

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

**Mixed-use:** The development and/or redevelopment of a site that includes two or more different uses.

**Mixed-use Building:** A development and/or redevelopment of a site that integrates a mixture of commercial 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 of a site that includes two or more separate buildings on a site that integrates a mixture of uses such as restaurants, offices, medical, educational, research & development, exercise & fitness, residential, recreation, entertainment, and/or retail. No single use shall occupy more than 85 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~~

**Commented [ALL1]:** Delete existing Mixed use and Mixed use Complex Definitions and replace with three new definitions (Mixed-use, Mixed-use Building, Mixed-use Complex)

**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 interest and direct investment into pivotal areas where junctures or crossroads exist. The intent is to encourage redevelopment and reinvestment into neighborhood centers that will re-establish these areas into vibrant commercial villages. A Village District shall include a mixture of various uses such as anchor tenants that will support the area, art and cultural spaces, public community space, educational/institutional use, entertainment, office space, retail, and other small businesses that offer amenities and local job creation for the community and surrounding residential neighborhoods. Streetscapes and facades shall 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 levels of abilities.

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

**Commented [ALL2]:** Renumber to allow for the introduction of Village District

2.e. Central Business: CB

**Commented [ALL3]:** Renumber to allow for the introduction of Village District

2.f. Business: B

**Commented [ALL4]:** Renumber to allow for the introduction of Village District

## 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 known as Villages throughout the City that 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 as follows:

- a. Provide a strong and walkable commercial center within the immediate center of Village District, which transitions to a mixture of commercial and residential uses, before diminishing into an abutting residential zoning district.
- b. Provide a vibrant mixture of offerings including art and cultural galleries/studios, community space, educational/institutional space, entertainment, office space, residential, retail, a mixture of business opportunities.
- c. Promote a mixture of uses that provides amenities and employment opportunities for the surrounding residential neighborhoods and the region.
- d. Encourage adaptive reuse of abandoned, vacant, or underutilized structures to re-energize the area.
- e. Inspire development and support of small businesses and entrepreneurs through targeted workspaces, while allowing the surrounding community to take advantage of business opportunities, job creation, and economic resources.
- f. Aspire to 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.
- g. Allow for a mixture of uses that can support one another while attracting visitors to utilize the amenities and services offered within the Village.
- h. Advance concepts of creating a walkable community that supports and encourages bicycle oriented modes of transportation for short trips and recreational opportunities.
- i. Investigate and nurture educational opportunities that are able to grow and sustain viability within the community; those amenities that continue to support and grow its user base, while including multiple generations of users, and attracting those residing and visiting surrounding neighborhoods.
- j. Preserve and enhance historical structures that 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
  - i. Nobscot Village  
Nobscot Village District Guideline (NVDG) have been developed to promote a 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 the pedestrian environment in addition to the landscape amenity area.
- b) Plazas, pocket parks, and courtyards should be used to expand sidewalk space in strategic locations to accommodate gathering. The minimum sidewalk width must be maintained in areas where other activities are present.
- c) Internal sidewalks must be at least 5 feet wide and provide access to each building, entry, open space, and parking area. Sidewalks along main roadways must be at least 10 feet wide.
- d) The use of public art within landscaped areas and murals are strongly encouraged. Such features shall not be viewed as signage, so as long as the company's name is not incorporated into the design.
- e) Outdoor dining areas are encouraged to be provided and shall be designed to allow proper flow and circulation of pedestrian movement. A minimum unobstructed pathway of five feet shall be maintained within outdoor dining areas and shall include fencing to provide separation and prevent conflicts with pedestrian sidewalks.

ii. Site - Landscape and Materials

- a) Street trees shall be installed along the entire property frontage and shall be spaced approximately twenty feet 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 to enhance 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. This area shall be landscaped with street trees, pedestrian amenities, outdoor seating, public art, and similar improvements for the purposes of creating usable open space. Sidewalks and meandering pathways may be incorporated into the landscape amenity area.
- d) Trees, shrubs, and landscape materials shall comply with the Planning Board Rules and Regulations, Article 19.

iii. Site - Furnishings and Lighting

- a) Furniture, lighting, and other furnishings should be unique to the respective B-3 District when in the public streetscape. Such furniture, lighting, and other furnishings within projects shall be consistent throughout the project unless is being provided by a specific business.
- 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, which shall be close when not in use.
  - b) All utilities are required to be placed underground to minimize the visual impact on the district. 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. The use of bollards, fencing, and landscaping shall provide screening and protection for these 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 the building shall be designed to correspond to a pedestrian scale and to ensure that the building 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) Buildings shall be designed to use multiple, harmonious exterior materials that promote creativity and individuality while allowing the building to blend into the B-3 District.
  - d) Building massing should define a clear base, middle and top of the building to add visual interest and a traditional approach.
  - e) Buildings should be designed to reduce building massing to promote a pedestrian scale at the streetscape. Such features may include porches, awnings, and/or covered entries. In addition to breaking up facades with distinct rooflines, varying heights, and variation in materials.

**4. Multi-modal Circulation, Parking, Transportation**

- a. Off-street Parking
  - i. Projects within the B-3 District shall comply with 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 to 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 allowed 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, buildings, and open spaces.
  - v. Below-grade parking, structured parking, and/or parking on the side and/or rear of a building 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 set 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, the use of access driveways and alleyways with abutting properties is encouraged to the maximum extent possible. The use of consolidated curb cuts, alleyways, and access drives 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 drive aisle not 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 degrades the LOS shall be mitigated as follows:
    - a) Project Impact Transportation Improvements
 

The Applicant shall 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 within a half mile of the respective project 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 only 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 the a half mile of the respective project 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 designed with distinctive paving so that paved area 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 property frontage shall be borne by the Applicant for the applicable project.
- iv. Installation of bicycle racks (Section IV.B.7 of these Ordinances), bicycle lockers, indoor bicycle parking, and other amenities to support bicycling is 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 fund 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 with the village center or connecting to the village center.
  - b) Funds shall be utilized by the Open Space and Recreation working group coordinator, Parks and Recreation, and/or the Department of Public Works, and approved for use by the Planning Board.

**5. 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 stations shall be incorporated into a project.

**6. 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. Measurements shall be measured along the property frontage, straight back (perpendicular) to the property boundary.

| Distance from an intersection measured along property frontage | Allowed Uses <sup>1</sup> – first floor                            | Allowed Uses <sup>1</sup> – Second Floor | Allowed Uses <sup>1</sup> – Third floor and above |
|--|--|--|---|
| 0-300'   | Nonresidential <sup>2</sup> Only                                   | Nonresidential and residential           | Nonresidential and residential                    |
| 500'-800'  | Nonresidential along property frontage Only                        | Nonresidential and residential           | Nonresidential and residential                    |
|  | Nonresidential along 75 percent of each side                       |  |   |
|  | 25 percent combination of nonresidential and residential accessory |  |   |
| 801' and over  | Nonresidential along the property frontage                         | Nonresidential and residential           | Nonresidential and residential                    |

- b. Properties that have been designed to be mixed-use may include more than one principal use on the property and multiple structures on the same lot. 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. When nonresidential commercial space is incorporated into a mixed-use project, a density bonus shall be granted as part of the project to aid the costs associated with the nonresidential space, when not leased and/or utilized. Structures within a B-3 District shall comply with the dimensional regulations set forth in Section IV.E of the Framingham Zoning Ordinance, unless modified below
  - i. Increase in Lot Coverage by an additional 25 percent; and/or
  - ii. Increase in height along the frontage of the structure by an additional floor, which shall span for 50 percent of the structure and then taper to the required height in Section IV.E of the Framingham Zoning By-Law.
- d. Mixed-use projects are encouraged to include:

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

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

- i. Public spaces, community space, Artist gallery space for Artist/Live Work Spaces, small business and entrepreneurial space, anchor tenants, medical uses, and/or institutional or educational space, workforce housing.
- e. Mixed-use projects containing an interior courtyard offering resident amenities only, may be designed with the first floor facing the courtyard for residential use.
- f. Mixed-use project with a residential component shall be required to provide a minimum of 1.75 off-street parking spaces per unit. The Planning Board 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.

**7. Mixture of Residential**

Framingham works to encourage a mixture of housing options, which include rental and ownership, in addition to single family, multifamily, town houses, etc. To aid in making Framingham accessible to all those who choose to make Framingham their homes. Within a B-3 District, a developer is encourage to

- a. 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 10 feet of a rear and/or side buffer.
- b. Projects with the B-3 District shall be required to comply with Section V.H of the Framingham Ordinances. Furthermore, residential projects within the B-3 District shall create of 10 percent of the total number of units as Workforce Housing, as outlined in the Planning Board Rules and Regulations.

**8. 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 Historic Commission or Historic District Commission.

- a. An exemption from the Floor Area Ratio (FAR), lot coverage, and/or setback requirements provided that the building is incorporated into a project within a B-3 District.
- b. Compliance with off-street parking requirements to ensure that adequate off-street parking for the specific use is provided.
- c. Review to ensure that historic structures comply with Sections V.B of these Zoning Ordinances, where applicable.

**9. Dimensional Requirements**

The Planning Board may at its discretion by special permit, waive any or all dimensional requirements set forth in Section IV.E.2. Table of Dimensional Regulations of the Framingham Zoning Ordinance. Such reduction shall not exceed a maximum of 25 percent only if the Planning Board determines with a finding that the particular location benefits and improves site development and/or configuration of the proposed project and the transition into the surrounding neighborhood. A special permit for such relief may only be granted if the Planning Board finds that such request is consistent with the public good and does not substantially derogate from the intent and purpose of the Framingham Zoning Ordinance or the intent of the Master Land Use Plan. However, this section does not authorize the Planning Board to grant a special permit for a variance or waiver in maximum height regulations.

**10. Application Review**

- a. The Planning Board shall be the Special Permit Granting Authority for projects within a B-3 District.

- 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. 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 53D.

**11. 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.

**12. 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 education 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.

**13. Procedure for Waiver**

All Projects within a Village Districts 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.

**14. 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.

**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       | Building Maximums |              |                  |
|----------|--------------------------------|----------------|----------------|-----------------|------------|--------------------------|-------------------|--------------|------------------|
|          |                                | Area (sf)      | Frontage (ft.) | Front (ft.)     | Side (ft.) | Open Space Surface Ratio | Floors/Height     | Lot Coverage | Floor Area Ratio |
| B-3      | Any principal use or mixed-use | 8,000 – 15,000 | 50             | 20              | 10         | 20%                      | -/40 <sup>h</sup> | 50%          | -                |
|          |                                | 15,001         | 75'            | 30              | 20         | 10%                      | -/40 <sup>h</sup> | 80%          |                  |

<sup>h</sup> 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...