- d. Mixed-use projects containing an interior courtyard offering resident amenities only, may be designed with the first floor facing the courtyard for residential use.
- e. Create townhouse and/or row housing along property boundaries that abut residential zoning districts. Such townhouses shall be designed to create a transition between the nonresidential uses within the B-3 District and the abutting residential neighborhoods. Townhouses shall include below structure parking and may be located within fifteen feet of a rear and/or side buffer.

¹ Uses as permitted by the Table of Use (Section II.B) of the Framingham Zoning Ordinance

² The term nonresidential shall not mean accessory to residential use, such as leasing office, fitness center for residents only, resident community space, etc.

³ That touches the front of the structure

- f. Mixed-use project with a residential component shall be required to provide a minimum of 1.75 off-street parking spaces per residential unit. The Planning Board at its discretion may grant a special permit for a reduction in off-street parking, if such project can demonstrate that such off-street parking can be accommodated through a shared parking agreement pursuant to Section IV.B of the Zoning Ordinance.

6. Mixture of Residential

Framingham works to encourage a mixture of affordable housing option to aid in making Framingham accessible to all those who choose to make Framingham their home.

Developers are required to do the following within a B-3 District:

- a. Projects within the B-3 District shall be required to comply with Section V.H of the Framingham Ordinances.
- b. Projects within the B-3 District shall create an additional 10 percent of the total number of units as Workforce Housing. The number of Workforce Housing units shall equal 10 percent of the total project, but shall be an addition to the total number. For example, if a project is determined to yield 100 residential units, then the Applicant shall provide an additional 10 units as Workforce Housing units, for a total of 110 residential units on-site; the total number of AHU will be 10.
 - i. Said Workforce Housing units shall be constructed in the same manner as market rate units. Framingham residents and/or employees of businesses located within Framingham shall be given a local preference for seventy percent of the Workforce Housing units.
 - ii. Qualified individuals shall be selected through the same process as prescribed in Section V.H, with the exception of filing a Local Initiative Plan (LIP) Application with the State and/or be required to work with Mass Housing to record the units. Applicants shall reference the Planning Board Rules and Regulations for specific requirements relative to the Workforce Housing and AHU process.
 - iii. Each Workforce Housing unit and AHU shall be deed restricted respectively and shall be reviewed and approved by the Framingham Planning Board and the City Solicitor prior to obtaining an occupancy permit.
 - iv. Subsequent owners shall file notice of sale of a Workforce Housing Unit or AHU and shall follow the same process, in which it was originally sold. The Framingham Planning Board or its designee shall keep records of all Workforce Housing Units and AHU within Framingham associated with AH developments.

7. Reuse of Historic Structures

To promote the reuse of historic structures within Framingham, the Planning Board shall provide additional review provisions solely for those structures that have been deemed historically significant by either the Historical Commission or Historic District Commission. Such historical structures may

- a. Be exempt from the Floor Area Ratio (FAR), lot coverage, and/or setback requirements when a historical structure is incorporated into a project within a B-3 District.

8. Dimensional Requirements

To provide efficient and consistent review for projects within a B-3 District. The Planning Board when reviewing a project may allow dimensional relief up to 25 percent, by special permit from the dimensional requirements set forth in Section IV.E.2. Table of Dimensional Regulations of these Ordinances.

A special permit for such dimensional relief may only be granted if the Planning Board finds that such request is consistent with the public good, does not substantially derogate from the intent and purpose of the Framingham Zoning Ordinance or the intent of the Master Land Use Plan, such particular dimensional relief benefits and improves the project and/or configuration of the proposed project, while providing a better transition between the project and the surrounding neighborhood.

This section does not authorize the Planning Board to grant a special permit for an increase in height as outlined in Section IV.E.2. Table of Dimensional Regulations of these Ordinances. Any dimensional relief for projects not under the Planning Board review or that exceeds 25 percent as set forth in Section IV.E.2. Table of Dimensional Regulations of these Ordinances shall require approval from the Zoning Board of Appeals (ZBA).

9. Application Review

- a. The Planning Board shall be the Special Permit Granting Authority (SPGA) for projects within a B-3 District, unless otherwise denoted in Section II.B Table of Use of these Ordinances.
- b. The review procedures for projects in a B-3 District shall be in conformance with M.G.L. c. 40A, Sections 9 and 11; Section VI.F of these Ordinances; and other permitting and approval processes as may be applicable.
- c. Pre-Technical Review Team meeting is strongly encouraged for all development and/or redevelopment projects with a B-3 District. Such review ensures that projects are in compliance with municipal requirements prior to the submittal of an application.
- d. At the discretion of the Planning Board Administration, the Applicant may be required to host two community outreach meetings. Such meetings shall be held within the respective B-3 District; one meeting shall be held in the morning and the other one in the evening; notification shall be sent to property owners within 300' of the project property boundaries, the City Council, the Planning Board Office, and the Mayor's Office, in addition to the neighborhood association, when applicable.
- e. The Planning Board and/or the SPGA may require the Applicant to fund a Peer Review Consultant to assist in the technical review as outlined herein, in accordance with the Planning Board Rules and Regulations and M.G.L. c. 44, Section 53D.

10. Determination

- a. Once the Building Commissioner has made a determination for a project within a B-3 District and the project is under review. Any decision regarding a determination for

clarification or compliance with the Zoning Ordinance shall be reviewed by the Planning Board and shall require a four-fifth vote for such determination.

11. Review of Uses

In the event that an applicant proposes a use that is not defined in Section II.B and/or is a new use to Framingham that the Building Commissioner cannot determine to be on the Table of Uses, then the following shall apply:

- a. The applicant shall be responsible for providing educational and supporting documentation that supports such use;
- b. Review and approval by the Planning Board and all other applicable municipal departments shall be required prior to the application of any new technology and/or method being used within Framingham;
- c. The Planning Board at its discretion may engage peer review services of experts qualified in a respective discipline to provide additional review and education at the expense of the applicant; and
- d. After such review, the Planning Board may approve such use by four-fifth vote where such use is found to provide a better project, creation of jobs, and compatibility with surrounding uses.

12. Procedure for Waiver

All projects within a B-3 District shall comply with Sections II.K of these Zoning Ordinances. The Planning Board may waive the requirements of Section II.K.3 of these Zoning Ordinances, by a four-fifth vote where such waivers will allow for better design and/or improved protection of resources.

13. Compliance

Projects within a B-3 District shall comply with Sections II.K of these Zoning Ordinances. Wherever a conflict between two Sections occurs, the respective Section II.K of these Zoning Ordinances shall prevail.

14. Village Zoning Review

The Planning Board shall review the B-3 District Zoning Ordinances with the Framingham Zoning Ordinance and the Framingham Zoning Map, which review shall commence by July 1, 2024 and conclude by December 31, 2024.

15. Variance

A variance authorizing a use or activity not otherwise permitted a B-3 District shall be prohibited within the B-3 District.

Section IV.E.2 Table of Dimensional Regulations – to be inserted

Insert into Section IV.E.2., Table of Dimensional Regulations

District	Principal Building or Use	Lot Minimum		Minimum Setback		Minimum Landscaped Open Space Surface Ratio	Building Maximums		
		Area (sf)	Frontage (ft.)	Front (ft.)	Side (ft.)		Floors/Height	Lot Coverage	Floor Area Ratio
B-3	Any principal use or mixed-use	8,000	75	20 ^h	15 ⁱ	20%	-/40 ^j	80%	-

^h Height Factor shall apply for projects within the B-3 Zoning District

ⁱ When a development abuts a single family residential property, said project shall be set back a minimum of 30 feet and include a 20 foot “No Disturbance Buffer” along the residential property boundary. The “No Disturbance Buffer” shall include trees, residential fencing, and other landscape elements to create a separation between the residential property and the development within the B-3 Zoning District.

^j When structures within a B-3 District utilize pitched roofs. The roofline may exceed the permitted building height to accommodate for a pitched roof. Such increase shall not exceed an additional ten feet, thereby establishing a maximum built height of fifty feet.

Section VI.G Variances

Amend Section VI.G.1. Limitation of Use Variances

A variance authorizing a use or activity not otherwise permitted in the district in which the land is located shall be prohibited in Geriatric Care/Elderly Housing Districts, Central Business (CB) Zoning District, Village District (B-3), and single residence and general residence districts...