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§435-23 MBTA Overlay Districts (MOD)

A. Purpose

The purposes of MOD are:

1. To provide family housing and ensure compliance with MGL c.40A §3A;
2. To promote multifamily housing near the commuter rail station, bus terminals, roadways, offices, retail sales and services, and civic and personal service uses;
3. To reduce dependency on automobiles by providing opportunities for mixed-use and multifamily housing near public transportation including the train station, bus stops, the rail trail, and major transportation routes;
4. To ensure pedestrian-friendly development by permitting higher-density housing in areas that are walkable to public transportation, shopping, and local services;
5. To respond to the local and regional need for affordable housing by permitting a variety of housing types with inclusionary housing requirements;
6. To promote concentrated housing in or near existing developed areas and major transportation routes, while offering residents the opportunity to live in different types of neighborhoods.

B. Description

1. The MBTA Overlay Districts shall not replace existing zoning districts but shall be superimposed over them. The provisions of this section apply only to developments on a lot(s) located entirely within a MOD, where the property owner has elected to comply with the requirements of the District, rather than complying with those of the underlying zoning district.
2. District Delineation
See map entitled **XXXXXX** for parcels included in the below districts.
 - 2.1 MOD-1 (Downtown)
 - 2.2 MOD-2 (Downtown)
 - 2.3 MOD-3 (Saxonville)
 - 2.4 MOD-4 (Nobscot)
 - 2.5 MOD-5 (Shopper's World)
 - 2.6 MOD-6 (9/90)
 - 2.7 MOD-7 (Speen Street)

C. Procedures and Regulations

1. Development under this section requires site plan review by the Planning Board under §435-47 of the Zoning Ordinance. The Planning Board has adopted regulations to facilitate site layout, building design, and outdoor amenity spaces. All site plan review standards applicable to developments under this section shall be consistent with the purposes of this section and EOHLIC's current Compliance Guidelines for Multi-Family Zoning Districts Under MGL c.40A §3A of the Zoning Act, as amended.
2. The Planning Board may impose reasonable terms and conditions, consistent with the parameters established by EOHLIC's Compliance Guidelines, to promote these objectives and serve the purposes of this section. Approval may reasonably regulate matters such as vehicular access and circulation on site, architectural design of a building, site design, and screening for adjacent properties. The Planning Board may require a performance guarantee to ensure compliance with these conditions.

3. The Planning Board may waive the Development and Design Standards where it finds that the waiver will allow for better design, in consistent with the public good, and does not substantially derogate from the purposes of the MOD or the underlying zoning.
4. Affordable Housing Component. A minimum of ten (10) percent (or a percentage to be approved by EOHLIC) of the total housing units in any development using this MOD Ordinance shall be considered affordable units, which shall be provided in accordance with §435-35 of the Zoning Ordinance regarding Inclusionary Housing.
5. Commercial and Municipal Space Component.
 - 5.1. MOD-1 and MOD-2: See map titled XXXXX delineating areas in MOD district that are required to have commercial space on the ground level.
 - 5.2. MOD-4: On projects larger than 250 units, an on-site location must be provided to allow for the construction of a 10,000 SF municipal first responder facility.
 - 5.3. MOD-5, MOD-6, and MOD-7: Commercial space must be accessible within a quarter-mile radius of the property. On-site commercial space must occupy a minimum of 10,000 SF.
6. Recreation Area Component. Any development containing forty (40) or more dwelling units shall provide an outdoor play are or common space appropriate for use by families with children which may include features such as swings, jungle gyms, slides, tables, chairs, benches, and similar features. These areas shall incorporate universal design standards.

D. Definitions **COMPARE WITH CB DISTRICT DEFINITIONS. REFERENCE / REVISE IF NECESSARY**

Active Use: See Framingham Zoning Ordinance §435-5.

Accessory Use: Framingham Zoning Ordinance §435-5.

*****Balcony:** An unenclosed platform with a railing, wall, or balustrade that provides outdoor amenity space on upper stories.

*****Building Footprint Area:** Area of the largest above grade floor of the building as measured to the exterior faces of the walls.

Façade Build Out Ratio: The ratio of the width of the entire front elevation to the lot width along the right of way.

*****Fenestration:** The openings in the façade of a building, including windows and doors. Fenestration is measured from the inside face of the jambs on any window or door trim.

Frontage Zone: The area of a lot between the building façade(s) and any front lot line(s), extending fully to each side lot line(s).

*****Ground Story:** The lowest story of a building with a finished floor at or above the average grade plane adjacent to the building.

*****Half Story:** See section XXX.

Primary Frontage: If parcel fronts on two rights of way, the more active of the two.

Residential Uses: See section XXX.

Secondary Frontage: If parcel fronts on two rights of war, the less active of the two.

Side Lot Lines: S: Any lot line other than a front or rear lot line.

Step-Back: A recess of an upper story façade a set distance behind the façade of the story below.

Usable Open Space: See “Open Space, Usable”, Framingham Zoning Ordinance §435-5. The regulations of this MBTA Overlay District will supersede underlying zoning.

E. Dimensional Standards

1. Site Dimensional Standards

<u>MBTA SITE STANDARDS</u>	MOD-1	MOD-2	MOD-3	MOD-4	MOD-5	MOD-6	MOD-7
UNLESS OTHERWISE SPECIFIED, UNDERLYING ZONING REGULATIONS SHALL APPLY							

Dwelling Units per Acre (max)	50	35	15	30
Minimum Lot Size				
-	8,000 SF	5 AC	10 AC	
Minimum Frontage				
-	25 FT			
Usable Open Space (min)	36 SF/unit			
Side Setbacks				
Abutting MOD District	0 FT			
Abutting MOD Residential Zones/Uses	15 FT			
Abutting Commercial Zones/Uses	0 FT			
Façade Build Out Requirements				
Primary Street	80% or lot width between side setbacks minus 15 FT, whichever is less			
Secondary Street	50%			
Lot Sides	N/A			
Building Separation for Multiple Buildings on a Lot (min)				
Average height of buildings is less than or equal to 3 stories	15 FT			
Average height of buildings is between 3 and 3.5 stories	20 FT			
Average height of buildings is equal to or greater than 3.5 stories	25 FT			
Parking Setbacks (min)				
From all lot lines	5 FT			

2. Building Dimensional Standards

<u>MBTA BUILDING STANDARDS</u>	MOD-1	MOD-2	MOD-3	MOD-4	MOD-5	MOD-6	MOD-7
Massing							
Footprint (max)	15,000 SF		30,000 SF		45,000 SF		
Height (Stories/Feet) (max)	3.5 / 50	2.5 / 35	3.5 / 50		6.0 / 85		
Ground Story Height (min)							

Active Commercial / Retail Uses	15 FT						
Residential Uses	12 FT						
Top Floor Half Story Height (max)							
Flat Roof	12 FT						
Pitched Roof	18 FT						
Frontage Zones							
Primary Frontage Use	80% must be active or residential use	80% must be active use	N/A				
Façade Ground Floor Fenestration							
Active Uses	70%						
Residential Uses	15%						
Façade Articulation							
Continuous Length (max)	200 FT						
Area of Recess (min)	96 SF						
Depth of Offset (min)	8 SF						

F. Development and Design Standards

1. Site Design Standards

1.1. Setbacks

- 1.1.1. Buildings must meet the minimum setback requirements specified in the Site Dimensional Standards for the respective MBTA District.
- 1.1.2. Buildings must be set back from any lot line abutting a sidewalk an additional distance so that at least ten (10) feet in width is provided between the back of curb and exterior façade of the building at all points. Including the furnishing zone, the area of the lot that is within ten (10) feet of the curb shall be paved in compliance with the City's Roadway Construction Standards (See Framingham City Ordinance §540-5.6).

1.2. Building Placement

- 1.2.1. The width of the front elevation must be built out to a percentage of the lot width as specified by the Façade Build Out Ratio in the Site Dimensional Standards for each district, measured linearly.
- 1.2.2. The Façade Build Out Ratio may be met cumulatively by multiple buildings on a lot.
- 1.2.3. Usable open space between the front lot line and front elevation is considered part of the building for the purposes of calculating the Façade Build Out Ratio.

1.3. Number of Buildings

- 1.3.1. Multiple buildings are permitted on each lot by-right.

1.4. Building Separation

- 1.4.1. Multiple buildings on a single lot must comply with the building separation distance at all points specified in the Building Dimensional Standards for each zone.

- 1.4.2 Buildings on abutting lots may not be interconnected so as to be internally accessible from one to the other at or above grade level.
- 1.5. Usable Open Space
 - 1.5.1. Usable Open Space must be provided as per the Site Dimensional Standards. The open space can be furnished as a single or multiple space, freely accessible to all tenants of the development, or as private open space accessible only to tenants whose unit has direct access, or a combination of the above.
 - 1.5.2. Usable Open Space is defined as exterior space open to the sky (shading devices, structures, and plantings allowed), which is designed and maintained for the use of residential tenants. It is designed to be programmed and used by active or semi-active uses, and not as an inaccessible landscape or passive area.
 - 1.5.3. The following is a list of allowable uses: Balconies, Terraces, Stoops, Dooryards, Courtyards, Dog Runs, Plazas, Gardens, Roof Decks, and Pools. Other uses may be proposed by a proponent and will be reviewed in site plan review.
 - 1.5.4. Usable Open Space areas are allowed to be located within site setbacks

2. Building Design Standards

2.1. Top Floor Half-Story Requirements

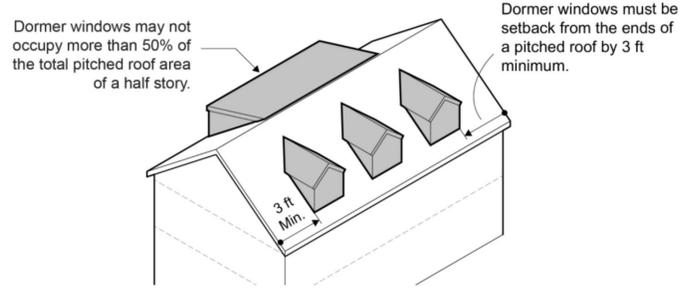
Buildings must meet the Top Floor Half-Story step-back requirement along any lot line abutting a residential district.

2.1.1. Pitched Roofs

Space located directly under a pitched roof is counted as a half (0.5) story, provided the following standards are all met:

- 2.1.1.1. At least two (2) opposite roof planes are pitched toward each other.
- 2.1.1.2. A pitched roof may be composed of roof planes with different slopes.
- 2.1.1.3. The slope of any pitch must be no greater than 14:12 (49.4 degrees); otherwise, this story is counted as a full story.
- 2.1.1.4. The roof rafters must intersect the wall plate or top of wall frame of the exterior walls at a height no more than two (2) feet above the finished floor of the half (0.5) story; otherwise, this story is counted as a full story.
- 2.1.1.5. Dormer requirements

Figure 7. Dormer Windows



2.1.2. Flat Roofs

- 2.4.2.1. For buildings in MOD-1, the required step-backs must be provided above the third story.
- 2.4.2.2. For buildings in MOD-2, the required step-backs must be provided above the second story.

2.1.3. Exceptions

- 2.4.2.3. Sections of buildings that are on a portion of a lot where the lot depth is less than seventy (70) feet are exempt from the Top Floor Half-Story step-back requirement along the rear lot line, except when the rear lot line abuts a residential district.
- 2.4.2.4. Any portion of the upper story set back more than twenty-five (25) feet from any lot line is exempt from the Top Floor Half-Story step-back requirement, except when the lot line abuts a residential district.

2.5. Building Entry

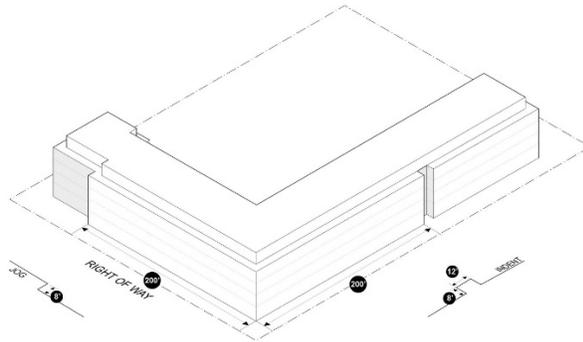
- 2.5.1. For parcels with Primary Frontage, buildings must have their main entrance from a sidewalk on a primary street.
 - 2.5.2. Multi-story buildings with ground floor Active Commercial / Retail Uses must have one (1) main entrance for each Active Commercial / Retail Use space in addition to any main entrance(s) necessary for any Residential Uses within the building.
 - 2.5.3. Main entrances must either be recessed from the plane of the façade or have a projecting awning or canopy to signal building entry and provide adequate protection from the elements.
 - 2.5.4. For buildings with Residential Uses on the ground floor fronting a public right-of-way, individual unit entrances are required.
 - 2.5.5. Main Entrances are required every 60 feet, measured linearly.
- 2.6. Frontage Zones
- Frontage Zones provide access to primary entrances, and serve as the interface and transition between the private realm (building interiors) and the public realm (sidewalks and public spaces).
- 2.6.1. Frontage Zones are described in two categories:
 - 2.6.1.1. Active Commercial / Retail Uses: Includes residential lobbies, restaurants, retail establishments, bars, galleries, art studios, community spaces, personal services
 - 2.6.1.2. Residential Uses: Includes individual residential units, live/work spaces
- 2.7. Architectural Features for MOD-1, MOD-2, MOD-3, and MOD-4
- Refer to Central Business (CB) District regulations.
- 2.7.1. Bay Windows. Architectural features may project into the front setback and/or right of way only based on the following standards:

<u>BAY DIMENSIONS</u>	
Width of each bay (max)	Greater of 20% of wall length or 12 FT
Depth (max)	3 FT
Front setback encroachment at the ground story (max)	3 FT
Extension into the right of way (max)	3 FT
Clearance above grade within the right of way (min)	Top of the ground story

- 2.7.2. Façade Articulation

The façade of any building greater than two hundred (200) feet in length must be divided vertically by a recess with a minimum area ninety-six (96) feet and minimum depth of eight (8) feet, or a façade offset with a minimum depth of eight (8) feet for the full height of the building, excluding:

 - 2.7.2.1. The Top Floor Half-Story
 - 2.7.2.2. Any portion of the ground story with Active Commercial / Retail Uses as defined in **Section 2.6.1.1** of this Overlay District
 - 2.7.2.3. Balconies and awnings may be located within the recess or adjacent to the offset



- 2.7.3. Mechanical Equipment
 - 2.7.3.1. Roof-mounted mechanical equipment must be screened and setback at least ten (10) feet from the intersection of the roof and wall plane immediately below.
 - 2.7.3.2. Wall-mounted alarm devices, cable boxes, and utility meters shall not be mounted on a wall plane facing a primary street.
 - 2.7.3.3. Wall-mounted mechanical, plumbing, and/or electrical equipment such as louvers, exhaust equipment and ducts vents along the front elevation must be architecturally integrated into the design of the building and located to minimize adverse effects on pedestrian comfort along sidewalks and within open spaces.
 - 2.7.3.4. All free-standing mechanical and/or electrical equipment are prohibited between any front lot line and front façade.
- 2.8. Parking Design Standards for MOD-1, MOD-2, MOD-3, and MOD-4
Refer to Central Business (CB) District regulations.
 - 2.8.1. Required Motor Vehicle Parking Spaces
Motor vehicle parking must be provided as specified below:
 - 2.8.1.1. A minimum of one and a half (1.5) parking stalls per residential unit is required for all MBTA zones.
 - 2.8.1.2. Ground floor retail spaces are exempt from parking minimum requirements.
 - 2.8.1.3. Centralized parking facilities must provide signage identifying the permitted users.
 - 2.8.1.4. Pedestrian access to motor vehicle parking must be via a paved sidewalk or walkway from main entrance to building.
 - 2.8.1.5. Motor Vehicle Parking Spaces Dimensions
Standard parking space dimension is nine (9) feet by eighteen (18) feet. The Planning Board can allow that 20% of the required spaces may be compact, with dimensions of eight (8) feet by sixteen (16) feet.
 - 2.8.2. Required Accessory Bicycle Parking Spaces
Bicycle parking must be provided as specified below:
 - 2.8.2.1. One (1) bicycle space per five residential units are required in all MBTA Districts.
 - 2.8.2.2. Bicycle racks should be placed in safe, accessible areas that are visible and well-lit. Racks should be securely anchored.
 - 2.8.2.3. Bicycle Parking Spaces Dimensions
2 FT x 6 FT with 4 FT clearance for pedestrians
 - 2.8.3. Parking Access
 - 2.8.3.1. Vehicular access to parking lots and structures along the Primary Frontage is prohibited when vehicular access along another lot line is available.
 - 2.8.3.2. Shared use of vehicular parking lots by multiple uses and/or developments on multiple parcels is permitted.
 - 2.8.3.3. If the entrance to a parking area is along the Primary Frontage, the width of the entrance may be no more than 40% of the front façade along the Primary Frontage.
 - 2.8.4. Curb Cuts and Driveways

- 2.8.4.1. Curb cuts are prohibited along the Primary Frontage when vehicular access along another lot line is available. A curb cut along a Primary Frontage on a corner lot is permitted if the Director of Public Works, or their designee, determines a one-way vehicular access along the Primary Frontage and a one-way vehicular access along the Secondary Frontage improves safety and traffic flow.
- 2.8.4.2. Each lot is limited to one curb cut per street frontage.
- 2.8.4.3. The maximum width of a driveway for vehicular access to parking lots and structures is as follows:

Access Type	Width (max)
One-way	12 FT
Two-way	24 FT

2.8.5. Vehicular Parking Placement

- 2.8.5.1. All vehicular parking spaces must not be located within five feet of any lot line.
- 2.8.5.2. Vehicular parking between the front lot line and the front façade of the structure is prohibited.