

# DRAFT

Use and Dimensional Regulations and Design Standards:

Village Business Districts

Village Overlay District

February 8, 2010

Zoning Advisory Committee

Southborough Master Plan (2008) Village Goals:\*

V-1: Promote growth and development within the Downtown to encourage a mixed-use environment.

V-2: Reinvigorate Southborough's villages by creating small, resident-driven businesses.

V-2.1: Provide the types of goods and services that Southborough residents now have to obtain in adjacent communities.

\**Southborough Master Plan* (July 2008), 214.



**Town Center Business (TCB) District.**

- A. Purposes and intent. The purpose of the Town Center Business District is to encourage a compact, walkable town center that serves as the social, cultural, civic, and governmental heart of the Town, with a variety of uses including but not limited to small businesses, housing, and public, institutional, and open space uses, and to provide employment opportunities within the Town.
- B. The following uses are permitted:
- ◆ Single-family dwelling.
  - ◆ Accessory residential uses:
    - ◆ Bed and breakfast.
    - ◆ Home occupation:
      - ◆ Professional or business office.
      - ◆ Sale of antiques or custom crafts produced on the premises by a resident family member.
      - ◆ Family child care home.
    - ◆ Private garage or private parking for not more than three (3) vehicles, one (1) of which may be a truck or other commercial vehicle.
  - ◆ Renting of rooms or furnishing of board to not more than four persons in an owner-occupied single-family dwelling.
  - ◆ Sheltered bus stop.
  - ◆ Bed and breakfast as a principal business use.
  - ◆ Art gallery.
  - ◆ Public or non-profit library or museum.
  - ◆ Mixed-use building.
  - ◆ Permitted up to a maximum of 1,800 square feet of gross floor area per tenant:
    - ◆ Retail store.
    - ◆ Retail sale of custom goods.
    - ◆ Bank.
  - ◆ Professional or business office.
  - ◆ Personal service or business service.
  - ◆ Take-out food service establishment, with or without seating.

- ◆ Uses customarily accessory and subordinate to, and located on the same lot as, a permitted nonresidential use.

C. The following uses are allowed by special permit from the Planning Board:

- ◆ Any use listed under subsection (X) above exceeding 1,800 square feet of gross floor area per tenant.
- ◆ Drive-through service.
- ◆ Mixed-use building with a nonresidential use that requires a special permit from the Planning Board.
- ◆ Inn.
- ◆ Restaurant.
- ◆ Theatre for live performance of plays, concerts, and similar cultural activities.
- ◆ Uses customarily accessory and subordinate to, and located on the same lot as, a nonresidential use allowed by special permit from the Planning Board.
- ◆ Off-street parking for a permitted use or use allowed by special permit, where such parking is not located on the same lot as the use to which it is accessory.
- ◆ Shared parking.

D. The following uses are allowed by special permit from the Board of Appeals:

- ◆ Accessory residential uses:
  - ◆ Accessory cottage.
  - ◆ Private garage or private parking for more than three vehicles.
- ◆ Essential services.

**Fayville Village Business District (FVB) and Cordaville Village Business District (CVB).<sup>1</sup>**

- A. Purposes and intent. The purpose of the Fayville Village Business and Cordaville Village Business Districts is to preserve and enhance the Town's historic village areas, to provide employment opportunities within the Town, and to encourage small businesses that primarily serve residents of surrounding neighborhoods.
- B. The following uses are permitted:
- ◆ All uses permitted in the TCB District (see pp. 1-2).
  - ◆ Permitted up to a maximum of 2,500 square feet of gross floor area per tenant:
    - ◆ Retail store.
    - ◆ Retail sale of custom goods.
    - ◆ Bank.
    - ◆ Professional or business office.
    - ◆ Personal service or business service.
    - ◆ Take-out food service establishment, with or without seating.
  - ◆ Uses customarily accessory and subordinate to, and located on the same lot as, a permitted business use.
- C. The following uses are allowed by special permit from the Planning Board:
- ◆ Any use listed under (X) above exceeding 2,500 square feet of gross floor area per tenant.
  - ◆ Drive-through service.
  - ◆ Mixed-use building with a nonresidential use that requires a special permit from the Planning Board.
  - ◆ Convenience store.
  - ◆ Medical office.
  - ◆ Veterinarian or animal hospital.
  - ◆ Repair shop for bicycles or personal and household goods, but not an auto repair shop.
  - ◆ Bed and breakfast as a principal use; inn.

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<sup>1</sup> Note: After this section was drafted, the ZAC decided to propose a division of the Fayville Village Business District into two districts in order to acknowledge differences between lots facing Route 9 and other lots in the village. (See maps of proposed zoning district boundaries.) The use regulations for Fayville/Route 9 have not been drafted. It is likely that both districts will have the same use regulations, but the floor area threshold for requiring a special permit may be higher in Fayville/Route 9. However, this has not been determined.

- ◆ Restaurant.
  - ◆ Commercial recreation; indoor.
  - ◆ Uses customarily accessory and subordinate to, and located on the same lot as, a business use allowed by special permit.
  - ◆ Off-street parking for a permitted use or use allowed by special permit, where such parking is located on a lot other than the use to which it is accessory.
  - ◆ Shared parking.
- D. Any use allowed by special permit from the Board of Appeals in the TCB District is allowed by special permit from the Board of Appeals in the FVB and CVB Districts.

### **Design Standards for Village Business Districts.**

A. Purposes. The purposes of this section are to:

- ◆ Promote village centers that provide goods and services to the community in a manner compatible with Southborough's traditional development pattern and character;
- ◆ Encourage a pedestrian-friendly environment and reduce traffic congestion and parking demands;
- ◆ Encourage distinctive buildings of pedestrian scale and design; and
- ◆ Create successful business areas that are attractive and invite customers and serve as gathering places for the neighborhoods they serve and the community as a whole.

B. Applicability. This section applies in the village business districts to any commercial or mixed-use development or redevelopment that is subject to major plan review under (X). For any such development or redevelopment, major plan review shall be by special permit from the Planning Board, subject to (X). Where the provisions of this section conflict with any other provisions of this Zoning Bylaw, this section shall govern.

C. Basic requirements.

- ◆ Special permit. In a village business district, each application for major plan review under (X) shall be in accordance with the Planning Board's rules and regulations and shall include elevation drawings and other information to demonstrate conformance to the provisions herein. For a project that requires a special permit under any other provision of this Zoning Bylaw, the applicant may request that the special permit(s) be combined with the special permit for major plan review, and in such cases the Planning Board shall issue a single special permit and major plan review decision.
- ◆ Build-to line. A minimum of sixty (60) percent of the front of the lot, measured as a percentage of lot frontage, shall be occupied by buildings constructed within ten (10) feet of the street line in the Town Center District and Fayville Village Business District and within fifteen (15) feet of the street line in the Cordaville Village District. Buildings shall be set back only for the purpose of providing for pedestrian walkways or other pedestrian amenities and landscaping, or to accommodate a patio, café, or plaza at the building entrance.
- ◆ Primary façade. As used in this section, "primary façade" shall include any building façade facing a street. The following shall apply to all primary façades.
  - ◆ Vertical design. Buildings shall have a vertical orientation, which may be achieved through a design with greater height than width or designing the roof lines and façade to reduce massing and bulk.
  - ◆ Mass, scale, form.
    - ◆ Pedestrian scale. Textures, shadow lines, contrasting shapes, and detailing shall be used to articulate the façade to achieve human scale and to create interest from a pedestrian's perspective.
    - ◆ Building façade modulation. Façade modulation shall be incorporated through recessing and through banding and/or articulation of exterior materials or change of materials by

incorporating repeating patterns, textures and/or colors used on exterior façade materials. Buildings shall be divided into increments of approximately twenty-five (25) feet in length through articulation of the façade. Architectural articulation will be included on all four sides of all buildings to create style continuity. This requirement may be met through combinations of the following techniques:

- ◆ Divisions or breaks in materials,
  - ◆ Expression of structural or architectural bays,
  - ◆ Recesses or projections,
  - ◆ Variations in roof lines.
- ◆ Rhythm. At least one (1) significant detail or form shall be repeated no less than three (3) times along each primary façade. Architectural elements that repeat on a façade, whether form or retail, should represent the building's character, and the scale of the element should relate to the scale of the structure.
  - ◆ Building entrances. A minimum of one (1) pedestrian entrance shall be provided for any primary façade that contains at least sixty (60) feet of frontage facing a public street. Building entrances shall be easily identified through the use of at least two of the following features:
    - ◆ Larger doors;
    - ◆ Canopy or awning;
    - ◆ Recess or projection;
    - ◆ Portico;
    - ◆ Peaked roof form;
    - ◆ Integral landscaped areas with seating; patio, plaza, or café.
    - ◆ Raised corniced entryway parapet.
  - ◆ Void-to-solid ratio.
    - ◆ First floor. Transparent glass or framed façade open areas consisting of display windows, entries, and doors shall comprise a minimum of forty (40) percent for retail uses and a minimum of thirty (30) percent for office or other commercial uses; and a maximum of eighty (80) percent of the total wall/façade area of the first-floor façade elevation.
    - ◆ Upper stories. Transparent glass or façade openings shall comprise a minimum of twenty (20) percent of the wall or façade area of each floor above the first floor façade facing a street, but shall not exceed seventy (70) percent of the wall/façade area of each floor above the first-floor façade facing a street.
    - ◆ Windows.



- ◆ All windows shall be transparent and shall not make use of dark tinting or reflective glass.
- ◆ First-floor windows. Large display windows shall be used along all first-floor façades facing a street, and shall be framed on all sides by the surrounding wall and highlighted with frames, lintels, sills or similar features, or recessed into or projected from the wall.
- ◆ Upper-story windows.
  - ◆ Window frame heights shall be a minimum of one and one-half times the window frame width.
  - ◆ Window frames shall incorporate window sills and lintels and/or window heads that are visually distinct from the primary exterior finish materials used on the respective façade.
- ◆ Roof structure.
  - ◆ Sloped roof structures shall maintain a pitch between 4:12 minimum and 12:12 maximum slope (not including dormers, entry canopies, or similar elements), and provide roof overhangs between 12” and 18” deep.
  - ◆ Flat roof structures should be capped by an articulated parapet design.
- ◆ Mechanical equipment and service areas. Utility service boxes, telecommunication devices, cables, conduits, vents, turbines, flues, chillers and fans, trash receptacles, dumpsters, service bays, and recycling storage areas shall be screened from public view by incorporating the following design standards:
  - ◆ Mechanical equipment and service areas shall be located at the rear of the building, along an alley façade or on the building rooftop;
  - ◆ Mechanical equipment and service areas shall be screened using architectural screen walls, screening devices, and/or landscaping; and
  - ◆ Mechanical equipment located on a building rooftop shall be set back from the building edge a sufficient distance to screen the equipment from view from any adjacent street.
- ◆ Lighting.
  - ◆ Pedestrian scaled lighting shall be provided as approved by the Planning Board and shall meet the following standards:
    - ◆ Height: pedestrian scaled street lights shall be less than fifteen (15) feet high.
    - ◆ Design: traditional design styles such as gas lamp, acorn, or contemporary design styles shall be used.
  - ◆ All exterior building lighting shall comply with (X).
- ◆ Pedestrian facilities. Walkways shall connect buildings to sidewalks, streets, and other buildings, with minimal interruption by access driveways. Where possible, walkways shall include designated areas for pedestrians to gather, with park benches and features such as water fountains or pocket parks. The

landscaping around walkways shall include a mix of canopy and ornamental trees and low shrubs in order to define the pedestrian realm. Landscaped walkways and related pedestrian amenities shall count toward the minimum required open space under (X).

- ◆ Modifications. In granting a special permit under this section, the Planning Board may modify or waive any of the requirements herein, subject to any conditions it deems reasonable, when strict conformance is impractical due to physical or other characteristics of a site or to accommodate existing improvements on a lot, provided the Planning Board finds that the applicant's proposed alternative is substantially consistent with the purposes and design objectives of this section and meets the criteria for a special permit under (X).
- ◆ Design guidelines. The Planning Board may adopt supplemental village design guidelines to administer the provisions of this section.

**Village Overlay District (VOD)**

A. Purposes. The purposes of the Village Overlay District are to:

- ◆ Encourage a mix of uses within and around the Town’s historic village areas;
- ◆ Promote neighborhood activity centers where residents can walk to obtain goods and services;
- ◆ Provide basic village design standards to guide development and redevelopment within such areas; and
- ◆ Implement the goals and policies of the Southborough Master Plan with respect to mixed uses, housing opportunities, and affordable housing for people of all ages.

B. Applicability. The village overlay district consists of four sub-districts as shown on the Zoning Map of the Town of Southborough. In the VOD, all requirements of the underlying district shall remain in effect except where these regulations provide an alternative to such requirements, in which case these regulations shall supersede. In the event that a applicant wishes to develop in accordance with the regulations hereunder, the rules and regulations of the VOD shall apply, and by filing an application for a special permit, site plan review, or building permit under this section, the owner shall be deemed to accept and agree to them. Where the provisions of the VOD are silent on a zoning regulation that applies in the underlying district, the requirements of the underlying district shall apply.

C. The following uses are permitted in all sub-districts of the VOD.

- ◆ Single-family dwelling.
- ◆ Accessory uses:
  - ◆ Accessory apartment.
  - ◆ Home occupations permitted in the Town Center District.
  - ◆ Private garage or private parking for not more than three (3) vehicles.

D. The Planning Board may grant a special permit for the following uses:

- ◆ In the Town Center sub-district:
  - ◆ Two-family dwelling.
  - ◆ Artist housing.
  - ◆ Multi-family dwelling, not exceeding six units per building.
- ◆ In the Fayville Village, Cordaville Village, and Southville village sub-districts:
  - ◆ Two-family dwelling.
  - ◆ Multi-family dwelling, not exceeding four units per building.
  - ◆ Townhouse or rowhouse, not exceeding five units per building.

- ◆ In the Southville Village sub-district:
  - ◆ Two-family dwelling.
  - ◆ Artist housing.
  - ◆ Art gallery, museum, or theatre for live performance of plays, concerts, and similar cultural activities.

E. Dimensional and density requirements. The dimensional regulations of the underlying district shall apply in the VOD except as provided below.

- ◆ The Planning Board may grant a special permit to reduce the minimum dimensional in the Village Overlay District in accordance with the following table and the supplemental regulations in subsection 3 below. In granting a special permit under this section, the Planning Board shall consider the special permit criteria in (X) and the degree to which the proposed development incorporates the design guidelines under (X).

	VOD Sub-district			
	Town Center	Fayville	Cordaville	Southville
Minimum lot area (sq. ft.)	10,000	15,000	15,000	15,000
Minimum upland (sq. ft.)	10,000	15,000	15,000	15,000
Minimum frontage (lft.)	60	80	80	80
Minimum setbacks				
Front (lft.)	10	10	10	10
Side (lft.)	10	10	10	10
Rear (lft.)	25	25	25	25
Corner (lft.)	10	10	10	10
Maximum FAR	0.40	0.30	0.25	0.25

\*These minimum dimensional requirements and maximum FAR shall apply to single-family and two-family dwellings.

- ◆ Supplemental regulations.
  - ◆ For multi-family dwellings:
    - ◆ The minimum land area per unit shall be one unit per 5,000 square feet in the Town Center Sub-District and one unit per 7,500 square feet in all other sub-districts.
  - ◆ In all sub-districts:
    - ◆ The minimum lot frontage shall be eighty (80) feet.
    - ◆ The minimum front setback shall be fifteen (15) feet, the minimum side setback shall be ten (10) feet, and the minimum rear setback shall be twenty-five (25) feet, except that for multi-family dwellings abutting an existing single-family dwelling, the minimum rear setback shall be thirty-five (35) feet.
    - ◆ The maximum height of a multi-family dwelling shall be three (3) stories and forty (40) feet.

- ◆ The minimum open space ratio shall be twenty (20) percent of the lot.
- ◆ For townhouse or rowhouse units, in all sub-districts where allowed:
  - ◆ The minimum land area per unit shall be one unit per 7,500 square feet.
  - ◆ The minimum lot frontage shall be eighty (80) feet.
  - ◆ The minimum front setback shall be fifteen (15) feet, the minimum side setback shall be ten (10) feet, and the minimum rear setback shall be twenty-five (25) feet, except that for townhouse structures abutting an existing single-family dwelling, the minimum rear setback shall be thirty-five (35) feet.
  - ◆ The maximum height of a townhouse structure shall be 2.5 stories and thirty-five (35) feet.
  - ◆ If divided along common walls, i.e., a zero lot line configuration, there shall be no minimum side setback.
  - ◆ The minimum open space ratio shall be twenty (20) percent of the lot.
- ◆ For artist housing, the maximum density shall be one unit per 3,500 square feet and the maximum height shall be three (3) stories and forty (40) feet.
- ◆ For nonresidential uses in the Southville Village Sub-District:
  - ◆ The minimum lot area shall be 15,000 square feet.
  - ◆ The maximum building height shall be three (3) stories and thirty-seven (37) feet.
- ◆ Off-street parking. In the VOD, off-street parking shall conform to the requirements of (X). On any lot used for purposes other than a single-family dwelling, the following additional requirements shall apply.
  - ◆ On any lot abutting an existing residential use, there shall be a landscaped buffer strip a minimum of four (4) feet wide along the full length of the side or rear lot line closest to the abutting residence, planted with trees and/or shrubs, as determined by the Planning Board, sufficient to provide for visual separation of uses and screening. No impervious surfaces and no off-street parking shall be located within the landscaped buffer strip.
  - ◆ All off-street parking shall be located within a garage, or in a parking area shown on the site plan and approved by the Planning Board, or stacked within the driveway.
  - ◆ No off-street parking shall be located between the front of the building and the street line, nor closer to the front lot line than the front building line.
- F. Procedures. For development under the provisions of the VOD, no building permit shall be issued without a special permit with major plan review approved by the Planning Board under (X). Submission requirements and procedures shall be in accordance with (X) and the Planning Board's rules and regulations. The Planning Board may establish specific submission requirements and procedures for projects in the VOD, including abbreviated submission requirements for projects with less than five (5) dwelling units. In granting a special permit under the provisions herein, the Planning

Board shall consider the degree to which the applicant's proposal is consistent with the purposes of the VOD and the VOD design guidelines under (X).

- G. Design guidelines. Design guidelines for the VOD shall be as adopted, and as may be amended from time to time, by the Southborough Planning Board, available and on file at the Southborough Planning Department. Such design guidelines shall encourage traditional neighborhood development patterns in the Town's village centers. Where applicable, the Planning Board may seek project review assistance from the Southborough Historical Commission and the Development Coordinating Group.