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FRAMINGHAM CITY COUNCIL

ORDER NO. 2019-001-001
REQUEST OF THE PLANNING AND ZONING SUBCOMMITTEE

UPON THE REQUEST OF THE PLANNING AND ZONING SUBCOMMITTEE, THE CITY OF FRAMINGHAM, THROUGH THE FRAMINGHAM CITY COUNCIL, IT IS SO ORDERED:

That, after diligent review, the City Council votes to approve the proposed amendments of the Framingham Zoning By-Law as recommended by the Framingham Planning Board, as amended by the Subcommittee on Planning and Zoning by: adding new definitions to Section I.E Definitions as presented; amend Section II.A.2.c, adding a new Section II.A.2.d, and renumbering Section II.A.2, as amended through written public comments received on July 16, 2019; add a new column to Section II.B Table of Uses, as presents; to add a new Section II.K Nobscot Village District, as amended through written public comments received on July 16, 2019; amend Section IV.E.2. Table of Dimensional Regulations as add a new row for B-4, with the addition of four new footnotes, as amended through written public comments received on July 16, 2019; and amend Section VI.G.1 Limitation of Use Variances; and to further amend the Framingham Zoning Map as recommended by the Framingham Planning Board, dated March 28, 2019.

The following documents follow this Order: Final Version of Amendments as voted on July 16, 2019; three (3) Nobscot Village (B-4) Zoning District Maps; and Amended Table of Uses.

FIRST READING

YEAS: Cannon, Giombetti, Grove, Rossi, Richardson, Shepard, Sisitsky, Tully Stoll

NAYS: King, Steiner

ABSTAIN: None

ABSENT: Torres

PASSED IN COUNCIL: JUNE 18, 2019

SECOND READING

YEAS: Cannon, Giombetti, Grove, King, Richardson, Rossi, Shepard, Sisitsky, Steiner, Tully Stoll

NAYS: None

ABSTAIN: None

ABSENT: Rossi, Torres

PASSED IN COUNCIL: JULY 16, 2019

A True Record, Attest:

7/22/19

Date Approved

Lisa A. Ferguson, City Clerk

7/23/19

Date Approved

Yvonne M. Spicer, Mayor

Nobscot Village (B-4) Zoning District
FINAL July 16, 2019

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

Height Factor: A determination of the required front setback based on the height of a structure that directly fronts a public street where such structures are designed to be located as close to the front setback as possible. The height of the exterior wall that fronts the public way shall be measured from the average finished grade to the start of the roofline. Each five (5) feet of height over twenty (20) feet of an exterior wall shall require an additional five (5) feet added to the front setback requirement of Section IV.E.2 of the Framingham Zoning Ordinance. For example, where the minimum front setback is twenty (20) feet and the front exterior wall (measured from the average finished grade to the start of the roofline) of the structure is planned to be thirty (30) feet in height, the front setback would be increased by ten (10) feet thus resulting in a thirty (30) foot setback. All calculations shall be rounded up to the next five (5) feet (for example, a thirty-seven (37) foot structure would require a forty (40) foot setback).

Lot Coverage: The percentage of a lot covered with structures, including driveways, parking areas, walkways, tennis courts, swimming pools or other impervious surfaces. For the purposes of this Ordinance, all such surfaces constructed of impermeable materials (i.e. concrete, bituminous asphalt, gravel, oil and stone and the like) shall be included in the calculation of maximum lot coverage. Up to 50 percent of pervious materials (i.e., permeable pavers, pea stone, and the like) shall not count towards Lot Coverage.

~~**Lot Coverage:** The area of a lot lying within the outside lines of exterior walls of all buildings on the lot, including the area of any appurtenance; or, if indicated by the context, the ratio of said area to the total area of the lot, expressed as a percentage.~~

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

Mixed-use Building: A development and/or redevelopment of a site that integrates a mixture of at least two or more different uses into one building such as restaurants, medical, educational, offices, research & development, exercise & fitness, residential, recreation, entertainment, and/or retail as permitted in the respective zoning district. In Nobscot Village (B-4), the footprint of the first floor of such structure shall not exceed more than 65 percent of residential uses and shall not be less than 35 percent of non-residential uses. For all other areas of Framingham, the footprint of the first floor of such structure shall not exceed more than 35 percent of residential uses and shall not be less than 65 percent of non-residential uses.

Mixed-use Complex: A development and/or redevelopment project of a parcel or contiguous parcels, whether or not in common ownership that integrates two or more separate structures, 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. In Nobscot Village (B-4), the first floor footprint of the total combined structures shall not exceed more than 65 percent of residential uses and not be less than 35 percent of nonresidential uses. For all other areas of Framingham, the first floor footprint of the total combined structures shall not exceed more than 35 percent of residential uses and not be less than 65 percent of nonresidential uses.

~~**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 General Business: ~~consisting of sub-districts B-3~~

2.d. Nobscot Village District: B-4

The purpose of the Nobscot 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 a neighborhood center in order to re-establish this area as fully integrated and functionally vibrant village center. The Nobscot 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 Nobscot 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. The Nobscot Village District is intended to provide all users with a live-work-play-learn environment that accommodates all stages of life and all ability levels.

The Nobscot Village District is surrounded by residential neighborhoods and open space lands. Any development and/or redevelopment within the Nobscot Village District shall be strongly encouraged to be designed in accordance with the requirements set forth in Section II.K Nobscot Village Zoning District Ordinance and Section IV.E.2. Table of Dimensional Regulations of these Zoning Ordinances, to ensure the intent of the Nobscot Village District is maintained as envisioned by the City of Framingham. Therefore, any relief and/or deviation from the previously stated Sections of the Framingham Zoning Ordinances is strongly discouraged to ensure a project remains in context with the vision of the Nobscot Village District.

2.de Central Business: CB

2.ef Business: B

Section II.K Nobscot 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.

To establish Nobscot as a village center the Nobscot Village (B-4) District has been developed as follows:

- 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 vision of a neighborhood village while encouraging ongoing investment and reinvestment in properties within the B-4 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. Nobscot Village Design

To ensure projects within the B-4 District contribute to the neighborhood village design established for Nobscot, Applicants shall be required to comply with Nobscot Village Design requirements as set forth in Section II.K.2. and II.K.3 of these Ordinances, in addition to the Nobscot Village District Guidelines (NVDG) of the Planning Board Rules and Regulations (Article 27).

- a. Nobscot Village Design Guidelines
 - i. The NVDG are integral to the design of the B-4 District and shall be complied with as part of any site plan review and/or special permit approval for projects in Nobscot. The NVDG is located in

the Planning Board Rules and Regulations (Article 27), entitled “Framingham Nobscot Village Design Guidelines.”

- ii. Projects within the B-4 that do not require site plan review and/or special permit approval shall adhere to the NVDG, pursuant to Sections II.K.2. and II.K.3 of these Ordinances.
- iii. Projects that do not comply with the standards of the NVDG, shall not be considered for approval by the Planning Board or other reviewing authority.

b. General B-4 Design Standard Requirements

i. **Site - Plazas & Open Space**

Vision - Projects within the B-4 District are envisioned to provide opportunity for community engagement and establishment of place. Applicants shall develop a project to create a place of interest for visitors to the site and those that pass by the site. Projects shall focus more on place making rather than off-street parking. Villages tend to have open space and park like presences within incorporated into the development, which is intended for the B-4 District. To incorporate this vision into a B-4 Design, the Applicant shall comply with Section II.K.2.b.i.a)-e), below.

- a) Projects shall incorporate plazas, pocket parks, public art, courtyards, and/or terraces to enhance connectivity and increase the 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 (5) feet wide and provide access to each building entry, open space, and off-street parking area. Sidewalks along main roadways must be a minimum of ten (10) feet wide. The minimum sidewalk width must be maintained in areas where other activities are present.
- d) The use of public art and murals are strongly encouraged within landscaped areas or on structures. Such public art or murals shall not be considered signage so as long as company's name and/or corporate logo is not incorporated into the design.
- e) Outdoor dining areas are strongly encouraged for all projects. Such areas shall be designed to allow proper flow and circulation for all pedestrians.

ii. **Site - Landscape and Materials**

Vision - Projects within the B-4 shall incorporate landscaping and pedestrian ways throughout. The Applicant shall focus on designing the project to focus on increasing green area and pedestrian circulation to encourage people to park once and become a pedestrian to do business in the B-4 District. To incorporate this vision into a B-4 Design, the Applicant shall comply with Section II.K.2.b.ii.a)-e), below.

- a) Street trees shall be installed along the entire property frontage and shall be spaced approximately twenty (20) to thirty (30) feet apart.
- b) Paved areas shall include granite curbs and sidewalks constructed with brick or paver accents, especially in areas of high pedestrian activity.

- c) Projects shall be designed to create a landscape amenity area that enhances the pedestrian environment, establishes open space and park areas, and improves the 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 twenty (20) feet between the edge of the public right-of-way and the structure, along the entire property frontage with the exceptions of access driveways and sidewalk curb cuts. Such area shall incorporate street trees, outdoor seating, public art, patios and terraces (patios and terraces shall not compromise more than 50 percent of the area), in addition to other similar improvements for the purpose of creating usable open space.
- d) Sidewalks and meandering pathways are strongly encouraged to be incorporated into the landscape amenity area.
- e) Trees, shrubs, and landscape materials are required to comply with the Planning Board Rules and Regulations, Article 19.

iii. Site - Furnishings and Lighting

Vision – Projects in the B-4 District are encouraged to utilize lighting, furniture, and decorative accessories to establish a sense of place. Such amenities can be utilized to create interest, while providing a sense of safety for visitors. To incorporate this vision into a B-4 Design, the Applicant shall comply with Section II.K.2.b.iii.a)-d), below.

- a) Furniture, lighting, and related decorative accessories shall be unique to the respective B-4 District and its particular public streetscape. Such furniture, lighting, and other decorative accessories planned 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 shall to be incorporated into all B-4 District projects.
- d) Chain-link fencing is prohibited for use within the B-4 District.

iv. Site - Service Areas and Utilities

Vision – Projects in the B-4 District require the use of service areas and utilities, however, such features should not be located within general view or degrade the site design. Such features should be located so as not to be seen and not to take away the experience of the project. To incorporate this vision into a B-4 Design, the Applicant shall comply with Section II.K.2.b.iv.a)-c), below.

- 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, abutting residential property, 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.

v. Buildings – Massing and Character

Vision – Projects in the B-4 District are intended to establish a neighborhood village center, one that allows for commercial development, while supporting an area designed at a pedestrian scale. Structures are expected to be designed to promote character of the area while being constructed to the scale of a village neighborhood and not an urban downtown scale. Height and density of projects shall be of great interest and under thorough review to ensure projects are designed appropriately. To incorporate this vision into a B-4 Design, the Applicant shall comply with Section II.K.2.b.v.a)-g), below.

- a) The massing of buildings shall be designed to correspond to a pedestrian scale and to ensure that the building's 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-4 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-4 District.
- d) The height and number of floors for projects within the B-4 District should be limited to three (3) floors and forty (40) feet. Relief to increase the number of floors and/or the height is strongly discouraged in the B-4 District. Except as allowed in Section 8.c below, such dimensional criteria shall not be waived by the Planning Board.
- e) Structures shall be designed to define a clear base, middle, and top of a structure that allows for visual interest in a traditional approach.
- f) Structures shall 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.
- g) All windows on the side facing residential structures and/or open space parcels shall be tinted to prevent light spillage or glare during the evening hours.

3. Multi-modal Circulation, Parking, Transportation

a. Off-street Parking

Vision – Projects within the B-4 District are intended to provide adequate off-street parking for a use, while not dominating the site. To incorporate this vision into a B-4 Design, the Applicant shall comply with Section II.K.3.a.i-viii, below.

- i. Projects within the B-4 District shall comply with all applicable requirements set forth in Section IV.B of these Ordinances unless the Planning Board grants relief or an alternative design is prescribed within Section II.K of these Ordinances.
- ii. Off-street parking standards as required pursuant to Section IV.B.1.a of these Ordinances shall mean maximum rather than minimum requirements. A special permit shall not be required when providing less parking spaces than the number prescribed in Section IV.B.1.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. The Applicant shall conduct and submit to the Planning Board a parking utilization study prior to filing an application to validate the number of provided off-street parking spaces.
- iii. Mixed-use projects with a residential component shall be required to provide a minimum of 1.75 off-street parking spaces per residential unit.
- iv. Projects planned for the B-4 District are strongly encouraged to provide adequate off-street parking to meet the needs of the project but also to preserve land for pedestrian and open space uses where possible.
- v. Sites shall be designed to encourage pedestrian circulation through continuous connections between sidewalks, off-street parking areas, structures, and open spaces.
- vi. Below-grade parking is preferred and strongly encouraged. When such off-street parking options are not viable, a developer shall place off-street parking to the side and/or rear of a structure.
- vii. Land banking off-street parking for future use is strongly encouraged where possible.
- viii. Projects shall reserve a minimum of two off-street parking spaces near the main entrance of all structures during designated hours for food trucks, community-supported agriculture (CSA) pick-up, pop-up parks, events, and/or 15-minute temporary parking.

b. Curb Cuts and Access Drives

Vision – Projects within the B-4 District are intended to be designed to promote connectivity and flow between parcels of land. Developers are encouraged to work collaboratively together to reduce the number of curb cuts, which will result in optimum flow of traffic on-site and within the B-4 District. To incorporate this vision into a B-4 Design, the Applicant shall comply with Section II.K.3.b.i-iii), below.

- 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-4 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 by 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

Vision – Projects within the B-4 District are intended to mitigate post construction and long term (5-10 years) impacts, in addition to promoting alternative modes of transportation to decrease vehicular traffic. To incorporate this vision into a B-4 Design, the Applicant shall comply with Section II.K.3.c.i, below.

- i. Development within the B-4 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-4 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 monetary contributions shall be deposited into the Transportation Improvement Fund for the sole purpose of funding transportation improvements as determined by the Planning Board, in collaboration with the Department of Public Works, the peer review consultants, the Applicant's Traffic Engineer, and/or any other recommendations contained within relevant City studies for the B-4 Zoning District.
- 2) Said funds shall be used for improvements within a one mile radius of the B-4 District boundaries.
- 3) Unused funds shall be deposited into the Long Term Transportation Improvement Fund, as outlined in Section II.K.3.c.i.b), herein, and earmarked to be exclusively utilized for the B-4 Zoning District.

- b) Long Term Transportation Improvements

All projects within the B-4 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 monetary contributions 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 B-4 Zoning District boundaries, as determined by the Planning Board, the Department of Public Works, the peer review consultants, the Applicants Traffic Engineer, and/or any other recommendations contained within relevant City studies.

d. Pedestrian and Alternative Transportation

- i. Pedestrian circulation is required to provide continuous connections between public sidewalks, off-street 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.

e. Complete Streets and Streetscape Improvements

- i. Projects within a B-4 District shall incorporate Complete Streets infrastructure in accordance with the Framingham Complete Streets Policy, as amended.
- ii. Development within a B-4 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, where 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. The Applicant shall install bicycle racks in accordance with Section IV.B.7 of these Ordinances. Furthermore, the installation of bicycle lockers, indoor bicycle parking, and other amenities to support bicycling are required to be incorporated into each project, when possible.
- v. Streetscape and Trail Improvements
All projects within the B-4 District shall provide a monetary contribution 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 that connect the B-4 Zoning District with other communities or areas in Framingham.
 - a) Such funds shall be utilized for street trees, street furniture, utilities, and associated improvements within the public right of way at the determination of the Planning Board. The Planning Board may also determine that such funds may be utilized for open space improvements of trails and sidewalks within the B-4 District or within one mile of the boundaries of the B-4 District to promote non-vehicular transportation options within the B-4 District or connecting to other villages and neighborhoods.
 - 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 require prior approval of the Planning Board for use.

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-4 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-4 District.
- c. Where feasible, electronic vehicle charging stations may be incorporated into a project. Signage associated with electronic vehicle charging stations shall be reviewed by the Planning Board.

5. Mixed-use within a Village District

- a. The layout of a respective B-4 District shall be designed with intersecting ways of a roadway containing the densest development within the B-4 District while providing transition so that density tapers down from the intersection before reaching the perimeter of the B-4 Zoning District.
 - i. Structures within 300 feet from the public right-of-way of an intersection of two or more roads shall be required to have the entire first floor of a structure within such distance comprised of only nonresidential¹ uses².
 - ii. Structures more than 300 feet from the public right-of-way of an intersection of two or more roads shall be required to have only the portion of the first floor of a structure that faces a public way be solely comprised of nonresidential¹ uses².
 - iii. Mixed-use projects containing an interior courtyard that is only accessible from the interior of a structure that offers only resident amenities may be designed with the first floor facing the courtyard for residential uses.
- b. When there is more than one structure on a lot, at a minimum, 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. Townhouse and/or row housing along property boundaries that abut a residential zoning district shall be designed to create a transition between the nonresidential uses within the B-4 Zoning District and the abutting residential neighborhoods. Townhouses shall include below structure parking and may be located within twenty (20) feet of the rear and/or side "Landscape Buffer".

6. Mixture of Residential

- a. A mixture of affordable housing options shall be required for all residential projects within the B-4 District to aid in providing access to all those who choose to make Framingham their home. Developers are required to comply with Section V.H of the Framingham Ordinances.
- b. Residential uses that exceed 50 units shall require five (5) percent of the units designated as Workforce Housing Units. The number of units designated as Workforce Housing Units shall be included in the total number of units after deduction of the required number of Affordable Housing Units (AHU). Such Workforce Housing Units shall not increase the Affordable Housing Unit (AHU) requirements pursuant to Section V.H of the Framingham Zoning Ordinances.
- c. The provision of more than five percent Workforce Housing Units, may provide the basis for the Planning Board to grant waiver requests (Section II.K.11 of these Zoning Ordinances) and dimensional relief (Section II.K.8 of these Ordinances, but shall not be considered for

¹ The term nonresidential shall not mean accessory to residential use, such as leasing office, fitness center for residents only, resident community space, etc.

² Uses as permitted by the Table of Use (Section II.B) of the Framingham Zoning Ordinance

requests of constructing structures over three (3) stories and/or above forty (40) feet in height.

- d. Projects within the B-4 District shall provide a mixture of housing options, which may include Workforce Housing, artist live-work housing, over 55 housing, over 62 housing, townhouses, etc. to promote an integrated and diverse community.

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 projects may be exempt from the Floor Area Ratio (FAR), lot coverage, and/or setback requirements when a historic structure is incorporated into a project within a B-4 District.

8. Dimensional Requirements

- a. In order to provide efficient and consistent review for projects within a B-4 District, the Planning Board may allow by special permit dimensional relief up to 25 percent, from the dimensional requirements set forth in Section IV.E.2. Table of Dimensional Regulations of these Ordinances, except for relief from an increase in height and/or number of floors which shall require approval from the Zoning Board of Appeals.
- b. A special permit for dimensional relief as specified in Section 8.a, herein may only be granted if the Planning Board finds that such request is consistent with the public good, does not propose structures greater than three (3) stories or forty (40) feet in height, except as allowed in Section 8.c below, and 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 must benefit and improve the project and/or configuration of the proposed project, while providing an improved transition area between the project and the surrounding neighborhood.
- c. The Planning Board may allow by special permit structures with pitched roofs to exceed the permitted building height in order to accommodate better design of a project. Such increase shall not exceed an additional ten (10) feet, thereby establishing a maximum built height not to exceed fifty (50) feet. Furthermore, such additional height associated with the pitched roof shall not be utilized for habitation.
- d. Any dimensional relief requested by the Applicant pursuant to Section II.K.8 of these Ordinances, shall be subject to the following requirements of the Planning Board:
 - i. The Applicant shall fund a Peer Review Consultant to ensure that the design is consistent with the intent of the B-4 District for the requested relief.
- e. Dimensional relief for projects not under the Planning Board review or that exceed twenty-five (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-4 District, unless otherwise denoted in Section II.B Table of Use of these Ordinances.

- b. The review procedures for projects in the B-4 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. A Pre-Technical Review Team meeting is strongly encouraged for all development and/or redevelopment projects with a B-4 District. Such review ensures that projects comply with municipal requirements prior to the submittal of an application.
 - i. Applicants choosing to meet with the Pre-Technical Review Team prior to finalizing and submitting plans to the Planning Board shall be granted a decision by the Planning Board within 60 days unless the Applicant requests an extension of time.
- d. Prior to the submittal of an application located within the B-4 District, the Planning Board shall require the Applicant to host two community outreach meetings. One of the meetings shall be held within the B-4 District. The second meeting shall be held during an open meeting with the Planning Board. Notification shall be sent to property owners within 300' of the project property boundaries at the applicant's expense (such list of property owners shall be prepared by the Framingham Assessors' Office as a Certified Abutters List), the City Council, the Planning Board Office, and the Mayor's Office, in addition to the neighborhood association, where applicable.
- e. The Planning Board 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 53G.
 - i. The Planning Board shall require projects with residential components to fund a peer review study to determine the impacts of the project on municipal infrastructure, schools, landscape design, architectural design, and transportation systems. The intent of the peer review is to ensure the project does not degrade present services, is in keeping with the provisions of Section II.A.2.d and ensures that the project mitigates its impacts to Framingham as a whole.
- f. Projects that do not trigger review by the Planning Board shall be required to submit a statement and plans to the Technical Review Team (TRT) as to how the project complies with the neighborhoods' respective design guidelines, pursuant to Sections II.K.2- 4 of these Ordinances. The TRT shall meet to provide feedback and request modifications to the proposed plans to ensure compliance with the vision and intent of the B-4 District.
- g. Furthermore, the TRT shall be the reviewing and approval authority for the following types of projects:
 - i. Any redevelopment that does not require permits from the Planning Board but proposes modification to the exterior of the structure;
 - ii. Any expansion of existing nonresidential or multi-family structures which results in a total floor area between 500-2,999 gross square feet; or
 - iii. Any modification to a site plan previously approved by the Planning Board, unless Major or Minor Site Plan Review is required for such modification.

10. Review of Uses

In the event that an applicant proposes a use that is not defined in Section II.B of these Ordinances and/or is a use that the Building Commissioner cannot determine as to what category such use fits under 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 a four-fifth vote where such use is found to provide a better project, creation of jobs, and compatibility with surrounding uses.

11. Procedure for Waiver

- a. All projects within a B-4 District shall comply with Sections II.K of these Zoning Ordinances and Article 27 of the Planning Board Rules and Regulations. The Planning Board may waive the requirements of Section II.K.2. and II.K.3 of these Zoning Ordinances, and/or Article 27 of the Planning Board Rules and Regulations, by a four-fifth vote where such waivers will allow for better design and/or improved protection of resources.
- b. The Planning Board shall not grant waiver requests for structures that have received relief from the ZBA for additional floors or height.
- c. The TRT shall make a written recommendation to the Planning Board for consideration of such requested relief.

12. Compliance

Projects within a B-4 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.

13. Village Zoning Review

The Planning Board shall perform a review of the B-4 District Zoning Ordinances and the Framingham Zoning Map commencing no later than July 1, 2022 and to be concluded by December 31, 2022.

14. Variance

A variance authorizing a use or activity not otherwise permitted in a B-4 District shall be prohibited within the B-4 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	Building Maximums		
		Area (sf)	Frontage (ft.)	Front (ft.)	Side (ft.)	Open Space Surface Ratio	Floors/Height	Lot Coverage	Floor Area Ratio
B-4	Any principal use or mixed-use	8,000	75	20 ^h	15 ⁱ	20% ^j	3/40 ^k	80%	-

^h Height Factor shall apply to projects within the Nobscot Village (B-4) Zoning District

ⁱ When a development abuts a single family residential property, said structures shall be setback a minimum of an additional 30 feet, from the required 20 foot "Landscape Buffer" along the residential property boundary. The "Landscape Buffer" shall include trees, residential scale fencing, and other landscape elements to create a separation between the residential property and the development within the Nobscot Village (B-4) Zoning District.

^j Landscaped open space shall not include parking lot islands or areas that are less than four (4) feet wide and less than twenty (20) feet long.

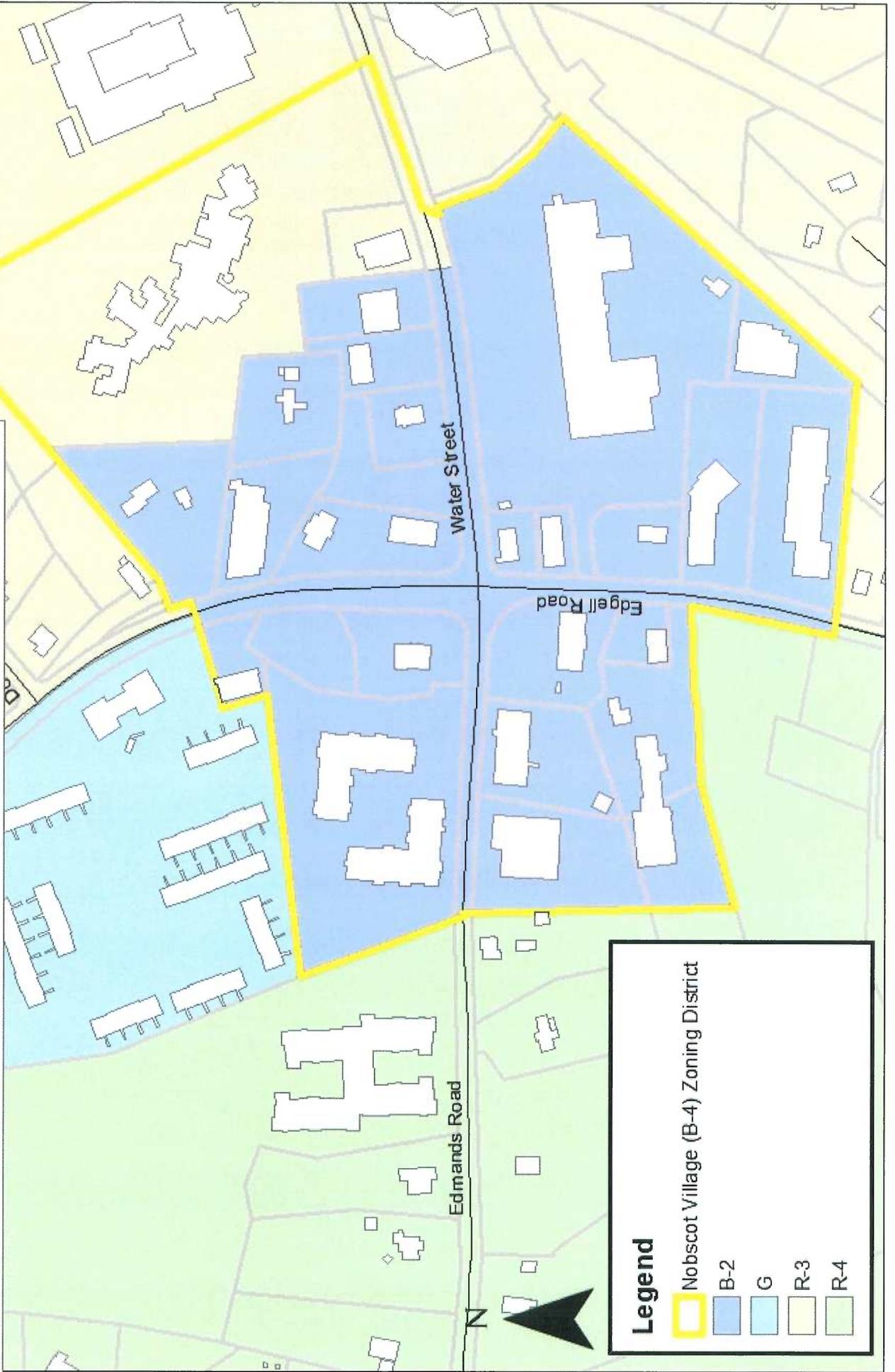
^k Please reference Section II.K.8 of these Ordinances.

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, Nobscot Village District (B-4), and single residence and general residence districts...

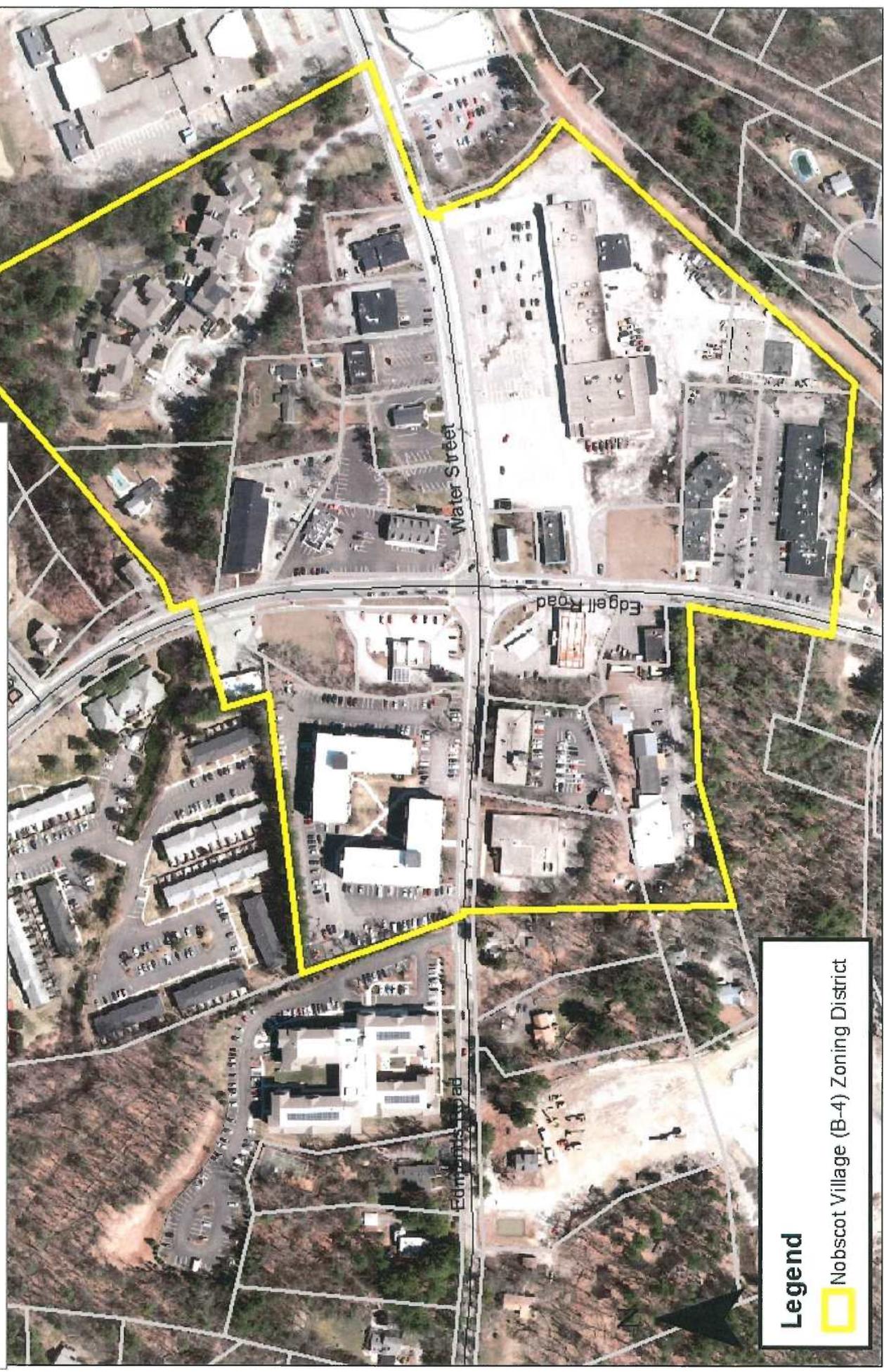
Nobscot Village (B-4) Zoning District
Recommended by the Planning Board on March 28, 2019
Approved by the City Council on July 16, 2019



Legend

- Nobscot Village (B-4) Zoning District
- B-2
- G
- R-3
- R-4

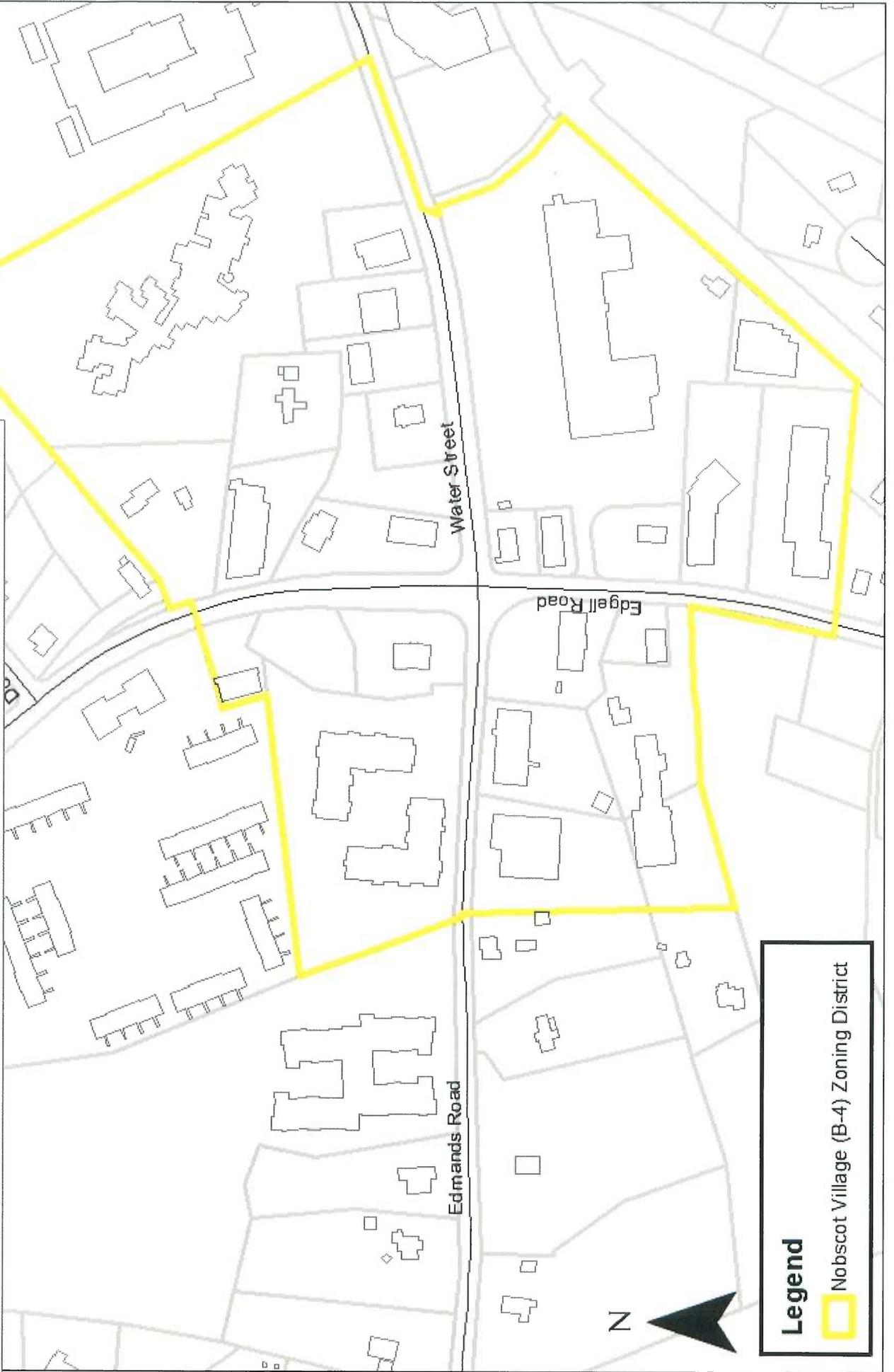
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Legend

 Nobscot Village (B-4) Zoning District

B. Table of Uses

No building, structure, or land shall be used and no building or part thereof or other structure shall be erected, raised, reconstructed, extended, enlarged, or altered, for any purpose or in any manner other than as permitted as set forth in the Table of Uses or unless otherwise authorized by this Zoning By-law, except that nothing in this By-Law shall affect the existing use of any building or lot. No lot may be used for more than one principal use, except as otherwise specifically allowed by this Zoning By-Law.

TABLE LEGEND (subject to the footnotes)

Y Uses which are permitted as of right

N Uses which are prohibited

SPZ Uses that require a special permit from Zoning Board of Appeals

SPP Uses that require a special permit from the Planning Board

SP Uses that require a special permit from either Zoning Board of Appeals or Planning Board depending upon the size of the establishment (see footnotes).

For uses with a dash (-), see footnote 8.

Parking codes refer to the numbered uses set forth in the Table of Off-Street Parking Regulations; see that Table for the applicable parking requirements.

For those uses with an * under Parking Code, see the Mixed Use Regulations, Section V.G.

Uses which are defined in Section 1.E are in **bold**.

USE CATEGORY	R	G	B-1 ¹	B-2 ²	B-3 ³	B-4	CB ⁴	B ³	P ³	PRD ⁵	M-1 ³	M ³	OSR ⁶	TP ⁷	Parking code
1. RESIDENTIAL															
A. Single-family Detached Dwelling	Y	Y	Y	Y	N	<u>N</u>	N	Y	Y	Y	N	N	N	N	1
B. Two-family Dwelling ⁸	N	SPZ	SPZ	SPZ	SPZ	<u>N</u>	N	SPZ	N	N	N	N	N	N	2
C. Multi-family Dwelling	N	N	N	N	N	<u>N</u>	Y ¹⁰	N	N	N	N	N	N	N	2
D. Artist Live/Work/Gallery	N	N	N	N	N	<u>Y</u>	Y	N	N	N	N	N	N	N	2

USE CATEGORY	R	G	B-1 ¹	B-2 ²	B-3 ³	B-4	CB ⁴	B ³	P ³	PRD ⁵	M-1 ³	M ³	OSR ⁶	TP ⁷	Parking code
E. Mixed-use <u>Building</u>	N	N	SPP	SPP	SPP	<u>Y</u>	Y ⁹	SPP	N	N	N	N	N	N	*
F. Mixed-use Complex	N	N	N	SPP	SPP	<u>Y</u>	Y ⁹	SPP	N	N	N	N	N	N	*
G. Assisted Living or Congregate Living Housing	SPZ	SPZ	SPZ	SPZ	SPZ	<u>SPZ</u>	SPZ	SPZ	SPZ	SPZ	N	N	N	N	3
2. <u>RESIDENTIAL ACCESSORY</u>															
A. Home Occupation	Y	Y	Y	Y	Y	<u>Y</u>	Y	Y	Y	Y	N	N	N	N	30
B. Family Child Care Home	Y	Y	Y	Y	Y	<u>Y</u>	Y	Y	Y	Y	N	N	N	N	7
C. Large Family Child Care Home	Y	Y	Y	Y	Y	<u>Y</u>	Y	Y	Y	Y	N	N	N	N	7
D. Accessory Garage	Y	Y	Y	Y	Y	<u>Y</u>	Y	Y	Y	Y	N	N	N	N	none
E. Private stables, barn, similar accessory structures	Y	Y	Y	Y	Y	<u>N</u>	N	Y	Y	Y	N	N	N	N	none
F. Accessory swimming pool	Y	Y	Y	Y	Y	<u>Y</u>	Y	Y	Y	Y	N	N	N	N	none
G. Amateur radio tower	Y	Y	Y	Y	Y	<u>SPP</u>	Y	Y	Y	Y	N	N	N	N	none
H. Limited Accessory Structures	Y	Y	Y	Y	Y	<u>SPP</u>	Y	Y	Y	Y	N	N	N	N	none
3. <u>INSTITUTIONAL AND RECREATIONAL</u>															
A. Municipal Services	Y	Y	Y	Y	Y	<u>Y</u>	Y	Y	Y	Y	Y	Y	N	Y	23

USE CATEGORY	R	G	B-1 ¹	B-2 ²	B-3 ³	B-4	CB ⁴	B ³	P ³	PRD ⁵	M-1 ³	M ³	OSR ⁶	TP ⁷	Parking code
B. Municipal water towers and reservoirs	Y	Y	Y	Y	Y	<u>N</u>	Y	Y	Y	Y	Y	Y	Y	Y	none
C. Cemeteries	SPP	SPP	N	N	N	<u>N</u>	N	N	N	SPP	N	N	SPP	N	none
D. Lodge, club or private non-profit social or fraternal organization	N	N	Y	Y	Y	<u>Y</u>	Y	Y	N	N	N	N	N	N	9
E. Cultural Center ⁸	N	N	SP	SP	SP	<u>Y</u>	SP	N	N	N	SP	SP	N	N	13
F. Trade, professional, or other school unless exempt	N	N	SP	Y	Y	<u>Y</u>	Y	Y	N	N	Y	Y	N	N	7
G. Day care for elderly	N	N	SP	Y	Y	<u>Y</u>	Y	Y	SP	N	SP	SP	N	N	7
H. Licensed nursing, rest, or convalescent home, Hospice Facilities, and/or Nursing Care Facilities	SPZ	SPZ	SPZ	SPZ	SPZ	<u>SPZ</u>	SPP	SPZ	SPZ	SPZ	N	N	N	N	11
I. Outdoor Recreational Facilities	SPZ	SPZ	SPZ	SPZ	SPZ	<u>SPP</u>	SPZ	SPZ	SPZ	SPZ	N	N	Y	N	5 or 6
J. Indoor Recreational Facilities	N	N	Y	Y	Y	<u>Y</u>	Y	Y	Y	N	N	N	SPZ	N	6
K. Indoor Entertainment Facility	N	N	N	Y	Y	<u>Y</u>	Y	Y	N	N	SP	SP	N	SPP	6
L. Outdoor Entertainment Facility	N	N	N	N	SPP	<u>SPP</u>	N	N	N	N	SPP	SPP	Y	-	6
M. Cultural and Educational Centers	N	N	SPZ	Y	Y	<u>Y</u>	Y	Y	SPZ	N	N	N	SPZ	N	13
N. Center for Performing Arts	N	N	SPP	Y	Y	<u>Y</u>	Y	Y	SPP	N	N	N	N	SPP	13

USE CATEGORY	R	G	B-1 ¹	B-2 ²	B-3 ³	<u>B-4</u>	CB ⁴	B ³	P ³	PRD ⁵	M-1 ³	M ³	OSR ⁶	TP ⁷	Parking code	
O. Educational training facilities and conference centers accessory to permitted use	N	N	N	N	SPP	<u>SPP</u>	SPP	SPP	N	N	Y	Y	N	Y	23	
<u>4. AGRICULTURAL</u>																
A. Greenhouses, nurseries, horticulture, forestry, floriculture	Y	Y	SPZ	Y	Y	<u>SPP</u>	SPZ	Y	Y	Y	Y	Y	Y	Y	17	
B. Farms and/or Agriculture	N	N	N	N	N	<u>N</u>	N	N	N	N	N	N	Y	N	none	
C. Boarding of domestic animals	N	N	SPZ	SPZ	SPZ	<u>N</u>	SPZ	SPZ	SPZ	SPZ	SPZ	SPZ	N	SPZ	19	
<u>5. COMMERCIAL</u>																
A. Business or Professional Office	N	N	Y	Y	Y	<u>Y</u>	Y	Y	Y	Y	Y	Y	N	Y	15	
B. Medical Office	N	N	Y	Y	Y	<u>Y</u>	Y	Y	Y	Y	Y	Y	N	-	14	
C. Financial institution such as bank or credit union	N	N	Y	Y	Y	<u>Y</u>	Y	Y	Y	Y	Y	Y	N	-	16	
D. Retail Services	N	N	Y	Y	Y	<u>Y</u>	Y	Y	N	Y	Y	Y	N	-	19	
E. Retail Stores/Custom Work shops	N	N	Y	Y	Y	<u>Y</u>	SPP	Y	N	Y	Y	Y	N	-	19	
F. Service Establishment	N	N	Y	Y	Y	<u>Y</u>	Y	Y	N	N	Y	Y	N	-	18	
G. Veterinary Services	N	N	SP	SP	SP	<u>Y</u>	SP	Y	N	N	SP	SP	N	-	14	
H. Undertaker or funeral establishment.	N	N	SP	SP	SP	<u>Y</u>	SP	Y	N	N	SP	SP	N	N	26	

USE CATEGORY	R	G	B-1 ¹	B-2 ²	B-3 ³	B-4	CB ⁴	B ³	P ³	PRD ⁵	M-1 ³	M ³	OSR ⁶	TP ⁷	Parking code
I. Workshop	N	N	SP	Y	Y	<u>Y</u>	Y	Y	N	N	Y	Y	N	-	21
J. Restaurant	N	N	SP	Y	Y	<u>Y</u>	Y ¹¹	Y	SP	N	SP	SP	N	-	9
K. Fast Food Establishment	N	N	SPP	SPP	SPP	<u>SPP</u>	Y	SPP	N	N	N	N	N	-	10
L. Brew Pubs	N	N	SP	SP	Y	<u>Y</u>	Y ¹¹	Y	N	N	N	N	N	N	10
M. Accessory drive-thru for financial institution	N	N	SPP	SPP	SPP	<u>SPP</u>	N	SPP	SPP	N	SPP	SPP	N	-	None
N. Accessory Drive-thru for Fast Food Establishment or Pharmacy	N	N	N	N	SPP	<u>SPP</u>	N	SPP	N	N	N	N	N	-	None
O. Personal Health and Exercise Facility, or Health Club.	N	N	N	Y	Y	<u>Y</u>	Y	Y	N	N	Y	Y	N	-	6
P. Gasoline service station	N	N	N	N	SP	<u>SPP</u>	N	SP	N	N	N	N	N	N	21
Q. Parking facility	N	N	N	N	SPP	<u>N</u>	SPP	SPP	N	N	SPP	SPP	N	-	None
R. Radio or Television Studio	N	N	N	SP	SP	<u>SPP</u>	SP	Y	N	N	Y	Y	N	Y	24
T. Carwash	N	N	N	N	SPP	<u>SPP</u>	N	SPP	N	N	SPP	SPP	N	N	27
U. Automobile Repair	N	N	N	N	N	<u>N</u>	N	SP	N	N	N	N	N	N	21
V. Automobile Dealer	N	N	N	N	N	<u>N</u>	N	SP	N	N	N	N	N	N	22
W. Motel	N	N	N	N	SPP	<u>N</u>	N	SPP	N	N	SPP	SPP	N	N	4
X. Hotel	N	N	N	N	SPP	<u>N</u>	SPP	SPP	N	N	SPP	SPP	N	N	4

USE CATEGORY	R	G	B-1 ¹	B-2 ²	B-3 ³	<u>B-4</u>	CB ⁴	B ³	P ³	PRD ⁵	M-1 ³	M ³	OSR ⁶	TP ⁷	Parking code
6. MANUFACTURING AND INDUSTRIAL															
A. Research, Development & Laboratories	N	N	N	SP	SP	<u>SPP</u>	SP	SP	N	N	Y	Y	N	Y	25
B. Wholesale Business	N	N	N	N	N	<u>N</u>	N	N	N	N	SPP	Y	N	N	24
C. Processing, assembly and manufacturing	N	N	N	N	N	<u>N</u>	N	N	N	N	SPP	Y	N	Y	25
D. Commercial Dealers	N	N	N	N	N	<u>N</u>	N	SP	N	N	SP	Y	N	SP	24
E. Retail and wholesale ice dealers	N	N	N	N	N	<u>N</u>	N	SP	N	N	Y	Y	N	N	24
G. Bottling works	N	N	N	N	N	<u>N</u>	N	N	N	N	Y	Y	N	SP	25
H Stone or Monument Works	N	N	N	N	N	<u>N</u>	N	N	N	N	Y	Y	N	N	25
I. Large scale printing and printing presses	N	N	N	N	N	<u>N</u>	N	N	N	N	N	Y	N	Y	25
J. Delivery services	N	N	N	N	N	<u>N</u>	N	N	N	N	SP	Y	N	Y	24
K. Indoor recycling facility	N	N	N	N	N	<u>N</u>	N	N	N	N	N	SPP	N	N	25
L. Commercial or private landfill, refuse incinerator, solid waste disposal or processing facility	N	N	N	N	N	<u>N</u>	N	N	N	N	N	SPP	N	N	25
M. Storage and distribution facility	N	N	N	N	N	<u>N</u>	N	N	N	N	N	SPP	N	Y	24
N. Artisan Production/Creative Enterprise	N	N	N	Y	Y	<u>Y</u>	Y	Y	SPP	N	N	N	N	N	

USE CATEGORY	R	G	B-1 ¹	B-2 ²	B-3 ³	B-4	CB ⁴	B ³	P ³	PRD ⁵	M-1 ³	M ³	OSR ⁶	TP ⁷	Parking code
O. Brewery, Distillery, or Winery with Tasting Room	N	N	N	SPP	SPP	<u>SPP</u>	SPP	SPP	N	N	SPP	SPP	N	N	25

¹ No individual establishment shall exceed 3,000 square feet in gross floor area per establishment and no building or structure shall exceed 6,000 square feet in gross floor area in the B-1 District, except as regulated herein. The gross floor area of individual establishments for purposes of this District shall exclude all or part of the area used for ancillary storage space which is secondary and incidental to the allowed principal use, such that the excluded area may not exceed 50 percent of the area of the principal use. The Planning Board may, by special permit, grant approval for individual establishments which exceed 3,000 square feet in gross floor area per establishment, subject to the following requirements: 1) The individual establishment shall be located within a building or structure in existence prior to the establishment of the property within a B-1 zone, where such building exceeded 6,000 square feet in gross floor area at such time; 2) No special permit for size may be issued for individual establishments to exceed 50 percent of the existing building gross floor area, and in no event may a special permit be issued for individual establishments in excess of 10,000 square feet per establishment.

² No individual establishment shall exceed 8,000 square feet in gross floor area per establishment and no building or structure shall exceed 8,000 square feet in gross floor area in the B-2 District, except as regulated herein. Uses designated "SP" require a special permit from the Zoning Board of Appeals for uses under 8,000 square feet of gross floor area. The Planning Board may, by special permit, grant approval for individual establishments with 8,000 or greater than 8,000 square feet of gross floor area per establishment up to a maximum size of 50,000 square feet in gross floor area per establishment and may, by special permit, grant approval for a building or structure up to a maximum of 60,000 square feet in gross floor area.

³ Uses designated "SP" require a special permit from the Zoning Board of Appeals for uses under 8,000 square feet of gross floor area or a special permit from the Planning Board for uses that are 8,000 square feet of gross floor area or greater.

⁴ Uses designated "SP" require a special permit from the Zoning Board of Appeals for uses under 8,000 square feet of gross floor area or a special permit from the Planning Board for uses that are 8,000 square feet of gross floor area or greater. A special permit for used car dealers may not be granted in the Central Business District unless it is a renewal of an existing valid special permit.

⁵ See Section II.E for further provisions regarding the uses allowed in the Planned Reuse District.

⁶ In no case shall the Zoning Board of Appeals issue a special permit for use on any lot within this district

a) such that the gross floor area of all buildings and structures in the district exceed eighteen thousand (18,000) square feet, or

b) such that the floor area ratio of all buildings and structures in the district exceeds one percent, whichever is the lesser. Ancillary administrative, maintenance and sanitary facilities necessary to serve the recreational uses in the District may be allowed by special permit from Zoning Board of Appeals.

⁷ See Section II.F for further provisions regarding the uses allowed in the Technology Park District. Retail outlets, accessory to a use permitted by this section, having a gross floor area no greater than two thousand five hundred (2,500) square feet; and non-automotive commercial uses and services intended for the primary use and convenience of the employees of the Technology Park District such as restaurants, branch banks, financial services, personal services and dry cleaners, provided the same do not occupy more than two thousand five hundred (2,500) square feet each are allowed by special permit from the Planning Board.

⁸ The Zoning Board of Appeals shall not grant a special permit for a nonconforming lot or structure. The Lot and structure shall conform to the existing area, frontage, width, setback, and lot coverage requirements applicable to the zoning districts in which they are located. Off-street parking shall be provided for both dwelling units in accordance with the requirements set forth in Section IV.B.

⁹ Mixed use structures and mixed use complexes over 30,000 square feet shall require a special permit from Planning Board.

¹⁰ Multi-family structures with over 30,000 square feet shall require a special permit from the Planning Board.

¹¹ Restaurants and Brew Pubs over 5,000 square feet shall require a special permit from the Planning Board.