

## **DRAFT #7: South Lincoln Village District 6/26/19**

*[Note that as drafted, this zoning would replace both the B-1 and B-2 Districts in the South Lincoln Station Area. There is one other area in town zoned B1 (Old Lincoln Town Hall), but there is not another B2 District in town, so MAPC would propose that the new SLVD Zone replace the B2 zone in the Zoning Bylaw (Section 10).*

*It should also be noted that the proposed re-zoning would also eliminate all of the R4 zoning district, and so that District will also be removed from the Lincoln zoning bylaw.*

*Once the final language regarding the SLVD is agreed upon, there will be a need to go through the remainder of the zoning bylaw and propose removal of all references to the B2 and R4 Districts.]*

### **TM Article Language:**

#### **Establishment of the SOUTH LINCOLN VILLAGE DISTRICT (SLVD) ZONE**

Lincoln Zoning Bylaw (LZB) Section 3 ESTABLISHMENT OF DISTRICTS is hereby amended to remove the B-2 Service Business District, and insert in its place, the South Lincoln Village District (SLVD).

For information, the zone is comprised of the following Assessing Parcels:

\_\_\_\_\_.

See illustrative map below (this is **not** the official Lincoln Zoning Map).

*[Insert illustrative map if desired]*

### **Town Meeting Language to replace section 10:**

#### **10. SOUTH LINCOLN VILLAGE DISTRICT (SLVD) ZONE.**

The purposes of the South Lincoln Village District Zone are to:

1. Create a vibrant and pedestrian-friendly village center by encouraging the development or redevelopment of a mix of residential and non-residential uses in proximity to the Lincoln Commuter Rail Station.
2. Encourage business and professional services for Lincoln residents and visitors, and foster an environment that allows businesses to be economically resilient.
3. Promote an active and connected pedestrian environment.
4. Promote innovative approaches to parking.
5. Enable an increase in housing production that will provide housing choices for households of all incomes, ages, and sizes in order to preserve Lincoln's diversity.
6. Maintain a high level of quality and design that respects and enhances the visual character of Lincoln.
7. Support reductions in greenhouse gas emissions by enabling housing near transit and amenities.
8. Ensure a predictable and efficient development review and permitting process.

The South Lincoln Village District contains the following two subareas:

- Village Business subarea
- Village Residential subarea

#### 10.1 Uses Permitted:

For any development proposals that require Site Plan Review, no building permit shall be issued unless a site plan has been submitted and approved in accordance with the provisions of Section 17.

10.1.1 Uses Permitted in the Village Residential Subarea. Any use allowed by right within the R-1 Single Family Residence District, as listed in Section 6.1, is allowed by right within the Village Residential Subarea, subject to site plan review in accordance with Lincoln Zoning Bylaw Section 17 provisions.

10.1.2 Uses Permitted within the Village Business Subarea. Within the Village Business Subarea, the following are Permitted Uses, subject to site plan approval in accordance with Lincoln Zoning Bylaw Section 17 provisions.

- (a) store for retail sale of merchandise, including a grocery store, where all display and sales are conducted within a building, and where no significant manufacturing, assembly or packaging occur on the premises;
  - i. Retail establishments may conduct outdoor sales periodically, subject to administrative approval by the Planning Board, and pursuant to a plan showing the area in which the sale is to take place, the proposed dates and hours of operation, and any other pertinent facts. This section may also pertain to special events/festivals at which outdoor display of items for sale may occur, and which are not associated with businesses that occupy structures within the Village Business Subarea.
  - ii. The Planning Board may delegate to the Lincoln Planning and Land Use Department, the authorization to grant administrative approval for seasonal exterior displays or short-term outdoor sales as part of events/festivals; the Planning staff will report on all such approvals at the next scheduled meeting of the Lincoln Planning Board.
- (b) barber shop, beauty shop, laundry and dry-cleaning pick-up agency, shoe repair, fitness or wellness studio, and other similar retail service establishments;
- (c) business, professional, or medical office, or bank;
- (d) rail or bus station or terminal;
- (e) Post Office;

- (f) craft workshops, artist studios, and similar uses, including retail sales of products produced on the premises, provided that the use does not cause noise, odor, smoke, dust, or other offensive characteristics beyond the premises;
- (g) bakery or other similar food preparation and sales use, provided there is a significant on-site retail component;
- (h) religious or educational uses governed by G.L. c40A section 3 (subject to Section 19.1.e);
- (i) uses accessory to the above, including occupations customarily conducted in Lincoln in a residence or building accessory thereto by a person residing on the premises.

10.2 Uses Permitted subject to a Special Permit from the Planning Board:

10.2.1 Within EITHER the Village Business subarea OR the Village Residential subarea the following uses are permitted subject to a special permit:

- (a) Multi-family residential development, including forms such as townhouses, rowhouses, or apartments, either as a single use, or where business uses are allowed, in mixed use developments. Multi-family developments are subject to the development densities, bonus provisions, and development review set forth in section Section 10.4.7.
- (b) Live-work Unit, provided that these are limited to the first floor of mixed use or of multi-family dwelling developments;
- (c) Use of land or structure by a public utility or by the town;
- (d) Bed and Breakfast.

10.2.2 Within Village Business subarea the following uses are permitted subject to a special permit:

- (a) Service station or repair shop for motor vehicles, etc.
- (b) Brew Pub, Restaurant, or other food service establishment whose principal business is the sale of prepared foods and/or beverages that are either consumed on the premises or carried out by retail customers from the premises, provided that:
  - (i) The Planning Board grants a special permit in accordance with the provisions of Section 21. In granting, denying, or considering the renewal of any such special permit, the Planning Board shall consider at least the following factors:
    - (A) The existence of safe vehicle access to and from local ways;
    - (B) The existence of safe pedestrian access to and from such site;
    - (C) The adequacy of provisions to reduce or eliminate undesirable visual, noise, odors or similar impacts upon adjoining properties and the public;

- (D) If carry out or take out service is offered, the impact of those activities on traffic and parking;
- (E) The adequacy of provisions for controlling and cleaning up on-site and off-site litter and debris;
- (F) The existence of water and waste management plans for the premises which will minimize any adverse impact on natural or community resources;
- (G) The adequacy of proper controls for containment of exhaust fumes or other emissions from the premises;
- (H) The degree to which the business will recycle waste materials, will utilize recycled materials, and will utilize water conserving and energy-efficient appliances; and
- (I) Whether in all other respects the proposed project will be in harmony with the general purpose and intent of this bylaw and not detrimental to the neighborhood or the town.

Any such special permit granted under this section 10.2.2 may contain such condition, restrictions or requirements as the Planning Board deems appropriate to accomplish the purposes and intent of this Zoning Bylaw and to assure that the use will satisfy the criteria listed above. In connection with the application for a special permit for any use specified in this section, the applicant shall also submit a site plan prepared in accordance with Section 17 below, and no building permit shall be issued unless a site plan has been so submitted and approved by the Planning Board in accordance with the provisions of said Section 17. A special permit granted under this section cannot be transferred to a new operator or owner. In such cases, a new application for a special permit must be made.

### 10.3 Prohibited Uses

Drive-in or Drive-through services, as well as drive-in or drive-through services offered as part of allowed or special permit uses.

### 10.4 Development Regulations for the SLVD District:

For pre-existing nonconforming uses, the Special Permit Granting Authority shall be the Board of Appeals in accordance with Section 4 of this Bylaw. For all other uses within the South Lincoln Village District, the Planning Board shall conduct and coordinate the permitting process and serve as the Special Permit Granting Authority (SPGA) and, for any development proposals that require Site Plan Review, will conduct site plan approval as described in Section 17.

The Planning Board may delegate, pursuant to regulations and procedures adopted by the Planning Board, to the Lincoln Planning and Land Use Department, the authorization to grant administrative approval for changes of one business tenant to another similar business, unless

- the new tenant proposes any changes to the site which would be in conflict with the approved Site Plan, or
- the Planning and Land Use Department feels that the proposed use is not in keeping with the previously approved Site Plan, in which case the Planning and Land Use Department may refer the project for Planning Board Site Plan Approval.

10.4.1 Supplemental Materials. The Planning Board may adopt rules and regulations and/or design guidelines to advance the purposes, and to assist with the implementation, of this Section.

10.4.2 Conflicting Provisions. If the provisions of this Section 10 are in conflict with any other section of the Lincoln Zoning Bylaw, the regulations of the SLVD shall govern.

10.4.3 Pre-Application Meeting. All applicants for projects within the SLVD District are required to contact the Planning and Land Use Department to arrange a Pre-Application meeting to review the proposed project. The purpose of the pre-application meeting is to answer questions and concerns in order to streamline the review process for applicants and for the Town. The Planning Director will coordinate, as appropriate, additional pre-application meetings with the Planning Board and/or other Town officials/town departments.

#### 10.4.4 Dimensional Requirements Permitted By Right

- (a) Minimum Lot Area: 7,000 Square feet
- (b) Minimum Frontage: 50 feet
- (c) Width of Lot and Yards: The minimum yards and width of lot at building shall be as shown on the approved site plan
- (d) Maximum building height: See accompanying Map of Building Heights for the SLVD Zone, which designates areas limited in height to 2.5 stories or 36 feet (whichever is lower) and areas limited in height to 3.5 stories or 48 feet (whichever is lower). Within the 3.5 story area, any portion of a structure within 50 feet of a R-1 Residential Zone shall be limited to 2.5 stories by right.
- (e) Lot coverage (ratio of built floor area to lot area): 25%

#### 10.4.5 Parking requirements

Parking requirements are as listed in Section 15.3.2.1.

#### 10.4.6 Reduction of Required Parking

- (a) Any minimum required amount of parking may be reduced only upon issuance of a special permit of the Planning Board. A special permit may be granted only if the Planning Board determines and cites evidence in its decision that the lesser amount of parking will not cause excessive congestion, endanger public safety, substantially reduce parking availability for other uses or otherwise adversely impact the Town, or that such lesser

amount of parking will provide positive environmental or other benefits to the users of the lot and the Town. The Planning Board may consider Transportation Demand Management proposals from the developer, including, but not limited to, car sharing services if such vehicles are located on site or nearby. In making the determination, the Planning Board shall request a parking analysis as part of the special permit application.

- (b) By special permit (as outlined in sections 10.4.6 (a) above), the Planning Board may reduce the minimum parking required to the following:
- Residential: .75 space per unit
  - Retail, office, and restaurants: 2 spaces per 1,000 square feet of floor area
- (c) Shared vehicle parking in the SLVD: Shared Vehicle Parking is defined as the use of one or more parking space(s) to satisfy the parking required for two or more separate uses within a project. The shared parking may be on the same project site or at an acceptable off-site location per Off-Site Parking requirements in Section 15.3.2.

Applicants wishing to use Shared Parking to reduce the total number of required spaces must submit a shared parking analysis using a process acceptable to the Planning Board. The analysis must be provided in a form established by the Planning Board in consultation with relevant town departments. The Planning Board may adopt Guidelines for calculating the reduction in parking based on shared parking. The town may also procure the services of a parking consultant, at the expense of the project proponent under Chapter 44, Section 53G, to assist in review of the shared parking or parking reduction proposal.

Reductions in the total number of required spaces for shared parking will be permitted after the Planning Board, in consultation with the town staff/consultants, determines a reduction is appropriate based on determinations that the shared parking will:

- i. Provide a use and management plan describing operations and management of proposed parking
  - ii. Have either mutually exclusive or compatibly overlapping normal hours of operation. The Planning Board will determine whether hours of operation are compatibly overlapping on a case-by-case basis.
  - iii. Reserve, for the residential portion of a mixed-use project, a minimum of .25 spaces per unit from any shared use calculations
  - iv. Not create hazardous conditions for pedestrians nor result in potentially unsafe traffic conditions
- (d) Payment in Lieu Of Parking Provision: The Planning Board may allow for a partial or full waiver of the required onsite parking provision though payment into a parking and transportation fund to be controlled by the Town. Fees can be used to administer the public parking system or complete other transportation improvements that mitigate the demand for parking. In Lieu Fees shall be determined annually by the Board of Selectmen and can be either onetime payments in conjunction with development permitting or annual assessments.
- (e) Off-Site Vehicle Parking: Per section 15.3.2, required parking spaces may be permitted on a different lot from the project site if the Planning Board determines that the following

standards have been met. Any off-site parking arrangement will be documented on the Certificate of Occupancy for all relevant properties. Within the SLVD, the Planning Board may approve a project with some or all of the parking off-site if the parking meets the following conditions:

- i. Off-site parking spaces are located within 800 feet from the primary entrance of the use served, along the shortest available pedestrian route (measured from the nearest point of the parking area to the nearest point of the primary entrance served by the off-site parking lot).
- ii. Specifically designated off-site parking areas for employees may be located up to 1,000 feet from the employee entrance of the use served, along the shortest available pedestrian route (measured from the nearest point of the parking area to the nearest point of the employee entrance served by the off-site parking lot).
- iii. The application to the Planning Board must include a mutual Shared Parking Agreement signed by all involved property owners. The written agreement shall include, but not be limited to the following items: maintenance, snow removal, ownership, and liability.
- iv. Documentation is provided demonstrating that the parking to be used offsite is available and not otherwise committed.

The Planning Board may apply special conditions (such as annual reporting) to the use of off-site parking to satisfy parking requirements.

#### 10.4.7 Special Permit Provisions within the SLVD

- (a) The Planning Board shall be the special permit granting Authority within the SLVD.
- (b) In addition to other special permit uses cited elsewhere in the SLVD bylaw, a project proponent within the SLVD may seek a special permit for the following:
  - i. An increase in the maximum density of residential dwellings up to 10 units per acre as part of mixed-use developments in the Village Business subarea and up to 20 units per acre within the Village Residential subarea
  - ii. An increase in height from 2.5 stories or 36 feet to 3.5 stories or 48 feet within the 50-foot lot-line-buffer of the 3.5 story height area, as shown on Map # \_\_\_\_\_
  - iii. An increase in the maximum Percent Lot Coverage from the 25% by right up to a maximum of 60%
  - iv. A decrease in the minimum required lot frontage
- (c) To be eligible to apply for a special permit under 10.4.7 (b), the proposed development must meet the following minimum criteria:
  - i. In addition to the provision of Affordable Units under Section 14.5, the special permit developments within the SLVD shall provide an additional 10% Affordable Units in the development, for a total of 25% of the proposed project units rounded to the nearest whole number. These additional Affordable Units shall be affordable to households earning up to 120% of the Area Median Income.
    - A. While units serving income levels specified above will not be eligible for inclusion on the Department of Housing and Community Development (DHCD) Subsidized Housing Inventory, these units shall comply with all other

requirements of DHCD's Local Initiative Program, including deed restrictions, monitoring, unit resale procedure, methodology for determination of rent and sales price, and marketing and resident selection procedure, to ensure that the units are affordable in perpetuity.

- B. The Planning Board may approve the use of Fees in Lieu of units per the provisions of Section 14.5.4.d.
  - ii. The development shall include common outdoor space for use by the residents of dwelling units within the development (which may be entirely or in part also publicly accessible) equal to 100 square feet per unit; said common outdoor space may be used for gardens, play areas, patios or similar uses.
  - iii. Within the Village Business subarea, all developments containing multi-family dwelling units must include retail or active commercial uses on the street-facing side of the first floor as allowed by the Bylaw to promote active streets.
  - iv. Within the Village Business Subarea, all developments approved by special permit shall contain accessible public space, located on the site to promote pedestrian and shopper accessibility. These areas may include pedestrian-friendly amenities, such as wide sidewalks/pathways, outdoor seating, patios, or courtyards, as well as landscaped/garden areas associated with these pedestrian amenities. It may include landscaped pathways connecting adjacent developments, but should not include painted pathways/crosswalks through parking lots. All improvements to this public space shall be installed and maintained as part of the development by the project proponent.
  - v. The development must meet the Design Criteria in Section 10.5, and any Design Guidelines adopted for the SLVD.
- (d) Special Permit Application: An application for a special permit under 10.4.7 (b) shall be composed of a written portion and drawings as follows:
- i. a description of the uses to be permitted and the way in which the proposed uses comply with the Zoning Bylaw;
  - ii. a traffic analysis to be conducted by a traffic engineer who certifies that he/she qualifies for the position of member of the Institute of Transportation Engineers (ITE) or who otherwise establishes his/her qualifications to the satisfaction of the Planning Board. The analysis shall, unless the proponent gives reasons satisfactory to the Planning Board why any element is not necessary, include the following:
    - A. traffic counts on primary streets or rights-of-way that provide access to the development site showing data on Average Daily Traffic (ADT) and a.m. and p.m. peak periods (conducted for two hours divided into 15-minute segments);
    - B. intersection turning movement counts at intersections likely to be affected by the proposed development (conducted for two hours divided into 15-minute segments), including intersections involving private rights-of-way if applicable;
    - C. an inventory of roadway characteristics showing the width of the principal approach streets or rights-of-way and the presence or absence of sidewalks and their condition;
    - D. estimated trip generation showing the projected inbound and outbound vehicular trips for the a.m. and p.m. peak periods and typical one-hour off-peak trip generation;



- E. the estimated distribution of new trips by approach streets or rights-of way;
    - F. the effect of additional traffic generated by the development on traffic "levels of service" on each approach street or right-of-way;
    - G. estimated off-street parking and loading requirements and time of peak accumulation.
  - iii. a municipal impact analysis showing the anticipated fiscal effect on the proposed development on the Town of Lincoln, including real estate taxes, school usage, public safety usage, and other demands for municipal services;
  - iv. an environmental impact analysis considering the proposed development on the environment, and on the H-Historic District, if applicable, to be submitted in a form specified by the Planning Board;
  - v. a description of the number of dwelling units, if any, by bedroom types, the square feet in each type of dwelling unit, the estimated sales or rental level for each type of dwelling unit, a specification of the number of Affordable Units to be provided and the targeted income levels, and a description of the mechanism by which any affordable units will be kept available for rental or purchase by low- or moderate-income households;
  - vi. Architectural or engineering drawings that meet the submission requirements of Section 17 Site Plans, in addition to the following:
    - A. Elevations and site plan drawings that include proposed materials;
    - B. a utilities plan showing existing Town utilities and proposed utilities to be constructed on site, including proposed connections to Town utilities;
    - C. a site drainage plan prepared by a licensed engineer;
    - D. a tree, landscaping and site construction plan;
    - E. a site lighting plan, showing location and type of fixtures and type of lighting source;
    - F. an off-street parking and loading plan;
    - G. preliminary drafts of any deed, easement, offer or agreement to carry out any special condition.
- (e) Public Hearing and Notice: The Planning Board shall hold a public hearing with respect to any application for a special permit in accordance with the provisions of Section 21. The applicant shall be responsible for the cost of publication in the local newspaper and the cost of a certified abutters list.
- (f) Filing of the special permit Application Filing Fee: Before the filing of the special permit application under 10.4.7 (b), the proponent is required to meet with the Planning and Land Use Department to discuss the scope and level of detail to be shown in the special permit application. One hard copy of the special permit application shall be submitted to the Town Clerk. An additional complete hard copy of the application, as well as a complete digital copy, shall be submitted to the Planning and Land Use Department. The application shall be accompanied by a fee identified in the Planning and Land Use fee schedule.
- (g) Inspectional Services and Review: The town may utilize outside consultants pursuant to M.G.L, Chapter 44, Section 53G in the review of plan submission, site inspections, and any other studies. Fees will be placed in a special account established by Lincoln's treasurer/accountant and expended for reviews conducted on behalf of the Town. At the

completion of the project any excess amount will be returned to the Applicant along with accrued interest.

- (h) Criteria for Special Permit Approval under 10.4.7 (b): The Planning Board shall also consider the following before issuing a special permit within the South Lincoln Village District:
- i. Degree to which the proposed project complies with the goals of this bylaw, including affordable housing, common outdoor space, design standards and design guidelines if adopted;
  - ii. Adequacy of the site in terms of the size of the proposed use(s);
  - iii. Suitability of the site for the proposed uses(s);
  - iv. Adequacy of the provision of public space, its accessibility to the general public, and/or its association with adjacent or proximate open space areas;
  - v. Adequacy of pedestrian access to buildings and between public spaces;
  - vi. Impact on the visual character of the immediate area and surrounding neighborhood;
  - vii. Preservation of existing historic assets;
  - viii. Adequacy of public infrastructure, including any commitments by a project proponent to improve off-site infrastructure that will serve the proposed development.
- (i) Denial of the Special Permit. The Planning Board may deny an application for a special permit under this Section 10.4.7 on the basis of the applicant's failure to comply with any of the provisions of this Section, or the failure of the development proposal to satisfy any of the criteria or requirements specified in this Section.
- (j) Security for the Special Permit. The Planning Board, as a condition of granting a special permit, may require that the performance of the conditions of such special permit be secured by a bond, covenant, or such other methods as may be approved by the Planning Board. The Planning Board shall administer this securing of performance.
- i. Reduction of Security. Until completion of the development the penal sum of any deposit or security held under this section may from time to time be reduced by the Planning Board to no less than 150% of the cost of completion of the work as estimated by the Planning Board.
  - ii. Release of Security. Security shall be released to the applicant upon the completion of the development or upon performance of the conditions imposed by such special permit, and upon determination by the Planning Board that the conditions of the special permit have been met.
- (k) Amendment of Special Permit. At any time after the issuance of a special permit under this Section, so long as such special permit has not lapsed, the Planning Board may issue an amendment to the special permit in accordance with the procedures required for the original special permit. The Planning Board may waive the requirement of a formal amendment to the special permit, however, with respect to minor deviations from its requirements which the Planning Board finds could properly be allowed by amendment to the special permit but which are determined minor so that no public purpose would be served by requiring a formal amendment.

#### 10.5 Design Standards for the South Lincoln Village District

The South Lincoln Village District (SLVD) Design Standards are intended to promote quality development consistent with the Town's desire for contextual, pedestrian-scaled projects. All applications made pursuant to Section 10, South Lincoln Village District Zone shall be subject to these Design Standards. The Planning Board shall consider these Design Standards in reviewing any special permits in the SLVD, and in conducting Site Plan approvals, consistent with Section 17, Site Plans.

To further enhance the development of the SLVD, applicants shall design their projects in conjunction with the Design Guidelines approved by the Lincoln Planning Board for this District. In reviewing special permit applications, the Planning Board will emphasize high quality of design as described in the Design Guidelines.

(a) Building Scale

- i. Consistent with the allowable building heights indicated on the Zoning Map, buildings fronting Lincoln Street are intended to be smaller-scale, while buildings set back from Lincoln Street or located along side streets or rights-of-way are permitted additional height. In all cases, buildings must be well-proportioned and demonstrate exceptional design. Architectural elements such as varying rooflines or heights, bays, alignment of façade elements such as cornices, or step-backs can be used to reinforce the scale, massing, and proportions of Lincoln Station's traditional patterns of development.
- ii. Ground level ceiling heights in buildings with ground floor commercial use shall be a minimum of 12 feet, measured from the surface of the finished floor to the bottom ceiling surface.
- iii. While no specific roof form is proscribed or prohibited, a building's roof form must be consistent with its architectural style and be proportionally scaled to the building overall.

(b) Building Orientation and Entrances

- i. Building orientation towards the street is encouraged, with the primary entrance visible to, and directly accessible from, the sidewalk. If primary access is by a private right-of-way rather than a public street, the primary building entrance should be visible to, and accessible from, the right-of-way and any associated sidewalks or pedestrian pathways.
- ii. For mixed use buildings, entrances to upper floor uses shall be separate from ground level retail entrances.

(c) Facades

- i. Buildings more than 50 feet in width shall be broken into bays or otherwise articulated so as to reduce the appearance of bulk or mass.
- ii. To further reduce the appearance of bulk or mass, flat facades visible from streets, rights-of-way, pedestrian pathways, or public spaces are encouraged to incorporate elements of visual interest such as balconies, change of materials, awnings, or other detailing appropriate to the architectural character of the

building. These details are particularly encouraged at the ground level to create visual interest at the pedestrian scale.

- iii. Blank wall surfaces greater than 20 feet in width are not permitted when visible from streets, rights-of-way, pedestrian pathways, or public spaces.

(d) Windows

- i. For buildings with ground floor commercial use facing streets, a minimum of 30% of the total area of the ground floor facade, measured from floor to ceiling and interior wall surface to interior wall surface, shall incorporate transparent glazing to maximize visibility of street level uses.
- ii. Glazing shall be transparent. Opaque false windows and reflective, tinted, or mirrored glass are prohibited.
- iii. The arrangement, proportion, and style of windows shall be consistent with the architectural language of the overall building.

(e) External Materials

External building materials shall be high quality, durable, and appropriate for the character of Lincoln and the use of the building.

(f) Pedestrian Amenity and Connectivity

- i. Per Section 10.4.7, developments subject to special permit approval shall contain accessible public space. The design of this public space should clearly communicate that the space is open to the public. Where appropriate, front setbacks should be used to accommodate plantings, public seating areas, outdoor restaurant seating, or similar uses.
- ii. The project shall include a public sidewalk alongside the street or right-of-way if none currently exists. Pedestrian paths and sidewalks within the site shall connect with those of adjacent developments and with adjacent Town trails. Any public path, trail, or sidewalk which currently extends through a project site shall be maintained. Any public path that currently terminates within the site or at the site boundary shall be extended so that it continues through the site. These paths shall be publicly accessible.
- iii. Sidewalks and paths shall be a minimum of five feet wide and shall be free of obstructions. Sidewalks shall provide adequate space for all users, street furniture, trees/plantings, bicycle parking, and/or restaurant seating included as part of the project.

(g) Service Areas, Utilities, and Mechanical Equipment

- i. Service and loading areas, utilities, and mechanical equipment shall be located on the side or rear of a building or on the building roof. When located at grade, these features shall be sufficiently screened using fencing and/or landscaping so as to not be visible from streets, rights-of-way, and public spaces. When located on the roof, mechanical equipment shall be screened from view using architectural forms incorporated into the roof design.

- ii. Service areas, utilities, and mechanical equipment shall be designed to accommodate soundproofing.
  - iii. Chain link fencing shall not be permitted for screening.
- (h) Vehicle Access and Parking in the Village Business Subarea
- i. To encourage an active, pedestrian-oriented environment, vehicle parking in the Village Business Subarea shall be located behind or to the side of buildings whenever feasible. If located adjacent to sidewalks or public spaces, parking shall be buffered by landscaping, low walls, or other site features.
  - ii. Parking and garage entrances shall be sited in locations that minimize impacts to pedestrians and conflict between pedestrians and vehicles. The number and width of curb cuts shall be minimized. To reduce the number of curb cuts, shared driveways or vehicular access points are encouraged.
  - iii. Clear pedestrian access shall be provided between rear parking areas and building entries.
  - iv. Measures to reduce the footprint of parking are encouraged. These may include:
    - A. Reduction of required parking, shared parking, payment in lieu of parking, or off-site parking, as described in section 10.4.6.
    - B. To facilitate shared parking, uses abutting one another may physically connect their parking areas at the lot line to create connecting drive aisles.
    - C. Tandem vehicle parking for residential units if more than one parking space per unit is provided.
    - D. Structured parking wrapped in active retail or residential uses.
- (i) Bicycle Parking
- i. For all new development, bicycle parking shall be provided at a ratio of 1 bicycle parking space for every 15 vehicle parking spaces required, with a minimum of two bicycle parking spaces, or as otherwise determined by the Planning Board.
  - ii. For development with retail use, bicycle parking shall be located in a prominent location visible from the main building entrance. For residential use, bicycle parking may be provided inside the building.
  - iii. Bicycle parking fixtures shall be secured against theft by attachment to a permanent surface. Bicycle parking fixtures shall be installed in a manner that will not obstruct pedestrian or vehicle traffic.
  - iv. Any property owner may elect to establish a shared bicycle parking facility with any other property owner within 250 feet to meet these requirements.

TO BE ADDED, IN APPROPRIATE ALPHABETICAL ORDER WITH EXISTING DEFINITIONS, TO:  
Section 23: Definitions

**Live-Work Unit:** A dwelling unit in which work space is reserved for and regularly used by one or more persons residing there. Sales of work produced on the premises are permitted in a portion of the space.

**Bed and Breakfast:** An accessory use to a dwelling occupied as the owner's principal legal residence, in which up to five rooms are available for rent to not more than 10 transient occupants at any given time, and breakfast is included in the rent. Transient occupancy shall be defined as for not more than 30 consecutive days.

**Brew Pub:** Restaurants which are licensed by the United States Department of Alcohol, Tobacco and Firearms and the Commonwealth of Massachusetts, under the relevant statutes, to produce and sell beer and/or ale at the location and whose primary business is the sale and preparation of food to be consumed on the premises, but which also produces beer and/or ale on the premises which may be sold wholesale to other establishments, but not more than 20% of the production capacity.

**Dwelling, Multiple (AKA Multifamily development):** A building or group of buildings designed to accommodate more than two dwelling units, including forms such as townhouses, rowhouses, apartments, or similar multiple unit structures. Garages may be included as part of the structure either underneath or as a first-floor use. Within Districts that require multi-family developments to include commercial uses in a mixed use structure, the commercial elements shall be located on the first floor and shall be on the side of the structure appropriate to encourage active street-front or other public space.

**Mixed Use:** A combination of uses, arranged vertically (in multiple stories of a structure) or horizontally (adjacent to one another in one or more buildings on a lot). Uses shall be limited to those Allowed as of Right or available by special permit in the zoning district.

The mix of uses shall be balanced and compatible and shall contribute to a vibrant atmosphere, including a combination of ground floor street-front uses such as retail or restaurant.

Ground floors of buildings fronting streets or public access ways shall be reserved for non-residential uses, except as specified below:

Dwelling units shall be allowed on ground floors of buildings if:

- a) The building is set behind another building that has commercial uses on the ground floor, OR
- b) The residential portion of the ground floor is set behind street-front non-residential uses within the same building.