

Village-Center Overlay District (VCOD)

Introduction

The City Council Zoning and Planning Committee (ZAP) kicked off the project to revise Newton’s Zoning Ordinance for village center commercial centers in early 2021. The second draft zoning ordinance below, “version 2.0,” represents the continued collaborative effort with the City Council, City staff, urban design & economic development consultants, and the Newton Community.

Why is this necessary? While Newton has a strong foundation of diverse and dynamic village centers, the current zoning one-size-fits-all format does not recognize this. This draft set of zoning rules, along with the version 1.0 zoning maps, build upon the successes and uniqueness of each village center, while also guiding development that addresses our current and future needs. In other words, the zoning is the technical tool that supports the community vision like helping small businesses thrive, responding to climate change, developing more diverse & affordable housing, and creating more communal & active spaces.

How to read this document

Like the draft maps, the draft zoning ordinance is intentionally meant to be reviewed and updated. This is also a working document. Some items may not be fully resolved and other items may require further refinement in advance of a vote to adopt this zoning ordinance.

Table of Contents

1. Article 9 Overlay Districts

9.1. _____ Applicability (overlay districts generally)

2. Village-Center Overlay District (VCOD)

2.1. District Intent

2.2. District Purpose

2.3. Definitions

2.4. Development Review

2.5. Dimensional Standards

2.6. Development and Design Standards (Site, Building, and Parking Design Standards)

Village Center Overlay District (VCOD) – 09/12/2023

2.7. Design Guidelines (Site, Building, and Parking Design Standards)

2.8. Allowed Uses

2.9. Administration

DRAFT

Village Center Overlay District (VCOD) – 09/12/2023

~~1. Applicability.~~

~~1.1.9.1.1. General~~

- A. ~~The~~As set forth herein, the provisions of Article ~~#~~9 shall apply to all real property within a defined Overlay District as shown on the Newton Zoning Map. The provisions of the Overlay District will modify the form, location, and use of buildings by applying special dimensional, use, and other standards in a variety of areas in the City tailored to those specific areas and relevant policy objectives. Compliance with the Overlay District provisions may be voluntary or required based on the following criteria:

~~1. Where~~The owner of a lot or site may opt-in to an Overlay District by obtaining and exercising a building and/or zoning permit for development of ~~the~~ lot or site, or any portion thereof, under the provisions and standards of the Overlay District. ~~Until a lot has not been previously issued by the city~~opted-in to an Overlay District, future development on the lot may occur either or site, or any portion thereof, shall be in accordance with the underlying zoning district ~~or the Overlay District. Submittal for an Overlay District development application shall be voluntary.~~

~~2.1. Where,~~ When a lot or site, or any portion thereof, opts-in to an Overlay District development application has been previously submitted and a building permit has been issued pursuant to such application for development activity for a given lot, or any portion thereof, ~~, the lot or site shall be deemed to be zoned in the Overlay District and the provisions of Article 9 shall apply to and control any future development on the lot shall be subject to the provisions and standards of the Overlay District or site.~~

~~2.~~ Buildings or structures that lawfully exist, pursuant to the underlying zoning district, at the time a lot or site opts-in to an Overlay District shall be deemed a nonconforming building or structure and shall be subject to the provisions of Section 7.8. Lots or sites with uses that are not permitted in an Overlay District may not opt-in to the Overlay District.

- B. Conflicts. If a ~~site~~lot is subject to the provisions and standards of ~~the~~an Overlay District, and where conflicts exist between the Overlay District and any other provision of the City of Newton Zoning Ordinance, the provisions and standards of the Overlay District shall take precedence and apply.

2-9.2. Village Center Overlay District (VCOD)

2-9.2.1. District Intent.

- A. Allow the development of buildings and uses appropriate to Newton's village centers, areas immediately adjacent to village centers, and transit-rich areas, in a manner that aligns with the vision of the City's Comprehensive Plan and other policy documents.
- B. Encourage development that fosters compact, pedestrian-oriented villages with a diverse mix of residences, shops, offices, institutions, and opportunities for entertainment.
- C. Allow sufficient density and intensity of uses to promote a lively pedestrian environment, public transit, and variety of businesses that serve the needs of the community.
- D. Expand the diversity of housing options available in [the City Newton](#).
- E. Promote the health and well-being of the community by encouraging physical activity, use of alternative modes of transportation, and creating a sense of place.
- F. Facilitate compliance with the multi-family zoning requirement for MBTA communities pursuant to M.G.L. Chapter 40A, Section 3A.

G. [Encourage the preservation and reuse of existing buildings.](#)

2-9.2.2. District Purpose.

The Village Center Overlay District (VCOD) has been divided into ~~four (4) distinct tiers of districts: three (3) district zones.~~

A. Multi Residence Transit (MRT). The MRT ~~Districtzone~~ facilitates new, small-scale, multi-family buildings similar in size to the surrounding residential neighborhoods and the preservation of existing homes through conversion to multiple units. This ~~districtzone~~ acts as a transition between the mixed-use cores of village centers and surrounding residential neighborhoods.

~~B. Village Center 1 (VC1). The VC1 District facilitates small- to medium-scale multi-family buildings given its location along major corridors and proximity to amenities, mixture of uses, and transit options found in Newton's village centers. This district acts to link certain village centers and allows for neighborhood-serving retail along key corridors and intersections.~~

~~C. B. Village Center 2 (VC2). The VC2 ~~Districtzone~~ facilitates mixed-use and residential development of moderate scale. This ~~districtzone~~ serves as the core of some village centers and as a transition ~~districtzone~~ for other village centers. Buildings are typically set close to the sidewalk to create a defined street wall that supports pedestrian activity and a sense of place. Ground story active uses address the needs of residents and employees in the immediate neighborhood as well as the larger Newton ~~Communitycommunity~~.~~

~~D. C. Village Center 3 (VC3). The VC3 ~~Districtzone~~ facilitates mixed-use development of moderate- and ~~largelarger~~-scale. This ~~districtzone~~ serves as the core commercial zone of certain village centers, particularly those with access to mass transit. Buildings are~~

Village Center Overlay District (VCOD) – 09/12/2023

typically set close to the sidewalk to create a defined street wall that supports pedestrian activity and a sense of place. Ground story active uses address the needs of residents and employees in the immediate neighborhood, the larger Newton Community, and regional visitors.

DRAFT

Village Center Overlay District (VCOD) – 09/12/2023

2.3-9.2.3. Definitions.

In addition to the definitions found in Article 8 DefinitionDefinitions, the following definitions apply.

- A. Awning. A roof-like covering of canvas or other material attached to a metal-or-~~the~~structural frame and supported entirely from a building or other structure.
- B. Balcony. An unenclosed platform with a railing, wall, or balustrade that provides outdoor amenity space on upper stories.
- C. Basement. See Section 1.5.4.D.
- D. Bay. A Bay is a window assembly extending from the main body of a building to permit increased light, provide multi-direction views, and articulate a building wall. Two Baysbays can connect around corners.
- E. Bicycle Parking, Long-Term. Accommodations for the parking of a bicycle for two (2) or more hours.
- F. Bicycle Parking, Short-Term. Accommodations for the parking of a bicycle for less than two (2) hours.
- G. Building Footprint Area. Area of the largest above grade floor of the building as measured to the exterior faces of the walls, including decks that extend more than 8' from the building face.
- H. Development. The construction or modification of any principal building type, accessory building type, or other structure; and or the establishment, change, or expansion of any use of any structure or land.
- I. FacadeFacade Build Out Ratio. The ratio of the width of the entire Front Elevationfront elevation to the Lot Widthlot width along the Primary Front Lot Lineright of way.
- J. Frontage Area-Fenestration. The areaopenings in the facade of a lot-between-the building facade(s), including windows and doors. Fenestration is measured from the inside face of the jambs on any front lot line(s), extending fully to each side lot line(s)-window or door trim.
- K. Front Elevation. The exterior wall of a building oriented in whole or in part toward the public right of way.
- L. Furnishing Zone. The portion of the sidewalk between the back of curb and the -walkway that is used for street trees, landscaping, transit stops, street-lightstreetlights, and site furnishing.
- M. Lot Line. See Section 1.5.2.A.
- N. Lot Line, Front. The lot line abutting a street or right of way.
- O. Lot Line, Side. Any lot line other than a front or rear lot line.
- P. Lot Line, Rear. Any lot line which is parallel to or within forty-five (45) degrees) of being parallel to a front lot line, unless that lot line is a side lot line of an abutting lot.
- Q. Lot Width. The length of the front lot line of a lot.

Village Center Overlay District (VCOD) – 09/12/2023

R. ~~Mixed-Use Priority Street.~~ A portion of a street that requires ground story active uses within the VCOD ~~tiers zones~~ as shown on the Newton Zoning Map.

~~A. Open Space, Usable-Beneficial. Open space that is freely open to the public. Any portion of the beneficial open space must be:~~

- ~~1. At least 400 square feet and at least 20 feet in width and 20 feet in length;~~
- ~~2. Not on rooftops or other elevated portions of buildings; and~~
- ~~3. Designed to accommodate public congregation and use, including any necessary amenities or infrastructure. Examples of such spaces include plazas, parks, playgrounds, playing fields, and community gardens.~~

~~S-B. Open Space, Useable.~~ See definition in Article 8.

~~T. Party Wall.~~ A wall separating two attached buildings.

~~A. Porch.~~ An unenclosed platform connected to a principal building that provides outdoor amenity space. A porch may be screened or covered, but permanent enclosure to create habitable space is prohibited.

~~U-B. Primary Front Lot Line.~~ The lot line abutting a street or right of way. Where there are multiple lot lines abutting streets or rights of way, the ~~Primary Front Lot Line~~ primary front lot line shall be the one the ~~main~~ principal entrance faces. Where there are multiple lot lines abutting streets or rights of way and the main entrance does not face a street or right of way, the Primary Front Lot Line shall be determined by the Commissioner of Inspectional Services or their designee.

~~V-A. Principal Entrance.~~ The ~~addressed entrance to~~ main point of access for pedestrians into a building, ~~upper story use,~~ or ~~commercial~~ ground story tenant space.

~~W-A. Residential District.~~ Residential districts include lots located in the Single Residence (SR), Multi Residence (MR), and Multi Residence Transit (MRT) zoning districts. ~~For the purposes of the VCOD, lots in the MRT shall be considered to be in a residential district regardless of whether the lot has opted-in.~~

~~X-A. Retaining Wall.~~ See ~~Section~~ Sec. 5.4.2.A.

~~Y-A. Screening.~~ See Section ~~#~~ 9.2.6.C.8.

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

~~AA-A. Story.~~ See Section 1.5.4.

~~BB-A. Story, Ground.~~ The lowest story of a building with a finished floor at or above the finished ground level next to a building at the ~~facade-~~ façade.

~~CC-A. Story, Half.~~ See ~~VCOD~~ Section 9.2.6.B.35 for definition of a half-story for a pitched roof and Section 9.2.6.B.6 for definition of a half-story for a flat roof.

~~DD-A. Story, Upper.~~ Any full story above the ground story of a building.

Village Center Overlay District (VCOD) – 09/12/2023

2.4.9.2.4. Development Review

A. Applicability.

~~1.A.~~ The density and dimensional controls ~~in of the VCOD~~ ~~Sec. #~~ apply to all buildings, structures, and uses ~~in each of the on a lot or site that has opted-in to a~~ listed VCOD tiers, ~~except as expressly excepted in this VCOD ordinance zone.~~

A. Approval Process.

~~Development on any lot, by right or by special permit, requires the submittal of development review materials as required in Article 7, except as modified herein.~~
Approval Process.

~~B.1~~ A pre-submittal discussion or meeting with the Planning Department, who shall consult with the Inspectional Services Department, ~~(ISD)~~, is recommended for all development.

2. Development that requires a special permit or site plan review shall be reviewed in accordance with Section 9.2.9, Administration.

1. Special Permit ~~is required for:~~ Required.

~~i.a.~~ Any Development in the Village Center 1, 2, and 3 tiers Any construction or substantial reconstruction of one or more buildings in the VCOD zones on a lot thirty-thousand (30,000) square feet or larger, except as modified through Adaptive Reuse (see Sec. ~~#~~ 9.6.2.B.8).

~~ii.b.~~ The construction of multiple buildings on a single lot in the Multi Residence Transit ~~district~~ zone (MRT), except as modified through Adaptive Reuse (see Sec. ~~#~~ 9.6.2.B.8).

~~iii.c.~~ The City Council is the granting authority for all development that requires a special permit, except as ~~modified~~ otherwise provided in this ordinance.

2. Site Plan Review ~~is required for:~~ Required.

~~i.a.~~ Any development in the Village Center 1, 2, and 3, and MRT) tiers Any construction or substantial reconstruction of one or more buildings in the VCOD zones on a lot twenty-thousand (20,000) square feet or larger but less than thirty-thousand (30,000) square feet, except as modified through Adaptive Reuse (see Sec. ~~#~~ 9.2.6.B.8).

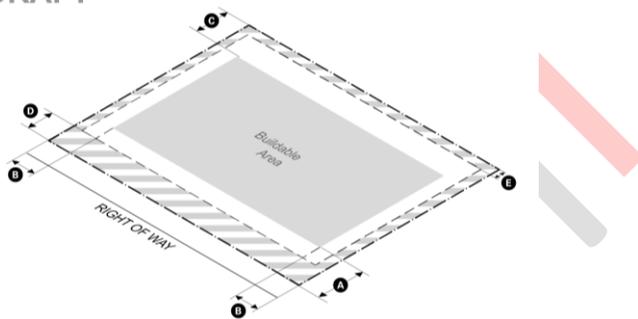
~~ii.a.~~ The Planning Board is the granting authority for all development that requires ~~Site Plan Review.~~ site plan review.

Village Center Overlay District (VCOD) – 09/12/2023

2.5-9.2.5. Dimensional Standards

A. Site Dimensional Standards

DRAFT



VCOD	MRT	VC1	VC2	VC3	Definition / Listed Standard ¹
Approval Process					
Open Space (min.)					
Special Permit					
-	Multiple buildings on a lot	Development on lots greater than or equal to 30,000-sf			
Site Plan Review					
Lot Size	35% Useable Open Space	Development on lots greater than or equal to 20,000-sf but less than 30,000 sf	5% Beneficial Space for lots greater than or equal to 20,000-sf but less than 30,000 sf	Sec. 9.2.6.A.6	
Usable Open Space Lot Frontage (min.)					
Lots greater than 30,000-sf	30% 45'	30% N/A	5% N/A	5% Sec. 9.2.6.A.1	
Building Setbacks					
A Front (min.)					
-	40' 20' or Average	10' or Average	0'	0'	Sec. 9.2.6.A.2

Deleted Cells

Deleted Cells

Inserted Cells

Deleted Cells

Deleted Cells

¹Section references to be added as needed

Village Center Overlay District (VCOD) - 09/12/2023

B Side (min.)					
Abutting a Party Wall in a non-Residential District	7.5'-10'	0'	0'	Sec. 9.2.6.A.2	
Abutting a building without a Party Wall in non-Residential or Public Use District	7.5'	10'	0'-20'	Sec. 9.2.6.A.2	
Abutting a Residential District	7.5'	15'	15'	15'	

Deleted Cells

Deleted Cells

C Rear (min.)					
Abutting a non-Residential District	15'	15'	5'	5'	Sec. 9.2.6.A.2
Abutting a Residential or Public Use District	15'-20'	20'	20'	20'	Sec. 9.2.6.A.2
Building Separation for Multiple Buildings on a Lot (min.)					
-	15'-20'	15'	25'	25'	Sec. 9.2.6.A.2

Deleted Cells

Deleted Cells

Inserted Cells

Inserted Cells

Deleted Cells

Deleted Cells

Deleted Cells

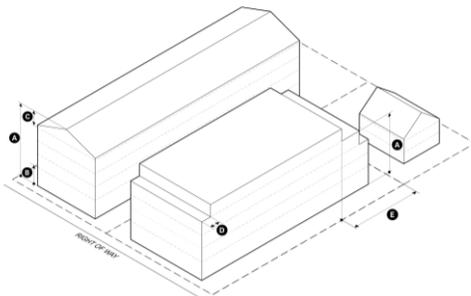
Facade					
Facade Build Out Ratio (min.)					
Facing a public right-of-way Primary front lot line	N/A	75%, or Lot Width/lot width within side setbacks minus 15', whichever is less			Sec. 9.2.6.A.3
Front lot line	N/A	50%			Sec. 9.2.6.A.3
Parking Placement					
Parking Setbacks (min.)					
D Facing a right of way	12'			Sec. 9.2.6.C.7	
E Not facing a right of way	4'			Sec. 9.2.6.C.7	
--- = Not Allowed N/A = Not Applicable					

Deleted Cells

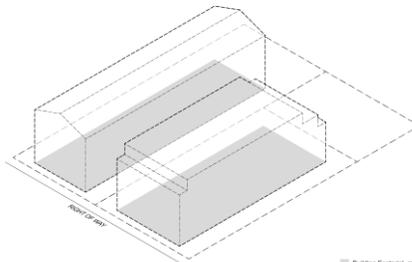
B. Building Dimensional Standards

VC3 Building Dimensional Standards

DRAFT



DRAFT



Building Footprint, max.

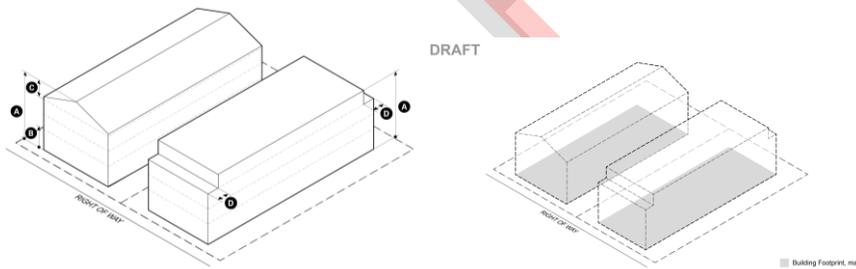
Village Center Overlay District (VCOD) – 09/12/2023

All other <u>Streets</u> <u>streets</u> , non-residential <u>use</u> <u>uses</u>	N/A	N/A	50%	50% <u>Sec. 9.2.6.B.12</u>
All other <u>Streets</u> <u>streets</u> , residential <u>use</u> <u>uses</u>	N/A	N/A	15%	15% <u>Sec. 9.2.6.B.12</u>
Ground Story Active Use (min.)				
Mixed-Use Priority <u>Street</u> <u>Street</u>	N/A	N/A	100%	Deleted Cells
Active Use Depth	N/A	N/A	25'	25'
Articulation				
Length of continuous <u>facade</u> <u>facade</u> (max.)			100' <u>see 80' Sec. 9.2.6.A.11</u>	Deleted Cells
Use and Occupancy				
Dwelling Units (min./max.)	2 / 4 except as modified through Adaptive Reuse (see Sec. 9.2.6.A.11)		3 / N/A	Deleted Cells Deleted Cells Deleted Cells

--- = Not Allowed N/A = Not Applicable

VC2 Building Dimensional Standard

DRAFT



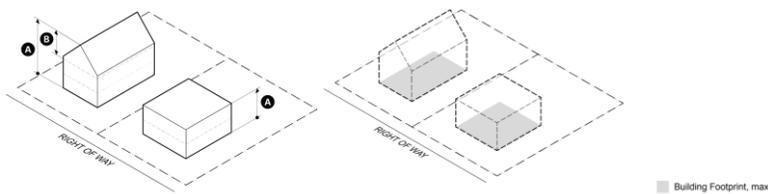
Regulation	Standard	Definition / Listed Standard
<u>Building Massing</u>		
<u>Building Footprint (max.)</u>	10,000 sf	<u>Sec. 9.2.6.B.1</u>
A <u>Pitched Roof, Building Height in Stories / Feet (max.)</u>	3.5 / 58'	<u>Sec. 9.2.6.B.5</u>
A <u>Flat Roof, Building Height in Stories / Feet (max.)</u>	3.5 / 56'	<u>Sec. 9.2.6.B.6</u>
B <u>Ground Story Height in Feet (min.)</u>		
<u>Mixed-Use Priority Street</u>	15'	<u>Sec. 9.2.6.B.3</u>
<u>All other streets</u>	12'	<u>Sec. 9.2.6.B.3</u>
C <u>Half-Story Height in Feet (max.)</u>		
<u>Pitched Roof</u>	14'	<u>Sec. 9.2.6.B.3</u>
<u>Flat Roof</u>	12'	<u>Sec. 9.2.6.B.3</u>
D <u>Half-Story Step-Back in Feet (min.)</u>		
<u>Pitched Roof</u>	N/A	<u>Sec. 9.2.6.B.5</u>

Village Center Overlay District (VCOD) – 09/12/2023

Flat Roof	10' along front and rear lot lines	Sec. 9.2.6.B.6
Facade		
Ground Story Fenestration (min.)		
Mixed-Use Priority Streets	70%	Sec. 9.2.6.B.12
All other streets, non-residential uses	50%	Sec. 9.2.6.B.12
All other streets, residential uses	15%	Sec. 9.2.6.B.12
Ground Story Active Use (min.)		
Mixed-Use Priority Street	100%	Sec. 9.2.8.C.8
Articulation		
Length of continuous facade (max.)	80'	Sec. 9.2.6.A.11
Use and Occupancy		
Dwelling Units (min. / max.)	3 / N/A	
-- = Not Allowed N/A = Not Applicable		

MRT Building Dimensional Standards

DRAFT



Regulation	Standard	Definition / Listed Standard
Building Massing		
Building Footprint (max.)		
	1,500 sf	Sec. 9.2.6.B.1
A Pitched Roof, Building Height in Stories / Feet (max.)	2.5 / 40'	Sec. 9.2.6.B.5
A Flat Roof, Building Height in Stories / Feet (max.)	2.0 / 24'	Sec. 9.2.6.B.6
Ground Story Height in Feet (min.)		
Mixed-Use Priority Street	N/A	
All other streets	N/A	
B Half-Story Height in Feet (max.)		
Pitched Roof	18'	Sec. 9.2.6.B.3
Flat Roof	N/A	
Half-Story Step-Back in Feet (min.)		
Pitched Roof	N/A	
Flat Roof	N/A	
Facade		
Ground Story Fenestration (min.)		
Mixed-Use Priority Streets	N/A	

Village Center Overlay District (VCOD) – 09/12/2023

All other streets, non-residential uses	N/A	
All other streets, residential uses	N/A	
Ground Story Active Use (min.)		
Mixed-Use Priority Street	N/A	
Articulation		
Length of continuous façade (max.)	N/A	
Use and Occupancy		
Dwelling Units (min. / max.)	3 / 4, except as modified through Adaptive Reuse (see Sec. 9.6.2.B.8)	
-- = Not Allowed N/A = Not Applicable		

DRAFT

Village Center Overlay District (VCOD) – 09/12/2023

2.6-9.2.6. Development and Design Standards

A. Site Design Standards

A. This section provides the dimensional design standards for lot improvements within the VCOD tiers zones, defines how to measure certain standards, and provides other requirements and information.

1. Building Placement

1. The Front Elevation/Lot Frontage

a. Lots in the MRT zone must be built out to a percentage of the Lot Width as have the minimum lot frontage specified by the Facade Build Out Ratio in the site development standards.

a-b. Lot Standards for each VCOD tier Frontage shall be measured per Section 1.5.2.E Lot Frontage, and Section 1.5.2.G Rear Lots shall not be applicable to lots in the VCOD.

i. The Facade Build Out Ratio may be met cumulatively by multiple buildings on a lot.

ii. Usable Open Space with Ground Story Active Uses is considered part of the building for the purpose of calculating the facade build out ratio.

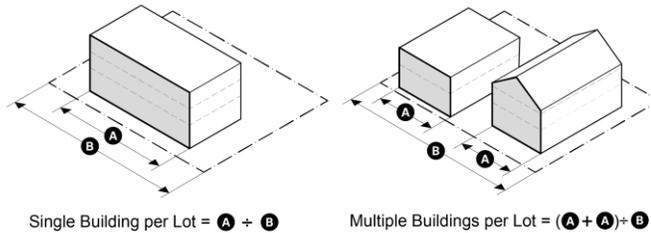
2. Buildings/Setbacks

a. Buildings must meet the minimum setbacks specified in the site dimensional standards for each VCOD zone.

b. Buildings in the VC2 and VC3 zones must be set back from any lot line abutting a sidewalk an additional distance so that at least twelve (12) feet in width is provided between the back of curb and exterior facade of the building, at all points. Excepting the furnishing zone, the area of the lot that is within twelve (12) feet of the curb shall be paved in compliance with the City's sidewalk standards.

a. For the limited purposes of determining the applicable setback requirements, if an abutting property is within a VC2 or VC3 district it shall be deemed to be in such Overlay District and not the underlying zoning district.

3. Building Placement

DRAFT

a. The width of the front elevation must be a percentage of the lot width as specified by the façade build out ratio in the site dimensional standards for each VCOD zone.

i. The façade build out ratio may be met cumulatively by multiple buildings on a lot.

ii. Beneficial 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.

2.4. Number of Buildings

- a. Multiple buildings are permitted on each lot by-right, except;
 - i. A special permit is required in the MRT district zone for multiple buildings on a lot, except as modified through Adaptive Reuse (see Sec. #9.2.6.B.8)

3.5. Building Separation

- a. Multiple buildings on a single lot must comply with the building separation distance at all points as specified in the Building Standards for each VCOD tier zone.
- b. Abutting buildings on separate lots may not be interconnected so as to be internally accessible from one to the other at or above grade level.

4.6. Open Space and ~~Public Realm~~ Beneficial Open Space

a. Lots must provide the minimum open space specified in the site development standards for each VCOD zone.

- a.—Development on lots 30,000 sf and greater must provide Usable Open Space as specified for each VCOD tier.

Village Center Overlay District (VCOD) – 09/12/2023

- b. ~~In~~ the VC2 and VC3 districts, the Usable zones must provide Beneficial Open Space ~~must be accessible to the public, specified in the site development standards for the applicable VCOD zone.~~
- c. ~~Buildings must provide shared Usable Open Space as exterior spaces (patio, roof deck, roof terrace, yard, forecourt, plaza) that maintain attractive landscaping where it enhances the public realm, environmental sustainability, and/or the appearance of the site.~~
- c. Street Trees.
 - i. Installation of a street tree within the public right of way must be approved by the Tree Warden or their designee.

5.7 Retaining Walls

- a. The placement of a retaining wall of four (4) feet or more anywhere on a lot requires a special permit.

B. Building Design Standards.

This section provides the dimensional design standards for buildings within the VCOD tiers zones, defines how to measure certain standards, and provides other requirements and information.

1. Building Footprint

- a. Buildings must comply with the maximum building footprint as specified in the building dimensional standards for each VCOD zone.
- b. Building Footprint includes all enclosed spaces whether for habitation or storage. Any parking area that is covered by a roof is included in the Building Footprint.
- c. The following features do not count towards the building footprint.
 - i. Portions of the building below the average grade and not visible from any right of way or adjacent lot line.
 - ii. Architectural features, as defined in Sec. 9.2.6.B.10.
 - iii. Structures, as defined in Sec. 1.5.3.D.

2. Building Height1. Building Height

- a. Buildings may not exceed the maximum building height specified for each building type-VCOD zone. Building height is measured as defined in Section 1.5.4. Height.
- a. For the limited purposes of determining the applicable building height requirements, if an abutting property is within a VC2 or VC3 district it shall be deemed to be in such Overlay District and not the underlying zoning district.

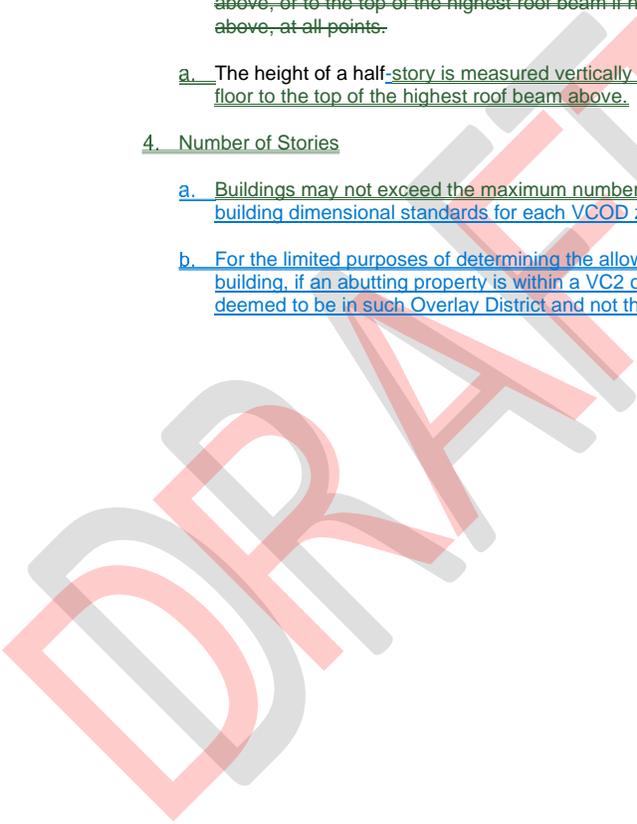
2.3 Story Height

Village Center Overlay District (VCOD) – 09/12/2023

- a. The Ground Story of a building must comply with the minimum story height requirements specified for each VCOD tierzone.
 - a. The height of the ground story and upper story(ies) of a building is measured vertically from the surface of the finished floor to the surface of the finished floor above, or to the top of the highest roof beam if no finished floor is immediately above, at all points.
 - ~~b. a. The height of the ground story and upper story(ies) of a building is measured vertically from the surface of the finished floor to the surface of the finished floor above, or to the top of the highest roof beam if no finished floor is immediately above, at all points.~~
 - a. The height of a half-story is measured vertically from the surface of the finished floor to the top of the highest roof beam above.

4. Number of Stories

- a. Buildings may not exceed the maximum number of stories as specified in the building dimensional standards for each VCOD zone.
- b. For the limited purposes of determining the allowable number of stories for a building, if an abutting property is within a VC2 or VC3 district it shall be deemed to be in such Overlay District and not the underlying zoning district.



Village Center Overlay District (VCOD) 09/12/2023

5. Half-Story for Pitched Roofs

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

a. story is measured vertically from the surface of the finished floor to the top of the highest roof beam above.

3.1. Number of Stories

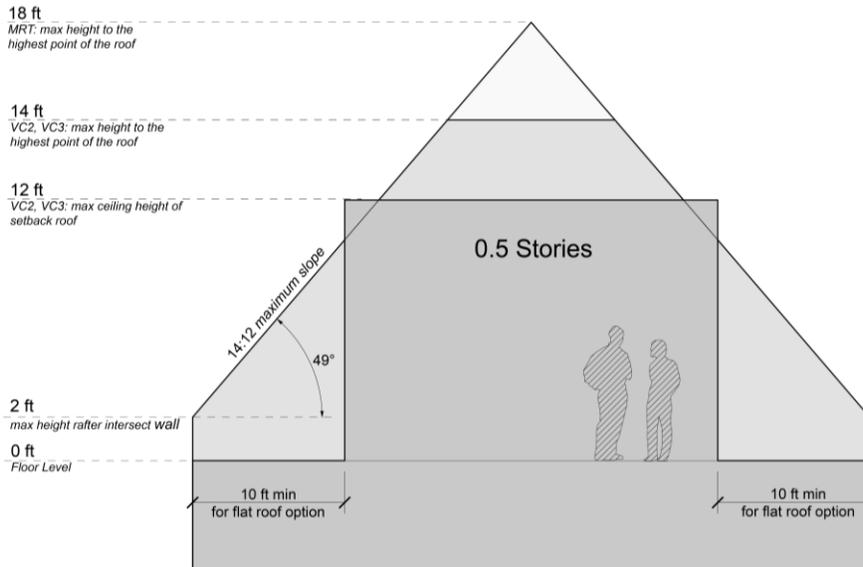
a. Buildings may not exceed the maximum number of stories as specified in the Building Standards for each VCOD tier.

b. The Ground Story is always counted as one (1) story, except that a single Ground Story eighteen (18) feet or greater in height is counted as two (2) stories.

c. Any Upper Story is counted as (1) additional story, except that any upper story sixteen (16) feet or greater in height is counted as two (2) stories;

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

DRAFT



Village Center Overlay District (VCOD) – 09/12/2023

- i. At least two (2) opposite roof planes are pitched toward each other.
- ii. A pitched roof may be composed of roof planes with different slopes.
- iii. The slope of any pitch must be no greater than 14:12 (49.4 degrees); otherwise, this story is counted as a full story.
- iv. 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.
- v. Dormers must comply with the requirements set forth in Sec. 1.5.4.G.

4.6. Half-Story Step-Back for Flat Roofs

- a. ~~Required Step-Backs~~For buildings in the VC3 zone, the required step-backs must be provided ~~above the fourth story, or for all buildings less than four (4) stories as specified in the Building Standards at a building height of fifty-seven (57) feet.~~
- ~~a.b.~~For buildings in the VC2 zone, the required step-backs must be provided ~~above the third story, or for each VCOD tier buildings less than (3) stories at a building height of forty-four (44).~~
- c. For the limited purposes of determining the applicable step-back requirements, if an abutting property is within a VC2 or VC3 district it shall be deemed to be in such Overlay District and not the underlying zoning district.
- d. Buildings on any lot with a Lot Width of seventy (70) feet or less are exempt ~~for must meet~~ the upper story Step-Back ~~step-back~~ requirement along the Side Lot Line(s), except when any lot line abutting a Residential District the facade of the building facing the Residential District is not residential district.
- e. Exceptions.
 - ~~b.~~ Buildings are exempt from the upper story ~~Step-Back~~step-back requirement.
 - ~~c.i.~~ Buildings ~~on along the rear lot line for~~ any lot with an average portion of the building where the lot depth is less than seventy (70) feet are exempt from the upper story Step-Back requirement along the Rear Lot Line, except when the rear lot line abuts a Residential District ~~residential district.~~

5. Building Footprint

- a. Buildings must comply with the maximum Building Footprint as specified in the Building Standards for each VCOD tier.
- ~~b.a.~~ Building Footprint includes all enclosed spaces whether for habitation or storage. Any parking area that is covered by a roof is included in the Building Footprint.
- c. ~~Portions~~Any portion of the building below the average grade and not visible ~~half-story set back more than twenty-five (25) feet~~ from any right-of

Village Center Overlay District (VCOD) – 09/12/2023

~~way or adjacent lot line do not count towards the is exempt from the upper story step-back requirement, except when the lot line abuts a residential district Building Footprint.~~

~~d.i. Bays, Awnings, and Balconies, do not count towards the Building Footprint. See Sec. 7 Architectural Features.~~

6.7 Affordable Housing Bonus

a. Except as modified herein, the provisions of Section 5.11 Inclusionary Zoning shall apply in the VCOD.

~~b.a. Bonus. To increase the supply of affordable housing, beyond the requirements within Newton’s Inclusionary Zoning Ordinance, the following building height and building footprint increases are allowed within the VC2 and VC3 districts/zones by-right, subject to the dimensional requirements of Sec. 9.2.5 and other development and design standards of Sec. 9.2.6.B.6.e.:~~

Affordable Housing Bonus Building Dimensional Standards

	Option 1	Option 2	
VCOD District/Zone	VC2	VC3	
Building Height in Stories, (max.)	4.5	5.5	6.5
Pitched Roof, Building Height in Feet, (max.)	72’71’	84’	96’
Flat Roof, Building Height in Feet, (max.)	66’69’	78’82’	90’
Building Footprint, (max.)	12,500 sf	17,500 sf	17,500-sf

Deleted Cells

~~e.b. Standards~~

~~i. To utilize the affordable housing bonus in the above table, a development must fully comply with the provisions of Section 5.11, except the number of inclusionary units required shall be as follows:~~

Number of Inclusionary Units Required

	Option 1	Option 2	
Project Type	Rental	Ownership	
Tier 1 (# of units)	25%	25%	Deleted Cells
Tier 2 (# of units)	N/A	N/A	Deleted Cells
Area Median Income (AMI)	-50-80%	80%	50-80% 80%

Deleted Cells

Deleted Cells

~~ii. The portion of the building within 50’ of a lot line abutting a Residential District may not increase the number of stories or height.~~

~~iii. A VC3 lot adjacent to a VC1 or Residential District may not utilize Option 2.~~

~~iii. For the limited purposes of determining the affordable housing bonus requirements, if an abutting property is within a VC2 or VC3~~

Village Center Overlay District (VCOD) – 09/12/2023
district it shall be deemed to be in such Overlay District and not the underlying zoning district.

7.1. Ground Story Active Uses

- a. ~~Any lot with Mixed Use Priority Street frontage must also provide ground story Active Use space. The active use space must meet the depth requirement specified in each VCOD Tier, measured as the distance from the interior of the wall fronting on the Mixed Use Priority Street towards the interior of the building, for one hundred percent (100%) of the total width of the building. No more than thirty percent (30%) of the required active use space may be dedicated to semi-active accessory uses, as defined below.~~
- b. ~~Active Uses only include:~~
 - i. ~~Retail~~
 - ii. ~~Restaurant / bar / specialty food service~~
 - iii. ~~Place of amusement~~
 - iv. ~~Personal service~~
 - v. ~~Gallery / arts studio~~
 - vi. ~~Live/work space~~
 - vii. ~~Community use space~~
- c. ~~Semi-active accessory uses include: lobbies and common areas associated with office, hotel, or residential uses, and access to accessory parking.~~

8. Adaptive Reuse

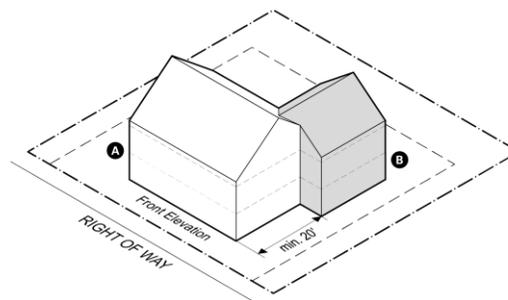
- a. ~~The reuse and revitalization of existing buildings, including historically significant buildings, within the VCOD tiers will~~Purpose. To benefit the general health and welfare of the Newton community by fulfilling stated goals on housing, transportation, sustainability, and historic preservation through the reuse and revitalization of existing buildings, including historically significant buildings.
- b. ~~A building on a lot in the VCOD District must meet the following criteria to be eligible to be developed as an adaptive~~Eligibility.
 - a. ~~Adaptive reuse development:-~~
 - i. ~~Buildings within the VC2 and VC3 tiers must have at least two (2) stories in height, and have been constructed prior to 1945 or determined to be historically significant by the Newton Historical Commission.~~
 - ii. ~~Buildings within the is only permitted in the MRT and VC1 tiers must have at least one and a half (1.5) stories in height.~~zone.
 - ii. ~~A building on a lot in the VCOD District~~Only lots with buildings that meet~~exist at the time the lot opts-in to the MRT zone are eligible for the provisions of this Adaptive Reuse section.~~

Village Center Overlay District (VCOD) – 09/12/2023

- iii. The existing building(s) on the lot must be preserved in compliance with the foregoing eligibility criteria may be developed as an adaptive reuse requirements set forth in Sec. 9.2.6.B.8.c
- e-iv. Any proposed development, provided that under the provisions of this Adaptive Reuse section must submit a pre-development site survey with existing conditions prepared, stamped, and signed by a registered engineer or land surveyor is submitted, with the required Overlay District development building permit application.

d-c. Standards. Notwithstanding anything to the contrary in the zoning ordinance, an existing building City of Newton Zoning Ordinance, development on a lot that qualifies as an adaptive reuse development in any of the VCOD tiers may utilize the following building standards:

- i. Additional height may be added to existing buildings; however the total height may not exceed the overall height or number of stories as specified in each VCOD tier.
- ii. There are no parking requirements.
 - i. There are no The maximum number of units allowed in the existing building(s) is six (6) units, except by special permit.
- iii-ii. Lots developed under this Adaptive Reuse section are exempt from the VCOD open space requirements.
- iii. New construction Development of lots thirty-thousand (30,000) square feet or larger are subject to site plan review in lieu of special permit approval.
- iv. Multiple buildings on a lot are permitted, subject to site plan review in lieu of special permit approval.
- v. The maximum building footprint of the existing building(s) shall be the footprint of the existing building(s) at the time the lot opts-in to the MRT Zone plus fifty (50%) percent of the footprint of the existing building(s).

DRAFT

Building footprint of **B** ≤ Building footprint of **A** × 50%

Village Center Overlay District (VCOD) – 09/12/2023

~~iv. All additions to the existing building(s) must meet the minimum sidewalk width requirements; however existing buildings and portions of existing buildings are exempt.~~

~~v.1. Existing building side and rear VCOD setbacks that do not meet the minimums in Sec. 9.2.6.B.10 may remain. Alterations, enlargements, or reconstruction within the side or rear setbacks are not allowed, except as permitted under Section 7.8.~~

~~e. Additional standards for buildings within the VC2 and VC3 tiers utilizing this Section:~~

~~i. A building may exceed the maximum Building Footprint, up to five thousand (5,000) square feet along the side and rear elevations set back at least twenty (20) feet from the Front Elevation.~~

~~ii. Development on lots larger than thirty thousand (30,000) square feet is permitted by right, subject to Site Plan Review.~~

~~f. Additional standards for buildings within the VC1 and MRT tiers utilizing this Section:~~

~~2. A building may exceed the maximum Building Footprint by fifty percent (50%). Additions are only permitted along the rear and side elevations of the existing building(s).~~

~~i.3. Any portion of the addition along the side and rear elevations of the existing building(s) must be set back at least twenty (20) feet from the front elevation of the existing building.~~

~~ii. Multiple buildings on a lot are permitted, subject to Site Plan Review.~~

~~vi. Additions permitted herein may be built up to the maximum height allowed under the MRT Zone. The height of those portions of the existing building(s) that are preserved may not be increased.~~

~~vii. No exterior alterations of the existing building(s) along the Front Elevation front or the side elevations up to an addition are permitted, except those:~~

~~g.1. Those necessary to comply with applicable Health, Building, and Fire codes.~~

~~2. Architectural features, as defined in Sec. 9.2.6.B.10.~~

~~3. The replacement of windows, doors, and sheathing are not considered exterior alterations.~~

9. Ground Story Active Uses

DRAFT



a. Any lot with mixed-use priority street frontage must provide ground story active use for the entire width of the front elevation of the building facing the priority street. No more than thirty-five (35%) percent of the required active use space may be dedicated to semi-active accessory uses as defined below.

b. Active uses include only:

- i. Retail
- ii. Restaurant / bar / craft beverage establishment / specialty food service
- iii. Place of amusement
- iv. Personal service
- v. Gallery / arts studio
- vi. Live/work space
- vii. Community use space

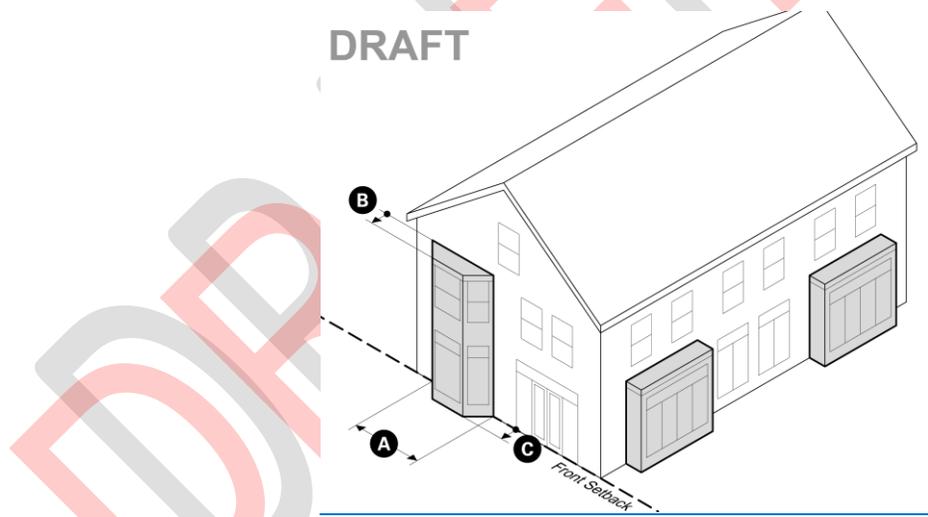
c. Semi-active accessory uses include:

Village Center Overlay District (VCOD) – 09/12/2023

- i. Lobbies and common areas associated with office, hotel, or residential uses
- ii. Access to accessory parking

9.10. Architectural Features

- a. The structural and architectural elements which that extend outward from a building facade, including Awnings, Canopies, Bays, awnings, bays, balconies, and Balconies, porches.
- b. Architectural features which fully comply with the dimensional standards below are not considered part of the building footprint.
- a-c. Architectural features may project into the front setback and/or right of way as shown below only based on the following standards:
 - i. Bay.



Dimensions	
A Width of Each Bay (max.)	Greater of 20% of wall length or 12 ft
B Depth (max.)	3 ft
Fenestration (min.)	60%
C Front Setback Encroachment setback encroachment at Ground Story the ground story (max.)	3 ft
Front Setback Encroachment setback encroachment at Upper Story the upper story (max.)	100%

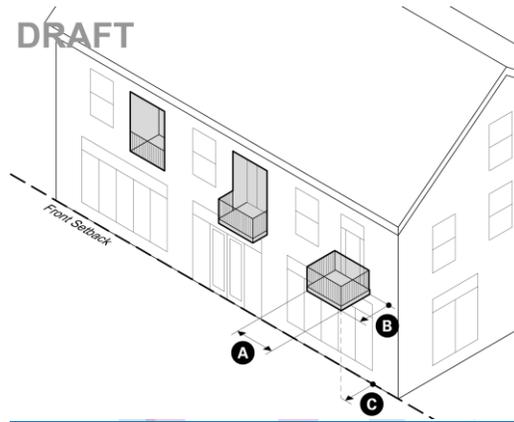
Village Center Overlay District (VCOD) – 09/12/2023

Extension into the right of way (max.)	3 ft
Clearance above Grade within right of way (min.)	Top of the <u>Ground Story</u> ground story

DRAFT

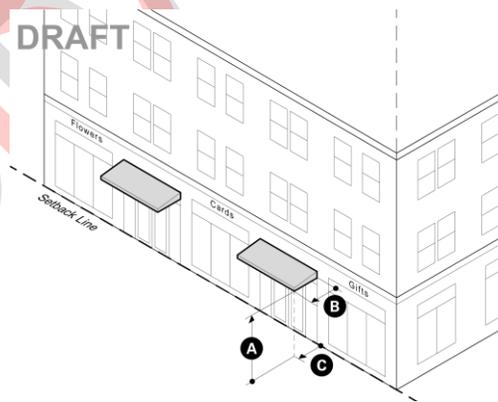
Village Center Overlay District (VCOD) - 09/12/2023

ii. Balcony.



Dimensions	
A Width of Each Balcony (min./max.)	5 ft / Greater of 20% of wall length or 12 ft
B Depth (min./max.)	3 ft / 8 ft
Clearance above Grade (min.)	Top of the Ground Story
Front Setback Encroachment (max.)	100%
C Extension into the right of way (max.)	3 ft

iii. Awning.

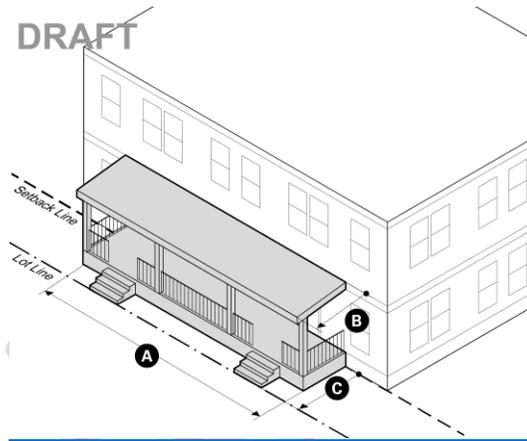


Dimensions	
A Width of Each awning (min.)	=
B Depth (max.)	3 ft
C Clearance above grade	10 ft

Village Center Overlay District (VCOD) – 09/12/2023

Front setback encroachment (max.)	100%
Extension into the right of way (max.)	3 ft

iv. Porch.



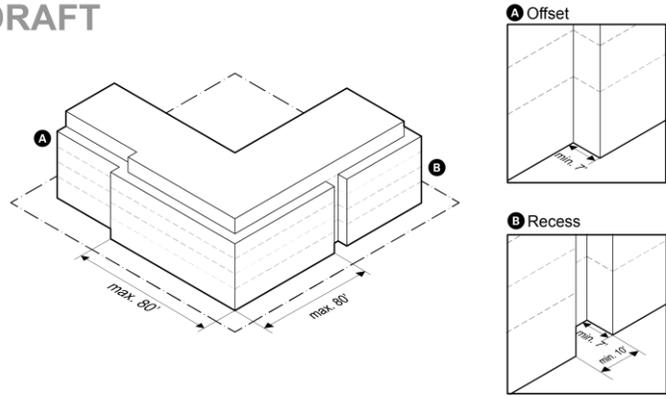
iii. Awning

Dimensions	
Width of Each Awning, front (min.)	8 ft
Depth/Width, side (min.)	34 ft
Clearance above Grade/Depth, front (min.)	80 ft
Front Setback Encroachment (max.)/Depth, side (min.)	100%/4 ft
Extension into the right of way/Front setback encroachment (max.)	106 ft

10-11. Facade/Façade Articulation.

Village Center Overlay District (VCOD) 09/12/2023

DRAFT



- a. The Front Elevation front elevation of any building greater than ~~one hundred~~ eighty (80) feet in width must be divided vertically by a recess or an offset at least seven (7) feet deep and ten (10) feet wide. Modifications to the facade of existing buildings are exempt for the full height of the building. Balconies and awnings may be located within the recess or adjacent to the offset.

11-12. Ground Story Fenestration.

DRAFT

- a. Fenestration must be provided as specified in the Building [Development Standards](#) for each VCOD [tierzone](#) and is calculated as a percentage of the area of the [Front Elevation](#)~~front elevation at the ground story~~.
- b. For buildings with ground story [Active Use](#)~~active use~~ spaces, ground story fenestration is measured between two (2) feet and ten (10) feet above the finished floor of the ground story.
- c. For ground story fenestration, glazing must have a minimum sixty percent (60%) Visible Light Transmittance (VLT) and no more than fifteen percent (15%) Visible Light Reflectance (VLR) as indicated by the manufacturer.

~~12.13.~~ Building Entrances.

- a. For lots with [Street](#)~~street~~ frontage, buildings must have their principal entrance(s) from that right of way. For lots without street frontage, buildings must have their main entrance from a right of way on that Street. For parcels without Street frontage, buildings should have their main entrance(s) on the side wall oriented toward ~~the~~ a secondary right of way or parking lot provided for the building.
- b. ~~Buildings with ground story Active Use spaces must have principal entrances for the Active Uses along the Street frontage.~~

Village Center Overlay District (VCOD) – 09/12/2023

- ~~e.b.~~ Principal entrances must either be recessed from the plane of the ~~façade~~~~façade~~, or have a projecting ~~Awning~~~~awning~~, to signal building entry and provide adequate protection from the elements.

~~13-14.~~ Roof Features

- a. Non-habitable architectural features are permitted on roofs in accordance with Section 1.5.4.A. In addition to the non-habitable architectural features set forth in Section 1.5.4.A., stair headhouses are not included in the height measurement for buildings in the VCOD.

~~14-15.~~ Mechanical Equipment

- a. 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. See Section ~~9~~ Screening.
- ~~b.~~ Wall-mounted alarm devices, cable boxes, and utility meters shall not be mounted on a wall plane facing a right of way.
- ~~b.c.~~ Wall-mounted mechanical, plumbing, and/or electrical equipment such as louvers, exhaust equipment, and ducts, alarm devices, cable boxes, utility meters, etc. shall not be mounted on a Front Elevation 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.
- ~~e.d.~~ All free-standing mechanical and/or electrical equipment are prohibited between any Front Lot Line~~front lot line~~ and Front Elevation~~front elevation~~.

C. Parking Design Standards

1. Required Accessory Parking Spaces

- a. There are no motor vehicle parking minimums within the VCOD.
- b. Bicycle parking must be provided as specified in Sec. ~~9.6.2.C.2~~, except.
 - i. No bicycle parking is required for ground floor non-residential uses with five-thousand (5,000) square feet or less of gross leasable floor area.
- c. Motor vehicle parking spaces for persons with disabilities ~~may not be shared~~ and must be provided on-site.
- d. Centralized parking facilities must provide signage identifying the permitted users.
- e. Pedestrian access to motor vehicle parking must be via a paved sidewalk or walkway.
- f. Bicycle parking must be provided at no cost or fee to customers, visitors, employees, tenants, and residents.

2. Required Number of Accessory Bicycle Parking Stalls

Village Center Overlay District (VCOD) – 09/12/2023

The following standards for accessory bicycle and motor vehicle parking spaces are associated with the use categories permitted in the VCOD tiers zones:

Use Category	Bicycle Parking	
	Short-term (min.)	Long-term (min.)
Residential Uses		
Multi-family dwelling, ten (10) units or less	None--	None--
Multi-family dwelling, more than ten (10) units	0.1 per unit	1.0 per unit
Lodging House	0.1 per 40,000 sf bed	40.5 per 5,000 sf bed
Live/work space	0.5 per unit	1.0-1 per unit
Convalescent or rest home or other institution devoted to the board, care or treatment of humans	--	--
Elderly housing with services, residential care facility, elderly congregate living facility	--	--
Civic/Institutional Uses		
Dormitory	0.1 per bed	0.5 per bed
Religious institutions	--	--
School serving children under 14 years of age	40.075 per classroom student	42.5 per classroom
Commercial Uses		
Bank	1 per 510,000 sf	1 per 2,500,000 sf
Family child care home, large family child care home, day care center	20.05 per child	40.075 per 40,000 sf employee
Funeral home	1 per 2,500,000 sf	1 per 10,000 sf
Health club, similar establishment	1 per 2,500 sf	1 per 10,000 sf
Hospital, sanitarium	10 per entrance	1 per 5,000 sf
Hotel, motel	1 per 20 rooms	1 per 400 rooms
Medical office	1 per 24,000 sf	1 per 10,000 sf
Office, professional building	1 per 510,000 sf	1 per 2,000 sf
Outdoor or open-air sales space, drive-in establishments, open-air retail business, amusements and other similar uses	--	--
Personal service	1 per 4,000,2,500 sf	1 per 2,500,000 sf
Post Office	1 per 4,000,2,500 sf	1 per 2,500,000 sf
Radio or television broadcasting studio	1 per 2,500 sf	1 per 10,000 sf
Restaurant, food or beverage establishment (for sidewalk and parking space cafe seating, see 12-70)	1 per 2,000 sf	1 per 24,000 sf
Retail store, showroom	1 per 2,500 sf	1 per 10,000 sf
Service establishment	1 per 4,000,2,500 sf	1 per 2,500,000 sf
Theaters, halls, clubs, auditoriums and other places of amusement or assembly	1 per 5,000 sf	40.075 per 2,500 sf employee
Industrial Uses		
Manufacturing	--	1 per 10,000 sf
Research, laboratory	1 per 20,000,000 sf	1 per 5,000 sf
Storage warehouse or business	--	--
Telecommunications and data storage facility	--	--
Wholesale business	--	1 per 40,000 sf

Village Center Overlay District (VCOD) – 09/12/2023**3-a. Parking Access**

- a. Vehicular access to parking lots and structures along the Primary Front Lot Line is prohibited when vehicular access along another lot line is available.
- b. Shared use of parking lots, by multiple uses and/or developments on multiple parcels, is permitted.
- c. The sum of the width of a garage door or doors may be no more than 40% of the Front Elevation along any Primary Front Lot Line.

4. Curb Cuts and Driveways

- a. Curb cuts are prohibited along the Primary Front Lot Line when vehicular access along another lot line is available.
- b. Each lot is limited to one curb cut per Street frontage.

- e.a. 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

- d.a. The interior width of a curb cut (between curb stones) may be no wider than the driveway, vehicular entrance, or loading facility it serves.
- e. The grade, cross slope, and clear width of the walkway of a sidewalk must be maintained between the driveway apron and the abutting driveway.
- f. Curb cuts for driveways must be at least 20 feet from an unsignalized intersection and at least forty 40 feet from a signalized intersection.

5. Vehicular Parking Placement

- a. Unless otherwise specified in this Section, all parking spaces must be located at or behind any required parking setback as specified in the Lot Standards for each VCOD tier.
- b. No parking spaces are allowed between the Front Elevation and the Primary Front Lot Line.

6.3. Parking Stall Dimensions.

- a. For vehicular parking stalls stall requirements, see SectionSections 5.1.8.B and 5.1.8.C.

b.4. Bicycle parking stalls must meet the following standards: Parking Stall Dimensions.

- i. Size and Layout. Each bicycle parking stall must be at least two (2) feet by six (6) feet in size or the minimum required by the manufacturer of a bicycle rack or locker, whichever is more.

Village Center Overlay District (VCOD) – 09/12/2023

ii. ~~Access.~~

- a. ~~Bicycle parking may be provided through any combination of racks and lockers.~~
- b. ~~Bicycle parking serving multiple uses may be combined into a single area or accessory structure.~~

c. ~~Access~~

- a. ~~Areas designed for bicycle parking stalls must have a hard, stabilized surface.~~
- b.i. ~~Bicycle parking stalls must have at least one (1) with an access aisle at least five (5) feet wide to allow room for maneuvering. This access aisle must be kept free from obstructions.~~
- e.ii. ~~Bicycle parking stalls must be accessible without moving another bicycle or lifting or carrying a bicycle over any steps or stairs.~~
 - d. ~~Outdoor access routes must be appropriately lighted to allow for safe nighttime use.~~

iii.d. ~~Weather Protection. When provided, weather protection must be permanent, designed to protect bicycles from rainfall, and provide at least seven (7) feet of clearance above ground level.~~

iv.e. ~~Bicycle racks must meet the following standards:~~

- a.i. ~~Be a fixed-in-place stand that is securely anchored to the ground; providing support to the bicycle without the use of a kick-stand.~~
- b. ~~Provide support to the bicycle frame, allowing for both wheels to rest upon a stable surface and for the bicycle to stand upright and not fall over without the use of a kick-stand;~~
- e.ii. ~~Be configured not to block handlebars and baskets and to provide two points of contact for locking the frame and at least one wheel with a user-provided locking device;~~
 - d. ~~Be constructed of materials that resist cutting, rusting, bending, or deformation; and~~
 - e. ~~Be arranged in rows (with bicycles parked side-by-side) or in alignment (with bicycles parked end-to-end).~~

v.f. ~~Bicycle lockers must meet the following standards:~~

- a. ~~Be securely anchored to the ground;~~
- b.i. ~~Be configured to and provide support to the bicycle, allowing it to stand upright without the use of a kick-stand, and~~
- e.ii. ~~Be secured by means of a lockable door or, alternatively, configured internally to allow locking of the frame and at least one wheel with a user-provided locking device.~~

Village Center Overlay District (VCOD) – 09/12/2023

- vi. ~~Signage. If required bicycle parking is not visible from the street or principal entrance(s), a sign must be posted at the principal entrance(s) indicating the location of the parking. Such signage must meet the standards found in Sec. 5.2. Signs.~~
- vii. ~~Additional standards for Short Term Bicycle Parking.~~

~~a-g. Short-term bicycle parking may be provided in any combination of bicycle racks and bicycle lockers. Racks that are double height or require hanging of a bicycle are prohibited for short-term bicycle parking.~~

- ~~b.i. Short-term bicycle parking must be provided outside of a principal building and within one-hundred (100) feet of the principal entrance of the use building served by the parking.~~
- ~~e.ii. Short-term bicycle parking must be at the same grade as the abutting sidewalk or at a location that can be reached by an accessible route from the sidewalk that is a minimum of five (5) feet wide, with no steps and a six percent (6%) slope or less.~~

~~d. Short Any required short-term bicycle parking serving multiple uses on a single lot, or abutting parcels under the same ownership, may be combined into a single area.~~

- ~~e.iii. Any required Short-Term Bicycle Parking provided in a structure or under cover must be provided at ground level, free of charge, and clearly marked as bicycle parking.~~

~~viii. Additional standards for Long Term Bicycle Parking.~~

~~a-h. Long-term bicycle parking may be provided through any combination of racks or lockers.~~

- ~~b.i. Long-term bicycle parking must be provided in a well-lit, secure location within the same building as the use the parking is intended to serve or within an accessory structure located within two-hundred (200) feet of the principal entrance of the building.~~

~~c. To provide security, long-term bicycle parking must be either be:~~

- ~~i. In a locked room;~~
- ~~ii. In or in an area that is enclosed by a fence with a locked gate. The fence must be either that is a minimum eight (8) feet high, or be floor-to-ceiling; with a locked gate.~~
 - ~~iii. Within view of an attendant or security guard;~~
 - ~~iv. In an area that is monitored by a security camera;~~
 - ~~or~~
 - ~~v. In an area that is visible from employee work areas.~~

- ~~d.iii. All required long-term bicycle parking spaces must be designed to provide continuous shelter from the elements.~~

Village Center Overlay District (VCOD) – 09/12/2023

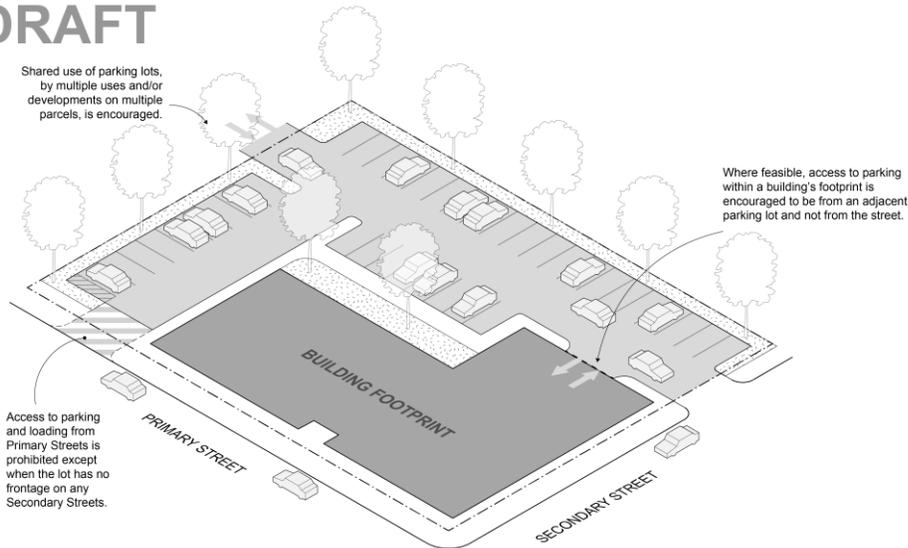
- e. ~~Long term bicycle parking serving multiple uses may be combined into a single area or accessory structure.~~
- f. ~~Where long term bicycle parking is located adjacent to motor vehicle parking or loading facilities, a physical barrier must be provided to prevent potential damage to bicycles by other vehicles.~~
- g-iv. When twenty (20) or more long-term bicycle parking spaces are provided, a minimum of ten percent (10%) of the spaces must be at least three (3) feet by eight (8) feet in size.
- h-v. Up to twenty five (25) a minimum of ten percent (10%) of long-term bicycle parking space may be provided as racks that requires spaces must have access to outlets for charging electric bicycles to be hung or lifted off the ground or floor.
- ix-i. Alternative Compliance compliance. The provisions of this Section #9.2.6.C.4 may be modified by special permit to accommodate alternative technologies and methods for providing bicycle parking so long as the Special Permit Granting Authority makes a finding that the alternative bicycle parking provides equal or greater benefits to bicycle users.

7. Screening

5. Parking Access.

- a. Vehicular access to parking lots and structures along the primary front lot line is prohibited when vehicular access along another lot line is available.
- b. Shared use of vehicular parking lots, by multiple uses and/or developments on multiple parcels, is permitted.
- c. If the entrance to a parking area is along the primary front lot line, the width of the entrance may be no more than 40% of the front elevation along the primary front lot line.

DRAFT



6. Curb Cuts and Driveways.

a. Curb cuts are prohibited along the primary front lot line when vehicular access along another lot line is available. Notwithstanding the foregoing, a curb cut along a primary front lot line on a corner lot is permitted if the Commissioner of Public Works, or their designee, determines:

i. A one-way vehicular access along the primary front lot line and a one-way vehicular access along the secondary front lot line that improves safety and traffic flow.

b. Each lot is limited to one curb cut per street frontage.

c. 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

d. The interior width of a curb cut (between curb stones) may be no wider than the driveway, vehicular entrance, or loading facility it serves.

e. The grade, cross slope, and clear width of the walkway of a sidewalk must be maintained between the driveway apron and the abutting driveway.

f. Curb cuts for driveways must be at least twenty (20) feet from an intersection that does not have a traffic-control signal as defined in Chapter 19 of the City Ordinances and at least forty (40) feet from an intersection with traffic-control

Village Center Overlay District (VCOD) – 09/12/2023

signals. The distance between the curb cut and the intersection shall be measured from the point of intersection of the tangent lines of the curve. The Commissioner of Public Works, or their designee, may modify the minimum allowable distance of a proposed curb cut from an intersection and the location of a proposed curb cut upon their determination that such modification will improve vehicular and pedestrian safety.

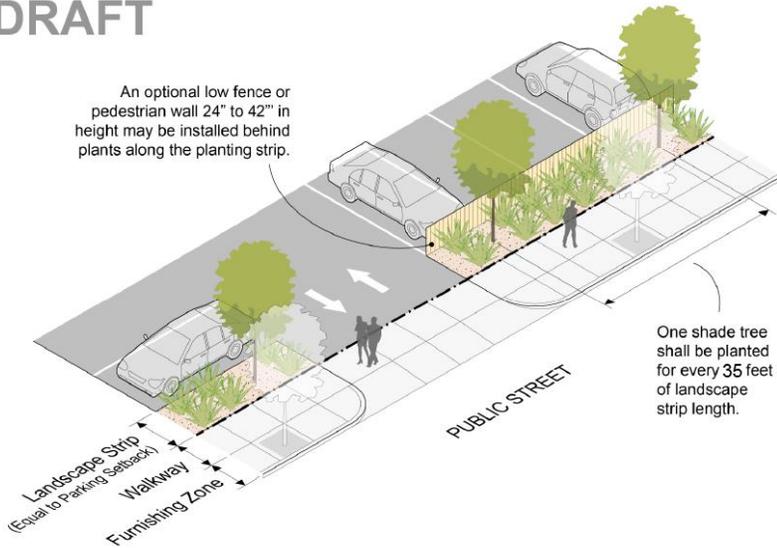
7. Vehicular Parking Placement.

a. Unless otherwise specified in this Section, all vehicular parking stalls must be located at or behind any required parking setback as specified in the Lot Standards for each VCOD zone.

b. No vehicular parking stalls are allowed between the front elevation and the primary front lot line, except in the MRT zone where one (1) parking stall may be located between the front elevation and the primary front lot line.

a-8. **Screening.** Surface vehicular parking spaces and outdoor loading facilities must be separated from the right of way by a building or screening within the parking setback as specified in the Lot Standard site dimensional standards for each VCOD Tier zone. Screening shall consist of one or a combination of the following:

DRAFT



a. A landscape strip at least five (5) feet in width, running the full length of the parking lot perimeter along the right-of-way, excluding curb cuts and driveways (Fig. 9-1 see above image).

a.i. The landscape strip must be planted with trees, shrubs, perennials, native grasses, and/or other planting types that provide a buffer from the right-of-way.

Village Center Overlay District (VCOD) – 09/12/2023

~~b-ii.~~ Deciduous large shade trees must be planted for every ~~20~~thirty-five (35) feet of landscape strip length, spaced linearly and parallel to the public right-of-way. Shade trees must be a minimum of two (2) inches in tree caliper when planted.

~~ii-b.~~ A wall, barrier, or fence of uniform appearance. Such a wall, barrier, or fence may be opaque or perforated provided that not more than fifty (50) percent of the face is open. There shall be a landscaped strip with a minimum width of 3 feet between the base of the wall, barrier, or fence and right of way. The wall, barrier, or fence shall comply with the provisions of the Fence ordinance in Chapter 5, Sections 5-30 - 5-34.

~~b-c.~~ The required screening shall be located so as not to conflict with any corner visibility requirements or any other City ordinances. Such screening may be interrupted by entrances or exits.

~~c.~~ The use of stormwater management techniques such as rain gardens and bioswales is encouraged in landscape strips.

d. Outdoor parking facilities containing 20 stalls or more must comply with the requirements in Sec. 5.1.9.B.

e. Parking lots in the VC1, VC2, and VC3 districts~~zones on a lot~~ abutting properties in any Residential Districts along any side or rear lot line must be screened, per the standards above.

~~f.~~ Parking lot landscape strips, parking lot islands, landscape buffers, and other landscaped areas should utilize Low Impact Development (LID) practices consistent with state law to treat and discharge stormwater.

~~8-9.~~ Lighting. Lighting shall comply with the provisions of the Light Trespass ordinance in Chapter 20 Sections 20-23 ~~–~~ 20-49.

9-10. Loading.

- a. For off-street loading requirements, see Section 5.1.12.
- b. Access to loading docks and areas along the Primary Front Lot Line is prohibited.
- c. Outdoor loading facilities, including all docks and areas used for the storage and staging of goods or materials, that are visible from a public street, public space, or abutting properties in any Residential Districts~~residential districts~~ must be screened from view. See Section ~~#~~9.2.6.C.7.

10-11. Service Areas.

- a. Buildings containing five (5) or more residential units must provide private trash and recycling pick up.
- b. Trash collection, trash compaction, recycling collection and other similar service areas must be fully enclosed within a building or located to the side or rear of the buildings within fully locked enclosures.

Village Center Overlay District (VCOD) – 09/12/2023

- c. Outdoor service areas are not permitted along any ~~Primary Front Lot Line~~primary front lot line.
- d. Outdoor service areas that are visible from a public street, public space, or abutting properties in any ~~Residential Districts~~residential districts must be fully screened from view. See Section ~~#9.2.6.C.7~~.

~~11.12.~~ Parking Relief.

- a. The Planning Board is the Special Permit Granting Authority for all parking relief within the VCOD ~~tiers~~zones.
- b. In particular instances, a special permit may be granted to allow for exceptions to this Sec. ~~#9.2.6.C~~ if it is determined that literal compliance is impracticable due to the nature of the use, or the location, size, width, depth, shape, or grade of the lot, or that such exceptions would be in the public interest, or in the interest of safety, or protection of environmental features.

- ~~c.~~ A special permit may not be granted to allow exceptions to the minimum parking setbacks or to allow parking between the primary front lot line and front elevation where not otherwise permitted.

~~2.7-9.2.7.~~ Design Guidelines.

The Director of Planning and Development ~~shall~~may adopt, and periodically amend as deemed necessary, design guidelines. These guidelines provide direction, not requirements, for the design of new development within the VCOD ~~tiers~~zones resulting in a cohesive pattern over time. The intent is to define expectations for new development while allowing for flexibility and fostering high quality design.

~~2.8-9.2.8.~~ Allowed Uses.

Uses permitted in ~~buildings with~~ the VCOD ~~tiers~~zones are described below.

A. Permitted Uses

- 1. The use of real property is subject to the provisions of Article ~~#9.2.8~~ Use Regulations.
- 2. Uses are permitted as specified in Sec. ~~#9.2.8~~.
- ~~3.~~ Non-residential uses are permitted as specified in the table below, as specified in Sec. 9.2.8.C, only in combination with a permitted residential use.

~~3.4.~~ Use categories not expressly authorized are prohibited.

- ~~4.~~ Uses permitted by special permit require additional development review in accordance with Article ~~#~~.

B. Permitted Accessory Uses

Village Center Overlay District (VCOD) - 09/12/2023

1. The use of real property is subject to the provisions of Article [9.2.8](#) Use Regulations.
2. Accessory Uses are permitted as specified in [Section 6.7. Accessory Uses, Sec. 6.7.1](#).
3. Accessory Uses not expressly authorized are prohibited.
4. ~~Accessory Uses permitted by special permit require additional development review in accordance with Article 9.2.8.~~

C. Use Table

Use Category	MRT	VC1	VC2	VC3	Definitions & Use Specific Standards Definition / Listed Standard
Residential Uses					
Single-Family, detached	---	---	---	-	Sec. 6.2.1
Two-Family, detached	---	---	---	-	Sec. 6.2.2
Multi-Family Residential use	P	P	P	#	Sec. 6.2.4
Assisted living, nursing home	SP	SP	SP	\$P	Sec. 6.2.5
Congregate living facility	SP	P	P		Sec. 6.2.8
Elderly housing with services	SP	SP	SP	\$P	Sec. 6.2.10
Live/work space	P	P	P	#	Sec. 6.2.11
Lodging House	SP	SP	SP	\$P	Sec. 7
Civic/Institutional Uses					
Cemetery, private	---	---	---	-	Sec. 6.3.1
Club, clubhouse	SP	P	P	#	Sec. 6.3.2
Community use space	P	P	P	#	Sec. 6.3.3
Family child care home, large family child care home, day care center	L	L	L	±	Sec. 6.3.4
Government offices or services	P	P	P	#	Sec. 6.3.5
Heliport	---	---	---	-	Sec. 6.3.6
Hospital	---	SP	SP	\$P	Sec. 6.3.7
Library, museum or similar institution	SP	P	P	#	Sec. 6.3.8
Public use	L	L	L	±	Sec. 6.3.10
Rail/bus station	P	P	P	#	Sec. 6.3.11
Religious institution	L	L	L	±	Sec. 6.3.12
Sanitarium, convalescent or rest home, other like institution	SP	SP	SP	\$P	Sec. 6.3.13
School or other educational purposes, non-profit	L	L	L	±	Sec. 6.3.14

Deleted Cells

Deleted Cells

Deleted Cells

Deleted Cells

Village Center Overlay District (VCOD) 09/12/2023

School or other educational purposes, for-profit	SPL	SPL	SPL	SP	Sec. 6.3.14
Theater, hall	SP	P	P	P	Sec. 6.3.15
Commercial Uses					
Animal service, excluding overnight boarding	---	P	P	P	Sec. 6.4.1
ATM, standalone	---	P	P	P	Sec. 6.4.2
Bank, ground story	---	SP	SP	-	Sec. 6.4.4
Bank, upper story	---	-P	SPP	SP	Sec. 6.4.4
Bed & Breakfast	P	P	P	SP	Sec. 6.4.5
Business incubator	---	P	P	P	Sec. 6.4.6
Business services	---	SP	P	P	Sec. 6.4.7
Car-sharing service, car rental, bike rental, electric car-charging station as accessory uses	P	P	P	P	Sec. 6.4.8
Car wash	---	---	---	-	Sec. 6.4.9
Craft beverage establishment	---	L/SP	L/SP	-	Sec. 6.4.X
Drive-in business	---	---	---	-	Sec. 6.4.11
Dry cleaning or laundry, retail	---	P	P	P	Sec. 6.4.12
Fast food establishment	---	-P	-P	-	Sec. 6.4.13
Fuel establishment	---	---	---	-	Sec. 6.4.14
Funeral home	---	SP	SP	-	Sec. 6.4.15
Health club	---	SPP	P	P	Sec. 6.4.16
Hotel or lodging establishment	---	SPP	P	P	Sec. 6.4.17
Job printing, up to 3,000 square feet (area used for work and storage)	---	P	P	P	Sec. 6.4.18
Job printing, over 3,000 square feet (area used for work and storage)	---	SP	SP	SP	Sec. 6.4.18
Kennel	---	---	---	-	Sec. 6.4.19
Microfulfillment Center	---	---	---	-	Sec. 6.4.4727
Office	---	SPP	P	P	PSec. 6.4.21 Sec. 6.4.20
Open-air business	---	SPP	P	P	Sec. 6.4.22
Outdoor storage	---	---	---	-	Sec. 6.4.23
Parking facility, accessory, single level	P	P	P	P	Sec. 6.4.24
Parking facility, non-accessory, single level	P	P	P	P	Sec. 6.4.24
Parking facility, accessory, multi-level	---	P	P	P	Sec. 6.4.24
Parking facility, non-accessory, multi-level	---	P	P	P	Sec. 6.4.24
Personal service, up to 5,000 square feet	---	P	P	P	Sec. 6.4.25

Deleted Cells

Village Center Overlay District (VCOD) - 09/12/2023

Personal service, over 5,000 square feet	---	-P	P	P	Sec. 6.4.25
Place of amusement, indoor or outdoor	---	P	P	P	Sec. 6.4.26
Radio or television broadcasting studio	---	P	P	P	Sec. 6.4.27
Radio, or television transmission station	---	---	---	-	Sec. 6.4.27
Restaurant	---	P	P	P	Sec. 6.4.29
Retail sales, under 5,000 square feet	---	P	P	P	Sec. 6.4.30
Retail sales, over 5,000 square feet	---	SPP	P	P	Sec. 6.4.30
Service establishment, up to 5,000 sq. feet	---	P	P	P	Sec. 6.4.31
Service establishment, over 5,000 sq. feet	---	SPP	P	P	Sec. 6.4.31
Stable, public	---	---	---	-	Sec. 6.4.32
Taxidermist	---	---	---	-	Sec. 6.4.33
Vehicle repair shop, minor	---	---	---	-	Sec. 6.4.34
Vehicle repair shop, major	---	---	---	-	Sec. 6.4.34
Vehicles sales and service facility, indoor -	---	---	---	-	Sec. 6.4.35
Vehicles sales and service facility, outdoor	---	---	---	-	Sec. 6.4.35
Veterinary hospital	---	SP	SP	SP	Sec. 6.4.36
Industrial Uses					
Assembly or fabrication of materials manufactured off premise	---	---	---	-	Sec. 6.5.1
Bakery, wholesale	---	---	---	-	Sec. 6.5.2
Boat building, storage and repair	---	---	---	-	Sec. 6.5.3
Bottling works (except for alcoholic beverages)	---	---	---	-	Sec. 6.5.4
Building materials sales yard and storage building	---	---	---	-	Sec. 6.5.5
Contractor's yard	---	---	---	-	Sec. 6.5.6
Feed and seed store	---	---	---	-	Sec. 6.5.7
Food processing, wholesale	---	---	---	-	Sec. 6.5.8
Laboratory, research and development	---	P	P		Sec. 6.5.9
Laundry, cleaning & dyeing establishment	---	---	---	-	Sec. 6.5.10
Manufacturing	---	---	---	-	Sec. 6.5.11
Manufacturing, molding, shaping or assembly from prepared materials (including repairs)	---	---	---	-	Sec. 6.5.11

Deleted Cells

Deleted Cells

Deleted Cells

Village Center Overlay District (VCOD) 09/12/2023

Paint store	--	--	--	-	Sec. 6.5.12
Printing, publishing and reproduction establishment	--	--	--	-	Sec. 6.5.13
Sign painting shop	--	--	--	-	Sec. 6.5.14
Telecommunications and data storage facility	--	--	--	-	Sec. 6.5.15
Trash or yard waste, collection, storage, transfer-haul or composting	--	--	--	-	Sec. 6.5.16
Vehicle storage	--	--	--	-	Sec. 6.5.17
Wholesale business or storage facility -	--	--	--	-	Sec. 6.5.18
Wholesale distribution plant	--	--	--	-	Sec. 6.5.19
Wireless communication equipment	-P/L/SP	-P/L/SP	-P/L/SP	-	Sec. 6.9
Manufacturing, uses not allowed by right	--	--	--	-	Sec. 6.5.11
Open Space Uses					
Agriculture, on a parcel of 5 or more acres	-	-	-	-	Sec. 6.6.1
Agriculture, on a parcel under 5 acres	-	-	-	-	Sec. 6.6.1
Resource extraction	-	-	-	-	Sec. 6.6.4
Restricted Uses					
Adult business	--	--	--	-	Sec. 6.10.1
Keno	--	--	--	-	Sec. 6.10.2
Medical Marijuana Treatment Center	--	--	--	-	Sec. 6.10.3
Craft Marijuana Cooperative	--	--	--	-	Sec. 6.10.3
Independent Testing Laboratory	--	--	--	-	Sec. 6.10.3
Marijuana Courier	--	--	--	-	Sec. 6.10.3
Marijuana Cultivator	--	--	--	-	Sec. 6.10.3
Marijuana Delivery Operator	--	--	--	-	Sec. 6.10.3
Marijuana Product Manufacturing	--	--	--	-	Sec. 6.10.3
Marijuana Research Facility	--	--	--	-	Sec. 6.10.3
Marijuana Retailer	--	-SP	--	-	Sec. 6.10.3
Marijuana Transporter	--	--	--	-	Sec. 6.10.3
Microbusiness	--	--	--	-	Sec. 6.10.3
Firearm Business	--	--	--	-	Sec. 6.10.4
Firing Range	--	--	--	-	Sec. 6.10.4
Gunsmith	--	--	--	-	Sec. 6.10.4
P = Permitted -- = Not Allowed L = Allowed with Limitations SP = Special Permit					

Deleted Cells

Deleted Cells

[The Commissioner of Inspectional Services is responsible for determining all uses. If a proposed use is not listed, but is similar or accessory to a listed use, the Commissioner of Inspectional Services may consider the proposed use part of the listed use.](#)

Village Center Overlay District (VCOD) – 09/12/2023

29.9.2.9. Administration

A. Special Permit Review

1. A special permit application shall be submitted and reviewed in accordance with Section 7.3, except in lieu of the criteria in 7.3.3.C, the City Council shall not approve any application for a special permit in the VCOD unless it finds, in its judgment, that the proposal meets all the following criteria:

~~i. The proposed development is consistent with the City's Comprehensive Plan and existing policies and plans established by the City.~~

~~ii. a. The proposed development is consistent with the intent and purposes of the VCOD;~~

~~b. The specific site is an appropriate location for the proposed use and/or building(s);~~

~~c. The proposed development does not have material and adverse effects on its surroundings;~~

~~d. The proposed development provides high-quality architectural design and site planning which enhances the public realm and pedestrian experience;~~

~~e. Consideration has been given to issues of accessibility, adaptability, visitability, and universal design in development of the site plan; and~~

~~f. The site and buildings as designed, constructed and operated will contribute significantly to the efficient use and conservation of natural resources and energy, including through some or all of the following: (a) minimizing operating energy; (b) minimizing the use of fossil fuels; (c) implementing a transportation plan that will minimize carbon footprint.~~

B. Site Plan Review

~~1. Purpose. Site plan review is the administrative review and approval of a development under the provisions of the VCOD to identify and address any potential impacts from the proposed development.~~

~~2. Applicability. Site plan review is required as specified within the sections of VCOD ordinance.~~

~~3. Authority. The Planning Board is the granting authority for site plan review.~~

~~4. Submission Requirements. Application. Whenever Site Plan Review site plan review is required under the provisions of the VCOD an electronic application shall be submitted in accordance with forms and instructions provided by the Planning and Development Department the requirements of this section.~~

~~i. a. Fee. [Reserved] \$500~~

Village Center Overlay District (VCOD) – 09/12/2023

2. Application Review. Site Plan Review shall be conducted by the Planning and Development Board.
- i. Timeline. [Reserved]
 - b. The applicant must submit the following documents, as appropriate, to explain how the development proposal meets the review criteria in Section 9.2.9.B.6.
 - i. Site plans that show the boundaries, dimensions, and area of the lot, zoning table, the position of the building(s) on the site, points of vehicular and pedestrian access to and from the site and vehicular circulation on the site, location of utilities, locations and dimensions of bicycle and vehicular parking, location and screening of dumpsters, exterior lighting detail, and landscape treatments, including any screening of adjacent properties.
 - ii. Elevations and floorplans of the building(s) showing the architectural design and layout of the building(s).
 - iii. A 3D computer generated model, or rendered perspective drawings including such details as necessary to show the relationship of the project to its surroundings.
 - iv. All site plans shall be prepared by a certified architect, landscape architect, and/or a civil engineer registered in the Commonwealth of Massachusetts.
 - v. Narrative of compliance with applicable review criteria in Section 9.2.9.B.6.
5. Procedure.
- a. Development requiring site plan review must hold pre-submittal discussion or meeting with the Planning Department, who shall consult with the Inspectional Services Department (ISD), prior to filing an application for site plan review.
 - b. The Planning Board shall hold a public hearing within 45 days of the filing of an application for site plan review. Notice of such public hearing shall be provided as required by M.G.L. Chapter 40A, Section 11.
 - c. The Planning Board shall close the public hearing within 180 days from the opening of the public hearing, unless the applicant has agreed to an extension in writing. The Planning Board shall render a decision no later than 30 days from the close of the public hearing and file its written decision with the City Clerk.
6. Review Criteria. When conducting a site plan review, the Planning Board shall consider the following criteria:
- i. Circulation. Special attention shall be given to traffic circulation, parking areas and access points to public streets and community facilities to maximize convenience and safety of vehicular, bicycle and pedestrian movement within the site and in relation to adjacent streets. The sharing of access driveways by adjoining sites is to be encouraged wherever feasible.
 - ii. Screening and Loading. Screening by plantings, fences, walls, or other means of parking areas, exposed storage areas, exposed machinery installations, service areas, truck loading areas, utility

Village Center Overlay District (VCOD) – 09/12/2023

buildings and structures in order to minimize their prominence on the site and surrounding properties.

- iii. Landscape and Topography. Avoidance of major topographical changes; tree and soil removal shall be minimized, and any topographic changes shall be in keeping with the appearance of neighboring developed areas.
- iv. Environmental Sustainability. Significant contribution to the efficient use and conservation of natural resources and energy for projects proposing buildings, structures, or additions to existing buildings or structures.
- v. Historic Preservation. Avoidance of the removal or disruption of historic resources on or off-site. Historical resources include designated historical structures or sites, historical architectural elements or archaeological sites.
- vi. Design. Proposed developments shall utilize high quality materials that enhance the village center as a whole, not just a quality building, with a strong relationship to the public realm and pedestrian experience.

7. Grant of Permit. Site Plan approval shall be granted upon determination by the Planning and Development Board that the following conditions have been satisfied:

- a. The Applicant has submitted the required fees and information as set forth in this section.
 - b. The project as described in the application meets the design standards of the VCOD and the review criteria of Section 9.2.9.B.6.
 - c. The Planning and Development Board may impose reasonable conditions, at the expense of the applicant, to ensure that these conditions compliance with their findings and the standards for granting site plan review.
 - 3. Conditions must have been satisfied a rational nexus to potential impacts of the proposed development, and be roughly proportional, both in nature and extent, to the impacts of the proposed development.
 - d. The Applicant has submitted the required fees and Planning Board may reject an application for site plan review only when:
 - i. The applicant fails to furnish adequate information required for approval;
 - ii. The imposition of reasonable conditions would not ensure compliance to standards, as set forth applicable; and/or
 - iii. The submittal, although proper in form, includes or creates an intractable problem so intrusive on the needs of the City's requirements for public in one regulated aspect or another and cannot be adequately mitigated.
- i. Site Plan Review; and
 - ii. The project as described in the application meets the development standards set forth in Section #.

Village Center Overlay District (VCOD) – 09/12/2023

4-e. Site Plan approval shall be granted by a majority vote of the members of the Planning and Development Board present and voting.

5-8. Site Plan approval under this Section #9.2.9.B shall lapse if substantial use thereof or construction thereunder has not begun within 36 months following the grant of the Site Plan approval.

DRAFT