

SECTION 4. CLASSIFICATION OF PRINCIPAL USES

4.2.3.5 In the Thoreau Business District alternative provisions apply. See Section X.

Commentary: Mixed-use development, termed “combined/business residence,” is critical to the vision and success of Thoreau Depot area. The provisions described in the existing definition, however, can hamper mixed-use development in a village-like setting, such as Thoreau Depot. Based upon the visioning plan, mixed-use development in Thoreau will need an alternate set of provisions controlling their use.

There are several options to deal with this issue:

1. Change the provisions 4.2.3.1-4 of combined business/residence. This option would affect combined business/residence uses throughout town, which could have effects the Town does not wish.
2. Add provisions in 4.2.3.1-4 that specify special provisions for Thoreau Depot. This format is similar to what is done for West Concord in a number of circumstances. The downside is that it can add to the complexity and potentially increase confusion by having special circumstances in this scattered manner.
3. Add a new use for mixed-use developments in a village setting. This would allow mixed-use in Thoreau to be distinguished from other parts of town.
4. Add a new sub-section 4.2.3.5 that provides special regulations for Thoreau.
5. Add a new sub-section 4.2.3.5 that references a new section with provisions applicable to Thoreau.

Any of the above options are viable. MAPC is currently assuming Option 5, as it will put most special provisions for Thoreau in one, consolidated place, but the Town can include these provisions in the bylaw as it sees fit

CONCORD ZONING – TABLE I - PRINCIPAL USE REGULATIONS

Commentary: MAPC recommends changes to the use table for Thoreau with the goal of retaining a broad spectrum of uses, while focusing them to be uses conducive to a walkable, village-like setting. In the existing bylaw, Districts B, CCB, and NACB are combined with Thoreau Depot. The Town has the option of making the changes to the use table for all of these districts at once, or separating Thoreau and having the changes only apply to this district. The Table below opts for this latter approach and can be refined or changed based on feedback from the Town. Note that TDB needs a footnote to reference the special provisions applicable to that district. Feedback from the Planning Board was that Thoreau should generally follow that of West Concord.

Principal Uses	Residential Districts				Commercial Districts						Industrial Districts					Site Appr
	RAA	RA	RB	RC	WCV	B CCB NACB	TDB^^	WCB	LB	MP	WCI	I	IPA	IPB	LIP#1 LIP#2	
4.1 Extensive Uses					yes											
4.1.1 Forestry	yes	yes	yes	yes	yes	yes		yes	yes	yes	yes	yes	yes	yes	yes	NE
4.1.2 Agriculture, horticulture, floriculture and viticulture	yes	yes	yes	yes	yes	yes	yes	yes	yes	yes	yes	yes	yes	yes	yes	NE
4.1.3 Greenhouse	yes	yes	yes	yes	yes	yes	yes	yes	yes	yes	yes	yes	yes	yes	yes	NE
4.1.4 Earth removal	SP	SP	SP	SP	SP	SP	SP	SP	SP	SP	SP	SP	SP	SP	SP	NE
4.1.5 Conservation use	yes	yes	yes	yes	yes	yes	yes	yes	yes	yes	yes	yes	yes	yes	yes	NE
4.1.6 Private recreation	SP	SP	SP	SP	yes	yes	no	yes	yes ¹	no	yes	yes	yes	yes	yes	R
4.2 Residential Uses					no											
4.2.1 Single-family dwelling	yes	yes	yes	yes	no	yes		no	no	yes	no	no	no	no	no	NE
4.2.2 Two-family or additional dwelling unit	SP	SP	SP	SP	no	SP	SP	SP	no	SP	no	no	no	no	no	NE
4.2.3 Combined business/residence	no	no	no	no	yes ^{***}	yes	yes	yes	yes ^{2,3&7}	SP	no	no	no	no	no	R
4.2.4 Combined industrial/business/residence	no	no	no	no	no	no	no	no	no	no	SP	SP	no	no	no[SP♦]] R
4.2.5 Residential Compound	SP	SP	SP	SP	no	SP	no	no	no	no	no	no	no	no	no	NE
4.2.6 Residential Cluster Development	SP	SP	SP	SP	no	SP	no	no	no	no	no	no	no	no	no	NE
4.2.7 Planned Residential Development	SP	SP	SP	SP	no	SP	no	no	no	no	no	no	no	no	no[SP♦]] NR
4.2.8 Boarding house	SP	SP	SP	SP	no	yes	no	no	no	no	no	no	no	no	no	NE
4.2.9 Hotel, Extended-stay hotel and Motel	no	no	no	no	no	yes	SP	SP	yes ¹	no	no	no	yes	no	no	R
4.3 Institutional Uses					yes											
4.3.1 Educational	yes	yes	yes	yes	yes	yes		yes	yes	yes	yes	yes	yes	yes	yes	R
4.3.2 Child care facility	yes	yes	yes	yes	yes	yes	yes	yes	yes	yes	yes	yes	yes	yes	yes	R
4.3.3 Religious	yes	yes	yes	yes	yes	yes	yes	yes	yes	yes	yes	yes	yes	yes	yes	R
4.3.4 Philanthropic	SP	SP	SP	SP	yes	yes	yes	yes	SP ⁸	yes	yes	yes	yes	yes	yes	R
4.3.5 Hospital and nursing home, provided that in Limited Business Dist. #6 only nursing, rest or convalescent home and hospital parking shall be permitted.	no	no	no	no	no	yes	SP	no	SP ⁶	yes	no	no	no	no	no	R
4.3.6 Assisted living residence	no	no	no	no	no	no	no	no	SP ⁸	no	no	no	no	no	no	R

CONCORD ZONING – TABLE I – PRINCIPAL USE REGULATIONS

Principal Uses	Residential Districts				WCV	B CCB NACB	Commercial Districts				MP	Industrial Districts				
	RAA	RA	RB	RC			TDB^^						WCI	I	IPA	IPB
4.5 Business Uses							yes									
4.5.1 Retail store	no	no	no	no	yes	yes		yes	no	no	no**	no**	no	no	no	
4.5.2 Personal service shop	no	no	no	no	yes	yes	yes	yes	no	no	SP	no	no	no	no	
4.5.3 Craft shop	no	no	no	no	yes	yes	yes	yes	no	no	yes	yes	yes	yes	no	
4.5.4 Restaurant	no	no	no	no	yes	yes	yes	yes	yes ¹	no	yes	yes	yes	yes	no	
4.5.5 Indoor amusement	no	no	no	no	yes	yes	yes	yes	no	no	yes	yes	yes	yes	yes	
4.5.6 Outdoor amusement	no	no	no	no	yes	yes	yes	yes	yes ¹	no	yes	yes	no	no	no	
4.5.7 Funeral home	no	no	no	no	no	yes	yes	SP	yes ³	no	SP	yes	yes	yes	no	
4.5.8 Repair shop and building trade	no	no	no	no	no	yes	yes	yes	no	no	yes	yes	yes	yes	no	
4.5.9 Veterinary and kennel	no	no	no	no	no	no	no	no	no	no	SP	yes	yes	yes	no	
4.5.10 Financial and business office	no	no	no	no	yes	yes	yes	yes	yes*◆	no	yes	yes	yes	yes	yes	
4.5.11 Professional office	no	no	no	no	yes***	yes	yes	yes	yes◆	yes	yes	yes	yes	yes	yes	
4.5.12 Medical center and laboratory	no	no	no	no	no	yes	no	no	SP ⁶	yes	yes	yes	yes	yes	SP	
4.5.13 Auto service station	no	no	no	no	no	yes	no	SP	yes ¹	no	SP	yes	yes	yes	no	
4.5.14 Auto repair shop	no	no	no	no	no	yes	no	SP	no	no	SP	yes	yes	yes	no	
4.5.15 Vehicular dealerships	no	no	no	no	no	yes	no	no	no	no	no	yes	yes	yes	no	
4.5.16 Boat sales and rental	no	no	no	no	no	yes	no	no	yes ⁵	no	yes	yes	yes	yes	no	
4.5.17 Parking facility	no	no	no	no	no	yes	SP	no	no	no	yes	yes	yes	yes	yes	
4.5.18 Transportation services	no	no	no	no	no	SP	no	SP	no	no	SP	SP	yes	yes	yes	
4.5.19 Grocery Store	no	no	no	no	yes	yes	yes	yes	no	no	no	no	no	no	no	
4.6 Industrial Uses																
4.6.1 Warehouse	no	no	no	no	no	yes	no	no	no	no	yes	yes	yes	yes	yes	
4.6.2 Storage yard, open-air sales	no	no	no	no	no	yes	no	no	no	no	SP	SP	no	no	no	
4.6.3 R&D and Light manufacturing	no	no	no	no	SP***	yes	no	SP	no	no	yes	yes	yes	yes	SP	
4.6.4 Manufacturing, packaging, processing and testing	no	no	no	no	no	yes	no	no	no	no	yes	yes	yes	yes	SP	
4.7 Restricted and Prohibited Uses																
4.7.1 Prohibited uses	no	no	no	no	no	no	no	no	no	no	no	no	no	no	no	

^^See Section X for special provisions applicable to the Thoreau Depot Business District.

* 1,2,3,4,6 provided, however, that only business office use shall be permitted in Limited Business District #4.

** Except as provided by Special Permit in a Combined industrial/business/residence building.

***Except no residential use, lodge or club, professional office, or R&D and Light manufacturing shall be permitted on the first floor in the West Concord Village District.

◆ Except as provided by Special Permit in Limited Business District #8

◆◆ Except as provided by Special Permit for a PRD or a combined/industrial/business/residence in Limited Industrial Park #1District, or by Special Permit for an Alternative PRD in Limited Industrial Park #2.

Note: Numbers listed as a superscript in the LB column indicate the Limited Business District in which the activity may occur; if no number appears the use is

permitted in all LB districts (see Section 3.2.2).

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SECTION 5. ACCESSORY USES

Commentary: Because these uses are accessory to the principal uses on a lot, MAPC is not recommending changes to this section at this time. If the Town wishes, this section can be reviewed and updated for the Thoreau Depot.

SECTION 6. DIMENSIONAL REGULATIONS

6.1 Dimensions

Minimum lot area, frontage, lot width, yard, and corner clearance requirements and maximum lot coverage, height and floor/area ratio requirements shall be as prescribed in Section 6, Table III, Dimensional Regulations. For special dimensional regulations applicable to Thoreau Depot Business District, see Section X.

Commentary: Under the current zoning bylaws, exceptions to the dimensional standards are provided within each subsection (see, e.g., last paragraph of Section 6.2.6 with exceptions for West Concord Village). The Town could add additional exceptions for Thoreau in this manner; however, MAPC recommends an approach of consolidating Thoreau's dimensional standards in a separate Section. This also makes it easier to provide nuance for two subsections. If the Town in the future wishes, it can add additional village centers to this section.

This draft assumes this recommended approach. If the Town wishes to maintain the current format, the regulations could fall within this Section 6.1.

CONCORD ZONING – TABLE III – DIMENSIONAL REGULATIONS

<i>Zoning Districts</i>	<i>Minimum Lot Area in Sq. Ft.</i>	<i>Minimum Lot Frontage in Feet</i>	<i>Frontage Exception in Feet</i>	<i>Minimum Lot Width in Feet</i>	<i>Minimum Front Yard in Feet³</i>	<i>Minimum Side Yard in Feet</i>	<i>Minimum Rear Yard in Feet</i>	<i>Corner Clearance in Feet</i>	<i>Maximum Height in Feet</i>	<i>Maximum Lot Coverage %</i>	<i>Maximum Floor Area Ratio</i>
Residence AA	80,000	200	160	160	40	15	Lesser of: 30' or 25% of lot depth	10	35 ²	-----	.24+(1200÷ actual lot area in sq. ft.)
Residence A	40,000	150	120	120	40	15	" "	10	35 ²	-----	.24+(1200÷ actual lot area in sq. ft.)
Residence B	20,000	125	100	100	20	15 ¹	" "	10	35 ²	-----	.24+(1200÷ actual lot area in sq. ft.)
Residence C	10,000	80	80	64	20	15 ¹	" "	10	35 ²	-----	.24+(1200÷ actual lot area in sq. ft.)
Business	-----	-----	-----	-----	10	none, except where a business or industrial use abuts a residential district: 10' of which 5' shall be a landscaped buffer along those side and rear lot lines which abut the residential district unless otherwise specified under site plan approval.		10	35	-----	-----
Concord Center Business	-----	-----	-----	-----	0	none, except where a business or industrial use abuts a residential district: 10' of which 5' shall be a landscaped buffer along those side and rear lot lines which abut the residential district unless otherwise specified under site plan approval.		10	35	-----	-----
Thoreau Depot Business	-----	-----	-----	-----	See Section X	See Section 8.		10	See Section X	-----	-----
Nine Acre Corner Business	-----	-----	-----	-----	10	none, except where a business or industrial use abuts a residential district: 10' of which 5' shall be a landscaped buffer along those side and rear lot lines which abut the residential district unless otherwise specified under site plan approval.		10	35	-----	-----

¹ Refer to Zoning Bylaw Subsection 6.2.7 for Residence C and Residence B Districts.

² Refer to Zoning Bylaw Subsection 6.2.11 for Residence AA, A, B and C Districts

plan approval.

7.6 Off-street Parking, Loading, and Design Standards

Commentary: Parking requirements could be in the consolidated Thoreau Section with a reference here, or it could be within this parking section. The most recent recommendation from the Planning Board was to keep it in this section, but again the text can be moved if desired, as long as there is a reference in this section directing people to the alternate set of requirements.

7.6.1 *Purpose:* The purpose of this section is to ensure that all uses be provided with sufficient off-street parking and loading facilities to meet the needs of persons employed at or having commerce at such uses; to ensure that off-street parking and loading facilities are designed so as to reduce hazards to pedestrians and drivers; to reduce congestion in the streets; to reduce nuisance to abutters from noise, fumes, and headlight glare ordinarily associated with parking lots; to reduce environmental deterioration to surrounding neighborhoods resulting from the glare, heat, dust, light spillover, light pollution, accelerated storm water run-off, and unattractive views associated with large expanses of pavement and vehicles.

7.6.2 *Parking and Loading Regulations*

7.6.2.1 *Required spaces:* Table IV, Minimum Parking, indicates the minimum number of parking spaces required for each principal use. See Section X for parking requirements for Thoreau Depot Business.

7.6.2.2 *Thoreau Depot Business Parking Requirements.*

The Planning Board may waive the parking requirements of this Section if the applicant can demonstrate that sufficient off-street and on-street parking (public or private) exists that may adequately fulfill, in part or in whole, the parking needs of the applicant, or that special circumstances exist, such as the shared use of a parking lot by activities having different peak demand times as determined by the standards below.

- (a) Purpose.
 1. To establish parking policies that support human-scaled environments.
 2. To minimize the impact of sidewalk interruptions and conflict points on the walkability of the public realm.
 3. To minimize excessive and inefficient off-street parking lots that result in lost opportunities to develop new buildings that expand business and the tax base.
 4. To encourage the use of public transportation, bicycling, and walking in lieu of motor vehicle use when a choice of travel mode exists.

- (b) Off-Street Parking Requirements. The minimum number of off-street parking spaces in Thoreau Depot Business District is provided in Table V below. Where a use is not addressed in the Table, then such use will be consistent with the requirements of in the Table IV in Section 7.6.2.1. Outdoor seating cafes and accessory buildings are exempt from off-street parking requirements.

TABLE V - OFF-STREET PARKING STANDARDS FOR MIXED USE DISTRICTS	
Commercial and Mixed Use	Required Parking Spaces
Retail Business, Commercial or Personal Service Establishment	1 space per 400 square feet
General Office or Retail in Mixed Use Buildings	1 space per 500 square feet
Medical or Dental Office or Clinic	5 spaces/doctor or dentist within a single office or suite
Restaurant	1 space for each 4 seats
Residential Use	
1-bedroom unit in Mixed-Use or Multi-Family Building	1 space
2-bedroom unit in Mixed Use or Multi-Family Building	1.5 spaces
3 or more bedroom unit in Mixed Use or Multi-Family Building	2 spaces

- (c) Parking Reduction Methods. By Special Permit, the Planning Board may increase off-street parking reduction in Table V under the following conditions:
 5. On-Street Parking Off-Set. Parking spaces required to meet the minimum off-street parking requirements of Table 2 may include publicly available on-street parking spaces along the building lot frontage on the same side of the street.
 6. Shared Parking and Combined Business/Residence Combined Industrial/Business/Residence.
 - a) A combination of uses on-site using shared parking lots with offset peak demand times where: a shared parking agreement with proximate properties

- where uses have offset peak demand times; uses have a high rate of parking turnover; or evidence of similar uses and location situations operating successfully with lower amounts of parking.
- b) In developments with multiple uses where shared parking is proposed, the Planning Board may require an evaluation prepared by the applicant following the procedures of the Urban Land Institute (ULI) Shared Parking Manual (latest edition) or the Institute of Transportation Engineers (ITE) Shared Parking Guidelines (latest addition), or other approved procedures determined by the Planning Board.
 - c) A formal parking evaluation may be waived for small developments where there is established experience with the land use mix and its impact is expected to be minimal.
7. Car-Sharing Program. The Planning Board may approve a parking reduction where an active car-sharing program is made available to residents and/or employees of a Development Site; and where cars for the car-share program are available on the site or within a 700-foot walking distance of the site.
8. Off-Site Parking. The Planning Board may allow required parking to be provided off-site for employees, except for any required handicapped parking, as permitted according to the provisions of and when conforming to the following:
- a) A lot featuring the off-site parking must be located within seven hundred (700) feet in walking distance, measured from the nearest point of the off-site parking along walkways to the principal building entrance served;
 - b) Pedestrian access between the use and the off-site accessory parking area must be via paved sidewalk or walkways; and
 - c) A lease, recorded covenant, or other comparable legal instrument, executed and filed with the Town of Scituate, guaranteeing long term use of the site is provided to the Planning Board.

SECTION X. THOREAU DEPOT BUSINESS

Commentary: MAPC recommends a new sub section with the special provisions applicable to the Thoreau Depot area. This section could be expanded to include other villages, as well. If the Town does not wish to create a new section, these provisions could also be incorporated separately into the various existing sections.

Alternative Requirements for Combined Business/Residence. The following stipulations are applicable to the combined business/residence in the TDB. Where there is a conflict with this section and 4.2.3 the provisions of this section shall prevail.

XX Dwelling units may be located on the same lot where commercial uses are conducted. Said dwelling units may structurally part of the commercial building or one or more separate buildings on the same lot.

XX Dwelling units may be stand-alone structures, attached single-family dwelling units (townhomes), or a multi-family structure.

XX Buildings adjacent to the public right-of-way must contain ground-floor commercial use along the entirety of the building façade facing the public right-of-way.

XX For development of greater than six (6) residential units, at least 15% of units must be designated as affordable as defined in Section 1.3.2. Fractional units shall be rounded to the nearest whole integer.

XX Open space requirements as set forth in the Thoreau Depot Design Guidelines apply.

X Purpose

The purpose of Section X is to facilitate building renovation and new development that contributes to a vibrant, walkable, mixed-use neighborhood. Applicants must refer to the Thoreau Depot Design Guidelines, copies of which are located in the Planning Department of Concord Town Hall and online at the Planning Department's website. Compliance with the Design Guidelines is required as a condition of Site Plan Approval. Applicants are also strongly suggested to refer to the Town's Thoreau Depot Vision Plan (2020 or latest iteration), also located in Town Hall and on the website. The standards set forth herein are intended to:

- Promote development that is consistent with the Town's vision to facilitate reinvestment and create a vibrant, authentic, diverse, connected, and resilient district.
- Guide the physical character of development by providing context-based building and site development standards that reflect scale, design characteristics, and settlement patterns envisioned for the district.
- Create a public realm with high quality streetscape, enhanced outdoor recreation areas, and active public and publicly-oriented gathering spaces that enhance development and reinforce pedestrian orientation and multi-modal transportation in the district.

- Encourage a range of business development opportunities as well as food, entertainment, cultural, educational, and civic venues.
- Encourage high quality housing production for a variety of age groups, household types, and income ranges.
- Reduce automotive trips associated with new development by locating housing proximate to public transit.

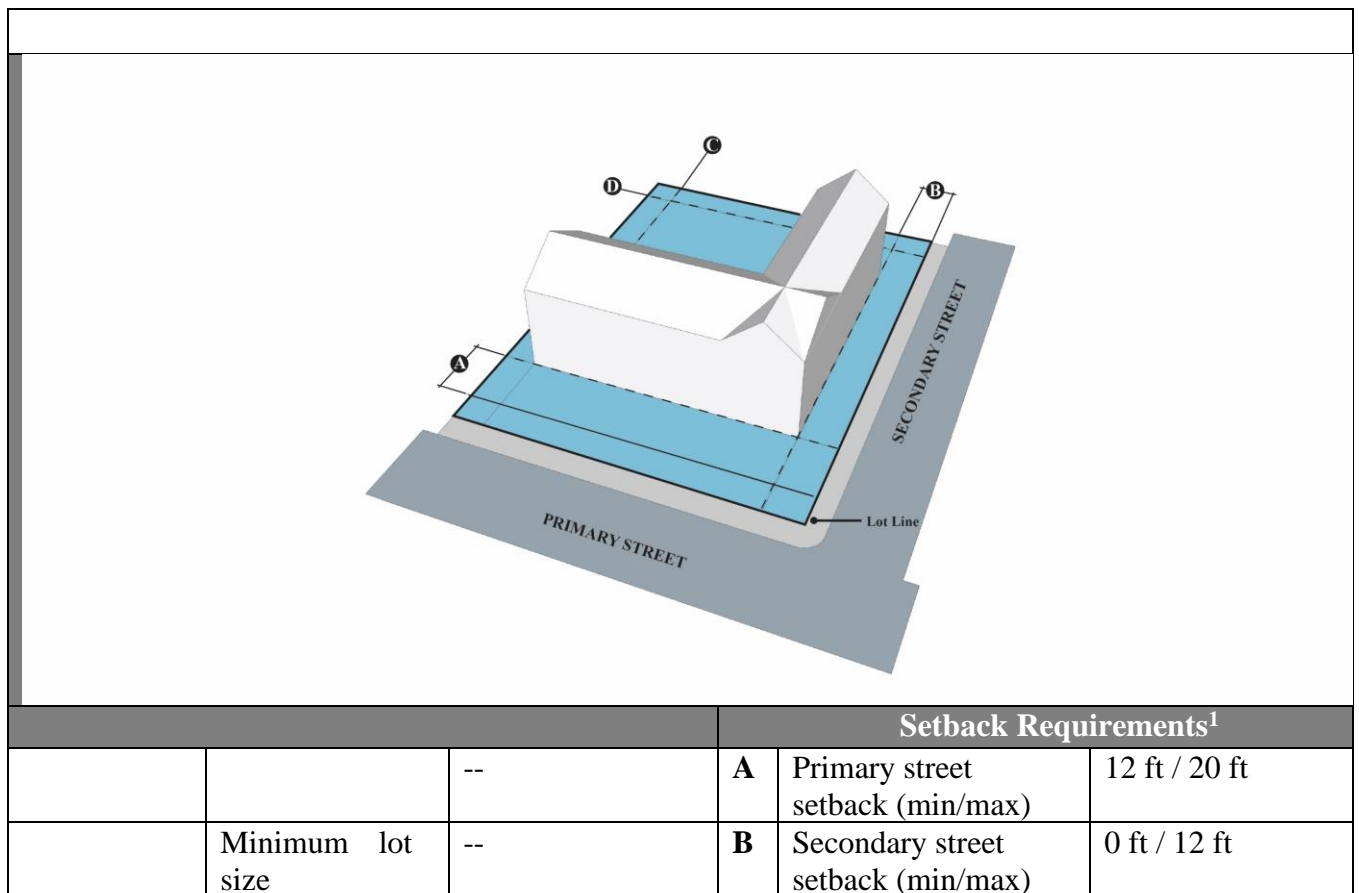
X Lot Standards

X Applicability. The following standards are in addition to those set forth in Table III Dimensional Standards. Where the provisions of this Article conflict with those found elsewhere in this bylaw, the provisions of this Article apply.

X Intent. The lot standards set forth in this section are intended to ensure future development occurs in a manner consistent with the context of different locations within the TDB.

X Primary and Secondary Streets. For purposes of this bylaw, Primary Street refers to Sudbury Road within the TDB. Secondary Street refers to all other roadways within the TDB.

X Lots on more than one street. Where lots have frontage on multiple streets, each street will be considered a front yard.



¹ See Thoreau Depot Design Guidelines for additional guidance.

	Minimum frontage	--	C	Side setback	10 ft or 0 ft if a common wall
	Minimum lot width	--	D	Rear setback (min)	10 ft. If abutting a residential district 5 ft of which must be landscaped
	Open space	15% if containing residential; 0% otherwise. See Thoreau Depot Design Guidelines			

8.2 Building and Design Standards

Section X. TDB Dimensional Standards Table. The following table provides standards for new buildings constructed in the TDB. Refer to the Thoreau Depot Design Guidelines for explanatory detail and additional requirements.

TDB Dimensional Standards Requirements	
Building height (max)	38 ft. The Planning Board may grant a special permit for greater height up to four stories if the height requirements as outlined in the Thoreau Depot Design Guidelines are adhered to
Ground floor height (min)	12 ft commercial; 10 ft otherwise
Second story height (min)	10 ft
Ground floor glazing (min)	60% commercial (See Thoreau Depot Design Guidelines) 30% other
Space between multiple buildings on the same lot	10 ft or 0 ft if a common wall
Building length (max)	100 ft
Vertical façade modulation (min)	40 ft (See Thoreau Depot Design Guidelines)

X. Building Length. For purposes of this Section X, the building length maximum is applicable only to the side of the building facing the public right-of-way.

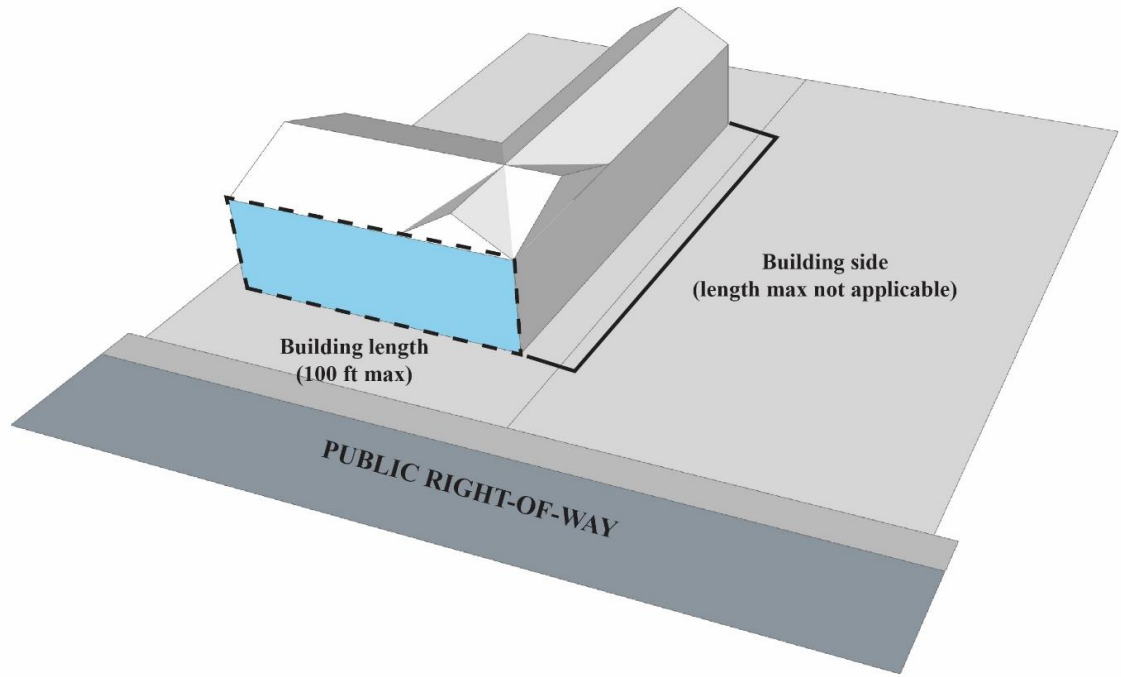


Figure 1: Diagram depicting façade applicable for building length requirement