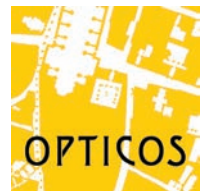




Article XI Harvard Street Form-Based Zones Standards

Prepared For
Town of Brookline, MA



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Chapter 11-A: Preamble

11-A.01 Creating a Solid Foundation for the Form-Based Zones and Standards

The Harvard Street Form-Based Zones implement zones and standards that reflect a context-specific approach to community character based upon distinct patterns of the Harvard Street Main Street Corridor. These patterns include the historic main street environment that provides employment, services, and amenities along with housing opportunities in close proximity to walkable neighborhoods.

11-A.02 Guiding Principles

The Harvard Street Form-Based Zones are guided by the following principles in implementing the Comprehensive Plan:

1. Across the Corridor, the Harvard Street Form-Based Zones:
 - A. Reinforce Harvard Street as a cultural and commercial destination accommodating appropriately-scaled infill housing, mixed-use, and compatible with existing historic fabric;
 - B. Remove barriers to revitalization and reinvestment;
 - C. Ensure appropriately-scaled infill development;
 - D. Support a variety of housing choices appropriate to their location;
 - (1) Integrate affordable housing to facilitate racial and social diversity;
 - E. Ensure that each building plays a role in creating a better whole, not just a good building;
 - F. Promote development patterns that support safe, effective, and multi-modal transportation options for all users and help reduce greenhouse gas emissions;
 - G. Facilitate transitions from more intense Corridor to adjacent residential neighborhoods;
 - H. Promote a mix of varied commercial uses as an important part of the Town's economy;
 - I. Promote and accommodate high-quality design at key gateways in the Town;
 - J. Preserve architectural resources and existing housing stock.

11-A.03 A Place-Based Foundation for Zoning

Form-Based Coding (FBC) represents a paradigm shift in the way that the built environment is regulated. The formal short definition of a Form-Based Code is as follows:

Form-Based Codes foster predictable built results and a high-quality public realm by using physical form (rather than separation of uses) as the organizing principle for the code. These codes are adopted into city or county law as regulations, not mere guidelines. Form-Based Codes are an alternative to conventional zoning.

-Form-Based Codes Institute

Unlike conventional, use-based codes, FBCs utilize the intended form and character of a context type, rather than use as the organizing framework of the code. Further, FBCs regulate a series of important elements not just to create a good individual building, but a high-quality place. The terminology in FBCs reflects the intended physical form and hierarchy of different places. For example, instead of a zone being labeled "commercial" or "mixed use," it might be called "main street." The term "main street" ties back to the intended physical form or place, which includes a mix of uses, civic spaces, thoroughfares, frontages, and building types that create vibrant walkable urbanism.

It is also important to note that while FBCs primarily regulate the intended physical form, they regulate use secondarily. FBCs allow a range of uses that are carefully chosen to maximize compatibility between uses and the intended physical form of the zone. The use tables are simplified and categorized by use type, and clearly defined, to allow a greater degree of administrative decision-making related to particular uses.

The Town is characterized by different context types that reflect its pre- and post-World War II development patterns. Historic districts and neighborhoods developed prior to WWII tend to be more pedestrian-oriented, with smaller development blocks, consistent sidewalks, more intense development patterns and services, shopping and/or transit within short walking distance. Newer areas of the Town tend to be more auto-oriented, with larger blocks and less amenities within short walking distance.

The Natural-to-Urban Transect is the organizing principle used in most Form-Based Codes (FBC). It establishes a hierarchy of physical environments or 'zones' from the most natural to the most urban. The designation of each zone along this hierarchy is determined first by the character and form, intensity of development, and type of place, and secondly by the mix of uses within the area. This hierarchy of physical environments becomes the framework for the entire FBC, replacing use as the organizing principle as in conventional, use-based zoning. Each transect is used to reinforce existing or create new walkable environments.

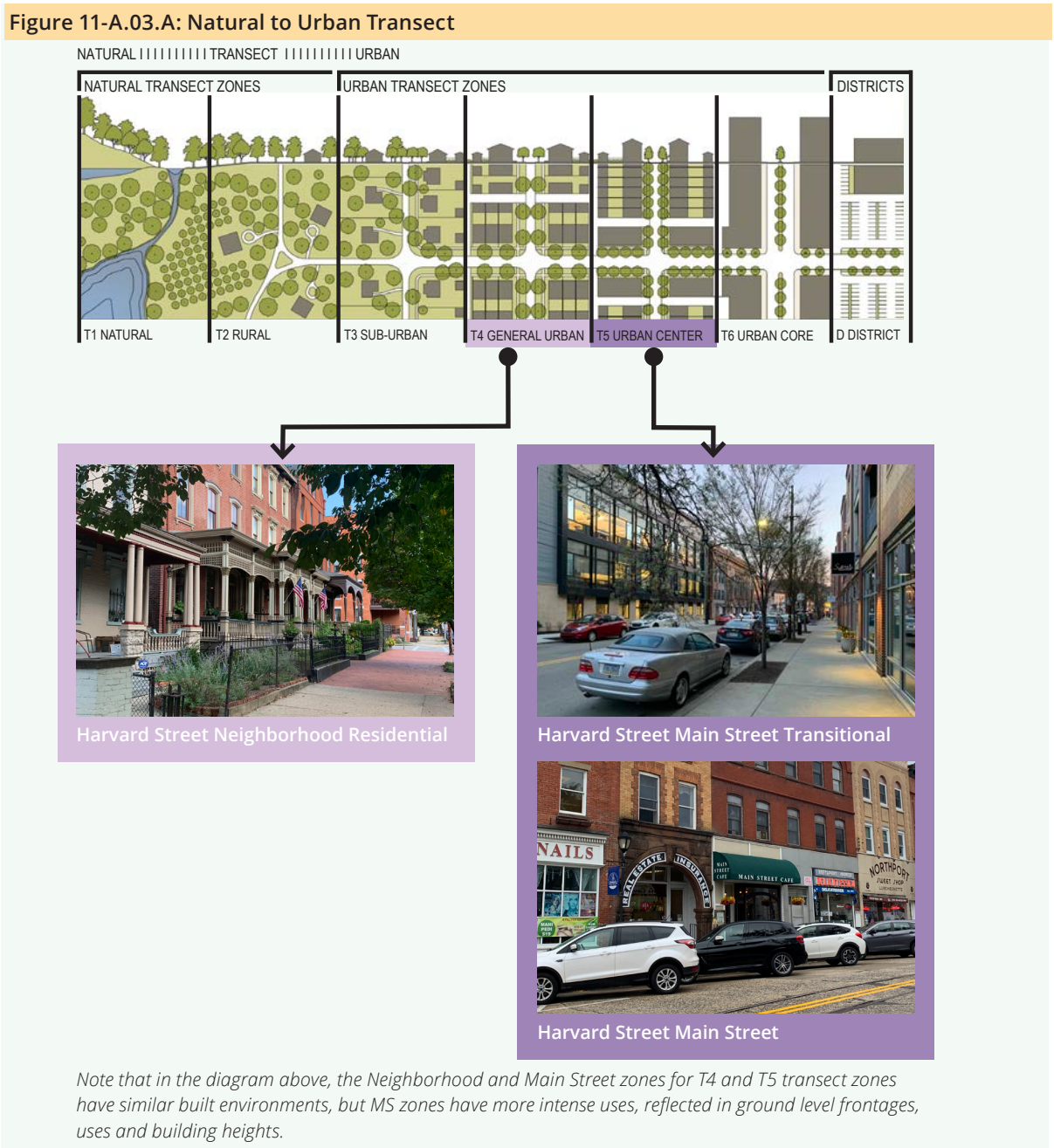
The Natural-to-Urban Transect is a means for considering and organizing the human habitat in a continuum of intensity that ranges from the most natural condition to the most urban. It provides a standardized method for differentiating between the intentions for urban form in various areas using gradual transitions rather than harsh distinctions. Each transect is primarily classified by the physical intensity of the built form, the relationship between nature and the built environment, and the complexity of uses within the transect.

~ Form-Based Codes Institute

The model transect for American towns is divided into six transects: Natural (T1), Rural (T2), Sub-Urban (T3), General Urban (T4), Urban Center (T5), and Urban Core (T6), together with a District (D), often referred to as a Special District, a designation for areas with specialized purposes (e.g., heavy industrial, transportation, entertainment, universities, etc.).

Each transect is given a number, progressing from more rural environments (T1, T2) to more urban environments (T5, T6). Within each transect zone, there can be Main Street (MS) and Neighborhood (N) environments, reflecting the range from more residential, predominantly "house-form" (N) to more non-residential, predominantly "block-form" (MS) environments. "Open" or "O" zones reflect additional flexibility in uses within the same physical environment, while "Limited" zones or "L" limit uses. The "O" and "L" subzones are further defined in Sections 11-2.05.B and 11-2.06.B.

In Brookline, Harvard Street is represented by the T4 General Urban and T5 Urban Center zones within the Transect.



11-A.04 Quick Code Guide

The following graphic is intended as a summary guide. Please refer to Chapter 11-9 (Site Plan and Design Review) permit procedures and application standards for all necessary information.

1

Determine your Maximum Zoning Envelope¹

Identify your zone , see Chapter 11-2 (Form-Based Zones)	a. Comply with Lot Metrics standards	Subsection C of the zone
	b. Comply with Building Placement standards	Subsection D of the zone
	c. Comply with Building Form standards	Subsection E of the zone
	d. Select from Allowed Uses	Table 11-7.02.A (Use Table)
	e. Comply with Parking Standards	Table 11-7.02.A (Use Table)
	f. Select your Private Frontage Type	Subsection F of the zone

¹ Developments that propose multiple lots shall apply this process for each lot.

2

Connect Ground Floor to Adjacent Streetscape

Apply your private frontage type(s) , see Chapter 11-3 (Frontage Type Standards)	Based on your selected private frontage type(s), comply with the standards	Subsections A-C of the private frontage type
---	--	--

3

Design your Building

Identify your architectural standards , see Chapter 11-4 (Massing, Façade Articulation & Architectural Elements Standards)	Based on your selected detailed massing type, follow the standards for alignment with context	Sections 1-16 of Chapter 11-4 (Massing, Façade Articulation and Architectural Elements Standards)
---	---	---

4

Proceed to Site Plan and Design Review Process

If adjustments are proposed , see Section 11-1.06 (Administration)	Meet the required findings to be eligible for the adjustment to the standard(s)	Section 11-1.06.2 (Allowable Adjustments to Standards)
Identify your approval procedure , see Chapter 11-9 (Site Plan & Design Review)	Comply with the procedure standards	Chapter 11-9 (Site Plan and Design Review)
Coordination with Demolition Delay Review , see Chapter 11-9 (Site Plan & Design Review)	Based on your site location, comply with Demolition Delay Review Standards	Town By-law Article 5.3

Chapter 11-1: Introduction

11-1.01 Purpose

Article XI (Harvard Street Form-Based Zones) sets forth the standards for building form and land use within form-based zones. These standards reflect the community's vision for implementing the intent of the Town to ensure development that reinforces the highly valued character and scale of the Harvard Street Main Street Corridor.

11-1.02 Applicability

1. **Rules of Construction.** The following general rules of construction apply to the text of this Article:
 - A. **Terminology: shall, may and should.** "Shall" is always mandatory and not permissive. "May" is permissive. "Should" is advisory and identifies guidance provided by the Town in implementation of these standards.
 - B. **Tenses and Numbers.** Words used in the present tense include the future, words used in the singular include the plural, and the plural includes the singular, unless the context clearly indicates the contrary.
 - C. **Applicable.** The applicable standards of this Article apply so as to not require stating the phrase "and all applicable standards" throughout this Article.
 - D. **Conjunctions.** Unless the context clearly indicates otherwise, the following conjunctions shall be interpreted as follows:
 - (1) "And" indicates that all connected items or provisions apply;
 - (2) "Or" indicates that the connected items or provisions may apply; and
 - (3) "Either/or" indicates that the connected items or provisions apply singly but not in combination.
2. In form-based zones, the standard in this Article prevail unless stated otherwise.
3. The standards in this Article apply to all proposed development and improvements within form-based zones as identified below.
 - A. **General**
 - (1) From the allowed types in the zone, and in compliance with the listed standards, the following shall be selected for each lot:
 - (a) At least one private frontage type; and
 - (b) At least one use type.
 - (2) Frontage Types not listed in the zone's standards are not allowed in that zone.
 - (3) Use types not listed in the use table are not allowed in that zone.

- B. **Site Standards.** Wherever a development requires Site Plan Review approval in compliance with Chapter 11-9 (Site Plan and Design Review) or when otherwise required by Chapter 11-5 (Site Development Standards), the standards of this Section apply to the following:
- (1) All new development, and
 - (2) Improvements to existing development.
- C. **Parking and Loading.** The standards of Chapter 11-6 (Parking and Mobility Standards) apply to the following:
- (1) New development;
 - (2) Changes in land use;
 - (3) Changes in intensity of buildings or structures made after the effective date of this Article that cause an increase or decrease of 25 percent or greater in:
 - (a) Gross floor area;
 - (b) Seating capacity;
 - (c) Units; and/or
 - (d) Parking spaces.
- D. **Massing, Facade Articulation and Architectural Elements.** The standards of Chapter 11-4 (Massing, Facade Articulation and Architectural Elements Standards) apply to the following:
- (1) New buildings, and
 - (2) Building facade renovations facing a street or civic space (except public safety buildings).
- E. **Frontage Type Standards.** The standards of Chapter 11-3 (Frontage Type Standards) apply to the following:
- (1) New buildings;
 - (2) Building facade renovation facing a street or civic space (except public safety buildings);
 - (3) Private property improvements along front or side street; and
 - (4) Modifications of pedestrian entrance(s) along front or side street.
- F. **Nonconforming Situations.** The standards of Sub-section 11-1.06.A (Nonconforming Situations) apply to the following:
- (1) All nonconforming situations.
 - (2) The provisions for nonconforming situations established in Sub-section 11-1.06.A (Nonconforming Situations) shall apply in the form-based zones, unless otherwise provided in Article VIII (Nonconformance). Where a conflict or duplication exists between Sub-section 11-1.06.1 (Nonconforming Situations) and the standards established in Article 8 (Nonconformance), Article XI applies.
 - (3) **Architecturally Significant Structures.** See Article VIII, Section 8.02.1.f (Alteration or Extension).

11-1.03 Establishment of Zones Plan

Zoning Districts are established as set forth in Article III, Establishment of Zoning Districts.

11-1.04 Official Maps and Regulating Plan

The regulating plan and zoning districts are shown on the map specified in Article III, Section 3.02. See Figure 11-1.04.A for Regulating Plan of zones applied to Harvard Street Main Street Corridor.

Figure 11-1.04.A: Regulating Plan



11-1.05 Correlation with Articles I through X

Article XI shall prevail in the event of any discrepancies, conflicts, or inconsistencies between Articles I through X and this Article XI.

11-1.06 Administration

1. Non-Conforming Situations.

- A. The purpose of this Sub-section is to provide regulations for nonconforming uses, structures, developments, and lots that were lawful before the adoption or amendment of Article XI (Harvard Street Form-Based Zones) but which are no longer in conformance with current applicable standards.
- B. The Sub-section is intended to encourage the continuing improvement of existing nonconforming uses, structures, developments, and lots by limiting the extent to which they may continue to be used, altered, expanded, and moved, or replaced, while allowing for reasonable improvements for appearance, maintenance, and safety, consistent with existing regulations.
- C. Exceptions for nonconforming situations within the Harvard Street Main Street Corridor are also provided.
 - (1) This Sub-Section establishes provisions to allow for reinvestment in nonconforming uses, structures, developments, and lots in form-based zones to achieve public safety, aesthetic, environmental, economic or fiscal benefits to support the long-term goals of the Town. Nonconforming situations in the zones may be expanded, enlarged, and improved in a manner not entirely consistent with Article VIII (Nonconformance) of Article IV (Use Regulations) in Zoning By-Laws if the following findings are made by the Review Authority:
 - (a) It can be demonstrated that the nonconforming situation provides an economic, fiscal, public health, safety, aesthetic, or environmental benefit to the community;
 - (b) The change does not significantly extend or expand the existing structure's floor area or the intensity of the situation unless the extension or expansion brings the structure into more conformance with applicable standards in Chapter 11-2 (Form-Based Zone Standards) or Chapter 11-5 (Site Development Standards);
 - (c) Any extension or expansion in the life of any nonconforming situation results solely from the improved operational efficiency and is incidental to the primary purpose of improving public health and safety or providing economic, fiscal, aesthetic, or environmental benefits; and
 - (d) Any changes will not unreasonably impede implementation of the Comprehensive Plan over the long-term.
 - (2) Compliance with the number of parking spaces required may not be prioritized over other standards during review of the exceptions in this Sub-Section.

2. **Allowable Adjustments in Form-Based Zones.** The adjustments listed in Table 11-1.06.A (Adjustments to Standards) shall be allowed without additional discretionary review if the requested adjustment meets the required findings.

Table 11-1.06.A: Adjustments to Standards

Allowed Adjustments	Required Findings	Amount of Adjustment
Lot		
<p>Lot Dimensions (depth or width) Decrease in the minimum required or maximum allowed.</p>	The adjustment accommodates an existing feature including, but not limited to a tree or utility. An existing or new lot can be developed following the intent of the zone, meeting all other applicable standards for the zone.	Up to 10% of the standard
Building Setbacks		
<p>Front, Side Street, Side, or Rear Increase or decrease of the minimum to maximum required setback areas for main structures.</p>	The adjustment accommodates an existing feature including, but not limited to a tree, utility, or nonconforming setback. The proposed development is visually compatible with the adjacent development and intent of the zone.	Up to 5 ft. or 25%, whichever is greater, but not available with respect to rear yard setbacks when abutting a T, F, M, or MS district.
<p>Facade within Facade Zone Reduction of the minimum amount of facade required within the facade zone.</p>	The adjustment accommodates an existing feature including, but not limited to a tree, or utility. The proposed development is visually compatible with the adjacent development and intent of the zone.	Up to 25% of the standard.
Building Footprint		
<p>Size of Main Body or Wing(s) Increase in the allowed width or length.</p>	The adjustment accommodates an existing feature including, but not limited to a tree, or utility. The wing(s) is one-story less in height than the main body. The building complies with the setbacks of the zone. The proposed development is visually compatible with the adjacent development and intent of the zone.	Up to 20% of the standard
Parking Location²		
<p>Front setback Reduction in the required parking setback.</p>	The adjustment accommodates an existing feature including, but not limited to a tree, or utility. If accessed from the street, the driveway complies with the zone standards. The ground floor space shall remain habitable in compliance with the zone standards.	Up to 10'

¹ In the case of a preexisting, non-conforming Rear Setback adjacent to a T, F, M, or Harvard Main Street Zone, the amount of adjustment allowed is only to the extent specified in Table 11-1-06.A, provided that the increase in the degree of modification to the structure's existing nonconformity is not substantially detrimental to the neighborhood.

² In Compliance with frontage standards in Chapter 11-3.

3. **Alteration or Extension of a Non-Conforming Significant Building.** See Article VIII, Section 8.02.1.f (Alteration or Extension).

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Chapter 11-2: Form-Based Zones

11-2.01 Purpose

This Chapter establishes the palette of Harvard Street Form-Based Zones and standards to implement the transect along the Harvard Main Street Corridor as described in the Preamble of this Article.

11-2.02 Base Zones

Each base zone within the Harvard Street Form-based zones is established with the intent of the desired physical form and character of the environments described in the Preamble of this Article. These zones focus on mixed-use, walkable environments and range in function and intensity from primarily residential neighborhoods of moderate intensity (Harvard Street-Main Street Residential (H-MSN)) and transitional corridors (Harvard Street-Main Street Transitional (H-MST)) to established, block-form corridors (Harvard Street-Main Street (H-MS)) as listed in Table 11-2.05-A (Harvard Street Form-Based Zones Overview) .




11-2.03 Sub-Zones

1. Sub-zones are slight variations of the base zone and mapped per 11-1.04 (Official Maps and Regulating Plan). This Chapter includes two types of sub-zones:
 - A. **Open.** The open sub-zone is applied for either or both of the following purposes:
 - (1) To allow more uses than the base zone allows in specific areas but within the same form and character of the base zone; and/or
 - (2) To more easily allow certain uses that are already allowed in the base zone. In this way, the open sub-zone can provide additional flexibility to lots located at or near intersections that function or can function as a neighborhood node of non-residential uses.
 - B. **Limited.** The limited sub-zone is applied for either or both of the following purposes:
 - (1) To allow fewer uses than the base zone allows in specific areas, within the same form and character of the base zone; and/or
 - (2) To further restrict certain uses already allowed in the base zone for specific areas.
2. Table 11-7.01.A (Use Table) identifies the sub-zones and its requirements for the particular uses.

11-2.04 Form-Based Zones Overview

Table 11-2.04.A (Harvard Street Form-Based Zones Overview) provides an overview of each zone and its intent. This information illustrates how each zone has been applied and provides a summary of the intended physical character, allowed range of uses, and direction for the detailed standards in each zone.

Table 11-2.04.A: Harvard Street Form-Based Zones Overview

<p>Harvard Street – Main Street Zone 11-2.05</p>	<p>Harvard Street – Main Street Transitional Zone 11-2.06</p>	<p>Harvard Street – Main Street Neighborhood Zone 11-2.07</p>
		
<p>Zone Abbreviation</p>	<p>Zone Abbreviation</p>	<p>Zone Abbreviation</p>
<p>H-MS</p>	<p>H-MST</p>	<p>H-MSN</p>
<p>Sub-Zone(s)</p>	<p>Sub-Zone(s)</p>	<p>Sub-Zone(s)</p>
<p>H-MS-O</p>	<p>H-MST-L</p>	<p>None</p>
<p>Intent</p>	<p>Intent</p>	<p>Intent</p>
<p>A mixed-use, pedestrian-oriented environment of attached, medium-to-large building footprint, high intensity mixed-use buildings and housing choices, supporting and within short walking distance of established neighborhood-serving retail, food and service uses.</p>	<p>A walkable neighborhood to mixed-use environment of mostly attached, medium-to-large building footprint, moderate-to-high intensity mixed-use buildings and housing choices, supporting and within short walking distance of neighborhood-serving retail, food and service uses.</p>	<p>A walkable neighborhood environment of detached, small-to-medium building footprint, modest-intensity mixed-use buildings and housing choices, supporting and within short walking distance of neighborhood-serving retail, food and service uses.</p>
<p>Desired Form</p>	<p>Desired Form</p>	<p>Desired Form</p>
<p>Block-Scale Buildings</p>	<p>Primarily Block-Scale Buildings</p>	<p>Primarily House-Scale Buildings</p>
<p>Attached Buildings</p>	<p>Primarily Attached Buildings</p>	<p>Detached Buildings</p>
<p>Small-to-Medium Lot Width</p>	<p>Small-to-Large Lot Width</p>	<p>Small-to-Medium Lot Width</p>
<p>Medium-to-Large Building Footprint</p>	<p>Small-to-Large Building Footprint</p>	<p>Small-to-Medium Building Footprint</p>
<p>None-to-Small Front Setbacks</p>	<p>None-to-Small Front Setbacks</p>	<p>Small Front Setbacks</p>
<p>None-to-Small Side Setbacks</p>	<p>None-to-Small Side Setbacks</p>	<p>Small Side Setbacks</p>
<p>Up to 4 Stories</p>	<p>Up to 4 Stories</p>	<p>Up to 2.5 Stories</p>
<p>Shopfront, Common Entry, and Stoop Frontage Types</p>	<p>Shopfront, Common Entry, Stoop, Dooryard, and Forecourt Frontage Types</p>	<p>Common Entry, Stoop, Dooryard, Porch Projecting Frontage Types</p>

11-2.05 Harvard Street – Main Street (H-MS)



General note: the illustrations above are intended to provide a brief overview of the transect zone and are descriptive in nature.

A. Intent

A mixed-use, pedestrian-oriented environment of attached, medium-to-large building footprint, high intensity mixed-use buildings and housing choices, supporting and within short walking distance of established neighborhood-serving retail, food and service uses.

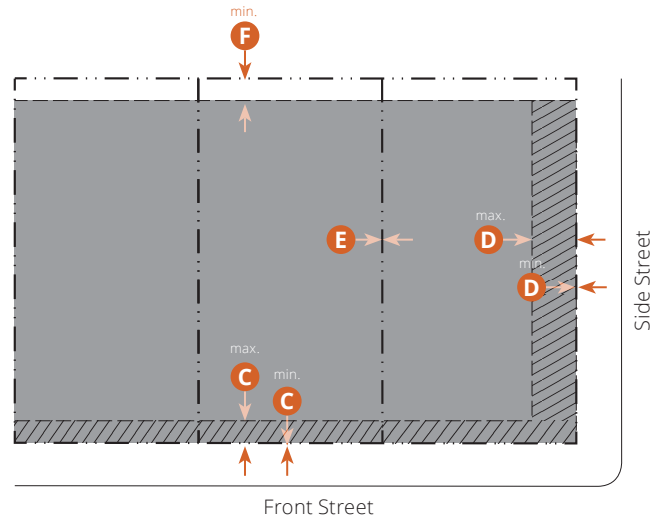
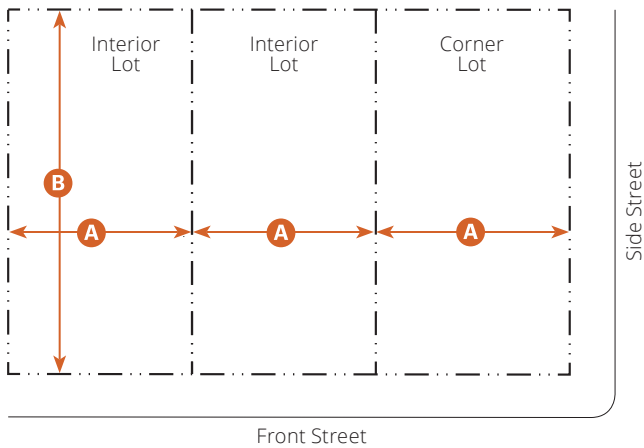
The following are generally appropriate form elements in the zone.

- Block-Scale Buildings
- Attached Buildings
- Small-to-Medium Lot Width
- Medium-to-Large Building Footprint
- None-to-Small Front Setbacks
- None-to-Small Side Setbacks
- Up to 4 Stories
- Shopfront, Common Entry, and Stoop Frontage Types

B. Sub-Zone(s)

Open (H-MS-O).

H-MS and H-MS-O have the same form standards and allow both commercial and residential uses. H-MS requires ground floor commercial and encourages active retail uses. H-MS-O also requires ground-floor commercial but encourages both active and passive uses on the ground floor. See Chapters 11-7 (Use Standards) and 11-8 (Development Benefits).



Key

--- ROW/ Lot Line

C. Lot Metrics		
Lot Size Standards		
Width	no min.; no max.	A
Depth	no min.; no max.	B
Open Space		
On-site open space (private or common) ¹	25 sf per dwelling unit min.	

¹ See Section 11-5.05 (Open Space Standards) for placement and standards

Key

--- ROW/ Lot Line

--- Setback Line

■ Buildable Area

▨ Acc. Structures Only

▨ Facade Zone

D. Building Placement		
Setbacks		
Primary Building		
Front (Facade Zone)	0 ft min.; 5 ft max.	C
Side Street (Facade Zone)	0 ft min.; 10 ft max.	D
Side	0 ft min.	E
Rear ^{1,2}		F
Abutting T, F, M, or MS Districts	15 ft min.; 10 ft min. lots <100 ft deep	
Abutting G or L Districts	5 ft min.	
Abutting an Alley	2 ft min.	

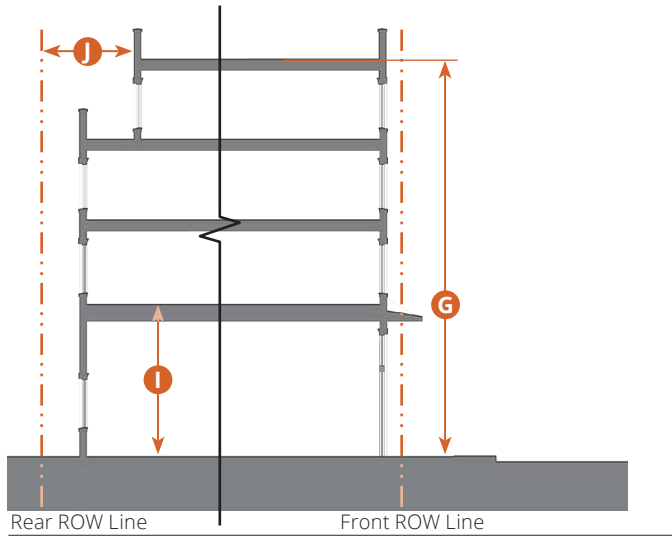
Accessory Structure	
Rear	5 ft min.

Building Facade		
Facade Zone	Front St.	Side St.
Facade Zone Defined by Primary Building	80% min.	60% min.

Facade Design & Building Massing
 All building Facades shall be designed in compliance with Chapter 11-4 (Massing, Facade Articulation and Architectural Elements Standards).

¹ For properties where the front lot line is on a street other than Harvard Street, any lot line abutting T, F, M, or MS Districts shall be considered a Rear lot Line for purposes of Setbacks

² For lots < 100 ft. deep, rear setback can be reduced by special permit to 8 ft. for 75% of the rear lot line and the remaining 25% is never less than 5 ft.



Key

--- ROW Line

E. Building Form

Height

Primary Building	
Stories	4 stories max.
To Top Highest Eave or lower ridge of Mansard roof ¹	48 ft max. G
Floor-to-Floor (Ground Floor)	15 ft min. I

Roof Form

Flat or Mansard Allowed See Section 11-4.07

Roof Mounted Elements

Height 10 ft max.

Adjacency Requirements

Stepback at Rear Parcel Line ²

Abutting T, F, M, or MS District J	
Parcels < 100' deep	Within 20 ft of property line; 3 stories & 35 ft in height max.
Parcels >= 100' deep	Within 25 ft of property line; 3 stories & 35 ft in height max.
Abutting L or G District	none required
Abutting an Alley	none required

¹ See Section 11-10.02 for means of measurement of height.

² For properties where the front lot line is on a street other than Harvard Street, any lot line abutting T, F, M, or MS Districts shall be considered a Rear lot Line for purposes of Stepbacks.



Key

- 8 ft Above Finished Floor
- Finished Floor Line
- 2 ft Above Finished Floor
- Facade Surface Area
- Window

F. Frontages

Private Frontage Type	Front	Side St.	Standards
Shopfront	A	A	11-3.04
Common Entry	A	A	11-3.05
Stoop	A	A	11-3.06
Dooryard	X	A	11-3.07
Forecourt	X	X	11-3.08
Porch Projecting	X	X	11-3.09

Key A = Allowed X = Not Allowed

G. Facade Standards

Facade Transparency	Front	Side St.
Ground Floor Facade	65% min.	40% min.
Upper Floor Facade	15% min.; 50% max.	15% min.; 50% max.
Ground floor blank wall length	8 ft max.	32 ft max.

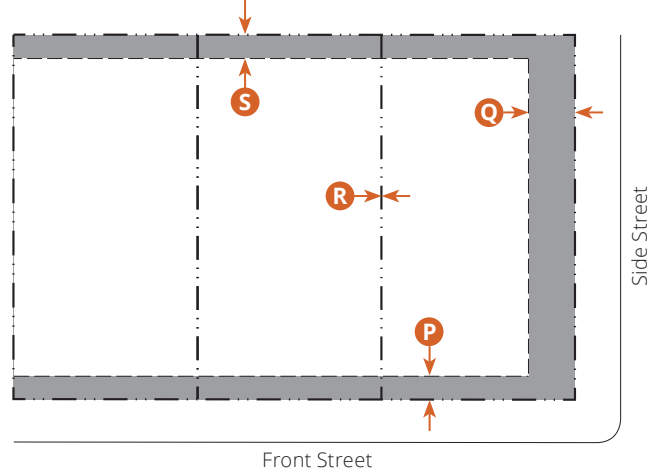
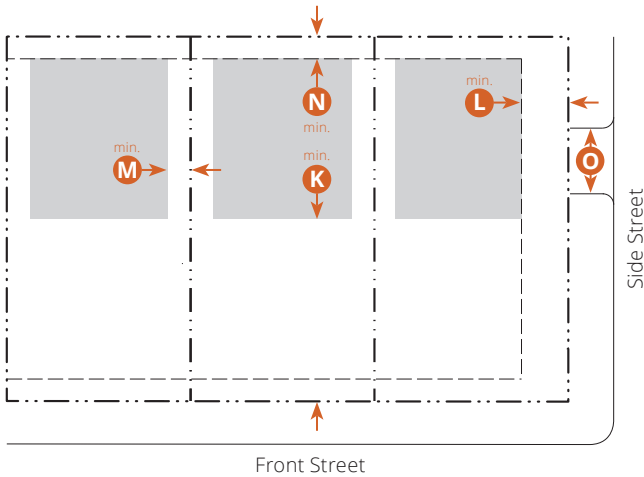
See Section 11-4.12 for Blank Wall Treatment Standards

H. Active Ground Floor Standards

Requirements by use ¹	Front	Side St.
Residential Uses		
Private residence	not req'd	not req'd
Common Space	required	15' min from corner
Non-Residential Uses ²	required	15' min from corner

¹ See Section 11-4.03 for Active Ground Floor design standards

² For commercial uses on the ground floor, the dimensions of the commercial space shall be a minimum of 30' deep from the front facade for a minimum of 60% of the front facade.



Key

- - - ROW/ Lot Line
- █ Parking Area
- - - Building Setback Line

I. Parking

Required Spaces

All Uses	Table 11-7.02.A Use Table
Bicycle Parking, min.	See Article VI, Section 6.05
Loading, min.	none required
Electric Vehicle Charging	See Section 6.10

Setback (Distance from ROW/Lot Line)	K Front	L Side St.	M Side	N Rear
Surface Parking	40 ft min.	10 ft min.	5 ft min.	5 ft min.
Structured Parking ¹	30 ft min.	0 ft min.	0 ft min.	5 ft min.
Subterranean Parking	0 ft min.	0 ft min.	0 ft min.	0 ft min.

Driveway Access and Location

Parking Access Location	O
Front Street	Prohibited from Front Street
Side Street	40 ft min. from front Lot Line
Rear (Alley)	Allowed
Curb Cut Width ³	O
One-way Use	12 ft max.
Two-way Use	20 ft max.
Accessed from Alley	May exceed 20 ft

¹ See 11-4.11 for Structured Parking design standards

² Exceptions allowed for existing driveway access from Front Street per Chapter 11-6 (Parking and Mobility).

³ Driveways may be shared between adjacent parcels by Special Permit and evidence of an easement agreement among property owners.

Key

- - - ROW/ Lot Line
- █ Encroachment Area
- - - Setback Line

J. Encroachments

Encroachment Type	P Front	Q Side St.	R Side	S Rear
Frontage Types	A	A	X	X
Architectural Features	2 ft max.	2 ft max.	0 ft max.	5 ft max.
Steps to Building Entrance	4 ft max.	4 ft max.	4 ft max.	5 ft max.
Fences & Walls (per 11-5.06)	A	A	A	A
Unenclosed Balconies	5 ft max.	5 ft max.	4 ft max.	4 ft max.
Unenclosed Stairs	5 ft max.	5 ft max.	4 ft max.	4 ft max.
Signage	A	A	X	X
Satellite Antennas	X	X	A	A

Encroachments are not allowed within ROW, alley ROW or across a property line.

Encroachments overhead a public sidewalk shall not render the path below dangerous, unsafe, or difficult to pass.

K. Signage

See Section 11.5.11 (Commerical Signs)

Key	A = Allowed	X = Not Allowed
------------	-------------	-----------------

11-2.06 Harvard Street – Main Street Transitional (H-MST)



General note: the illustrations above are intended to provide a brief overview of the transect zone and are descriptive in nature.

A. Intent

A walkable neighborhood to mixed-use environment of mostly attached, medium-to-large building footprint, moderate-to-high intensity mixed-use buildings and housing choices, supporting and within short walking distance of neighborhood-serving retail, food and service uses.

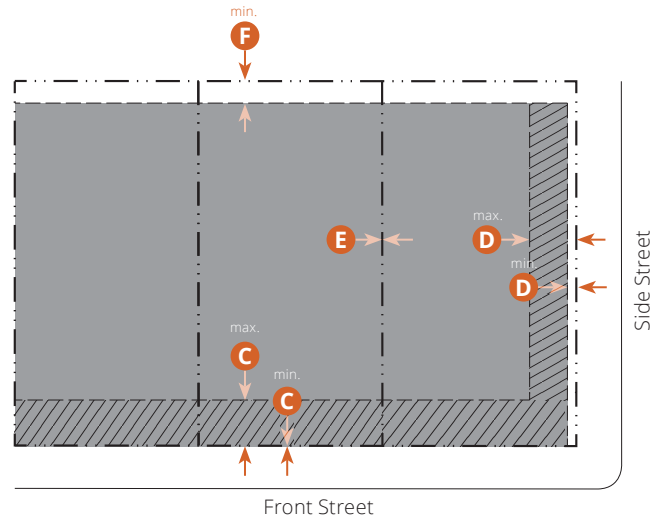
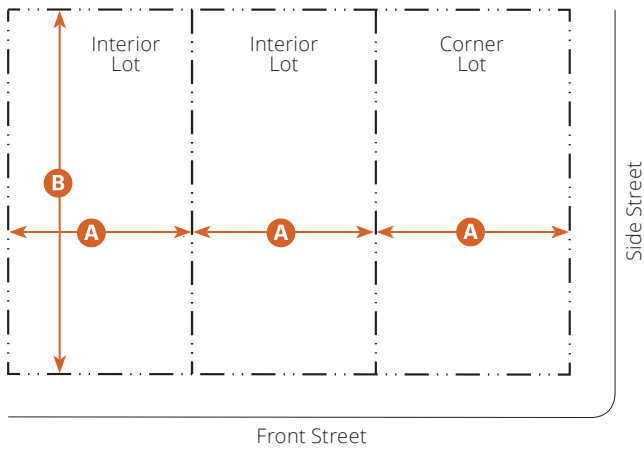
The following are generally appropriate form elements in the zone.

- Primarily Block-Scale Buildings
- Primarily Attached Buildings, Sometimes Detached
- Small-to-Large Lot Width
- Small-to-Large Building Footprint
- None-to-Small Front Setbacks
- None-to-Small Side Setbacks
- Up to 4 Stories
- Shopfront, Common Entry, Stoop, Dooryard, and Forecourt Frontage Types

B. Sub-Zone(s)

Limited (H-MST-L)

H-MST and H-MST-L have the same form standards. H-MST allows both commercial and residential uses, though it requires commercial uses on the ground floor. H-MST-L prohibits commercial uses and allows only residential. See Chapters 11-7 (Use Standards) and 11-8 (Development Benefits).



Key

--- ROW/ Lot Line

C. Lot Metrics

Lot Size Standards

Width	no min.; no max.	A
Depth	no min.; no max.	B

Open Space

On-site open space 50 sf per dwelling unit min. (private or common)¹

¹ See Section 11-5.05 (Open Space Standards) for placement and standards

Key

--- ROW/ Lot Line

--- Setback Line

■ Buildable Area

▨ Acc. Structures Only

▩ Facade Zone

D. Building Placement

Setbacks

Primary Building

Front (Facade Zone)	0 ft min.; 10 ft max.	C
Side Street (Facade Zone)	2 ft min.; 10 ft max.	D
Side	0 ft min.; 5 ft max.	E
Rear ^{1,2}		F
Abutting T, F, M, or MS Districts	15 ft min.; 10 ft min. lots <100 ft deep	
Abutting G or L Districts	5 ft min.	
Abutting an Alley	2 ft min.	

Accessory Structure

Rear	5 ft min.
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Building Facade

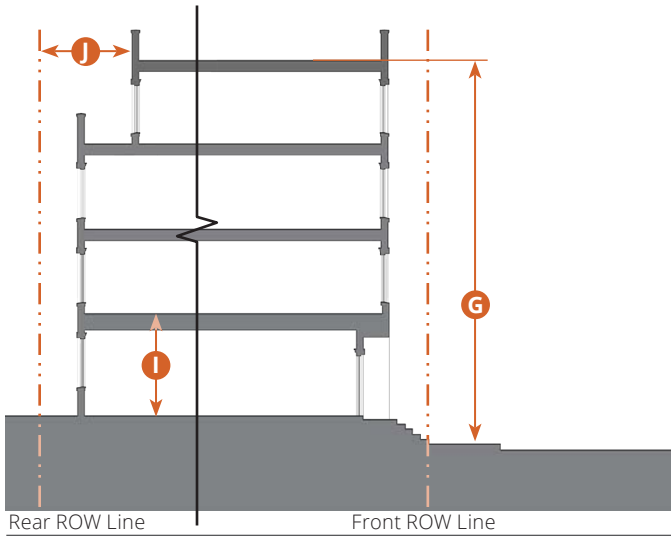
Facade Zone	Front St.	Side St.
Facade Zone Defined by Primary Building	70% min.	60% min.

Facade Design & Building Massing

All building Facades shall be designed in compliance with Chapter 11-4 (Massing, Facade Articulation and Architectural Elements Standards).

¹ For properties where the front lot line is on a street other than Harvard Street, any lot line abutting T, F, M, or MS Districts shall be considered a Rear lot Line for purposes of Setbacks

² For lots < 100 ft. deep, rear setback can be reduced by special permit to 8 ft. for 75% of the rear lot line and the remaining 25% is never less than 5 ft.



Key

--- ROW Line

E. Building Form

Height

Primary Building	
Stories	4 stories max.
To Top Highest Eave or lower ridge of Mansard roof ¹	48 ft max. G
Floor-to-Floor (Ground Floor)	15 ft min. I

Roof Form

Flat or Mansard Allowed See Section 11-4.07

Roof Mounted Elements

Height 10 ft max.

Adjacency Requirements

Stepback at Rear Parcel Line ²

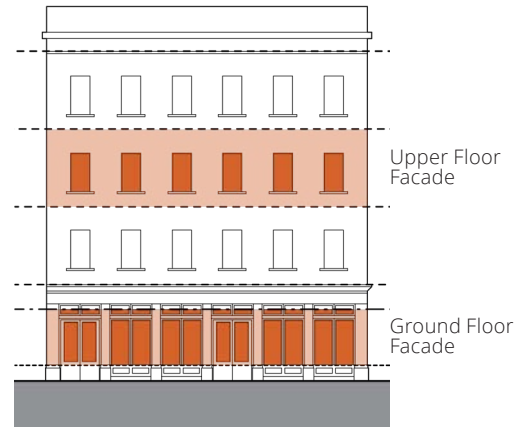
Abutting T, F, M, or MS District J	
Parcels < 100' deep	Within 20 ft of property line; 3 stories & 35 ft in height max.
Parcels >= 100' deep	Within 25 ft of property line; 3 stories & 35 ft in height max.

Abutting L or G District none required

Abutting an Alley none required

¹ See Section 11-10.02 for means of measurement of height.

² For properties where the front lot line is on a street other than Harvard Street, any lot line abutting T, F, M, or MS Districts shall be considered a Rear lot Line for purposes of Stepbacks.



Key

--- 8 ft Above Finished Floor
 --- Finished Floor Line
 --- 2 ft Above Finished Floor
 Facade Surface Area
 Window

F. Frontages

Private Frontage Type	Front	Side St.	Standards
Shopfront	A*	A*	11-3.04
Common Entry	A	A	11-3.05
Stoop	A	A	11-3.06
Dooryard	A	A	11-3.07
Forecourt	A	A	11-3.08
Porch Projecting	X	X	11-3.09

Key A = Allowed X = Not Allowed
 A* = Allowed in H-MST, Not Allowed in H-MST-L

G. Facade Standards

Facade Transparency	Front	Side St.
Ground Floor Facade	65% min.	40% min.
Upper Floor Facade	15% min.; 50% max.	15% min.; 50% max.
Ground floor blank wall length	8 ft max.	32 ft max.

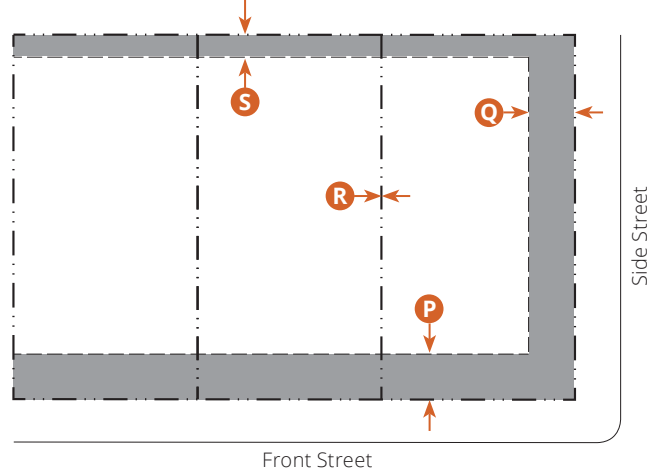
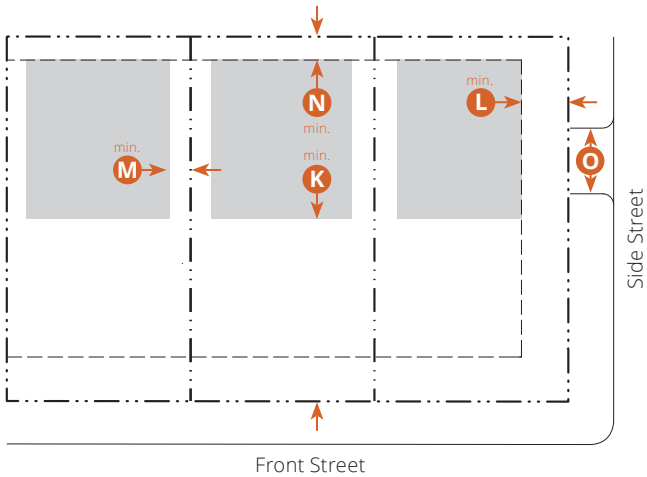
See Section 11-4.12 for Blank Wall Treatment Standards

H. Active Ground Floor Standards

Requirements by use ¹	Front	Side St.
Residential Uses		
Private residence	not req'd	not req'd
Common Space	required	15' min from corner
Non-Residential Uses ²	required	15' min from corner

¹ See Section 11-4.03 for Active Ground Floor design standards

² For commercial uses on the ground floor, the dimensions of the commercial space shall be a minimum of 30' deep from the front facade for a minimum of 60% of the front facade.



Key

- ROW/ Lot Line
- Building Setback Line
- Parking Area

I. Parking

Required Spaces

All Uses	Table 11-7.02.A Use Table
Bicycle Parking, min.	See Article VI, Section 6.05
Loading, min.	none required
Electric Vehicle Charging	See Section 6.10

Setback (Distance from ROW/Lot Line)	K Front	L Side St.	M Side	N Rear
Surface Parking	40 ft min.	10 ft min.	5 ft min.	5 ft min.
Structured Parking ¹	30 ft min.	0 ft min.	0 ft min.	5 ft min.
Subterranean Parking	0 ft min.	0 ft min.	0 ft min.	0 ft min.

Driveway Access and Location

Parking Access Location	O
Front Street	Prohibited from Front Street
Side Street	40 ft min. from front Lot Line
Rear (Alley)	Allowed
Curb Cut Width ³	O
One-way Use	12 ft max.
Two-way Use	20 ft max.
Accessed from Alley	May exceed 20 ft

¹ See 11-4.11 for Structured Parking design standards

² Exceptions allowed for existing driveway access from Front Street per Chapter 11-6 (Parking and Mobility).

³ Driveways may be shared between adjacent parcels by Special Permit and evidence of an easement agreement among property owners.

Key

- ROW/ Lot Line
- Setback Line
- Encroachment Area

J. Encroachments

Encroachment Type	P Front	Q Side St.	R Side	S Rear
Frontage Types	A	A	X	X
Architectural Features	2 ft max.	2 ft max.	0 ft max.	5 ft max.
Steps to Building Entrance	4 ft max.	4 ft max.	4 ft max.	5 ft max.
Fences & Walls (per 11-5.06)	A	A	A	A
Unenclosed Balconies	5 ft max.	5 ft max.	4 ft max.	4 ft max.
Unenclosed Stairs	5 ft max.	5 ft max.	4 ft max.	4 ft max.
Signage	A	A	X	X
Satellite Antennas	X	X	A	A

Encroachments are not allowed within ROW, alley ROW or across a property line.

Encroachments overhead a public sidewalk shall not render the path below dangerous, unsafe, or difficult to pass.

K. Signage

See Section 11.5.11 (Commerical Signs)

Key	A = Allowed	X = Not Allowed
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11-2.07 Harvard Street – Main Street Neighborhood (H-MSN)



General note: the illustrations above are intended to provide a brief overview of the transect zone and are descriptive in nature.

A. Intent

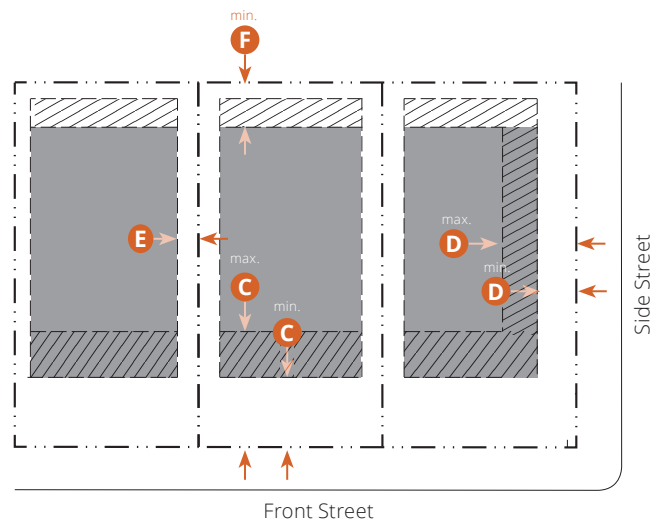
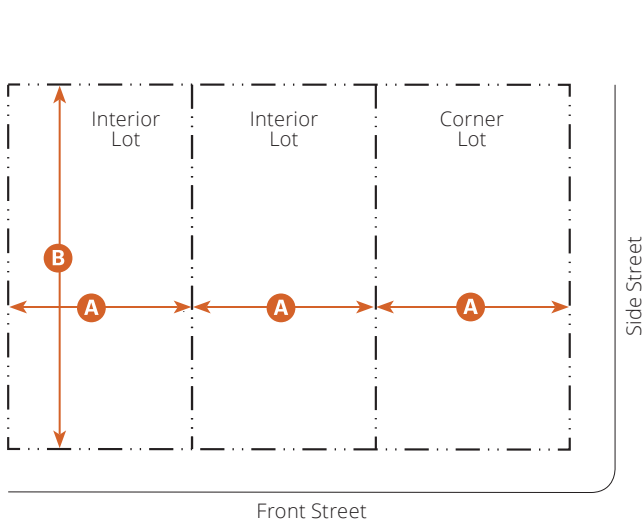
A walkable neighborhood environment of detached, small-to-medium building footprint, modest-intensity mixed-use buildings and housing choices, supporting and within short walking distance of neighborhood-serving retail, food and service uses.

The following are generally appropriate form elements in the zone.

- Primarily House-Scale Buildings
- Detached Buildings
- Small-to-Medium Lot Width
- Small-to-Medium Building Footprint
- Small Front Setbacks
- Small Side Setbacks
- Up to 2.5 Stories
- Common Entry, Stoop, Dooryard, Porch Projecting Frontage Types

B. Sub-Zone(s)

None



Key

--- ROW/ Lot Line

C. Lot Metrics

Lot Size Standards

Width	no min.; 130 ft max.	A
Depth	no min.; 150 ft max.	B

Open Space

On-site open space 50 sf per dwelling unit min. (private or common)¹

¹ See Section 11-5.05 (Open Space Standards) for placement and standards

Key

--- ROW/ Lot Line

--- Setback Line

■ Buildable Area

▨ Acc. Structures Only

▩ Facade Zone

D. Building Placement

Setbacks

Primary Building

Front (Facade Zone)	15 ft min.; 25 ft max.	C
Side Street (Facade Zone)	15 ft min.; 25 ft max.	D
Side	6 ft min.	E
Rear	20 ft min.	F

Accessory Structure

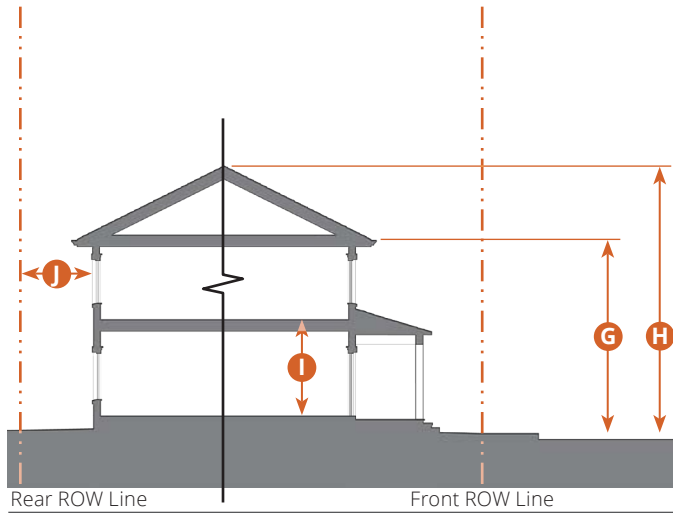
Rear 5 ft min.

Building Facade

Facade Zone	Front St.	Side St.
Facade Zone Defined by Primary Building	50% min.	50% min.

Facade Design & Building Massing

All building Facades shall be designed in compliance with Chapter 11-4 (Massing, Facade Articulation and Architectural Elements Standards).



Key

--- ROW Line

E. Building Form

Height

Primary Building		
Stories	2.5 stories max.	
To Top Highest Eave ¹	24 ft max.	G
Overall Height	35 ft max	H
Floor-to-Floor (Ground Floor)	10 ft min.	I

Roof Form

Sloped Roof Allowed See Section 11-4.07

Roof Mounted Elements

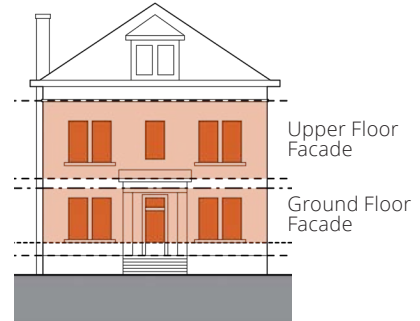
Height 10 ft max.

Adjacency Requirements

Stepback at Rear Parcel Line

Abutting any District none required **J**

¹ See Section 11-10.02 for means of measurement of height.



Key

- 8 ft Above Finished Floor
- Finished Floor Line
- 2 ft Above Finished Floor
- Facade Surface Area
- Window

F. Frontages

Private Frontage Type	Front	Side St.	Standards
Shopfront	X	X	11-3.04
Common Entry	A	A	11-3.05
Stoop	A	A	11-3.06
Dooryard	A	A	11-3.07
Forecourt	X	X	11-3.08
Porch Projecting	A	A	11-3.09

Key A = Allowed X = Not Allowed

G. Facade Standards

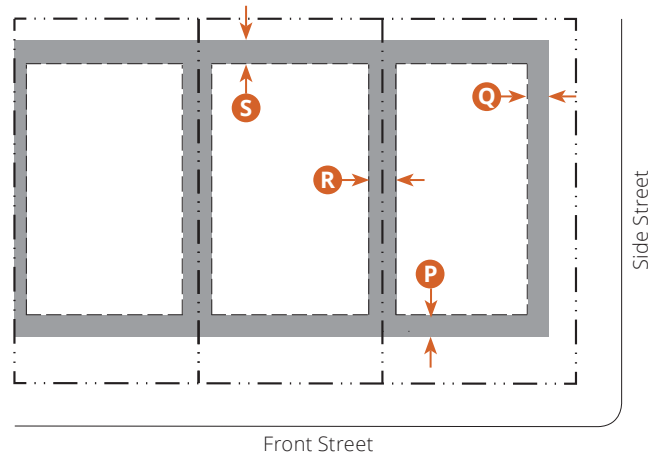
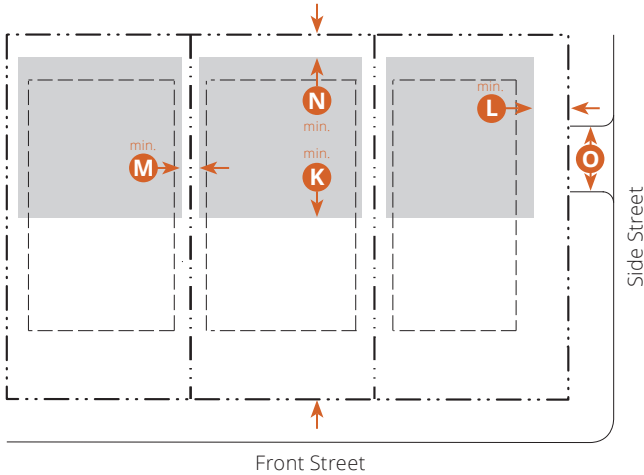
Facade Transparency	Front	Side St.
Ground Floor Facade	15% min.; 50% max.	15% min.; 50% max.
Upper Floor Facade	15% min.; 50% max.	15% min.; 50% max.
Ground floor blank wall length	8 ft max.	16 ft max.

See Section 11-4.12 for Blank Wall Treatment Standards

H. Active Ground Floor Standards

Requirements by use ¹	Front	Side St.
Residential Uses		
Private residence	not req'd	not req'd
Common Space	not req'd	not req'd
Non-Residential Uses	not req'd	not req'd

¹ See Section 11-4.03 for Active Ground Floor design standards



Key

- ROW/ Lot Line
- Building Setback Line
- Parking Area

I. Parking

Required Spaces

All Uses	Table 11-7.02.A Use Table
Bicycle Parking, min.	See Article VI, Section 6.05
Loading, min.	none required
Electric Vehicle Charging	See Section 6.10

Setback (Distance from ROW/Lot Line)	K Front	L Side St.	M Side	N Rear
Surface Parking	40 ft min.	10 ft min.	5 ft min.	5 ft min.
Structured Parking ¹	X	X	X	X
Subterranean Parking	X	X	X	X

Driveway Access and Location

Parking Access Location O	
Front Street ²	Prohibited from Front Street
Side Street	40 ft min. from front Lot Line
Rear (Alley)	Allowed
Curb Cut Width ³ O	
One-way Use	12 ft max.
Two-way Use	20 ft max.
Accessed from Alley	May exceed 20 ft

¹ See 11-4.11 for Structured Parking design standards

² Exceptions allowed for existing driveway access from Front Street per Chapter 11-6 (Parking and Mobility).

³ Driveways may be shared between adjacent parcels by Special Permit and evidence of an easement agreement among property owners.

Key

- ROW/ Lot Line
- Setback Line
- Encroachment Area

J. Encroachments

Encroachment Type	P Front	Q Side St.	R Side	S Rear
Frontage Types	A	A	X	X
Architectural Features	2 ft max.	2 ft max.	2 ft max.	5 ft max.
Steps to Building Entrance	4 ft max.	4 ft max.	4 ft max.	5 ft max.
Fences & Walls (per 11-5.06)	A	A	A	A
Unenclosed Balconies	5 ft max.	5 ft max.	4 ft max.	4 ft max.
Unenclosed Stairs	5 ft max.	5 ft max.	4 ft max.	4 ft max.
Signage	A	A	X	X
Satellite Antennas	X	X	A	A

Encroachments are not allowed within ROW, alley ROW or across a property line.

Encroachments overhead a public sidewalk shall not render the path below dangerous, unsafe, or difficult to pass.

K. Signage

See Section 11.5.11 (Commerical Signs)

Key	A = Allowed	X = Not Allowed
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Chapter 11-3: Frontage Type Standards

11-3.01 Purpose

This Chapter sets forth standards applicable to all frontages. Frontages are the components of a building that provide the transition and interface between the public realm (street and sidewalk) and the private realm (yard or building).

11-3.02 General Frontage Types Standards

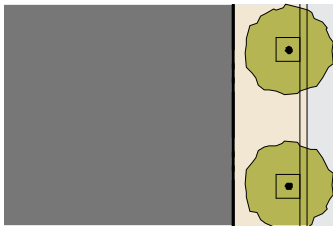
1. The names of the frontage types indicate their particular configuration or function and are not intended to limit uses within the associated building. For example, a porch may be used by non-residential uses including, but not limited to a restaurant or office as allowed by the zone.
2. Each building shall have **at least one** frontage type along:
 - A. each street frontage;
 - B. along a civic space
 - C. along a private open space on Large Sites per Section 11-5.03 (Large Site Standards) and Section 11-5.05 (Open Space Standards).
3. Frontage types not listed in Sub-section F of 11-2 (Zone Standards: Frontages) are not allowed in that zone.
4. Each frontage type shall be located in compliance with the facade zone per Sub-section D in 11-2 (Zone Standards: Building Placement) of the zone.
5. Standards are stated for the front of a lot and are to be adjusted for side street facades in compliance with the setbacks of the zone.
6. Multiple frontage types are allowed on the same facade.

11-3.03 Frontage Types Overview

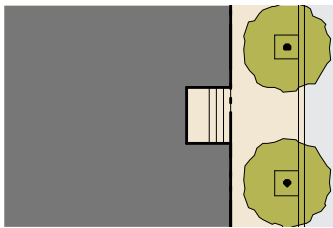
Table 11-3.03.A (Frontage Types Overview) provides a summary of the allowed frontage types.

Table 11-3.03.A: Frontage Types Overview

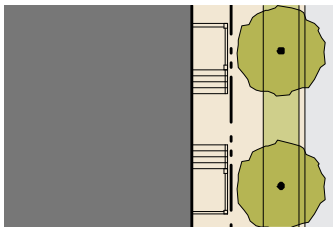
Frontage Type



Shopfront 11-3.04. The main facade of the building is at or near the front lot line with at-grade entrance along the sidewalk. This type is intended for service, retail, or restaurant use and includes substantial glazing between the Shopfront base and the ground floor ceiling and may include an awning that overlaps the sidewalk.



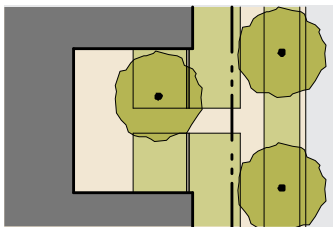
Common Entry 11-3.05. The main façade of the building is near the front Lot line, with a covered entryway within the main façade, providing a defined transition between the sidewalk and the interior. The entryway leads to a lobby or foyer that provides interior access to units.



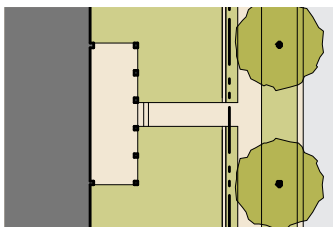
Stoop 11-3.06. The main facade of the building is near the front lot line with steps to an elevated entry. The Stoop is elevated above the sidewalk to provide privacy along the sidewalk-facing rooms. Stairs or ramps from the Stoop may lead directly to the sidewalk or may be parallel to the sidewalk.



Dooryard 11-3.07. The main facade of the building is set back from the front lot line, which is defined by a low wall, hedge, or other allowed screening, creating a small private area between the sidewalk and the facade. Each Dooryard is separated from adjacent Dooryards. The Dooryard may be raised or at grade.



Forecourt 11-3.08. The main facade of the building is at or near the front lot line and a portion is set back, extending the public realm into the lot for an entry court or shared garden space for housing, or as an additional shopping or restaurant seating area within retail and service areas.



Porch Projecting 11-3.09. The main facade of the building is set back from the front lot line with a covered structure encroaching into the front setback. The resulting setback area can be defined by a fence or hedge to spatially maintain the edge of the street. The Porch may be one or two stories, is open on three sides, with all habitable space located behind the building setback line.

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11-3.04 Shopfront



Example of varied Shopfronts.



Example of a Shopfront with arched windows.

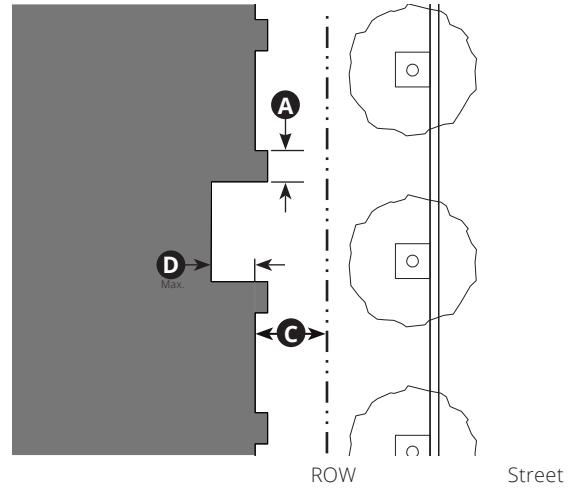
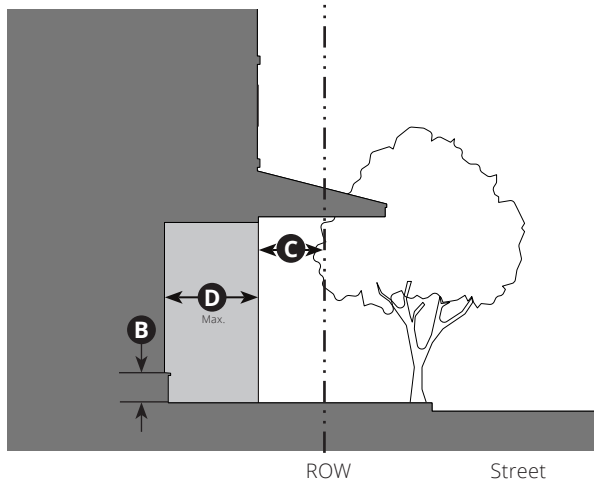


Example of a Shopfront with recessed entry.

A. Description

The main facade of the building is at or near the front lot line with at-grade entrance along the sidewalk. This type is intended for service, retail, or restaurant use and includes substantial glazing between the Shopfront base and the ground floor ceiling and may include an awning that overlaps the sidewalk.

General Note: Photos on this page are illustrative, not regulatory.



Key

----- ROW / Lot Line Setback Line

B. Size

Distance between Glazing	2 ft max.	A
Ground Floor Glazing	See Sub-section G of 11-2 (Form-Based Zones:Facade Standards)	
Shopfront Base	6 in min.; 24 in max.	B

Specific to Recessed Entries

For buildings with the front facade within 0 ft to 5 ft of the lot line, recessed entries are required.		C
Depth of Recessed Entry	5 ft max.	D

C. Miscellaneous

Residential types of windows are not allowed.
 Rounded and hooped awnings are not allowed.
 For awnings design standards, see 11-4.03 (Active Ground Floor)

11-3.05 Common Entry



Example of a Common Entry



Example of a Common Entry

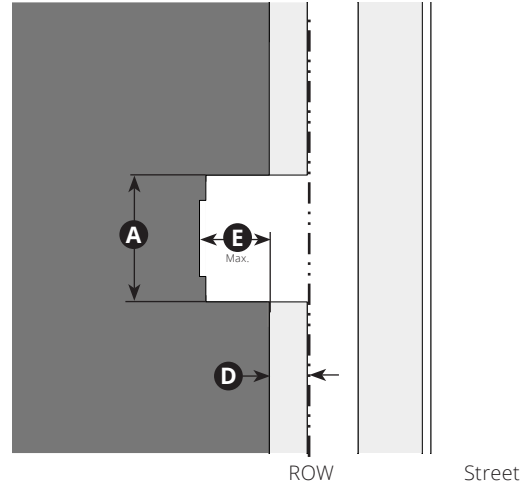
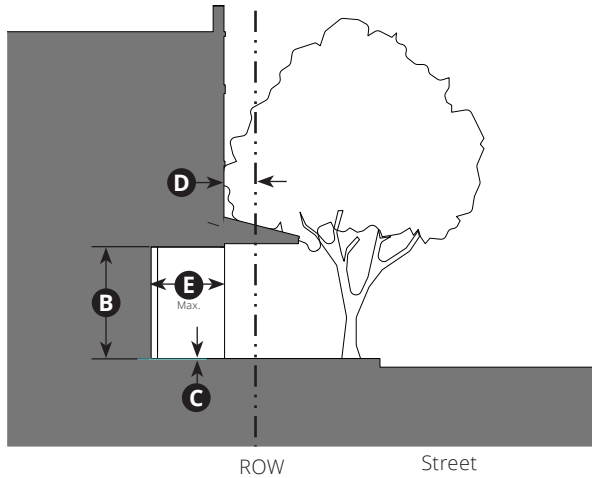


Example of a Common Entry

A. Description

The main façade of the building is near the front Lot line, with a covered entryway within the main façade, providing a defined transition between the sidewalk and the interior. The entryway leads to a lobby or foyer that provides interior access to units.

General Note: Photos on this page are illustrative, not regulatory.



Key

- - - - ROW/ Lot Line - - - - Setback Line

B. Size

Width, Clear	6 ft min.	A
Height to Canopy/Ceiling, Clear	2.5x clear width max.	B
Finish Level above Sidewalk	0 in min.; 30 in max.	C

Specific to Recessed Entries

For buildings with the front facade within 0 ft to 5 ft of the lot line, recessed entries are required.		D
Depth of Recessed Entry	5 ft max.	E

C. Miscellaneous

- Entry doors shall be covered and/or recessed to provide shelter from the elements.
- Gates are not allowed.
- Entry doors shall face the street.
- For awnings design standards, see 11-4.03 (Active Ground Floor)

11-3.06 Stoop



Example of a Stoop with paired entries.



Example of Stoop on a house-scale building.

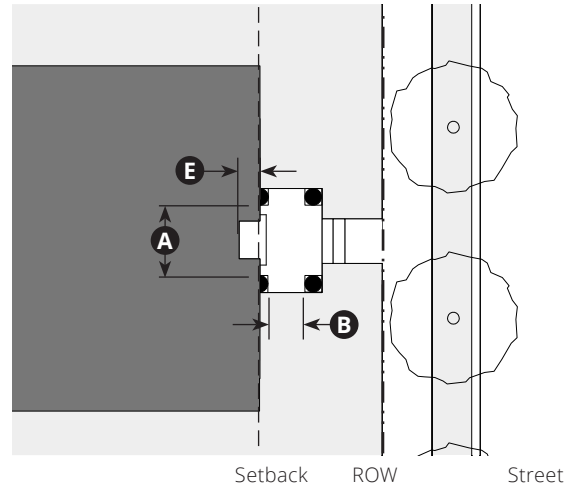
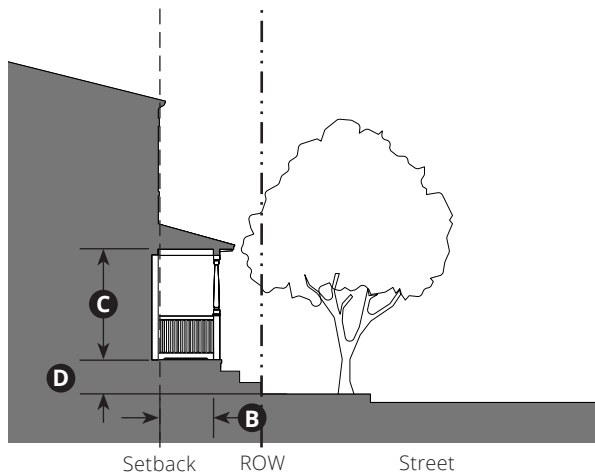


Example of covered stoop

A. Description

The main facade of the building is near the front lot line with steps to an elevated entry. The Stoop is elevated above the sidewalk to provide privacy along the sidewalk-facing rooms. Stairs or ramps from the Stoop may lead directly to the sidewalk or may be parallel to the sidewalk.

General Note: Photos on this page are illustrative, not regulatory.



Key

----- ROW / Lot Line Setback Line

B. Size

Width, Clear	5 ft min.	A
Depth, Clear	5 ft min.	B
Height, Clear	8 ft min.	C
Stories	1 story max.	
Finish Level above Sidewalk	12 in min.	D
Depth of Recessed Entry	8 ft max.	E

C. Miscellaneous

- Stairs may be perpendicular or parallel to the building facade.
- Ramps shall be parallel to facade or along the side of the building.
- Entry doors are covered or recessed to provide shelter from the elements.
- Gates are not allowed.
- All doors shall face the street.
- When ramps are included, Site Plan and Design Review is required.

11-3.07 Dooryard



Example of a Commercial Dooryard.



Example of a Residential Dooryard.

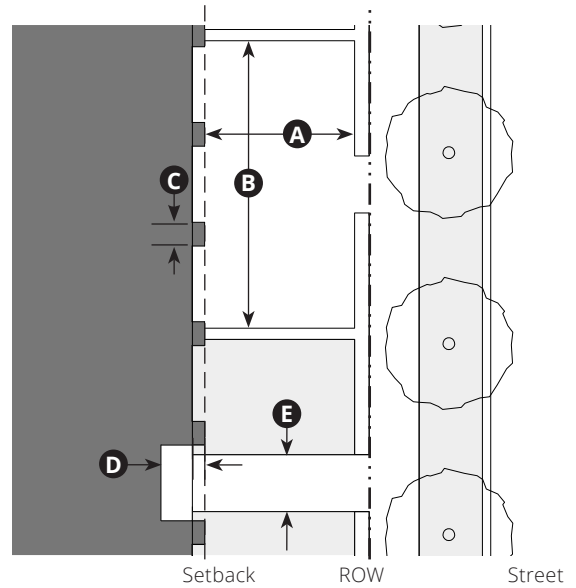
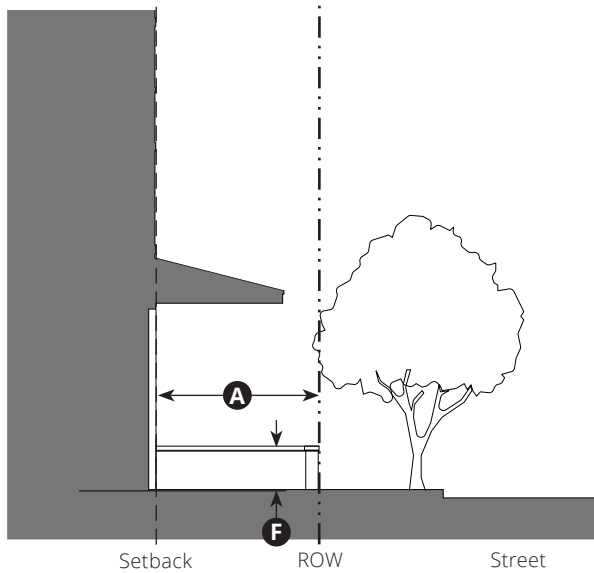


Example of residential Dooryard.

A. Description

The main facade of the building is set back from the front lot line, which is defined by a low wall, hedge, or other allowed screening, creating a small private area between the sidewalk and the facade. Each Dooryard is separated from adjacent Dooryards. The Dooryard may be raised or at grade.

General Note: Photos on this page are illustrative, not regulatory.



Key

----- ROW / Lot Line - - - - - Setback Line

B. Size

Depth, Clear	6 ft min.	A
Length	15 ft min.	B
Distance between Glazing	4 ft max.	C
Depth of Recessed Entry	5 ft max.	D
Pedestrian Access	3 ft wide min.	E
Height of Dooryard Fence/Wall above Finish Level	36 in max.	F

C. Miscellaneous

For live/work, retail, service, and restaurant uses, the Shopfront Frontage Type is to be applied in addition to the Dooryard.

Each Dooryard shall provide access to only one ground floor entry.

11-3.08 Forecourt



Example of a Residential Forecourt



Example of a Commercial Forecourt.

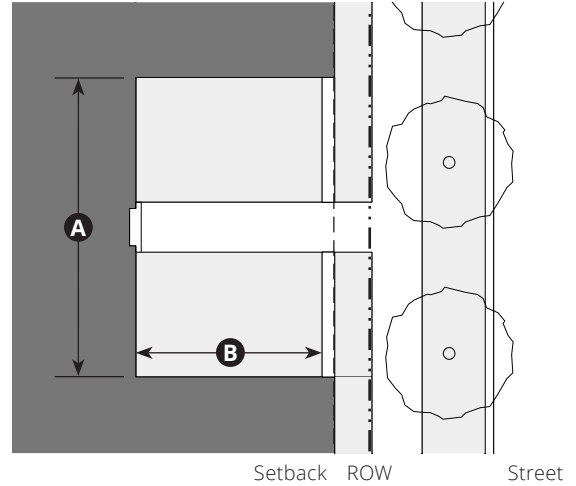
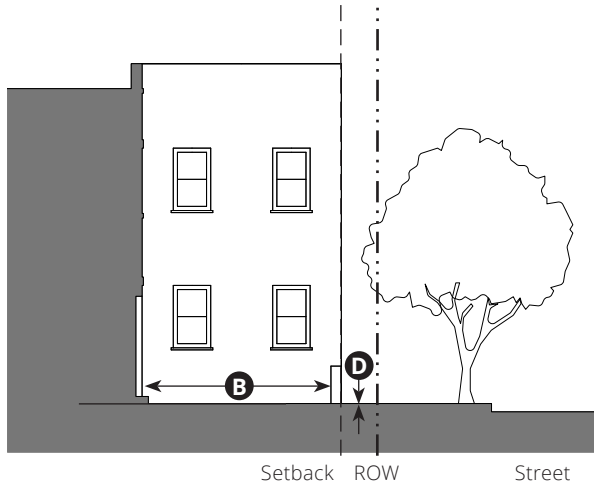


Example of a Forecourt, combined with a Common Entry

A. Description

The main facade of the building is at or near the front lot line and a portion is set back, extending the public realm into the lot for an entry court or shared garden space for housing, or as an additional shopping or restaurant seating area within retail and service areas.

General Note: Photos on this page are illustrative, not regulatory.

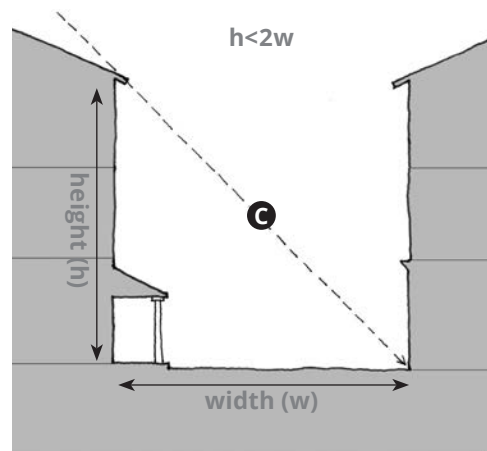


Key

----- ROW / Lot Line - - - - - Setback Line

B. Size		
Width, Clear	15 ft min.	A
Depth, Clear	15 ft min.	B
Ratio, Height to Width	2:1 max.	C
Height from Sidewalk	12 max. above sidewalk	D

C. Miscellaneous
 May be utilized to group several entries at a common elevation in compliance with the zones' ground floor finish level standards.
 The proportions and orientation of these spaces shall comply with the diagram below for solar orientation and user comfort.



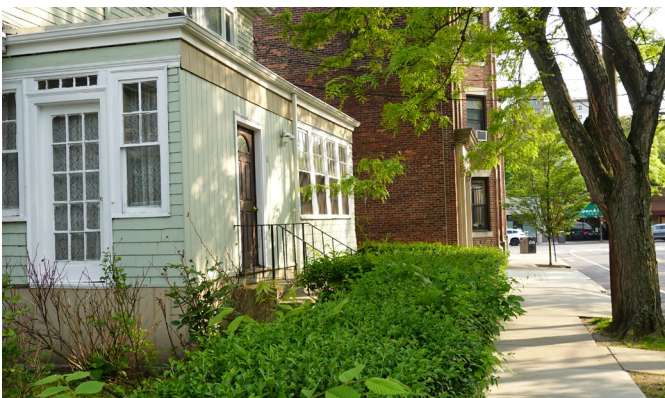
11-3.09 Porch Projecting



Example of a Projecting Porch.



Example of a Projecting Porch.

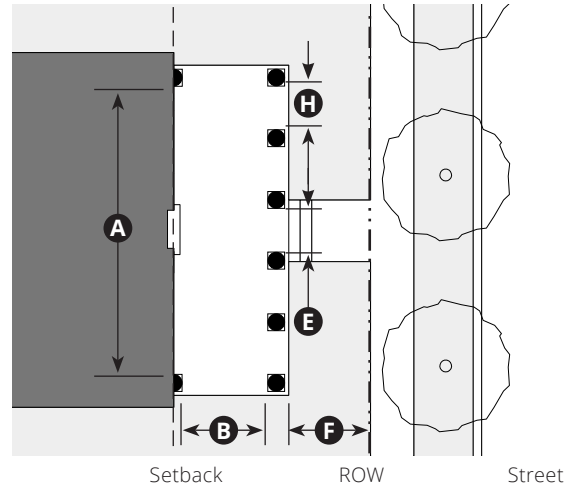
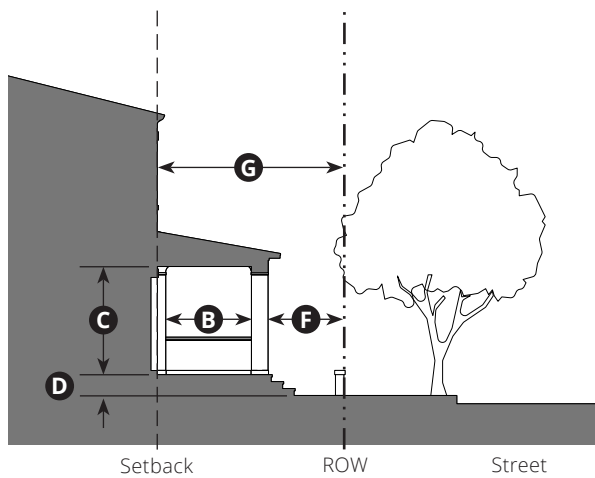


Example of a Glassed-in Projecting Porch.

A. Description

The main facade of the building is set back from the front lot line with a covered structure encroaching into the front setback. The resulting setback area can be defined by a fence or hedge to spatially maintain the edge of the street. The Porch may be one or two stories, is open on three sides, with all habitable space located behind the building setback line.

General Note: Photos on this page are illustrative, not regulatory.



Key

--- ROW / Lot Line

----- Setback Line

B. Size

Width, Clear	10 ft min.	A
Depth, Clear	6 ft min.	B
Height, Clear	8 ft min.	C
Stories	2 stories max.	
Finish Level above Sidewalk	12 in min.	D
Pedestrian Access	3 ft wide min.	E
Distance between Porch and Sidewalk	6 ft min.	F
Depth	15 ft min.	G
Distance between Porch Columns	8 ft min.	H

C. Miscellaneous

Porch shall be open on three sides and have a roof. Clear glass may be installed between the porch columns if the minimum size of individual panes is 12 in.

Porches are an allowable encroaching element, see Item J in 11-2 (Zone Standards: Encroachments).

When ramps are included, Design Review is required.

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Chapter 11-4: Massing, Facade Articulation and Architectural Elements Standards

11-4.01 Purpose

This Chapter sets forth standards that supplement the zone and frontage type standards to further refine the intended building form and physical character.

11-4.02 Applicability

The contents of this chapter are applicable within the Harvard Street Form-Based Zones and apply to all new development and facade modifications that modifies 50% or more of the surface area of the Front Facade. The applicability of specific standards based on project characteristics are detailed in Table 11-4.02.A Applicability. The BROOKLINE VILLAGE COMMERCIAL NATIONAL REGISTER DISTRICT STANDARDS AND GUIDELINES are applicable to lots in the Brookline Village National Register District (BV-NRD).

Table 11-4.02.A Applicability

The following standards are applicable to all buildings, as follows:	
11-4.03 Active Ground Floor	All new development and facade modifications.
11-4.04 Exterior Doors and Entrances	All new development and facade modifications.
11-4.05 Windows and Openings	All new development and facade modifications.
11-4.06 Exterior Finishes and Materials	All new development and facade modifications.
11-4.07 Roof Forms	All new development and facade modifications.
11-4.08 Corner Elements	New development and facade modifications located at the intersection of two or more right-of-ways.
11-4.09 Bay Windows	New development and facade modifications with bay windows.
11-4.10 Balconies	New development and facade modifications that include balconies.
11-4.11 Structured Parking	New development and facade modifications that include structured parking.
11-4.12 Blank Wall Treatment	New development and facade modifications.
11-4.13 Facade Symmetry	New development and facade modifications.
*Additional standards applicable to buildings with > 40 ft. width in the frontage zone, as follows:	
11-4.14 Tripartite Facade	New development and facade modifications with 2 or more stories.
11-4.15 Facade Composition	New development and facade modifications.
*Additional standards applicable to buildings with > 75 ft. width in the frontage zone, as follows:	
11-4.16 Facade Modulation	New development and facade modifications with 2 or more stories.

**All applicable standards in previous section must be satisfied in addition to standards in this section.*

11-4.03 Active Ground Floor Design

Intent

Active ground floors activate the streetscape and support a high-quality public realm by creating an engaging and pleasant environment for pedestrians. Standards in this section are supplemental to standards in 11-2 (Form-Based Zones).

Applicability

Refer to Table 11-4.02.A (Applicability)

General Standards

The standards in this section shall apply to the first full story at or above sidewalk level for all ground floor space facing a street or open space as per Active Ground Floor requirements in Building Form standards in 11-2 (Form-Based Zones).

Service entries shall not be located along Harvard Street.

All ground floor frontages along Harvard Street shall comply with either the Active Space or Active Edge frontage conditions, in addition to any applicable frontage type standards per Chapter 11-3 (Frontage Type Standards) and commercial space dimensions per Subsection H in Chapter 11-2 (Zone Standards)

Active Space Standards

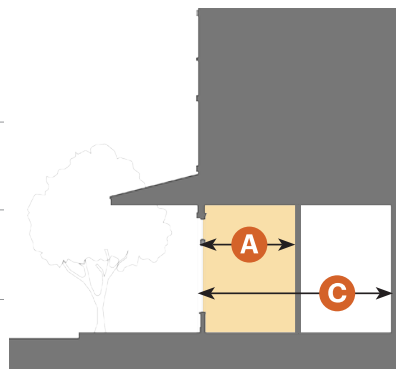
Description: An interior space accessible from the sidewalk that is deep enough to accommodate a variety of active uses.

An unobstructed view of the interior space shall be at least 15 ft. deep. **A**

Frontage must provide protection from weather such as with an awning.

Space must be wired for electricity to enable commercial activity.

Shall comply with the minimum ground floor commercial depth and dimensional requirements per Subsection H of Chapter 11-2 **C**



Active Edge Standards

Description: A shallow display accessible from the sidewalk.

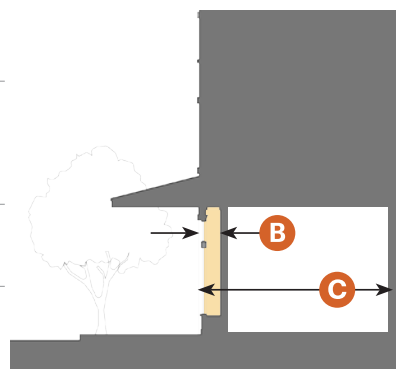
A lighted and maintained display(s) behind ground floor windows shall be at least 24 in. deep and shall not exceed 48 in. deep. **B**

Frontage shall provide protection from weather such as with an awning.

Space shall be wired for electricity to enable commercial activity.

Space not intended for occupation.

Shall comply with the minimum ground floor commercial depth and dimensional requirements per Subsection H of Chapter 11-2 **C**



Note: Images are illustrative, not regulatory.

11-4.03 Active Ground Floor Design (continued)

Commercial Entry Standards

All commercial tenant spaces shall have at least one publicly accessible entry oriented to the public right-of-way.

Building entrances shall satisfy all standards of the Americans with Disabilities Act.

All publicly accessible doors shall include window(s) that allow unobstructed views into the establishment.

Clear glass (min. 88% light transmission) shall be required for commercial/storefront windows on the ground floor.

Ground floor doors to commercial tenant spaces shall have a high glass to frame ratio (at least 60% of the door shall be glass).

All commercial entries shall incorporate one or more of the following treatments:

- A projecting awning or canopy sheltering the entrance;
- An 18 in. (min.) increase in the height of the roof or moulding line above the entrance;
- An 18 in. (min.) break in the wall for a recessed entry that includes distinct paving materials and sill;
- Shaped and colored door frames with projecting sills, and/or molded surrounds with lintels; and/or
- Clerestory or transom windows above and matching the width of the commercial entry.

Awning and Canopy Standards

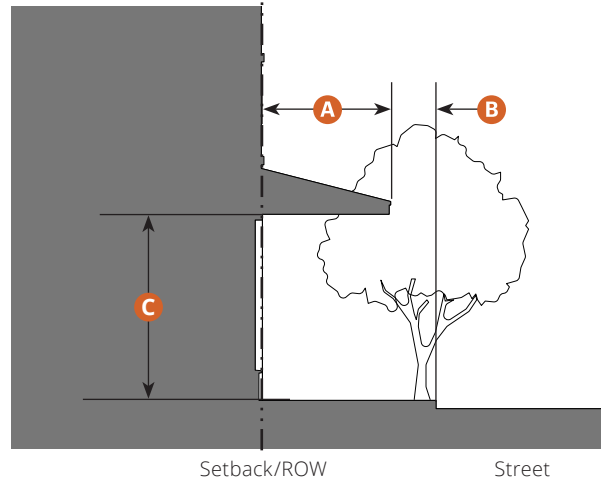
Awnings and canopies, where provided, shall be at least as wide as the opening to which they are associated.

Awnings shall be comprised of fabric or other soft materials and shall be used over doors and entryways.

Canopies shall be comprised of glass, wood, metal or some combination of such materials.

Vinyl and polycarbonate plastic shall not be used as a material for awnings and canopies.

Depth	5 ft. min.; 6 ft. max.	A
Setback from Curb	2 ft. min.	B
Height, clear	8 ft. min.	C



Key

---- ROW / Lot Line

---- Setback Line



The entrance of this shopfront, as well as the other bays, include window(s) that allow unobstructed views of the interior space.



This shopfront has a high glass to frame ratio.

11-4.04 Exterior Doors and Entrances



Example of recessed entry door to upper floor residential units.



Example of recessed wood and glass entry door to storefront.

Intent

The design of exterior doors and entrances promote cohesion with surrounding architectural character and promote accessibility by providing entrances that clarify how a building may be entered from the sidewalk.

Applicability

Refer to Table 11-4.02.A (Applicability)

General Standards

Exterior doors shall use materials and/or colors consistent with other elements on the same facade.

Exterior doors shall comply with standards in 11-4.06 (Exterior Finishes and Materials).

Standards for Entrances to Uses on Upper Floors

Entrances to uses on upper floors shall use a different frontage type from commercial entries on the ground floor.

Entrances to uses on upper floors shall be distinct from commercial entries on the ground floor by incorporating at least one of the following elements:

- a. A door frame that is at least one foot taller or shorter, but no more than two feet taller or shorter, than used for ground floor tenant spaces;
- b. A recessed entry that is at least one foot deeper than used for ground floor tenant spaces;
- c. An awning or canopy, door frame, and hardware (i.e., door handles) which are distinct from those used for ground floor tenant spaces; and/or
- d. Decorative columns supporting an entablature, which includes a cornice or eave above a beam spanning the columns.

Note: Images are illustrative, not regulatory.

11-4.05 Windows and Openings

Intent

The design of windows and openings promote cohesion with surrounding architectural context and reinforce the overall architectural character of the building.

Applicability

Refer to Table 11-4.02.A (Applicability)

General Standards

All windows or window groupings shall be recessed at least 3 in. from the outer wall finish surface.

All windows or window groupings shall include a sill.

Permanent or retractable security gates, grilles or bars are prohibited.

Standards for Window Openings

At least 75% of individual windows on each facade shall **A** be oriented vertically (height greater than width).

Where used, horizontally-oriented windows shall be ganged with vertically-oriented windows or doors to form a grouping. Ganged windows shall be separated by visible mullions or **B** jambs; continuous ("ribbon") windows are not allowed.

Windows on upper floors shall be smaller in size than windows on the ground floor and shall encompass a smaller proportion of the facade surface area.

Standards for Ventilation Openings

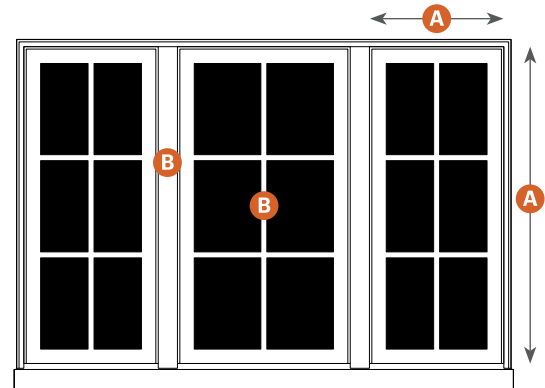
All ventilation openings (such as for a parking garage) shall be screened.

Screening material shall be consistent with other materials on facade in terms of color, texture, and/or material.

Ventilation openings shall be aligned with window openings on the same facade.

Ventilation openings shall be of consistent scale and proportion to window openings on the same facade.

Ventilation openings shall include a sill and lintel consistent with those for window openings on the same facade.



The majority of windows are vertically oriented.



Windows set within punched openings of at least 3 in. provides enough depth so that the facade does not look "flat."

Note: Images are illustrative, not regulatory.

11-4.06 Exterior Finishes and Materials

Intent

Material selection and application impacts sustainability, performance, maintenance, and durability and responds to existing architectural context.

Applicability

Refer to Table 11-4.02.A (Applicability)

Durability Standards

Exterior timber shall be protected from decay by application of a stain and sealant or paint.

Exterior ferrous metals shall be protected from corrosion by at least one of the following:

- a. Painting or other impermeable coating; and/or
- b. Metallurgical properties, including galvanized steel, stainless steel (matte effect finish only), and/or weathering steel (e.g., COR-TEN)

General:

- a. Reflective materials not allowed (other than glass where permitted)
- b. Wherever wood is listed, it shall be rot-resistant.
- c. Avoid materials prone to moisture retention and rapid deterioration, such as particleboard, PVC and vinyl siding, ceramic-coated siding, untreated softwood siding, simulated or faux masonry panels, simulated brick panels, split-face concrete masonry unit, composite decking and asphalt shingles used as siding
- d. Exposed fasteners not allowed
- e. Standing seam metal panels on mansard roofs are discouraged to avoid oil-canning.

Allowed Materials

Element	Allowed Materials
Exterior Walls	
Wall Cladding, house scale buildings	Hardwood or engineered wood, fiber cement, brick
Wall Cladding, block scale buildings	Brick, fiber cement, natural or manufactured stone, metal panels, terracotta, synthetic stucco (EIFS)

Base

Base or Foundation	Brick, natural or cast stone, ground-face concrete masonry unit, hardwood or engineered wood, fiber cement. Treated concrete only on house scale buildings
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Note: Images are illustrative, not regulatory.

Allowed Materials (continued)

Roof and Roof Elements

Sloped roof forms shall be used on house scale buildings.

Mansard roof forms shall be allowed on block-scale buildings but shall not be required; no other sloped roof forms shall be allowed on block-scale buildings.

Roofing, mansard	Synthetic or natural slate shingles or metal or asphalt shingles
Roofing, sloped	Asphalt or synthetic or natural slate shingles
Rake and Eave	Wood, composite or engineered wood, metal
Cornice	Wood, composite or engineered wood, fiberglass, glass fiber reinforced gypsum/concrete, copper or zinc
Brackets	Wood, composite or engineered wood, glass fiber reinforced gypsum/concrete
Gutter and downspouts	Metal or fiberglass (not wood, vinyl, PVC, or plastic)

Windows, Bay Windows, and Entry Doors

Lintel	Cast or natural stone, concrete, glass fiber reinforced gypsum/concrete, brick
Trim or Surround	Metal, composite or engineered wood, wood, fiber cement
Entry Door	Wood, fiberglass, composite or engineered wood, pre-finished aluminum, aluminum-clad wood, glass
Window Frames	Wood, fiberglass, composite or engineered wood, pre-finished aluminum, aluminum-clad wood, aluminum
Window Sill	Wood, composite or engineered wood, fiber cement, natural or cast stone, pre-finished aluminum, concrete, brick, glass fiber reinforced gypsum/concrete
Glazing	Clear glass; shall not be tinted, mirrored, or colored

11-4.06 Exterior Finishes and Materials (continued)

Allowed Materials (continued)

Porches and Balconies

Columns	Wood, composite or engineered wood, fiberglass, cast or natural stone, glass fiber reinforced gypsum/concrete
Base	Prefinished aluminum or composite metal, wood, composite or engineered wood

Storefronts

Decorative columns and pilasters	Wood, composite or engineered wood, fiberglass, metal
Storefront Base/ Bulkhead	Wood panels, brick, natural or cast stone, tile, fiber cement

Allowed Materials (continued)

Railings

Balconies, porches, stairs, ramps	Metal, wood, composite or engineered wood, glass. Ground floor only: metal, wood, composite or engineered wood, glass, cast or natural stone, brick
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Change in Facade Color and/or Material

Color and/or material change shall occur only at the following locations on a facade:

- a. At inside corners rather than outside corners.
- b. At a horizontal articulation such as a string course
- c. At the boundaries between vertical divisions.



Brick building with painted wood bay window surrounds and a concrete base.



Example of house-scale building with sloped roof forms, shed dormers, wood and metal balconies, and wood siding exterior.



Example of metal balconies against a brick building with a stone base and metal shopfronts.



Example of house-scale building with sloped roof forms and wood siding exterior with brick accents.



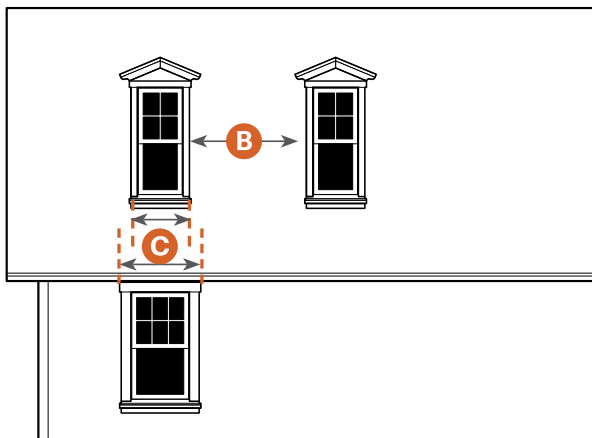
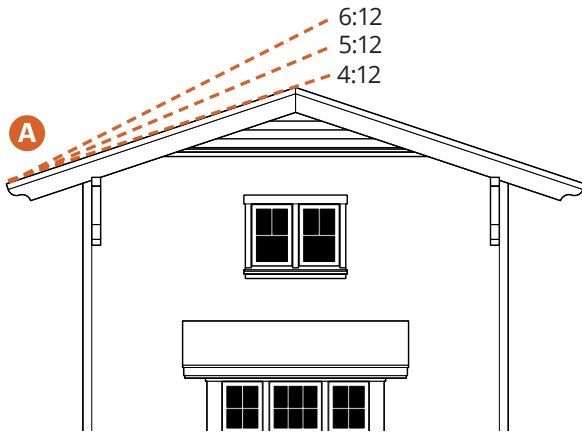
Brick building with painted wood portico.

Note: Images are illustrative, not regulatory.

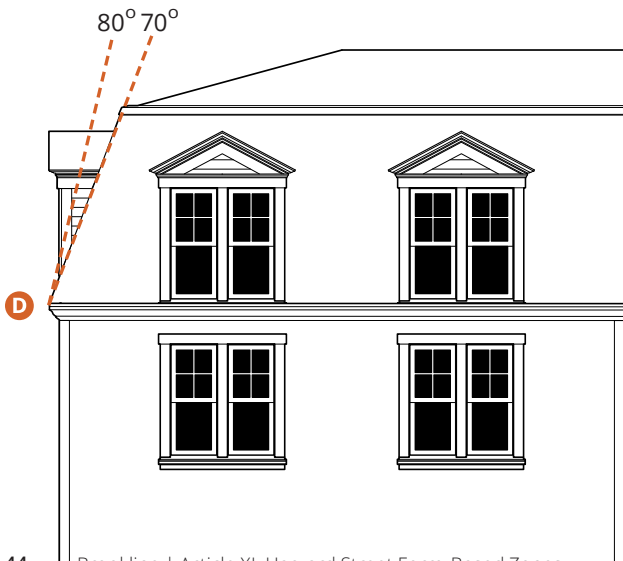
11-4.07 Roof Forms

Sloped roofs:

Note: Diagram for sloped roofs illustrates allowable roof pitches, but does not illustrate the full range of allowable roof pitches.



Mansard roofs:



Intent

The design of roof forms provide for the orderly arrangement of rooflines in a manner that reinforces established architectural character.

Applicability

Refer to Table 11-4.02.A (Applicability)

Parapet Standards

Parapets without a cornice shall include a string course to define eave and distinguish building top from middle.

Sloped Roof Standards

Sloped roofs shall not be used on block-scale buildings except as part of a mansard roof.

A Sloped roofs shall not use a 45 degrees pitch.

Hipped roofs shall utilize same slope throughout roof volume and lower ridge height as necessary

Dormer Standards

B Distance between dormers shall be wider than dormers.

C Width of dormer windows shall not exceed the width of windows on lower floors

Dormer roof slopes do not have to match primary roof slope.

Dormer roofs shall not use a 45 degrees pitch.

Dormer placement shall comply with 11-4.13 Facade Symmetry.

Mansard Roof Standards

Mansard shall count as a full story.

Building height for buildings with mansard roof shall be measured to the lower ridge of the Mansard roof, not the eave.

See 11-10.02.2 (Measurement Methods-Building Height)

Mansard roofs shall begin at the sill height of the highest story.

D Roof slope shall be between 70 and 80 degrees.

Eave shall be supported by a cornice.

Dormer windows shall be used on mansard roofs and shall comply with applicable standards in this section.

11-4.08 Corner Elements

Intent

Corner Element(s) provide visual importance at intersections to provide an architecturally engaging streetscape and to enhance the public realm.

Applicability

Refer to Table 11-4.02.A (Applicability)

Corner Building Standards

No blank wall shall be located on facades within 30 ft. of a lot corner adjacent to two intersecting rights-of-way.

Corner Element Standards

A Corner element shall be defined through architectural projection from main facade of at least 2 in. consistent with one of the corner profiles illustrated in this section.

A corner element may project from the main facade by up to 4 feet. Projections over the right-of-way are not allowed.

Corner element shall extend from adjacent finished grade to top of building.

If corner element extends through the building's top it may exceed the main building facade height by at least 4 feet and up to 12 feet above the maximum height allowed by the zone, **(B)** for a horizontal area up to 20 feet by 20 feet **(C)**.

For round profile with radius less than or equal to 10 ft, extension lines¹ of facade shall intersect within the projection. For radius greater than 10 ft extension lines¹ may intersect beyond the projection.

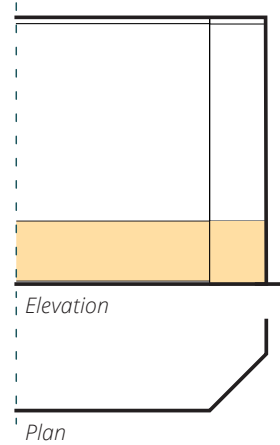
For round profile with radius greater than 10 ft, facade shall be articulated along curve.

Corner element may incorporate any of the following:

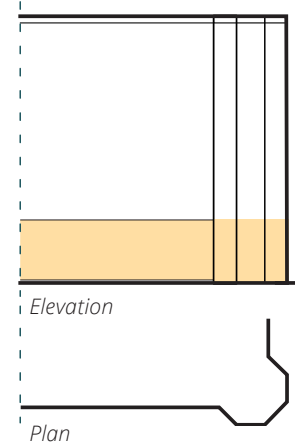
- Change of materials or color consistent with standards in 11.3-06 (Exterior Finishes and Materials);
- Unique roof form.

¹Extension lines are imaginary lines that extend a line on a drawing to demonstrate a relationship to another element.

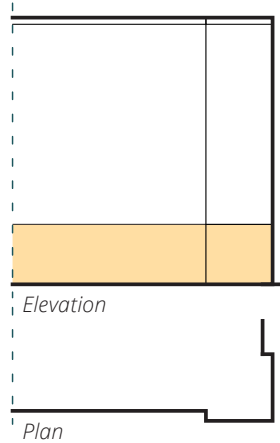
Chamfered profile:



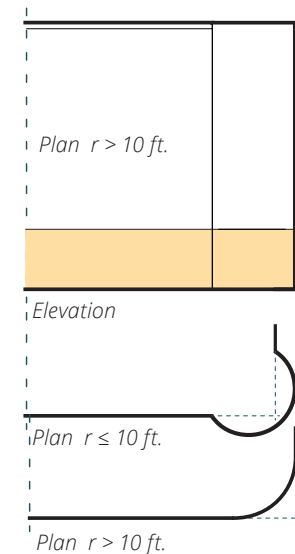
Octagonal profile:



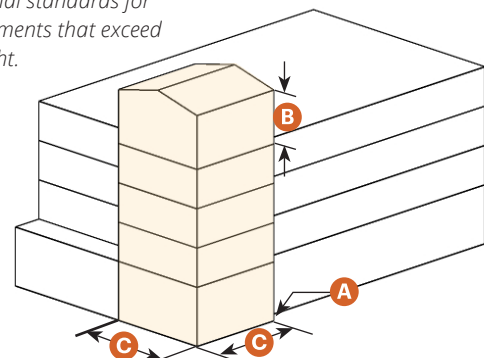
Square profile:



Round profile:



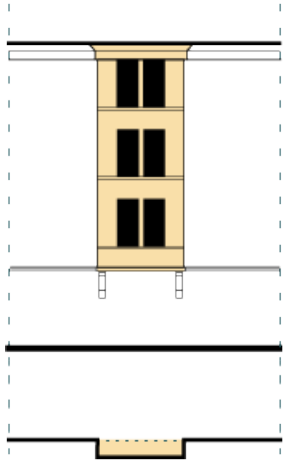
(Above) Shaded area shows corner element integrated with building base. (Below) Dimensional standards for corner elements that exceed max. height.



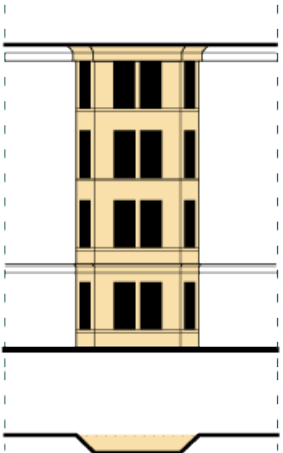
Note: Images are illustrative, not regulatory.

11-4.09 Bay Windows

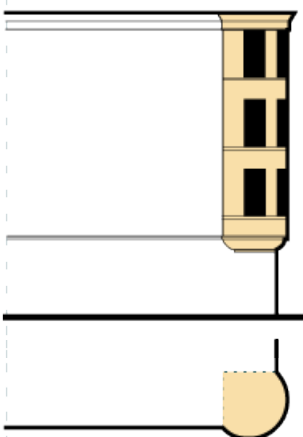
Square Bay Window



Chamfered Bay Window



Round Bay Window



Intent

Bay windows provide an option for articulating facades that support existing architectural character while providing the opportunity for unique architectural expression.

Applicability

Refer to Table 11-4.02.A (Applicability)

General Standards

- Bays shall not encroach into right-of-way.
- Bays shall not exceed height of facade to which they are attached and shall connect to upper cornice as present, except as per 11-4.16 (Facade Modulation).
- Corner bay may wrap around front and side facade.

Square Bay Standards

Size:

Depth	1' min.; 3' max.
Width	6' min.; 9' max.

- Must be vertically proportioned.
- Widest face shall accommodate paired windows.

Chamfered Bay Standards

Size:

Depth	1' min.; 3' max.
Width	6' min.; 10' max.
Interior angle	135° or 150°
Number of faces	3-5

Ganged windows allowed on faces parallel to facade; corner bays excepted.

Round Bay Standards

Size:

Depth	1' min.; 3' max.
Width	6' min.; 10' max.

- Must be vertically proportioned.
- Ganged windows are not allowed.
- Corner oriel circumference may be up to 270°.
- Corner oriels must connect to upper cornice.

Note: Images are illustrative, not regulatory.

11-4.10 Balconies

Intent

Balconies provide an option for facade articulation and/or usable outdoor space.

Applicability

Refer to Table 11-4.02.A (Applicability)

Juliet Balcony Standards

Shall be placed in front of inward-swinging door(s) with full glazing.

Shall include a base. Base shall project ≥ 4 in. from the wall finish surface and shall be a height ≥ 3 in.

Shall include a guard/railing. Height of guard/railing shall comply with building code requirements.

Occupiable Balcony Standards

Occupiable area shall be no less than 6 ft. deep and 48 sq. ft. in area.

Occupiable area may be recessed into building facade by up to 54 in.

Shall include a guard/railing. Height of guard/railing shall comply with building code requirements.

Balcony Bracket Standards

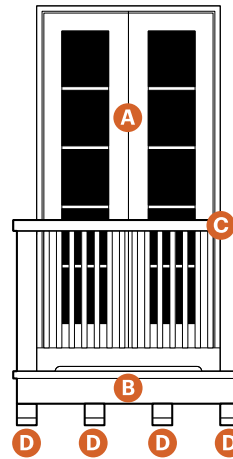
Bracket depth shall be no less than 80% of projection (balcony) depth at bracket.

Bracket height shall be no less than 50% of bracket depth.

Bracket spacing shall be no greater than 6 ft, on center.

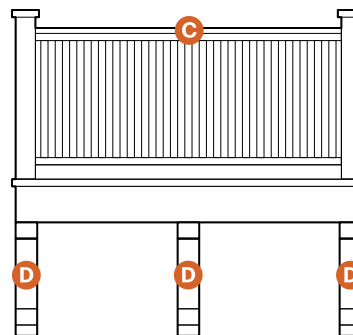
Brackets are allowed but not required.

Juliet Balcony



- A** Inward-Swinging Doors
- B** Base
- C** Guard/Railing
- D** Brackets

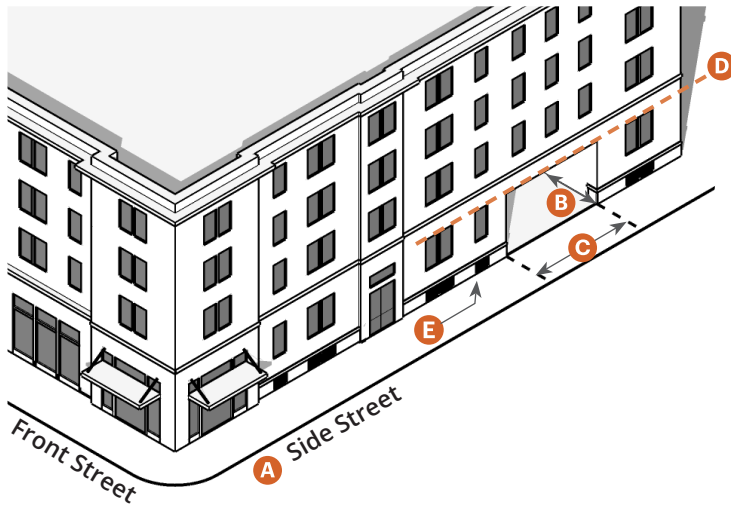
Occupiable Balcony



- C** Guard/Railing
- D** Brackets

Note: Images are illustrative, not regulatory.

11-4.11 Structured Parking



- A** Parking entry via side street
- B** Min. setback for parking gate
- C** Max. entry width
- D** Alignment with facade openings
- E** Subterranean parking

Note: Images are illustrative, not regulatory.

Intent

Parking areas can degrade the public realm by interrupting human-scaled spaces with automobile-scaled spaces. Standards in this section provide functional parking techniques to minimize the impact of automobiles and parking structures on the public realm.

Applicability

Refer to Table 11-4.02.A (Applicability)

Entrances to Structured Parking Standards

Openings

Entries to parking and service areas shall occur on the Side street, per Sub-section I (Parking) in 11-2 (Form-based Zones) **A**

Entry gates shall be setback a minimum 10 ft from the building facade and a minimum 20 ft from the right-of-way. **B**

Facade opening(s) for entries to parking areas shall not exceed 22 ft in width. **C**

Entrances wider than 20 feet shall have a column or permanent divider separating the entrance into two openings, each covered with separately operating garage doors.

Facade opening(s) for entries to parking areas shall align with Vertical Divisions per 11-4.15 (Facade Composition).

Entrances to Structured Parking Standards (continued)

Garage Door Standards

Solid material meets standards of 11-4.06 (Exterior Finishes and Materials) and is compatible in color and material with the main body building facade;

No more than 25% transparency is allowed;

Windows may be back-lit but shall cover any light source or fixtures to reduce glare.

Grading

The grade of the driveway within 20 feet of the Lot Line shall not exceed 10%.

Above-Ground Structured Parking Standards

Natural or mechanical ventilation for structured parking areas at grade shall be designed to minimize impact on residential districts.

Facade opening(s) for entries to parking areas shall align horizontally with adjacent architectural articulation(s) and/or facade opening(s). **D**

Any exterior edge of a parking structure shall be screened by an exterior wall. Openings to parking structure must comply with 11-4.05 (Windows and Openings).

Subterranean Parking Standards

Subterranean parking shall not exceed 4 ft above the adjacent finished grade of the building in compliance with zone setbacks, building form and frontage type standards. **E**

11-4.12 Blank Wall Treatment

Intent

Providing visual interest on blank walls activates the public realm by providing interesting facades along the sidewalk where a blank wall may otherwise create an unwelcoming environment.

Applicability

Refer to Table 11-4.02.A (Applicability)

Blank Wall Treatment Standards

Blank walls shall comply with dimensional standards established in Subsection G of Chapter 11-2 (Form-Based Zones).

Where allowed, blank walls with length greater than 16 ft. shall apply at least one of the following treatments such that no portion of the untreated blank wall exceeds 16 ft. in length along a street, open space or public right-of-way:

- a. Graphic, such as approved signage, mural, and/or other art installation.
- b. Surface texture with projection or recession of at least 2 in., limited to material and finishes in 11-4.06 (Exterior Finishes and Materials), including protruding brickwork and tile.
- c. Living plant material such as a green/living wall, and/or plants of sufficient height to screen the blank wall rooted in the ground or in planters .

The following treatments may be used in conjunction with any of the above treatments. The following treatments shall be limited to 12 ft. in length along a blank wall:

- d. Bench or other outdoor seating. Bench may be freestanding or integrated into the articulation of the facade. Must include protection from weather such as an awning or canopy.
- e. Bicycle racks. Bicycle racks may be freestanding or integrated into the articulation of the facade.



A mural on a blank wall provides visual interest along the sidewalk on a side street.



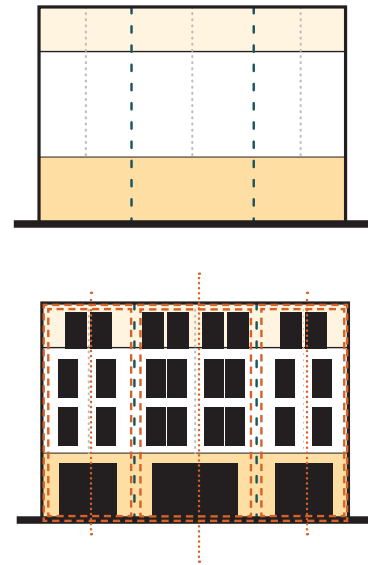
Surface texture with small projections of brick detailing on blank wall provides visual interest along the sidewalk on a side street.



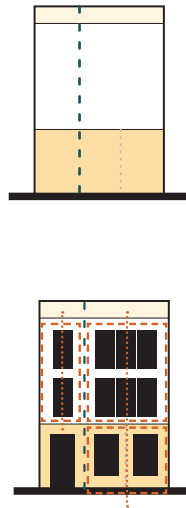
A living plant wall on blank wall provides visual interest along the sidewalk on a side street.

11-4.13 Facade Symmetry

Symmetrical Facade with Local Symmetry



Asymmetrical Facade with Local Symmetry



Intent

The arrangement of facade elements influences a building's perceived size and massing. Buildings with a system of symmetry to the design of the facade, can contribute to the contextual consistency of the character of the public realm.

Applicability

Refer to Table 11-4.02.A (Applicability)

Facade Symmetry Standards

The front elevation of the main body may be Symmetrical or Asymmetrical, but shall display at least one axis of local symmetry.

An entry door and/or at least two openings shall be included within any boundaries of local symmetry.

Within boundaries of local symmetry, the following elements shall be identically reflected across axis of local symmetry: eave/rake, parapet, opening boundaries, posts/columns, and brackets.

Boundaries of local symmetry shall coincide with vertical divisions in 11-4.15 (Facade Composition).

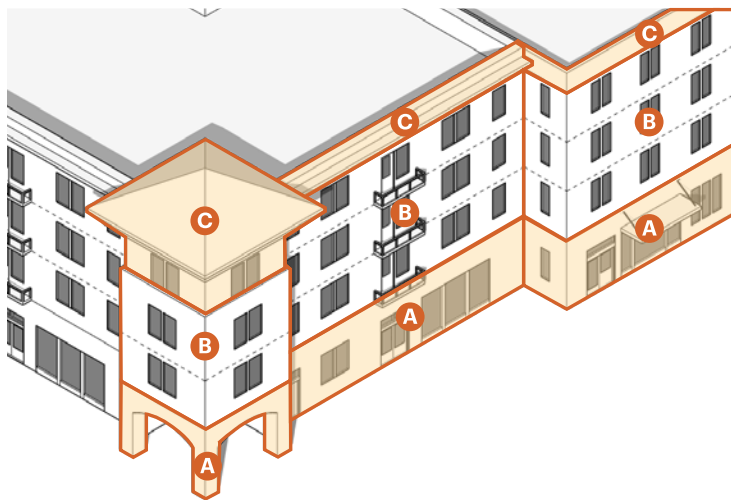
Key:

- Boundary of Symmetry
- Building Base
- Axis of Symmetry
- Building Top
- Major Vertical Division¹
- Minor Vertical Division¹

¹See 11-4.15 (Facade Composition).

Note: Images are illustrative, not regulatory.

11-4.14 Tripartite Facade



- C** Top

- B** Middle

- A** Base

Note: Images are illustrative, not regulatory.

Intent

Horizontal articulations influence a building’s perceived height and massing and thus its impact on the public realm.

Applicability

Refer to Table 11-4.02.A (Applicability)

General Standards

Boundaries between base, middle, and top shall be articulated by a cornice, projecting profile/string course, or other horizontal element.

Elements defining the base, middle, and top shall be consistent across the length of the building or module as allowed by this Chapter. Articulation strategies identified in 11-4.16 (Facade Modulation) are exempt.

Standards Specific to Divisions

Base

Base shall comprise the lowest story/stories of the building or module and be defined through one or more of the following options:

- a. Water Table Treatment. Base shall be defined by material change at the lowest portion of the building or module.
- b. Base material(s) shall be distinct from the primary wall finish material of the middle.
- a. Base material(s) shall extend from grade to at least 8" and no more than 54 in. above grade

Middle

The middle shall incorporate the building’s primary wall color and finish material.

Standards Specific to Divisions (continued)

Middle (continued)

For buildings over three stories in height, the middle shall comprise at least half of the building’s stories, not counting any half story or basement. For buildings with an odd number of stories, the middle shall occupy at least 50 percent of the floor-to-floor height of the fractional story.

Top

The top shall include at least one of the following:

- a. Parapet with projecting parapet cap,
- b. Pitched roof with projecting eave and/or rake, or
- c. Cornice, may be used in combination with a parapet or pitched roof

The top may include the uppermost story, provided that a cornice, projecting profile/string course and change of material or color are expressed on the facade at the floor level of the uppermost story.

For buildings of three stories or more, the height of the top, not including the height of any pitched roof above the eave, shall not exceed the height of the base.

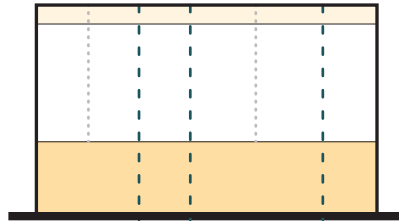
Upper stories that are stepped back ≥ 10 ft. from the main facade do not constitute the top; The portion of the facade that is not stepped back shall include its own top in compliance with this Section.

If the building or module includes upper stories that are stepped back from the main facade by at least 10 ft., the base shall incorporate the entire lowest story.

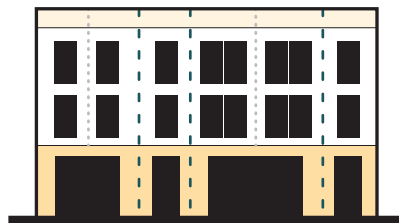
11-4.15 Facade Composition

Asymmetrical Vertical Divisions

- 1 Divide facade vertically

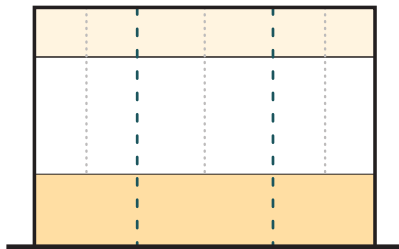


- 2 Arrange facade elements within divisions.

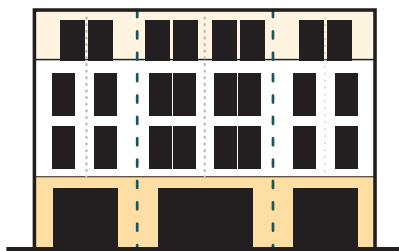


Symmetrical Vertical Divisions

- 1 Divide facade vertically



- 2 Arrange facade elements within divisions.



Legend:

- Major Vertical Division
- Minor Vertical Division
- Building Base
- Building Top

Intent

The pattern of openings and architectural projections and/or recessions is one of a building's most easily recognizable features providing a sense of scale, defining the relationship between the interior and the exterior, and providing order and visual interest along a block face.

Applicability

Refer to Table 11-4.02.A (Applicability)

General Standards

Each facade facing a street or open space shall be arranged according to a pattern of vertical divisions.

Each vertical division shall be at least 4 ft. wide and no wider than 16 ft.; except for block-scale buildings 2 stories or greater where vertical divisions within the building base shall not exceed 30 ft. wide.

Divisions are not required to be equal in width.

Number of divisions may differ between the base, middle, and/or top, but shall align throughout the base, middle, and top. See 11-4.14 (Tripartite Facade).

All vertical divisions within a module shall be the same height.

Measurement and Delineation of Vertical Divisions

The boundary between two adjacent vertical divisions lies at the midpoint between successive openings unless marked by an expression of vertical structure on the facade.

Where applicable, a vertical division boundary shall coincide with the boundary of any articulation.

Division width shall be measured horizontally from one boundary to the next.

Major and Minor Divisions

Facades shall be divided using major and minor vertical divisions.

Minor vertical divisions shall indicate the alignment of facade openings such as windows and doors.

Major vertical divisions shall indicate the alignment of articulations (such as projection and/or recession) and groupings of minor divisions that form a composition of facade openings.

Major divisions shall be used to establish alignment where the number of minor divisions varies between the base, middle, and/or top.

Major divisions shall extend the full height of the building, minor divisions may extend the full height of the building.

Note: Images are illustrative, not regulatory.

11-4.16 Facade Modulation

Intent

Articulation can modulate the apparent size and scale of a building by projecting or recessing a portion(s) of the facade.

Applicability

Refer to Table 11-4.02.A (Applicability)

Facade Modulation Standards

Street-facing facades greater than 75 ft. in width shall provide vertical articulation every 75 ft. or less, using at least one of the following articulation strategies:

- a. Architectural projection and/or recession per standards below
- b. Bay window(s) (shall comply with 11-5.09 (Bay Windows).
- c. Corner element(s) (shall comply with 11-5.08 (Corner Elements).

Vertical articulation shall align with major vertical division(s) as per 11-4.15 (Facade Composition).

Projection/Recession Standards

A projecting/recessing volume shall extend vertically throughout the building's base, middle and top.

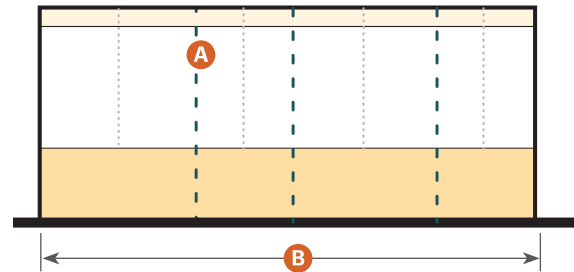
Dimensions for a projecting or recessing volume shall be at least 2 ft. deep and 8 ft. wide.

Projection(s) and/or recession(s) may be complimented by any of the following, which should align with the vertical divisions established by the associated projection/recession:

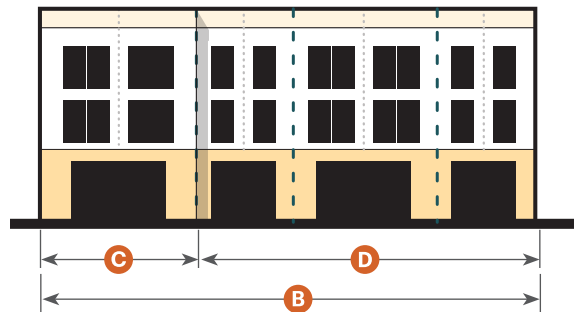
- a. Change in roof form
- b. Change in parapet height and/or profile
- c. Change in material and/or color
- d. Different frontage type

Facade Modulation Procedure

- 1 Divide facade vertically per 11-4.15 (Facade Composition).



- 2 Arrange facade elements and projections and/or recessions within divisions.



- A** Alignment with major vertical divisions
- B** Total facade length > 75 ft.
- C** Articulation (modeled as a projection)
- D** Unarticulated facade length ≤ 75 ft.

Note: Images are illustrative, not regulatory.

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Chapter 11-5: Site Development Standards

11-5.01 Purpose

This Chapter is intended to ensure that development of property within Harvard Street Form-based Zones accomplishes the following:

1. Makes a positive contribution to the development pattern of the area;
2. New or altered structures are compatible with the design and use of existing structures on neighboring properties;
3. Respects the existing conditions and safety of neighboring properties; and
4. Does not adversely affect neighboring properties, with "adversely affect" meaning to impact in a substantial, negative manner the habitability or enjoyability of these properties.

11-5.02 Accessory Structures

1. **General.**
 - A. All Accessory Structures shall comply with Standards of Article XI.
 - B. The Building Commissioner shall determine when a structure is accessory to a principal building on a Lot. The Building Commissioner shall find that the structure is:
 - (1) Customarily associated with;
 - (2) Subordinate Incidental; and
 - (3) Owned and operated under same ownership as principal structure.
 - C. Accessory Structures are prohibited in Front Facade Zones and Side Street Facade Zones, except for Fences and Walls as specified in Section 11-5.06.
 - D. Encroachment of accessory structures into required setbacks is allowed as specified in Chapter 11-2 Zone Standards.

Table 11-5.02: Standards for Common Accessory Structures

Criteria	Reference
Underground accessory structures	Chapter 11-2, Table I of Zone Standards
Lightpoles	Section 11-5.07 Screening
Roof-Mounted Mechanical Equipment	Section 11-5.08 Screening
Wall- and Ground-Mounted Mechanical Equipment	Section 11-5.08 Screening

11-5.03 Large Site Standards

1. **Purpose.** To ensure the development of Large Sites located along the Harvard Street Main Street Corridor achieve the following goals:
 - A. Generate a pedestrian-oriented and human-scale environment where the automobile is accommodated but does not dominate the streetscape;
 - B. Reinforce the unique identity of Harvard Street and build upon the local context, climate, and history;
 - C. Ensures that the layout of site responds to specific environmental, contextual, and any unique architectural needs of the location of the site(s).
2. **Applicability.**
 - A. This Section establishes site layout and design standards for development sites over 2 acres.
 - B. The standards of the following subsection apply in addition to the standards of the zone unless stated otherwise.
3. **Large Site Design Standards.**
 - A. Building footprint shall not exceed 200 ft in width or depth.
 - B. Buildings shall comply with Chapter 11-4 (Massing, Facade Articulation, and Architectural Elements Standards) to avoid monolithic or boxy building massing.
 - C. Building Placement and Facade Zone standards of the underlying zone within Chapter 11-2 shall be measured using the lot lines that would be established by public ROW's, private ROW's, and Large Site Open Spaces. See Section 11-5.05 (Open Space Standards).
 - D. For every 200 feet of street frontage, one or more of the following shall be provided:
 - (1) Large Site Open Space. See Section 11-5.05 (Open Space Standards).
 - (2) Street (private or public) per Department of Public Works ROW and Public Access Standards.



KEY

- A** Building Width ≤ 200 ft
- B** Building Depth ≤ 200 ft
- C** Modulation per Chapter 11-4
- D** Large Site Open Space(s) per 11-5.05.
Note: Example design illustrates how multiple open spaces can be aggregated to meet Large site Open Space standards.
- E** Common open space per Chapter 11-2 standards
- F** Building Frontages along Streets and Open Spaces
- G** Building placement per Chapter 11-2
- H** Internal private street/alley per Public Works' standards

Figure 11-5.03.A: Large Site example, defined as a development site of 2 acres or more with frontage along Harvard St.



Figure 11-5.03.B Example of potential build out of a development site using Large Site Standards.

11-5.04 Landscaping

1. **Purpose.** To ensure vegetation is properly planted and installed in a timely manner, minimize the potential adverse impacts of adjacent land uses, increase privacy, minimize the trespass of undue sound and light between adjacent properties, and expand the Town’s mature tree canopy in north Brookline.
2. **Applicability**
 - A. This Section is applicable to all development involving the construction of a new principal building and the construction or reconstruction of a surface parking lot.
 - B. Resealing or re-stripping of a parking lot, which does not entail paving, resurfacing, or replacement of the asphalt, concrete, or other surface paving material, is permitted without triggering the standards of this section.
3. **Landscape Installation**
 - A. Landscaping required by this Ordinance must be completed prior to the issuance of a Certificate of Occupancy by the Building Commissioner.
 - B. If seasonal or abnormally inclement weather conditions preclude complete installation, the Building Commissioner may grant a Certificate of Occupancy if property owner posts bond 1.5 times installation cost along with a contract specifying the installation cost.
4. **Landscape Maintenance.** All vegetation must be maintained in healthy, growing condition at all times by the property owner(s) or their designated agent(s).
5. **Landscape Buffers.** No additional landscape buffers are required between Harvard Street Main Street Corridor zones and adjacent parcels.
6. **Surface Parking Landscaping.** Parking lot landscaping shall comply with Table 11-5.04.A Required Parking Lot Landscaping and Public Works' SUSTAINABLE SITE DESIGN STANDARDS AND GUIDELINES.

Table 11-5.04.A: Required Parking Lot Landscaping

Number of Parking Spaces	Percent of Gross Parking Area Required to be Landscaped
6 or fewer	5 ft min. wide planter between every 5 spaces, property line, building(s).
7 to 15	4%; 5 ft min. wide planter between every 5 spaces, property line, building(s).
13 to 30	8%; 5 ft min. wide planter between every 5 spaces, property line, building(s).
31 to 70	12%; 5 ft min. wide planter between every 5 spaces, property line, building(s).
71 and over	16%; 5 ft min. wide planter between every 5 spaces, property line, building(s).
Required Trees	
Number	1 tree per 2,700 sf of gross lot area, minus building coverage (footprint).
Size	Balled and burlaped
Caliper	2.5 to 3 in min.
Characteristics	High branching, broad headed, shading form.
Location	Evenly spaced throughout parking lot to provide uniform shade.
Required Border	6 in high curb or equivalent.
Border and Stormwater	Curb shall include break every 8 ft to provide drainage to retention and filtration areas.
Tree Well Size ¹	5 ft min. in any direction.
Car Overhangs	Shall be prevented by stops.

¹Any vehicle overhang requires the minimum planter area width to be expanded by an equivalent dimension.

11-5.05 Open Space

1. **Purpose.** This Section prescribes open space and connectivity standards for the general welfare of new residents, and for the enhancement of the environmental and visual quality of the community. Further, the connectivity requirements are intended to ensure the continued walkability of the corridor.
2. **Open Space Standards for all Lots.** Each zone in Chapter 11-2, Sub-section C (Lot Metrics) prescribes a required amount of open space per each dwelling unit. On-site Open Space may be provided through two methods, namely Private Open Space and Common Open Space:
 - A. **Private Open Space.** Private Open Space is clear, contiguous area that is attached to and serves each unit individually. This requirement may be satisfied through any of the following methods.
 - (1) Private Frontages: Porches, dooryards, and private terraces
 - (2) Usable Balconies. See standards in Section 11-4.10 (Balconies)
 - (3) Private Rooftop Deck or Terraces
 - (4) Rear or Side Yard
 - B. **Common Open Space.** Common open space is open-air space on the ground or anywhere on the building that is intended for the enjoyment of, and shall be accessible to all residential tenants of a development. This requirement may be satisfied through any of the following methods.
 - (1) Common Rooftop patio or Upper Floor terraces
 - (2) Rear or side yard
 - (3) Central courtyard
3. **Open Space Standards for Large Sites.** For lots defined as Large Sites per Section 11-5.03 (Large Site Standards) the following Open Space must be provided in addition to Open Space Standards for all Lots per Chapter 11-2, Sub-section C (Lot Metrics).
 - A. **Large site Open Space.** One or more large site open spaces shall be used to provide a minimum of ten percent of the net developable area of the development, after subtracting street and alley rights-of-way. Multiple open spaces may be aggregated to meet minimum threshold. The space(s) shall be designed and built in compliance per the following standards.
 - B. **Standards for Large Site Open Space.** Shall be subject to the following standards:
 - (1) **Building Frontage Along or Adjacent to an Open Space.** The facades on building lots attached to or across a thoroughfare from a large site open space shall be designed as a "front facade(s)" on to the large site open space, in compliance with Chapter 11-2, Sub-section C.

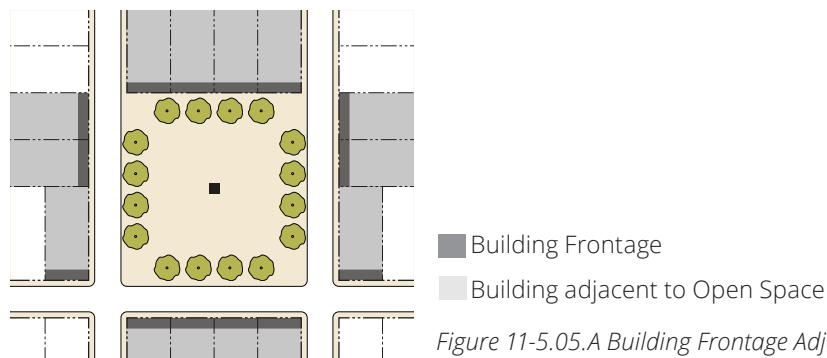


Figure 11-5.05.A Building Frontage Adjacent to an Open Space

- (2) Shall abut and be accessible from a public ROW. At least one entire side of the open space shall abut the public ROW or public sidewalk. The space(s) shall be level with the ROW and not enclosed with fences or other obstructions.
- (3) No dimension shall be less than 20 feet as measured from facade to facade or Facade to Side Lot line, and 20 feet in depth, measured from Front or Side Street Lot Line;
- (4) **Surface Treatment.** No more than 50% of the surface consists of asphalt or untextured poured concrete (exceptions are as specified in SUSTAINABLE SITE DESIGN STANDARDS AND GUIDELINES and may include poor soil conditions, contaminated soil, and high groundwater);
- (5) Open spaces may not double as vehicular access or parking; Spaces may be used for emergency vehicle access; and
- (6) Open spaces may be enclosed from the public right of way with fences or walls and shall follow the standards in Section 11-5.06 (Fences and Walls).
- (7) Passages may be counted as a large site open space type for the first 50 feet of its length, measured from the adjoining public ROW, in compliance with the following:
 - (a) Surfaces of passages do not count towards the 25% max. surface treatment standard above;
 - (b) Seating is provided within or adjacent to the passage at 50 ft max. intervals; and
 - (c) Landscaping is provided within or adjacent to the passage per Section 11-5.04 (Landscaping).



Figure 11-5.05.B Example of a Passage



Figure 11-5.05.C Example of an Open Space, with mixture of pavement and green surface treatment

11-5.06 Fences and Walls

1. General Standards

- A. Fences and retaining walls are Accessory Structures.
- B. Fences and retaining walls are allowed to be installed on Front Lot Lines and Side Street Lot Lines, however, they are discouraged in order to enhance an active streetscape that supports pedestrians.
- C. The finished side of the fence shall face the abutting property or public way.
- D. Fences located in the Front Facade Zone and the Side Street Facade Zone shall be open in character to avoid creating visual barriers.
- E. Fences shall be a material or finish that is dark in color, such as black.
- F. Masonry that is compatible with Chapter 11-4 for the Harvard Street Main Street District Zones shall be allowed for the construction of walls in the Front Facade Zone and Side Street Facade Zone.

2. Height Standards. Fences and walls shall comply with Table 11-5.06 Height Standards for Fences and Walls.

- A. If the latest edition of the Massachusetts State Building Code requires retaining walls to exceed the maximum height allowed in Table 11-5.06.A, then the walls shall be stepped or tiered to reduce the overall bulk of the structure, subject to the review and approval of [PB/SPDR].
- B. If a fence is installed on top of a retaining wall, the cumulative height of the fence and the retaining shall not exceed the maximum height allowed for fences specified in Table 11-5.06.A.

Table 11-5.06.A: Height Standards for Fences and Walls

	Front Facade Zone	Side Street Facade Zone	Side Lot Line	Rear Lot Line
Height of Fence (max.)	36 in	36 in	6 ft	6 ft
Height of Wall (max.)	36 in	36 in	6 ft	6 ft

3. Restrictions. The following are prohibited:

- A. Chain link, vinyl, plastic, barbed wire, razor wire, chicken wire, and picket- and split-rail style fences.
- B. Gates barring paths to entries oriented toward the Front Lot Line.
- C. Shade cloths on fences located in Front Facade Zones or Side Street Facade Zones or similar treatments that obscure visibility.
- D. Walls in the Front Facade Zone and Side Street Facade Zone made of utilitarian materials such as concrete blocks.
- E. Security bars and grates on doors and windows.

4. Exemptions and Exceptions

- A. When being restored or replaced as part of routine maintenance, fences that screen pre-existing non-conforming Parking Areas located in Front Facade Zones and Side Street Facade Zones may exceed the maximum height allowed by this Section only to the limit of the existing fence, provided the Director of Engineering and Transportation determined that the fence allows adequate visibility and presents no safety hazard.

- B. Town-owned property such as schools shall be exempt from the standards in this Section for height and materials of fences, provided that the Director of Engineering and Transportation has determined that the fence allows adequate visibility and presents no safety hazard.
- 5. **Temporary Fences.** Article IV, Section 4.06 is applicable.
- 6. **Review.** Installation of fences and walls requires a Building Permit per Chapter 11-9.
- 7. **Safety and Visibility**
 - A. Fences and walls greater than 30 inches tall installed within 25 feet of a Point of Intersection of two Streets are prohibited.
 - B. Fences and walls installed driveways that intersect with a Street shall meet the standards for pedestrian safety set forth under Sub-section 11-6.03.8 (Design Standards for Parking Spaces and Drive Aisles).

11-5.07 Outdoor Lighting

- 1. **Purpose.** To prescribe lighting standards that enhance the environmental and visual quality of the community.
- 2. **Applicability.** This Section applies to all outdoor lighting fixtures, except for the following:
 - A. Public monuments;
 - B. Commercial Signs (See Section 11-5.11);
 - C. Temporary lighting for construction sites or special events; and
 - D. Seasonal, holiday, or decorative lighting.
- 3. **Outdoor Lighting Standards**
 - A. Light Poles are Accessory Structures and shall not exceed 15 feet in height nor be installed within 6 feet of Lot Line.
 - B. Site improvements, including lighting, shall be consistent with the architectural style of the primary building. See Section 11-5.11.
 - C. Outdoor lighting shall have a color temperature no higher than 3000 Kelvin.
 - D. Outdoor light fixtures fitted with lamps over 60 watts/800 lumens shall be fully shielded to limit glare, light pollution and light trespass.
 - E. Only cutoff or full cutoff Luminaires shall be used for illuminating outdoor spaces.
 - F. Outdoor Luminaires shall not exceed the following BUG rating, which define backlight (B), uplight (U), and glare (G) values: B3/U0/G2
 - G. Lighting shall comply with the following the standards:
 - (1) All outdoor lighting shall be designed, located, and lamped in order to prevent overlighting and light trespass.
 - (2) All parking lot lights shall be full cutoff luminaires, as certified by the manufacturer, with the light source directed downward and away from adjacent residences.

- (3) Bollard lighting may be used to light walkways and other landscape features, but its light shall cast downward.
- (4) Internally illuminated fascia, wall, roof, awning or other building parts are prohibited.
- (5) All nonessential exterior lighting associated with non-residential uses shall be turned off within 30 minutes after the close of business or when the non-residential use is not in use.

11-5.08 Screening

1. **Purpose.** To prescribe standards for screening mechanical equipment, on-site loading areas, and service areas to attenuate noise and visual and environmental health impacts.
2. **General.** See also:
 - A. See Section 11-5.04 for Surface Parking Landscaping standards.
 - B. Section 11-4.11 for Structured Parking garage door and entry standards.
3. **Mechanical Equipment**
 - A. New screens for roof-, ground-, and wall-mounted equipment requires Administrative Site Plan Review per Chapter 11-9.
 - B. Mechanical equipment that is exempt from screening:
 - (1) Roof-mounted solar equipment; and
 - (2) Roof vents less than four feet in height subject to Staff review, per Chapter 11-9.
 - (3) Roof-mounted satellite dish antennas (See Section 11-5.02, Accessory Structures)
 - C. For all new installation or relocation of existing mechanical equipment, the equipment shall be screened from all thoroughfares.
 - (1) **Roof-Mounted Mechanical Equipment.** Building parapets or other architectural elements in the building's architecture style shall screen roof-mounted equipment.
 - (a) Roof-Mounted mechanical equipment shall be located as close to the center of the roof as is feasible and shall not exceed a maximum height of 10 feet;
 - (b) New buildings shall be designed to provide a parapet or other architectural element that is as tall or taller than the highest point on any new mechanical equipment to be located on the roof of the building not to exceed of maximum height of 10 feet; and
 - (c) For pre-existing buildings with no or low parapet heights, mechanical equipment shall be surrounded on all sides by an opaque screen wall as tall as the highest point of the equipment not to exceed a maximum height of 10 feet. The wall shall be architecturally consistent with the building and match the existing building with paint, finish, and trim cap detail. If the existing parapet does not sufficiently screen the height of the equipment and is determined by the Preservation Commission to be Architecturally Significant, the screening wall shall be stepped back from such parapet by at least 3 feet; otherwise the stepback from the existing low parapet to the screening wall shall be at least 1 foot unless otherwise specified by the Preservation Commission.

- (2) **Wall- and Ground-Mounted Equipment**, including but not limited to generators, electrical conduits, ventilation conduits, and condensers:

 - (a) Shall not be located between the exterior face of the building and the street, except for rear alleys;
 - (b) All screen devices shall be as high as the highest point of the equipment being screened. Equipment and screening shall comply with the setbacks of the zone. Exception: In the H-MSN zone, encroachment into the setback is allowed provided there is a minimum 2-foot vertical clearance or minimum clearance specified by the equipment manufacturer, whichever is greater. Screening shall be architecturally compatible and include matching paint, finish and trim cap of the building; and
 - (c) Back-up generators shall be roof-mounted. Back-up generators ground-mounted outside of the building are prohibited.
- (3) **Utilities Cabinets, Meters, and Backflow Preventers**

 - (a) Utility cabinets and meters shall be contained within the building, or fully screened from public view by a solid wall of height at least equal to that of the utility cabinet or meter, subject to safety and vertical separation standards determined by the utility company and/or the Fire Department.
 - (b) Above ground transformers shall be fully screened from public view by a solid wall of height at least equal to that of the transformer.
 - (c) Backflow preventers and fire department connections (FDC) within 50-feet of a public right-of-way shall be screened from the public right-of-way by landscaping of equal height and width as the backflow preventer and/or fire department connection (FDC), subject to the approval of the Fire Department.
4. **On-site Loading Areas.** Loading areas, spaces, facilities are not required. Service areas provided on site for loading and unloading shall be integrated into the building or screened from public view by a six-foot high solid masonry wall. Service bay doors shall not be oriented toward the public right-of-way.
5. **Trash and Recycling Service Areas**

 - A. For new and substantially renovated buildings, trash collection and compaction and recycling collection areas shall be fully enclosed with a building.
 - B. In pre-existing buildings, trash collection and compaction and recycling collection areas may be located outside the building facing a rear alley or a minimum of 50 feet away from a public right-of way.
 - (1) Such service areas shall be screened vertically on all sides with a solid fence or solid walls a minimum of 6 feet tall designed to match the primary building's roof style, exterior finish materials and colors.
 - (2) One side of the enclosure shall be furnished with an opaque lockable gate. Gate openings shall be at least 9 feet wide.
 - C. Trash and recycling enclosures shall be designed to fully enclose the number and size of trash bins and containers to accommodate the waste generated by the building's users as determined by Health Department. Trash and recycling containers shall be covered at all times to prevent spillage and access to rodents.

11-5.09 Sustainable Building and Site Design

1. Sustainable Building Standards

A. **Applicability.** All new and Substantially Rehabilitated Buildings.

B. Requirements

- (1) Stretch Energy Code and Specialized Energy Code. See Town By-Law Article 5.90.
- (2) Fossil Fuel Free Infrastructure. See Town By-Law Article 5.90.
- (3) Embodied Carbon. **RESERVED.**

2. Heat Island Mitigation and Low Impact Development Standards

A. **Purpose.** To mitigate heat island impacts due to the absorption, retention, and generation of heat by pavement and buildings; increase the Town's tree canopy; sequester carbon; improve air quality; manage stormwater runoff; and filter pollutants to protect groundwater. Practical measures for compact urban areas include green roofs, tree canopy preservation or enhancement, pervious surfaces, rain gardens, surfaces reflecting more heat than they absorb, and other nature-based and low impact solutions.

B. Sustainable Site Measures and Standards.

- (1) **Applicability.** Any combination of Sustainable Site Measures is allowed unless otherwise specified. Functioning and maintained existing Sustainable Site Measures shall count toward the number of such measures required.

Table 11-5.09.A: Sustainable Site Measures and Standards

Applicability	Sustainable site measures shall total	Min. measures under 11-5.09.2.B.3 shall be
a) Full replacement of surface parking areas as part of routine maintenance	1	a, c, f, g, i, j, k, or l
b) New surface parking areas or existing parking areas expanding the surface parking area by an additional 20%	2 See Table 11-5.04.A Required Parking Lot Landscaping.	a, c, f, g, i, j, k, or l
c) Replacement of roofs as part of routine maintenance	1	d or e; and two from k, l, m, or n
d) New buildings	3	e, f, g, or h
e) Existing Buildings adding one or more floors	3	e, f, g, h, i, j, k, l, m, or n
f) Removal of Protected Tree	1 for each tree removed, up to 3 trees maximum per Lot More than 3 trees requires Special Permit	f; g; or h and i

- (2) **Review.** See Site Plan and Design Review Applicability.

- (3) **Sustainable Site Measures.** Refer to Public Works' SUSTAINABLE SITE DESIGN STANDARDS AND GUIDELINES for substitutions or alternatives and material, installation, and dimension standards.

- (a) Surface parking areas directing stormwater runoff to areas installed with permeable or porous pavement that makes up a minimum of 40% of the total surface parking areas on the Lot.
 - (b) Pervious pavers in building setback areas
 - (c) Paved surface meeting minimum Solar Reflective Index required under SUSTAINABLE SITE DESIGN STANDARDS
 - (d) Roof surface meeting minimum Solar Reflective Index required under SUSTAINABLE SITE DESIGN STANDARDS
 - (e) Green roofs on the principal building
 - (f) Tree(s) preserved or newly planted on the Lot as specified in the SUSTAINABLE SITE DESIGN STANDARDS AND GUIDELINES
 - (g) Tree(s) planted in the public way as specified in the SUSTAINABLE SITE DESIGN STANDARDS AND GUIDELINES
 - (h) Monetary contribution to the Town Preservation Tree Fund as specified in the SUSTAINABLE SITE DESIGN STANDARDS AND GUIDELINES
 - (i) Rain Garden
 - (j) Harvested rainwater for irrigation
 - (k) Bioretention/biofiltration practice
 - (l) Grass filter strips and vegetated swales
 - (m) Conversion of impervious surfaces to pervious surfaces
 - (n) Infiltration trenches or other subsurface infiltration practice specified in the Massachusetts Stormwater Handbook and Stormwater Standards
- (4) **Restrictions**
- (a) Crushed stone and gravel and similar loose material shall be prohibited in pedestrian pathways and vehicular travel and parking spaces to control dust. Use of such materials in planting beds is allowed.
 - (b) Asphalt is prohibited within Front Facade Zones and Side Street Facade Zones unless replaced as part of routine maintenance. Sustainable Site Measures are still applicable.
 - (c) Clear-cutting Protected Trees in Landscape Buffers in MS-Transitional Zoning Districts is prohibited. Proposed removal of any species of trees totaling 32 inches Diameter Breast Height (DBH) or more, either in the aggregate or a single tree, in Landscape Buffers in H-MST Zoning Districts is allowed with prior approval of the Public Works Department and only if replaced with Trees on the same Lot as specified in SUSTAINABLE MEASURES STANDARDS AND GUIDELINES.

11-5.10 Wireless Telecommunications

1. **General.** Article IV Section 4.09 Wireless Telecommunications Services is applicable to the Harvard Street Main Street Corridor, except as specified under Section 11-5.10.2

2. **Review.** All wireless telecommunications antennas mounted on buildings or structures not containing any dwelling units and not exceeding 10 feet above roof height, and related equipment, fixtures and enclosures shall be subject to review and approval by the Planning Board, in accordance with Section 11-9 Site Plan and Review, which allows for the applicant or any other interested party or Brookline citizen to appeal the Planning Board decision to the Board of Appeals within 30 days. The following additional notification shall be required: publication in a local newspaper at least one week prior to the Planning Board meeting, notice by mail to the applicant, property owner, tenants and residents of the subject property, abutters, tenants and residents of abutters' property, abutters to abutters within 300 feet of the property, tenants and residents of abutters to abutters' property within 300 feet of the property, Town Meeting members and neighborhood associations of the applicable precincts.

11-5.11 Commercial Signs

1. All commercial signs are subject to Section 11-9 Site Plan and Design Review.
2. **Guidelines.** Commercial signage shall comply with the TOWN SIGN GUIDELINES.
3. **Restrictions.**
 - A. **Specific to Harvard Street. RESERVED.**

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Chapter 11-6: Parking and Mobility Standards

11-6.01 Purpose

This Chapter is intended to provide standards for parking location, layout, and landscaping for developments within the Harvard Street Main Street Corridor in order to promote a walkable environment and preserve the positive pedestrian experience along the Corridor.

11-6.02 Bicycle Parking

1. **Applicability, Requirements, and Design Standards.** Article VI, Section 6.05 “Off-Street Space and Design Standards for Bicycle Parking” is applicable to the Harvard Street Main Street Corridor.

11-6.03 Motor Vehicle Parking

1. **General**
 - A. When in Section 11-6.03 the words parking, parking spaces or stalls, parking facilities, and parking areas are used, they shall pertain to Motor Vehicle Parking.
 - B. Parking Areas shall be occupied by passenger vehicles and commercial vehicles not exceeding 7.5 feet wide and 18 feet long.
 - C. Parking areas are considered Accessory Uses. Parking Structures are Accessory Structures.
 - D. Parking Structures located above the ground floor are prohibited within 100 feet of a zoning district where residential uses are allowed.
 - E. Standalone parking lots are prohibited unless they are Public Facilities.
 - F. **Curb Cuts.**
 - (1) New curb cuts on Washington Street and Harvard Street in zones regulated by Article XI providing vehicular access are prohibited, except for the maintenance or relocation of existing curb cuts in H-MST (Main Street Transitional Zoning District) and H-MSN (Main Street Neighborhood Zoning District), subject to the approval of the Engineering Division.
 - (2) Lots along the Harvard Street Main Street Corridor with existing curb cuts on Harvard-Washington providing vehicular access require the approval of the Engineering Division in the event of a proposed change of use that may increase traffic volume or an expansion of the Parking Area.

2. Number of Spaces Allowed

- A. Table 11-7.02.A in Chapter 11-7 (Use Standards) specifies the minimum and maximum number of parking spaces allowed by use in each zoning district of the Harvard Street Main Street Corridor.
- B. **Provisions to exceed maximum spaces allowed.** Parking areas serving a residential use are allowed to exceed the maximum allowed in Table 11-7.02.A (Use Table), by up to two parking spaces maximum per dwelling unit by Special Permit. Such proposals required the submittal of Traffic Impact Study and Access Plan in accordance with the Engineering and Transportation Division's specifications per the Transportation Access Plan Guidelines and the requirements under Site Plan and Design Review. In addition to the criteria under Article IX, Section 9.05, the decision of the Board of Appeals shall be informed in part by technical evidence submitted by the Engineering and Transportation Division or other qualified, independent technical expert hired by the Town pursuant to M.G.L.c.44 Sec. 53G.
- C. **Rounding.** When calculating the required number of parking spaces, fractional numbers one-half (0.5) and above shall be rounded up to the nearest whole number.
- D. **Exceptions.** If the use of a lot is converted to a use with a parking maximum lower than the existing number of parking spaces on the lot, the existing number of parking spaces may be retained.

3. Location and Setbacks

- A. Required minimum setbacks to all parking areas—surface, structured, and underground—and location of driveways and entrances to parking areas are specified in Section 11-2 “Form-Based Zones”.
- B. Parking areas and entrances to parking areas are prohibited for 100% of the Lot Width and within 40 feet of the Front Lot Line.

4. Electric Vehicle Readiness

- A. **Applicability, Requirements, and Standards.** Article VI, Section 6.10 is applicable to the Harvard Street Main Street Corridor.

5. Accessible Parking Spaces

- A. **Applicability.** New and Substantially Rehabilitated buildings and new and expanded parking areas.
- B. **Required Number.** Parking Areas shall provide the minimum number of accessible parking spaces in conformance with the latest requirements in the Massachusetts Architectural Access Board Regulations (521 CMR 23.00), or an accessible parking space shall be provided for each accessible dwelling unit on the Lot, whichever number is greater. Also see Section 11-6.02.6.c Unbundled Parking Costs.
- C. **Design Standards.** Accessible parking spaces shall conform to the design and dimensional standards required by State and Federal regulations for parking designed for persons with disabilities including but not limited to location, size, drive aisle width, van accessibility, and signage.

6. Traffic-Reduction Parking

- A. **Shared Parking.**
 - (1) Parking spaces shared among uses located on the same Lot—such residential and retail—is allowed. A shared-use parking demand analysis and an operations coordination plan that meet the data-requirements specified in the Engineering and Transportation Division's Standards, shall demonstrate to the satisfaction of the Transportation Division that the respective peak parking demands for each use do not coincide.

- (2) Accessible parking spaces shall be used only by persons with disabilities.

B. Carshare.

- (1) Carshare parking spaces shall be provided in the amounts specified in Table 11-6.03-A (Required Carshare Parking Spaces).

Table 11-6.03-A: Required Carshare Parking Spaces	
Use	Carshare Parking Spaces Required
Residential	
0-49 units	None
50-100 units	1
101 or more units	2 + 1 per additional 200 units
Office/Research & Development	
≤ 10,000 sf	None
> 10,000 sf	1/10,000 sf

- (2) The required carshare space(s) shall be made available, at no cost, to a carshare service for purposes of providing carshare services to its members. At the election of the property owner, the carshare spaces may be provided:
 - (a) On the lot; or
 - (b) On another off-street site within 800 feet of the lot.
- (3) Required carshare space or spaces shall be designed in a manner that will make the spaces accessible to non-resident subscribers from outside the building as well as building residents.
- (4) Prior to Town approval of the first Building or Site Permit for a building subject to the carshare standard, a Notice of Special Restriction on the property shall be recorded indicating the nature of standards of this Section and identifying the minimum number and location of the required carshare parking spaces. The form of the notice and the location or locations of the carshare parking spaces shall be approved by the Town.
- (5) If it is demonstrated to the satisfaction of the Town that no carshare service can make use of the dedicated carshare parking spaces, the spaces may be occupied by non-carshare vehicles; provided, however, that upon 90 days of advance written notice to the property owner from a carshare service, the property owner shall terminate any non-carsharing leases for such spaces and shall make the spaces available to the carshare service for its use of such spaces.

- C. Unbundled Parking Costs.** All off-street parking spaces accessory to residential uses in structures of four dwellings or more shall be leased or sold separately from the rental or purchase fees for dwellings for the life of the dwellings, such that potential renters or buyers shall not be required to pay extra monthly fees for amenities they do not use in accordance with State laws and regulations. Renters or buyers of on-site inclusionary affordable units shall have an equal opportunity to rent or buy a parking space on the same terms and conditions as offered to renters or buyers of other dwellings, unless determined otherwise by the Executive Office of Housing and Livable Communities (EOHLC) or the State Subsidizing Agency.

7. **Transportation Demand Management (TDM)**

- A. **Definitions, Procedures, and Requirements.** Transportation Demand Management shall be regulated by Chapter 11-6 and Transportation Access Plan Guidelines maintained by the Transportation Administrator separate from the Zoning By-Law.
- B. **Applicability.** A Transportation Demand Management Plan is required for the following:
 - (1) Buildings with 10 or more dwelling units;
 - (2) Non-residential uses with 20 or more employees;
 - (3) Buildings with multiple tenants with a total of 20 employees or more; and
 - (4) Hotels with 20 or more rooms or beds
- C. **Standards and Review Authority.** Section 11-6.07 authorizes the Transportation Administrator to:
 - (1) Set forth TDM Standards and approve TDM Plans;
 - (2) Enforce TDM Standards and TDM Plans, with all requirements of conformance to the TDM Standards enforceable as though said Standards were included in this Section; and
 - (3) Amend TDM Standards consistent with contemporary industry practices.

8. **Design Standards for Parking Spaces and Drive Aisles**

- A. **Access and Circulation.**
 - (1) All off-street parking shall have direct access to a public thoroughfare from an alley, driveway, drive aisle, or permanent access easement.
 - (2) Parking lots and structures shall be designed so that vehicles enter or exit onto a public thoroughfare in a forward direction rather than backing out into the roadway.
 - (3) Unless otherwise specified, ingress and egress from individual parking spaces shall be from a drive aisle or driveway.
- B. **Driveways and Pedestrian Safety.**
 - (1) **Sight Lines.** Plans shall demonstrate adequate sight distance so that exiting vehicles have a clear view of any pedestrian on the sidewalk within a minimum of five (5) feet to either side of the entrance or exit drive measured from six (6) feet behind the property line and along the centerline of the driveway, subject to the determination by the Engineering and Transportation Division that setbacks, landscaping, screening, topography, and site conditions do not obstruct visibility.
 - (2) **Safety Standards.** Driveway aprons and parking area exits shall be constructed to meet the Engineering and Transportation Division's Standards, including but not limited to installation of visual and auditory signals, textured ramps, stop signs, and alignment with sidewalk.

C. Surface Parking Areas.

- (1) Parking areas exposed on one or more sides or partially or entirely above the parking area shall be considered surface parking areas.
- (2) No surface parking lot may have a grade that exceeds 10%.
- (3) Individual parking spaces shall be marked with paint and maintained in visible condition to identify the parking spaces from drive aisles.
- (4) Wheel stops, bumper guards, or other alternatives shall be installed to prevent vehicles from damaging or encroaching upon any sidewalk, landscaping, fence, wall, or structure and shall be properly anchored and secured into the ground.
- (5) **Materials.** Paving materials shall meet Sustainable Site Design Standards. Allowed flexible options for paving and other sustainable site design materials are provided under Section 5.0x. Loose materials such as gravel or crushed stone is prohibited in areas where vehicles will travel or park to reduce dust. Such materials are allowed in landscaping beds within or buffering parking areas.
- (6) **Landscape Buffers and Screening.** Surface parking areas shall be screened from abutting residential zones by a six-foot wall or solid fence or evergreen landscaping, subject to the approval of Site Plan and Design Review Authority specified under Section 11-5.08 . Standards for fences and walls are provided under Section 11-5.06. Standards for landscape buffers are provided under Section 11-5.04.
- (7) **Landscaping.** New or expanded Parking Areas shall comply with Section 5.04.6 Surface Parking Landscaping.
- (8) **Lighting.** All lighting shall conform with Section 11-5.07 Outdoor Lighting.
- (9) **Pedestrian Pathways.**
 - (a) Parking lots with more than 20 spaces shall have all on-site parking areas separated at least 10 feet from buildings in order to make room for a sidewalk, landscaping, and other planting between the building and the parking area;
 - (b) This separation may be eliminated to the rear of buildings in areas designed for unloading and loading of materials.

D. Loading Facilities.

- (1) Loading Facilities are not required.
- (2) Loading Facilities requiring vehicles to back in from a public street are allowed.
- (3) If provided, loading areas shall comply with the following standards:
 - (a) Loading Facilities shall be located within a building or at the side or rear of the Lot.
 - (b) Loading facilities abutting residential zones, excluding alleys, shall be screened with a six-foot wall or solid fence meeting the standards in Section 11-5.06, and in each bay or dock No Idling signs shall be installed.

E. Stalls and Drive Aisles.

- (1) Parking stalls and drive aisles shall meet the dimensions as specified in Table 11-6.03.B (Parking Stall and Drive Aisle Dimensions).

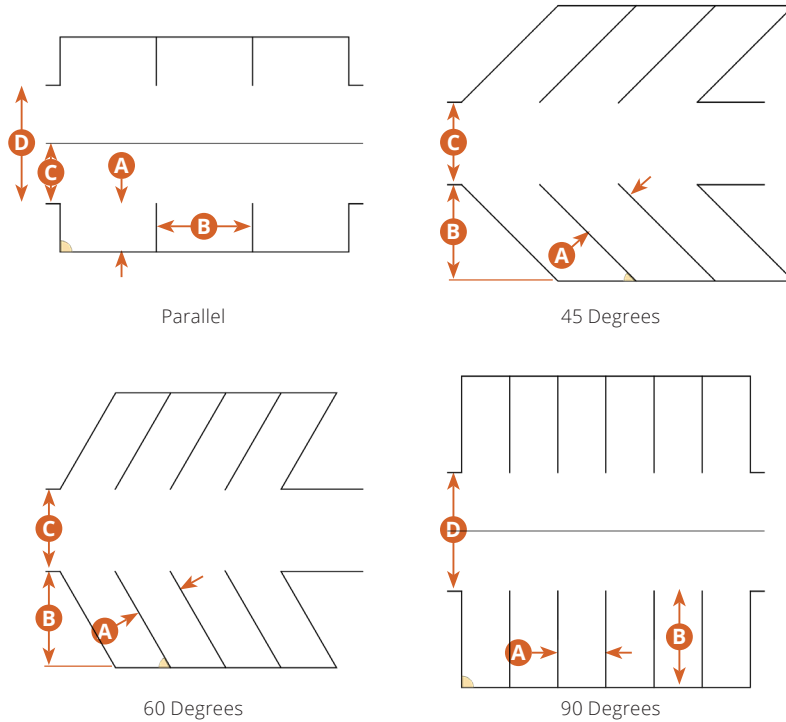


Table 11-6.03.B: Parking Stall and Drive Aisle Dimensions				
	Parallel	45 Degrees	60 Degrees	90 Degrees
Stall Width (min.)	8 ft	N/A	N/A	8 ft
Stall Length (min.)	16 ft	18 ft	18 ft	16 ft
Drive Aisle, 1-way (min.)	12 ft	12 ft	12 ft	N/A
Drive Aisle, 2-way (min.)	20 ft	N/A	N/A	20 ft
Vertical Clearance (min.)	7.5 ft	7.5 ft	7.5 ft	7.5 ft

- (2) Stalls next to a wall or structure at least six inches tall or greater shall be designed with at least one foot additional clearance to reduce the number of turning maneuvers.

F. Mechanical Access Parking.

- (1) Mechanical Access Parking spaces are exempt from dimensional requirements of this Section provided that plans stamped by architect or engineer demonstrate sufficient space to feasibly maneuver vehicles among columns and equipment without interfering with other parking spaces.
- (2) Mechanical Access Parking is prohibited outside of the building and in Surface Parking Areas.
- (3) Mechanical Access Parking shall comply with the requirements of the Massachusetts Fire Code and the requirements and conditions of Fire Department.

- G. **Signage.** All traffic control signals shall be installed in compliance with the Manual of Uniform Traffic Control Devices (MUTCD).

Chapter 11-7: Use Standards

11-7.01 Purpose

1. It is the intent of this Chapter to establish appropriate standards for location, design, and operation of uses to assure that they will be developed in a manner consistent with the purpose of the zone they are allowed in.

11-7.02 General to Uses

1. Table 11-7.02.A (Use Table) provides a list of all uses Allowed By-right or by Special Permit in the Harvard Street Form-Based Zones. Any proposed use not listed in the Table is prohibited in the district. Upon request, the Building Commissioner may determine that a proposed use is sufficiently similar to a use listed in the Table and permit the proposed use according to the permissions of the use deemed to be similar.
2. Section 11-7.03 (Definitions and Standards Specific to Uses) provides definitions for use categories and individual uses and identifies standards and requirements applicable to either all uses within a category or specifically to an individual use.
3. In some cases, a principal use may include ancillary activities that are subordinate, customary, and incidental to the day-to-day operations of the principal use. Such ancillary activities do not require separate approval, but must comply with any standards applicable to the principal use. Many of the uses below include specific references to permitted ancillary uses but additional ancillary uses can be permitted if the ancillary use is shown, to the satisfaction of the Building Commissioner, to be customary and incidental to the principal use.
4. Where a mix of principal uses is proposed on a given property and neither use is considered ancillary to the other, each use shall be permitted according to the permissions associated with that use in Table 11-7.02.A (Use Table).
 - A. Example: a project proposing a Household Living component and a Bed & Breakfast component will be required to seek a Special Permit for the Bed & Breakfast.
5. For uses in the Harvard Street Form-Based Zones, the parking requirements of Section 6.02, Paragraph 1, Table of Off-Street Parking Space Requirements, are replaced by the minimum and maximum requirements listed in Table 11-7.02.A (Use Table).
6. Commercial use shall be required on the ground floor in H-MS, H-MS-O, and H-MST zones. Commercial use on the ground floor in any Harvard Street Main Street zone shall qualify for the Ground Floor Commercial Incentive available per Article IV Section 4.08 and Section 11-8.02 and applicable to all Harvard Street Main Street zones. Commercial use shall mean any use other than residential that is allowed by right or by special permit in the respective zones in Table 11-7.02.A, except for those uses prohibited on the ground floor.
7. For purposes of the ground floor commercial use requirement and the Ground Floor Commercial Incentive, commercial uses shall (a) occupy a minimum of at least 60% of a building's frontage along the street to a minimum depth of at least 30 feet from the front facade; (b) meet the applicable standards set forth in Section H of each zone's standards as described in Chapter 11-2; and (c) comply with any standards applicable to the specific use set forth in Section 11-7.03.

Table 11-7.02.A: Use Table

Use Category	Form-Based Zones					Vehicular Parking Standards	
	H-MS	H-MS-O	H-MST	H-MST-L	H-MSN	Minimum	Maximum
ARTS & CREATIVE ENTERPRISE							
Artisanal Production	A	A	A	X	A	0	1 sp. per 600 sf of GFA
Arts Sales and Services	A	A	A	X	A	0	1 sp. per 600 sf of GFA
Design Services	A	A	A	X	A	0	1 sp. per 600 sf of GFA
Shared Workspaces & Arts Ed	A	A	A	X	A	0	1 sp. per 600 sf of GFA
CIVIC & INSTITUTIONAL							
Library or Museum	SP	A	A	X	SP	1 sp. per 550 sf of GFA	n/a
Private Non-Profit Recreational Facility, Club, or Lodge	SP	A	A	X	SP	0	1 sp. per 550 sf of GFA
Private Non-Profit Adult Education and Community Centers	SP	A	A	X	SP	0	1 sp. per 550 sf of GFA
Public Service or Facility	A	A	A	X	A	0	1 sp. per 550 sf of GFA
Religious & Educational Uses Protected by M.G.L. 40A Sec 3	A	A	A	A	A	0	1 sp. per 550 sf of GFA
COMMERCIAL SERVICES							
Pet Daycare, Grooming, or Training	X	A	A	X	X	0	1 sp. per 600 sf of GFA
Veterinarian	X	A	A	X	X	0	1 sp. per 600 sf of GFA
Assembly Spaces	SP	A	A	X	X	0	1 sp. per 600 sf of GFA
Banking & Financial Services	A	A	A	X	X	0	1 sp. per 600 sf of GFA
Broadcast and/or Recording Studio	SP	A*	A*	X	X	0	1 sp. per 600 sf of GFA
Building & Home Repair Services	X	SP	SP	X	X	0	1 sp. per 600 sf of GFA
Business Support Services	SP	A	A	X	SP	0	1 sp. per 600 sf of GFA
Caterer/Whole Food Prep	SP	A	A	X	SP	0	1 sp. per 600 sf of GFA
Adult Day Care Center	SP	A	A	X	SP	0	1 sp. per 600 sf of GFA
Child Day Care Center	A	A	A	A	A	0	1 sp. per 600 sf of GFA
Educational Services	A	A	A	A	A	0	1 sp. per 600 sf of GFA
Maintenance & Repair of Consumer Goods	A	A	A	X	SP	0	1 sp. per 600 sf of GFA
Body-Art Services	SP	A	A	X	SP	0	1 sp. per 600 sf of GFA
Health and Fitness Club	SP	A	A	X	X	0	1 sp. per 600 sf of GFA
Funeral Services	X	SP	SP	X	X	0	1 sp. per 250 sf of GFA
Health Care Services	A	A	A	X	A	0	1 sp. per 250 sf of GFA
Recreation Services	SP	A	A	X	SP	0	1 sp. per 600 sf of GFA
Personal Services	A	A	A	X	A	0	1 sp. per 600 sf of GFA

Key A = Allowed By-right SP = Allowed by Special Permit X = Not Allowed
 A* = Allowed, prohibited on ground floor SP* = Special Permit, prohibited on ground floor

Table 11-7.02.A: Use Table (continued)

Use Category	Form-Based Zones					Vehicular Parking Standards	
	H-MS	H-MS-O	H-MST	H-MST-L	H-MSN	Minimum	Maximum
FOOD & BEVERAGE SERVICES							
Food Hall	SP	SP	SP	X	X	0	1 sp. per 5 seats
Brewery/Distillery	A	A	A	X	X	0	1 sp. per 5 seats
Bar, Restaurant, Tavern	A	A	A	X	X	0	1 sp. per 5 seats
Bakery, Cafe, Coffee/Tea Shop	A	A	A	X	SP	0	1 sp. per 5 seats
INDUSTRY							
Wholesale Business or Storage	X	SP	SP	X	X	1 sp. per 1,200 sf of GFA	n/a
Printing and Publishing	SP	A	A	X	X	1 sp. per 1,200 sf of GFA	n/a
LODGING							
Bed & Breakfast	SP	A	A	X	A	0	0.5 sp. per room
Hotel or Hostel	SP	A	A	X	SP	0	0.5 sp. per room
MARIJUANA ESTABLISHMENT							
Marijuana Cultivators	X	SP	SP	X	X	1 sp. per 600 sf of GFA	n/a
Marijuana Couriers and Marijuana Transporters	SP*	SP*	SP*	X	X	1 sp. per 600 sf of GFA	n/a
Marijuana Delivery Operators	X	X	X	X	X	1 sp. per 600 sf of GFA	n/a
Marijuana Independent Testing Laboratories, Standards Labs, Research Facilities	X	X	SP	X	X	1 sp. per 600 sf of GFA	n/a
Medical Marijuana Treatment Centers	X	X	SP	X	X	1 sp. per 600 sf of GFA	n/a
Social Consumption Marijuana Retailers	SP	SP	SP	X	X	1 sp. per 600 sf of GFA	n/a
Storefront Marijuana Retailers	SP	SP	SP	X	X	1 sp. per 600 sf of GFA	n/a
OFFICE							
General Office	A	A	A	X	A	0	1 sp. per 600 sf of GFA
RESIDENTIAL							
Household Living	A	A	A	A	A	0.5 sp. per d.u.	1 sp. per d.u.
Group Living	SP	A	A	SP	SP	0	1 sp. per d.u.
Community or Group Residence	SP	A	A	SP	A	0	1 sp. per d.u.

Key

A = Allowed By-right

SP = Allowed by Special Permit

X = Not Allowed

A* = Allowed, prohibited on ground floor SP* = Special Permit, prohibited on ground floor

Table 11-7.02.A: Use Table (continued)							
Use Category	Form-Based Zones					Vehicular Parking Standards	
	H-MS	H-MS-O	H-MST	H-MST-L	H-MSN	Minimum	Maximum
RETAIL SALES							
Store of Less Than 5,000 sq. ft.	A	A	A	X	A	0	1 sp. per 350 sf of GFA
Store of More Than 5,000 sq. ft. But Less Than 15,000 sq. ft.	SP	A	A	X	X	0	1 sp. per 350 sf of GFA
Store of More Than 15,000 sq. ft.	SP	A	A	X	X	0	1 sp. per 350 sf of GFA
Outdoor Sales	A	A	A	X	SP	0	1 sp. per 350 sf of GFA
AGRICULTURE							
Agriculture, Horticulture, Floriculture, >5 acres	A	A	A	X	A	1 sp. per 350 sf of GFA	n/a
Agriculture, Horticulture, Floriculture, <5 acres	SP	SP	SP	X	SP	1 sp. per 350 sf of GFA	n/a

Key A = Allowed By-right SP = Allowed by Special Permit X = Not Allowed
 A* = Allowed, prohibited on ground floor SP* = Special Permit, prohibited on ground floor

11-7.03 Definitions and Standards Specific to Uses

1. Arts and Creative Enterprise Uses

- A. **Artisanal Production.** The on-site production of hand-fabricated or hand-manufactured parts and custom or craft consumer goods based on the skill and knowledge of the artisan and the use of hand tools or small-scale, light mechanical equipment. The Artisanal Production category includes apparel manufacturing, cabinetry, chocolatiers, confectionery, furniture making, glass working, jewelry making, metal working, pottery, sculpture, wood working, and their substantial equivalents. The ancillary sale of goods is permitted. The production of offensive noise, vibration, smoke, dust or other particulate matter, heat, humidity, glare, or other objectionable effect affecting neighboring properties is prohibited.
- B. **Arts Sales and Services.** The display and retail sale, lease, or rental of finished artwork, art supplies, musical instruments, multi-media, or publications and activities that provide various arts related services to individuals, groups, or businesses including galleries, supply stores, printing shops, set design studios, and their substantial equivalents. Production of finished products on site is prohibited.
- C. **Design Services.** Individuals and firms that provide design services to individuals, groups, or businesses including architectural design, fashion design, graphic design, interior design, industrial design, landscape architecture, product development, software development, urban design, and their substantial equivalents.
- D. **Shared Workspaces & Arts Ed.** The transfer of knowledge or skills related to the creative enterprises through teaching, training, or research; organizations providing collaborative workplace facilities and business planning, finance, mentoring, and other business or administrative support services to creative enterprises; and multipurpose facilities dedicated to providing space for multiple creative enterprises. The shared workspace & arts education category includes arts centers, creative incubators, culinary incubators, design & fabrication centers, fabrication laboratories, and their substantial equivalents. The production of offensive noise, vibration, smoke, dust or other particulate matter, heat, humidity, glare, or other objectionable effect affecting neighboring properties is prohibited.

2. Civic & Institutional Uses

- A. **Library or Museum.** A facility providing physical or digital access to information resources for reference or borrowing by the general public and often providing areas for study, research, and collaboration (library) or a repository for a collection of collections of historical, natural, scientific, or literary objects of interest (museum). The following standards apply:
 - (1) The facility must be open to the public or connected with a permitted educational use.
 - (2) The use shall not be conducted as a private gainful business.
 - (3) Ancillary sale of goods and the holding of meetings and social events are permitted.
- B. **Private Non-Profit Recreational Facility, Club, or Lodge.** An organization, which is open to people upon invitation, nomination, or payment of fees or dues for social, recreational, or entertainment activities. The following standards apply:
 - (1) A non-profit club or lodge must be open only to members and their associated guests.
 - (2) The use shall not be conducted as a private gainful business.

- (3) No outdoor active recreation area shall be located nearer than 10 feet to any lot line.
 - (4) Indoor and outdoor noisy activities shall be sound-insulated to meet the approval of the Building Commissioner or the Zoning Board of Appeals (if permitted by Special Permit) so as to protect the neighborhood from inappropriate noise in any season.
- C. **Private Non-Profit Adult Education and Community Center.** A place for recreational, social, educational or cultural activities operated by a non-profit or public agency subject to the following standards:
- (1) The use shall not be conducted as a private gainful business.
 - (2) No outdoor active recreation area shall be located nearer than 10 feet to any lot line.
 - (3) Indoor and outdoor noisy activities shall be sound-insulated to meet the approval of the Building Commissioner or the Zoning Board of Appeals (if permitted by Special Permit) so as to protect the neighborhood from inappropriate noise in any season.
- D. **Public Service or Facility.** Essential public services provided to the community at large including municipal operations of the Town of Brookline, such as departmental offices, social service facilities, and public works facilities; public safety services, such as police and firefighting headquarters and substations; and civic spaces.
- E. **Religious & Educational Uses Protected by M.G.L. 40A Sec. 3.** Activities related to providing general or specialized education, instruction, or training in subject areas, skills, or vocations and the practice of religions, including all ancillary activities customarily included in the operations of educational institutions and religious organizations. Real property must be owned or leased by the Commonwealth of Massachusetts, a religious sect or denomination, or by a non-profit educational corporation. No outdoor active recreation area shall be located nearer than 10 feet to any lot line.
3. **Commercial Services Uses**
- A. **Pet Daycare, Grooming, or Training.** The grooming of dogs, cats, and similar household pets, or kennel and/or training centers for animals operated on a daytime-only basis. The following standards shall apply:
- (1) No outdoor facilities for the animals shall be permitted.
 - (2) Ancillary sale of goods is permitted.
 - (3) Methods or techniques for noise mitigation to limit noise for other users of the building and abutting properties shall be submitted.
 - (4) Operational procedures shall be submitted for cleaning the interior and exterior of the site and trash storage and removal.
 - (5) Studies by recognized experts shall be submitted to ensure, to the satisfaction of the Building Commissioner and Director of Public Health and Human Services, that the use will be constructed and operated so as to safeguard nearby properties against undue noise, odor, and improper waste disposal.

- B. **Veterinarian.** The diagnosis and treatment of animal patients' illnesses, injuries, and physical malfunctions performed in an office setting. The following standards apply:
- (1) Overnight boarding of animals is limited to patients recovering from medical procedures.
 - (2) Ancillary sale of goods is permitted.
 - (3) No outdoor facilities for the animals shall be permitted.
 - (4) Methods or techniques for noise mitigation to limit noise for other users of the building and abutting properties shall be submitted.
 - (5) Operational procedures shall be submitted for cleaning the interior and exterior of the site and trash storage and removal.
 - (6) Studies by recognized experts shall be submitted to ensure, to the satisfaction of the Building Commissioner and Director of Public Health and Human Services, that the use will be constructed and operated so as to safeguard nearby properties against undue noise, odor, and improper waste disposal.
- C. **Assembly Spaces.** Uses that provide gathering places for participant or spectator recreation, entertainment, or other assembly activities including, but not limited to, a theater, cinema, and/or venue of a professional or semi-professional sports team. Assembly uses may include sale of goods as an ancillary activity and provide ancillary food or beverage service for on-site consumption.
- D. **Banking & Financial Services.** Uses related to the exchange, lending, borrowing, and safe-keeping of money.
- E. **Broadcast and/or Recording Studio.** Uses that provide studios for audio or video production, recording, filming, or broadcasting of radio or television programs over-the-air, cable, or satellite. In Main Street subdistricts, this use is prohibited on the ground floor.
- F. **Building & Home Repair Services.** Uses that provide maintenance and repair services for all structural and mechanical elements of structures, as well as the exterior spaces of a premise. Typical uses include janitorial, landscape maintenance, exterminator, plumbing, electrical, HVAC, window cleaning, and similar services. The ancillary sale of goods is permitted.
- G. **Business Support Services.** Uses that provide personnel services, printing, copying, photographic services, or communication services to businesses or consumers. Typical uses include employment agencies, copy and print shops, telephone answering services, and photo developing labs. The ancillary sale of goods is permitted.
- H. **Caterer/Whole Food Prep.** The preparation of food in significant quantities to be delivered and served or sold off-site. The ancillary sale of goods is permitted.
- I. **Adult Day Care Center.** A day care service providing licensed custodial care for up to sixteen (16) hours per day of adults over eighteen (18) years old, related or unrelated, who need supervision and/or assistance with routine daily functions but who are not in need of regular medical attention. The following standards apply:
- (1) All persons must be eighteen (18) years of age or older.
- J. **Child Day Care Center.** A day care service as defined in MGL 15D Section 1A. A plan for the safe drop-off and pick-up of day care children shall be submitted and meet the approval of the Transportation Administrator and the Building Commissioner or the Zoning Board of Appeals (if permitted by Special Permit).

- K. **Educational Services.** The general or specialized pre-primary, primary, secondary, vocational, or tertiary education, instruction, or training in subject areas, skills, or vocations. Ancillary facilities customarily provided by educational service uses directly serving the needs of employees and students are permitted including, but not limited to, classrooms, administrative offices, research centers, laboratories, auditoria, study halls, on-campus housing, libraries, temporary structures, campus centers, bookstores, laundry services, light manufacturing, retail sales, Food & Beverage Services, banks, athletic fields, parking facilities, and their substantial equivalents. Educational Services and their ancillary uses with more than 10,000 square feet of gross floor area require a Special Permit in all districts.
 - L. **Maintenance & Repair of Consumer Goods.** Uses that provide maintenance, cleaning, or repair services for consumer goods. Typical uses include dry cleaning shops, tailors, shoe repair, vacuum repair shops, electronics repair shops, and similar establishments. The ancillary sale of goods is permitted.
 - M. **Body-Art Services.** Use of a space for the practice of physical body adornment by permitted establishments and practitioners using, but not limited to the following techniques: piercing, tattooing, cosmetic tattooing, branding and scarification. The ancillary sale of goods is permitted. Procedures considered 'medical procedures' by the Board of Registration in Medicine, such as implants under the skin, are prohibited.
 - N. **Health and Fitness Club.** Use of space for physical exercise or training on an individual or group basis, using exercise equipment or open floor space, with or without an option for having instruction with a personal trainer. The ancillary sale of goods is permitted.
 - O. **Funeral Services.** Use of space where the deceased are prepared for burial display and for rituals before burial or cremation. Such facilities may include ancillary chapels, crematoriums, and showrooms for the display and sale of caskets, vaults, urns, and other items related to burial services.
 - P. **Health Care Services.** Office or clinic for medical or dental examination or treatment of persons as out-patients, including ancillary laboratories and sale of goods.
 - Q. **Recreation Services.** Use of indoor space for the communal or solitary, active or passive pursuit of leisure activities. These include but are not limited to bowling alleys, arcades, and pool halls, provided that such use is housed in a structure sufficiently sound-insulated so as to protect the neighborhood from inappropriate noise in any season. Recreation Services uses may include sale of goods as an ancillary activity and provide ancillary food or beverage service for on-site consumption.
 - R. **Personal Services.** Uses that provide a variety of services associated with personal grooming and well-being.
4. **Food and Beverage Services Uses**
- A. **Food Hall.** Use that contains more than one food vendor selling prepared food and beverages for either on or off-site consumption. On-site consumption is provided in a common area and is available to all patrons. The following standards apply:
 - (1) Food vendors are individually subject to all other local permitting and licensing requirements.
 - (2) Alcoholic beverage sale and consumption is permitted for on-site consumption and is subject to obtaining all other required local permitting and licensing.

- B. **Brewery/Distillery.** Use that produces beer or a hard liquor that is ready for purchase and consumption on-site in a taproom. Provides respective alcohol for sale to be consumed on premise or for consumption off premises in a packaged form. On site food preparation and consumption is permitted as an ancillary use provided all requisite local permitting and licensing is obtained by the food vendor. A minimum of 20% of the gross floor area of the Brewery/Distillery must be devoted to brewing/distilling activities.
 - C. **Bar, Restaurant, Tavern.** An establishment, with or without live entertainment, preparing and selling ready-to-consume food or drinks and the sale of alcoholic beverages for on-site consumption. The Bar, Restaurant, or Tavern use category includes lounges, nightclubs, dance halls, pubs, saloons and their substantial equivalents.
 - D. **Bakery, Cafe, Coffee/Tea Shop.** An establishment preparing and selling ready-to consume food and drinks.
5. **Industry**
- A. **Wholesale Business or Storage.** Uses engaged in the wholesale collection, sorting, processing, and distribution of bulk mail, packages or commercial goods, storage, processing, and distribution of bulk goods including, but not limited to, furniture & home furnishings; professional and commercial equipment; electrical goods; hardware, plumbing, and heating equipment; paper and paper products; sundries; apparel; food and beverages; healthcare equipment and supplies; and their substantial equivalents to retailers, commercial services, and/or industrial businesses. The following standards apply:
 - (1) The use is not permitted in storefront, ground-floor spaces facing public ways or must include an ancillary use at storefront level, including but not limited to, a wholesale goods display component or retail component.
 - (2) Activities may include physically assembling, sorting, and grading goods into large lots and breaking bulk for redistribution in smaller lots in such a way that has minimal impact on surrounding properties, and cannot take place on the first floor facing the public right of way.
 - (3) The wholesale and/or storage or warehousing of toxic and/or hazardous materials is prohibited.
 - (4) All storage of materials and equipment and all business operations, such as loading, parking, and storage of commercial vehicles, must be within an enclosed building.
 - B. **Printing and Publishing.** Any businesses that provide front end printing services to the public on a walk-in basis, or the physical publishing of books, pamphlets, posters, and other paper products for personal or commercial use. The ancillary sale of goods is permitted.
6. **Lodging Uses**
- A. **Bed & Breakfast.** A single dwelling unit residential structure providing rooms for temporary, overnight lodging, with or without meals, for paying guests. The following standards apply:
 - (1) A Bed & Breakfast lodging use is only permitted in an owner-occupied or manager-occupied structure.
 - (2) A common gathering space, such as a parlor, dining room, or living room must be maintained for guest use.
 - (3) Cooking facilities are not permitted in guest rooms.

- B. **Short-Term Rentals.** The rental of a whole or portion of a Dwelling Unit for not more than twenty seven (27) consecutive calendar days, as otherwise defined by M.G.L. Chapter 64G, Sec. 1, which shall be the Primary Residence of the operator. All Short-Term Rentals are subject to the requirements of Section 4.14.

In accordance with M.G.L. Chapter 64G, the term excludes properties that are, or that are required by law to be, licensed as a lodging house because the lodgings are rented to four or more persons not within the second degree of kindred to the owner or operator. The term also excludes: (a) properties that are, or that are required by law to be, licensed as a hotel, motel, or bed and breakfast establishment, and (b) Accessory Dwelling Units (as defined and permitted otherwise by the Town's Zoning Bylaw) or their associated primary dwelling units.

- C. **Hotel or Hostel.** A building providing temporary lodging in guest rooms or apartments to persons who have residences elsewhere for a fee. The following standards apply:
- (1) Hotel or hostel employees must be on-site at all times.
 - (2) A hostel must be associated with a national or international hostel organization.
 - (3) In addition to the review criteria for all Special Permits specified in Section 9.05, the Zoning Board of Appeals shall make findings considering the following in its discretion to approve or deny a Special Permit:
 - (a) Compatibility with the level of activity associated with the surrounding properties
 - (b) Capacity of the local public ways providing access to the site and impact on pedestrian, bicycle, and vehicular traffic and circulation patterns in the neighborhood.
 - (c) Location and visibility of the principal entrance, guest drop-off area, taxi queuing station, outdoor amenity space for guests and employees, and pedestrian circulation from all exit points.

7. **Marijuana Establishments Uses**

All Marijuana Establishments are subject to the requirements of Sections 4.12 and 4.13, as applicable. Where those Sections include requirements based on zoning districts, Marijuana Establishments Uses located in the Harvard Street Form-based Zones should be considered as being in a General Business district.

- A. **Marijuana Cultivator.** As defined or amended by State regulations, an entity licensed by the Massachusetts Cannabis Control Commission to cultivate, process, and package Marijuana, to deliver Marijuana to Marijuana Establishments and to transfer Marijuana to other Marijuana Establishments, but not to consumers. This definition includes the foregoing uses described in this definition when conducted by other types of Marijuana Establishments.
- B. **Marijuana Courier.** As defined or amended by State regulations, an entity licensed by the Massachusetts Cannabis Control Commission to deliver Marijuana Products, Marijuana Accessories and Marijuana Establishment Branded Goods directly to consumers from a Marijuana Retailer, or directly to registered qualifying patients or caregivers from an Medical Marijuana Treatment Center, but is not authorized to sell Marijuana or Marijuana Products directly to consumers, registered qualifying patients or caregivers and is not authorized to wholesale, Warehouse, process, repackage, or White Label. This definition includes the foregoing uses described in this definition when conducted by other types of Marijuana Establishments. In Main Street sub-zones this use is prohibited on the ground floor.

- C. **Marijuana Transporter.** As defined or amended by State regulations, an entity, not otherwise licensed by the Massachusetts Cannabis Control Commission, that is licensed by the Massachusetts Cannabis Control Commission to possess Marijuana Products solely for the purpose of transporting, temporary storage, sale and distribution to Marijuana Establishments or Medical Marijuana Treatment Centers, but not to consumers. This definition includes the foregoing uses described in this definition when conducted by other types of Marijuana Establishments. In Main Street sub-zones this use is prohibited on the ground floor.
- D. **Marijuana Delivery Operator.** As defined or amended by State regulations, an entity licensed by the Massachusetts Cannabis Control Commission to purchase at wholesale and Warehouse Finished Marijuana Products and White Label, sell and deliver Finished Marijuana Products, Marijuana Accessories and Marijuana Establishment Branded Goods directly to consumers, but is not authorized to repackage Marijuana or Marijuana Products or operate a storefront under this license. For Delivery Operators, the location of the Warehouse shall be the Licensee's principle place of business within the Town. This definition includes the foregoing uses described in this definition when conducted by other types of Marijuana Establishments.
- E. **Marijuana Independent Testing Laboratory.** As defined or amended by State regulations, an entity licensed or registered by the Massachusetts Cannabis Control Commission that is qualified to test Marijuana and Marijuana Products in conformity with State law. This definition includes the foregoing uses described in this definition when conducted by other types of Marijuana Establishments.
- F. **Standards Laboratory.** As defined or amended by State regulations, a laboratory meeting the requirements of the Independent Testing laboratory that is licensed by the Massachusetts Cannabis Control Commission as a Standards Laboratory to ensure consistent and compliant testing by the Independent Testing Laboratories. This definition includes the foregoing uses described in this definition when conducted by other types of Marijuana Establishments.
- G. **Marijuana Research Facility.** As defined or amended by State regulations, an academic institution, nonprofit corporation or domestic corporation or entity licensed by the Massachusetts Cannabis Control Commission to conduct research. This definition includes the foregoing uses described in this definition when conducted by other types of Marijuana Establishments.
- H. **Medical Marijuana Treatment Center.** As defined or amended by State regulations, an entity licensed by the Massachusetts Cannabis Control Commission that acquires, cultivates, possesses, processes (including development of related products such as edibles, MIPs, tinctures, aerosols, oils, or ointments), repackages, transports, sells, distributes, delivers, dispenses, or administers Marijuana, products containing Marijuana, related supplies, or educational materials to registered qualifying patients or their personal caregivers for medical use. This definition includes the foregoing uses described in this definition when conducted by other types of Marijuana Establishments.
- I. **Social Consumption Marijuana Retailer.** As defined or amended by State regulations and the Town's General Bylaws, a Marijuana Retailer licensed by the Massachusetts Cannabis Control Commission to sell Marijuana or Marijuana Products and allow consumers to consume Marijuana or Marijuana Products solely on its premises. This definition includes the foregoing uses described in this definition when conducted by other types of Marijuana Establishments.
- J. **Storefront Marijuana Retailer.** As defined or amended by State regulations, a Marijuana Retailer providing a retail location accessible to consumers 21 years of age or older or in possession of a registration card demonstrating that the individual is a registered qualifying patient with the Medical Use of Marijuana Program. This definition includes the foregoing uses described in this definition when conducted by other types of Marijuana Establishments.

8. Office Uses

- A. **General Office.** The regular processing, manipulation, or application of business information or professional expertise predominantly for administrative, professional, and clerical operations in accounting, advertising, business to business brokerage and other business support services, employment, finance, healthcare administration, information technology and/or services, insurance, internet content development and publishing, law, real estate, urban development and their substantial equivalents. Office activities may or may not provide direct services to the public. The following standards apply:
- (1) Office uses do not include activities materially involved in fabricating, assembling, or warehousing physical products for the retail or wholesale market.
 - (2) For General Office uses located in Main Street subdistricts and that are not open to the public, the use is prohibited on the ground floor.

9. Residential Uses

- A. **Household Living.** Residential occupancy of a building or portion of a building in dwelling units by one or more persons living together as a single housekeeping unit, including paid caregivers. The Zoning Board of Appeals may grant a Special Permit to increase the maximum parking requirement listed in the Use Table up to a maximum of 2 spaces per dwelling unit. The Zoning Board of Appeals may grant a Special Permit to decrease or eliminate the minimum parking requirement listed in the Use Table.
- B. **Group Living.** Residential occupancy of a dwelling unit by two or more housekeeping units, or residential occupancy of a portion of a building divided into rooming units by two or more housekeeping units; and any multi-unit housing owned by or affiliated with an educational institution. Group living residential uses are not permitted to be offered as Short-Term Rentals. The group living use category includes any residential occupancy that is not categorized as household living and any residential accommodations that provide a kitchen, dining room, living room, or bathroom shared between rooming units.
- C. **Community or Group Residence.** Residential occupancy of a dwelling unit by two or more housekeeping units where one or more occupying individuals are 'handicapped' as defined in 42 U.S.C. §3602 or have a 'disability' as defined in 42 U.S.C. §12102. Both terms are defined as a physical or mental impairment that substantially limits one or more major life activities; a record of such an impairment; or being regarded as having such an impairment not including current, illegal use of or addiction to a controlled substance. Includes facilities with the primary function of providing overnight sleeping accommodations in rooming units or bunk rooms to people experiencing homelessness. Includes residential occupancy in rooming units where room and board, personal services, and skilled nursing care or hospice care is provided to tenants, but specifically excludes hospitals.

10. Retail Sales Uses

- A. **Store of Less Than 5,000 sq. ft.** Store of less than 5,000 square feet of gross floor area per establishment, primarily serving the local retail business needs of the community, including but not limited to grocer, baker, food store, package store, dry goods, variety, clothing, hardware, paint, household appliances, books, tobacco, flowers, drugs.
- B. **Store of More Than 5,000 sq. ft. But Less Than 15,000 sq. ft.** Store of more than 5,000 square feet but less than 10,000 square feet serving the general retail needs of the community, including but not limited to general merchandise department store, furniture and household goods.
- C. **Store of More Than 15,000 sq. ft.** Store of more than 15,000 square feet of gross floor area serving the general retail needs of the region, including but not limited to general merchandise department store, supermarket, grocery store, furniture and household goods. If located in a Main Street subdistrict, this use must be located on lots with less than 10,000 square feet and a maximum of 60% of the gross floor area of the use may be located on the ground floor. If located in any other subdistrict, the use may only be located on lots with at least 15,000 square feet.
- D. **Outdoor Sales.** The display and/or sale of goods outside the enclosure of a building. The following standards apply:
 - (1) The use may only be permitted on a temporary basis for up to 4 months.
 - (2) Outdoor displays must be removed and placed inside a fully-enclosed building at the end of each business day.
 - (3) A minimum four-foot-wide clear path of access must be maintained to the principal entrance.

11. Agricultural Uses

Uses that include the small-scale production and sale of agriculture including fresh produce, plants, flowers, and other horticultural items for commercial purposes, whether grown indoors or outdoors. The ancillary sale of goods (including agricultural products grown on-site) is permitted. The following standards apply:

- (1) The keeping of livestock as outlined in Article IV, Section 4.07, Use 57 is prohibited.
- (2) The cultivation of marijuana and hemp products is governed by the Town's marijuana bylaw as outlined in Article IV, Section 4.12 and Section 4.13.

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Chapter 11-8: Development Benefits and Mitigation

11-8.01 Affordable Housing Standards

1. Article IV Section 4.08 applies to the Harvard Street Main Street Corridor
2. Refer to Article IV Section 4.08 for flexibility in Affordable Housing requirements related to Ground Floor Commercial Incentives

11-8.02 Ground Floor Commercial Incentives

1. **Purpose**
 - A. To conserve storefronts in the historic Harvard Street Main Street Corridor;
 - B. To provide a financial benefit that may assist landlords in attracting desirable retailers and local businesses;
 - C. To ensure the long-term growth and expansion of the commercial uses in the district; and
 - D. To increase housing choices by expanding the range of affordable housing available to a wider variety of low- and moderate-income households in the Harvard Street Main Street Corridor.
2. **General Standards**
 - A. Ground floor commercial incentives shall be regulated by this Section and the STANDARDS FOR GROUND FLOOR COMMERCIAL INCENTIVES maintained by the Director of Planning and Community Development or their designee separate from the Zoning By-Law.
 - B. This Section authorizes the Economic Development Advisory Board to set forth and amend STANDARDS FOR GROUND FLOOR COMMERCIAL INCENTIVES, subject to the review and approval of the Select Board, provided they are consistent with Chapter 11-2 Form-Base Zones.
 - C. This Section authorizes the Building Commissioner or their designee to enforce STANDARDS FOR GROUND FLOOR COMMERCIAL INCENTIVES, with all requirements of conformance to the STANDARDS FOR GROUND FLOOR COMMERCIAL INCENTIVES enforceable as though said STANDARDS were included in this Section.

3. **Procedures**

For projects applying the Ground Floor Commercial Incentive:

- A. No building permit shall be issued until the applicant submits proof that the Director of Planning and Community Development or their designee has issued an approval letter certifying that the STANDARDS FOR GROUND FLOOR COMMERCIAL INCENTIVES for issuance of the building permit have been met; and
- B. No Certificate of Occupancy shall be issued until the applicant submits proof that the Director of Planning and Community Development or their designee has issued an approval letter certifying that the STANDARDS FOR GROUND FLOOR COMMERCIAL INCENTIVES have been met.

11-8.03 Public Improvements and Mitigation

1. Purpose

- A. Provide the Town with the opportunity to establish conditions to address on-site or off-site impacts of development;
- B. Protect and enhance the district's pedestrian-oriented public realm and increase accessibility;
- C. Mitigate impacts of development on public infrastructure and transportation networks;
- D. Facilitate shared infrastructure in the public way to improve efficiency, convenience, and sustainability; and
- E. Mitigate a new or exacerbated environmental, public health, or public safety impact.

2. Definitions

- A. Technical Review Team shall mean Town Departments including but not limited to Public Works, Health, Building, Planning, Police, and Fire Departments. An individual Town Department may impose conditions or recommendations relevant to its area of technical expertise or oversight in coordination with other Departments and without the approval of other Departments.

3. General Standards

- A. The Technical Review Team in coordination with the Planning Board may impose conditions and mitigation measures as specified in the TRANSPORTATION ACCESS PLAN AND TRANSPORTATION DEMAND MANAGEMENT GUIDELINES and the PUBLIC IMPROVEMENTS AND MITIGATION GUIDELINES maintained by the Department of Public Works, including but not limited to, the installation of one or more of the following:
 - (1) Accessible ramps and traffic signals;
 - (2) Short-term bike racks in the public way;
 - (3) Shared bicycle stations or other public micro-mobility infrastructure;
 - (4) Restoration, rebuilding, or improvements to the sidewalk, landscaped areas, curb, utilities, pavement, or other public infrastructure that: is located within 300' of the site, is significantly worn or damaged during construction activities, or is required to accommodate the infrastructure needs of the project;
 - (5) Installation of public loading zones;
 - (6) Street furniture;
 - (7) Low impact development best practices for stormwater management or heat island mitigation including but not limited to stormwater tree filter systems (tree box filters), rain gardens, or bioretention/biofiltration practice;
 - (8) Installation of public Shade Tree(s); and/or
 - (9) Contribution to the Preservation Tree Fund
- B. Such mitigation may be on public property or on private property with public access and/or maintenance easements. Mitigation may be either performed by or paid for by the applicant, as approved by the Technical Review Team. If work is performed by the applicant, improvements shall be installed in accordance with the standards of the Technical Review Team.

Chapter 11-9: Site Plan and Design Review

11-9.01 Definition, Purpose, and Intent

1. **Definition.** Site Plan and Design Review (SPDR) for the Harvard Street Main Street Corridor is the review and approval of a development plan to ensure conformance with this By-Law and applicable Town regulations, standards, and criteria; and to address potential development impacts.
2. The purpose of the Site Plan and Design Review process is to:
 - A. Provide clear, predictable, and comprehensive requirements and an integrated process for the review of development projects;
 - B. Provide an applicant with an opportunity to submit plans including but not limited to architectural, site, landscape, and engineering plans so that compliance with the requirements and provisions of this By-Law can be determined prior to preparation of construction documents;
 - C. Enable opportunities for the community's involvement in development review activities that affect quality of life in the district; and
 - D. Provide the Town with the opportunity to establish conditions to address on-site or off-site impacts of development.
3. The intent of the site plan and design review requirements in this Section is to:
 - A. Ensure compliance with the intent and purpose of the Town's zoning by-laws and applicable regulations and standards;
 - B. Reinforce the historic main street character of the district;
 - C. Integrate development compatible with district's established scale and streetscape pattern and harmonious with its surrounding context;
 - D. Preserve and adapt architecturally significant cultural resources;
 - E. Preserve and equitably expand the district's housing choices;
 - F. Protect and encourage richly varied commercial uses for a thriving local economy;
 - G. Protect and enhance the district's pedestrian-oriented public realm and increase accessibility for a more inclusive community;
 - H. Mitigate impacts of development on public infrastructure and transportation networks;
 - I. Facilitate shared infrastructure in the public way to improve efficiency, convenience, and sustainability;
 - J. Mitigate climate impacts by facilitating a mix of uses, multimodal transportation, and sustainable building and site design practices;
 - K. Improve the air and water quality;
 - L. Promote public health, safety, convenience and welfare;

- M. Maintain and improve a thriving economy by enhancing the district's appeal as a place to live, conduct business, shop, and visit.
- 4. Any reference to Town staff shall be read to include a designee (either other staff member(s) or a consultant) of that person or of the head of the respective Town department or division.

11-9.02 Scope

This Section establishes four types of Site Plan and Design Review for the Harvard Street Main Street Corridor, which are defined by the respective Applicability and Thresholds in Table 11-9.04.5-A, and which provide procedures for consistent review of development projects:

1. Standard Project Site Plan and Design Review;
2. Large Project Site Plan and Design Review;
3. Minor Site Plan and Design Review; and
4. Administrative Site Plan and Design Review

11-9.03 Site Plan and Design Review Authority

1. The Planning Board is the Review Authority for Standard Project Site Plan and Design Review, Large Project Site Plan and Design Review, and Minor Site Plan and Design Review.
2. The Director of the Department of Planning and Community Development (DPCD), in conjunction relevant Town Departments, is the Review Authority for Administrative Site Plan Review. The DPCD Director may refer review to the Planning Board.
3. The Review Authority is authorized to impose reasonable conditions on projects to meet the purpose and intent of this Section.

11-9.04 Applicability

1. All development and certain alterations and site changes in the Harvard Street Main Street Corridor, excluding normal maintenance, require the submittal of a Site Plan and Design Review application to the DPCD Director.
2. The proposed development may or may not require a separate Discretionary Permit from the Board of Appeals. Procedures for application and review of Special Permits and Variances are in the Zoning By-Law Article IX Section 9.04 (Special Permits) and Section 9.06 (Variances).
3. The proposed development may or may not prompt the applicability of the Demolition Delay By-Law, which may in turn necessitate a determination of Architectural Significance or Non-Significance from the Preservation Commission. Procedures for Demolition Delay Review are in Article 5.3 in the Town By-Law, and the application process and criteria for a possible lift of Stay of Demolition are found in HARVARD STREET MAIN STREET CORRIDOR CRITERIA FOR LIFT OF STAY.
4. The Building Commissioner may not issue a Building Permit or Certificate of Occupancy for a development that requires Site Plan and Design Review until the Site Plan and Design Review has been completed in accordance with the requirements of this Section.

5. The Review Authority shall conduct Site Plan and Design Review for the following:

Table 11-9.04.5-A Applicable Thresholds for Site Plan and Design Review			
Level of Review	Review Authority	Required Public Process	Applicability and Thresholds
Administrative Site Plan and Design Review (SPDR)	Planning Department	None	(1) Change in roof material (2) Reconstruction or repaving of surface parking lots (3) Trees (4) Graphics, signs, or murals on blank walls on Side and Side Street elevations on private and Town owned parcels
Minor Site Plan and Design Review (SPDR)	Planning Board	Public Meeting	(1) Commercial Signs, Awnings, Canopies, Outdoor Lighting (2) New or expanded surface Lots (3) Wireless Telecommunications (4) Change in massing amounting to less than 1,000 sf provided Art. 5.3 Demolition is not triggered (5) Change in materials of a building not deemed Significant by the Preservation Commission (6) Installation of fences, walls, accessible ramps on the Front Façade and Side Street Facade
Standard Project Site Plan and Design Review (SPDR)	Planning Board	Public Hearing(s)	(1) All buildings under 45,000 sf GFA, new or significantly rehabbed (2) Change in massing amounting to 1,000 sf and over (3) Change in materials of a Significant Structure
Large Project Site Plan and Design Review (SPDR)	Planning Board	Public Hearing(s), Appointed Impact Advisory Team	(1) 45,000 sf GFA or more, new or significantly rehabbed (2) Special or Overlay Districts that increase height over base zoning (3) Change to existing curb cuts in H-MST zone on Harvard Street and Washington Street

6. **Limited Site Plan and Design Review for Land Uses Protected under M.G.L. c.40A, sec. 3 (“Dover Amendment Uses”).**

All proposed uses of land protected under M.G.L. c. 40A, sec. 3 (i.e., agricultural, educational, religious, or child care uses) shall be subject to Site Plan and Design Review which shall be limited consistent with those statutory provisions. The purpose of this Section is to ensure that all such uses and facilities are reasonably regulated in regard to bulk and height of structures and determining yard sizes, lot area, setbacks, open space, parking and building coverage.

~~The Applicability and Thresholds in Table 11-9.04.5-A apply to Dover Amendment Uses.~~

11-9.05 Review Procedures and Required Application Materials

1. General

- A. This Section sets forth requirements and procedures for all four types of Site Plan and Design Review (SPDR). Applicable projects shall comply with all required procedures for the respective Site Plan and Design Review types.
- B. If demolition pursuant to Article 5.3 in the Town By-Law is applicable, applicants are encouraged to submit a Site Plan and Design Review application after receiving a Certificate of Architectural Significance or Non-Significance from the Preservation Commission. In the case of a determination of Architectural Significance, the applicant is encouraged, **but not required**, to seek a grant of Lift of Demolition Stay from the Preservation Commission to better meet the purpose and intent of Article XI.

Table 11-9.05.1-A :Summary of Procedures for all SPDR Categories

Administrative SPDR	Minor SPDR	Standard Project SPDR	Large Project SPDR
<i>Applicable project shall comply with all the required procedures</i>	<i>Applicable project shall comply with all the required procedures</i>	<i>Applicable project shall comply with all the required procedures</i>	<i>Applicable project shall comply with all the required procedures</i>
Step 1			
Formal Application and Required Materials	Formal Application and Required Materials	Pre-Submittal Meeting	Pre-Submittal Meeting
Step 2			
Application Review and Staff Reports	Application Review and Staff Reports	Neighborhood Meeting	Neighborhood Meeting
Step 3			
Decision	Public Notice	Preliminary Design Presentation (optional)	File Letter of Intent and Preliminary Design Presentation (required); Step 3A: Impact Advisory Team Large Project only Step 3B: Staff Preliminary Scoping Report Large Project only
Step 4			
	Public Meeting	Submittal of Formal Application and Application Completeness	Submittal of Formal Application and Application Completeness
Step 5			
	Decision	Materials Required for a Complete Application	Materials Required for a Complete Application
Step 6			
		Application Review and Staff Reports	Application Review and Staff Report

Table 11-9.05.1-A :Summary of Procedures for all SPDR Categories			
Administrative SPDR	Minor SPDR	Standard Project SPDR	Large Project SPDR
Step 7			
		Public Notice	Public Notice
Step 8			
		Public Hearing (open within 65 days of Complete App)	Public Hearing (open within 90 days of Complete App)
Step 9			
		Decision	Decision
Step 10			
		Appeals Period, Constructive Approval	Appeals Period, Constructive Approval
Step 11			
		Certification of Decision	Certification of Decision
Step 12			
		Apply for Plan review in Building Department: If required, Building Commissioner issues Denial Letter (SP or Variance)	Apply for Plan review in Building Department: If required, Building Commissioner issues Denial Letter (SP or Variance)
Step 13			
		Applicant may appeal the Building Commissioner's Denial Letter to the Board of Appeals. The Planning Board SPDR Decision serves as the Planning Board recommendation. Only base application fee applies.	Applicant may appeal the Building Commissioner's Denial Letter to the Board of Appeals. The Planning Board SPDR Decision serves as the Planning Board recommendation. Only base application fee applies.

2. **Application and Review Procedures for Standard Project SPDR and Large Project SPDR**

A. **Step 1 Pre-Submittal Meeting**

- (1) Purpose
 - (a) To inform applicants of relevant review application criteria, standards, and procedures;
 - (b) To examine permitting history for the subject site; and
 - (c) To identify any potential concerns early in the review process.
- (2) Procedure
 - (a) At least 14 days before a required Neighborhood Meeting, Applicants or their representatives shall meet with the DPCD Director and, if applicable, members of the Technical Review Team as defined in Section 11-8.03, and which may include in part, the Building Commissioner, Director of Engineering and Transportation, and the Chief of Environmental Health.
 - (b) Applicants shall submit to the DPCD Director a program statement, zoning analysis of the proposed project, site plan, and perspective massing studies and other materials requested by the DPCD Director and the Technical Review Team.

B. **Step 2 Pre-Submittal Neighborhood Meeting**

- (1) Purpose
 - (a) To provide the public with an opportunity to review a schematic design plan and to communicate potential impacts.
 - (b) To promote development application submittals more responsive community concerns
- (2) Procedure
 - (a) At least 14 days prior to any formal submittal of the Site Plan and Design Review application, in consultation with the DPCD Director Applicants of their representatives shall schedule a neighborhood meeting.
 - (b) The Applicant shall distribute notice of the neighborhood meeting to abutters and their tenants, Town Meeting members for subject precincts, neighborhood associations, and other community groups.
 - (c) Applicants shall bring to the neighborhood meeting all materials and information required by the DPCD Director.
 - (d) Applicants shall keep of record that includes, but is not limited to, the following, which the DPCD Director will make available to the public:
 - i. A list of those persons and organizations contacted about the neighborhood meeting;
 - ii. The date, time, and location;
 - iii. A list or signature sheet of those who attended;
 - iv. Copies of all materials the Applicant provided at the meeting; and
 - v. A summary of comments and issues discussed.

- (e) The Applicant shall provide to the DPCD Director a detailed response to concerns raised at the neighborhood meeting and a description of any proposed changes to the development as a result community input.

C. Step 3 Preliminary Design Presentation

(1) Purpose

- (a) To notify the Planning Board and the community of a potential development introduced at neighborhood meetings;
- (b) To report to the Planning Board on issues discussed at the neighborhood meeting and proposed changes as a result of community input;
- (c) To describe the Site Plan and Design Review process for the community;
- (d) For the DPCD Director to present the Technical Review Team's Preliminary Report at this or a subsequent meeting;
- (e) To initiate the process for appointing the Impact Advisory Team.
- (f) To provide a *preliminary* directive to the Applicant to analyze potential impacts further, and to promote development application submittals that comply with the intent and standards of Article XI and that are more responsive community concerns.

(2) Applicability

- (a) Step 3 Preliminary Design Presentation is required for all projects that meet the threshold for Large Project as specified in Table 11-9.04.5.A.
- (b) Step 3 Preliminary Design Presentation is optional for Standard Projects as specified in Table 11-9.04.5.A as follows:
 - i. The Applicant proposing a Standard Project may opt to go before the Planning Board; or
 - ii. In consultation with the Applicant, the DPCD Director may require this step for Standard Projects.

(3) Procedure

- (a) The Applicant shall file a Letter of Intent to the DPCD Director who will schedule the Preliminary Design Presentation.
- (b) For all Large Site Plan and Design Review projects, Applicants are required to give a preliminary design presentation at a public meeting to the Planning Board noticed in accordance with Section 11-9.-5.2.I.
- (c) Applicant shall present materials including but not limited to
 - i. Project description.
 - ii. Strategies to meet Town standards and requirements.
 - iii. Impact statement and mitigation strategies including those to address neighborhood concerns.
 - iv. Existing and proposed site plan and renderings that include the general massing of structures on abutting properties.
 - v. The DPCD Director may request additional materials for clarity and illustrative purposes.

D. Step 3A Staff Preliminary Scoping Report.

- (1) Purpose. For the Technical Review Team:
 - (a) To provide an initial assessment of compliance or impact;
 - (b) To address requirements application review materials; and
 - (c) To identify or recommend potential need for technical reviews pursuant to M.G.L. Chapter 44 Section 53G.
- (2) Applicability
 - i. Step 3A Staff Scoping Report is required for all projects that meet the threshold for Large Project as specified in Table 11-9.04.5.A.
 - ii. Step 3A is optional for Standard Projects as specified in Table 11-9.04.5.A.
- (3) Procedure. For all Large Site Plan and Design Review projects, the DPCD Director shall present at the preliminary design presentation or at a subsequent meeting before the Planning Board a Scoping Report that coordinates preliminary issues scoped by the Technical Review Team.

E. Step 3B Appointment of Impact Advisory Team

- (1) Purpose
 - (a) To identify areas of potential quality-of-life and environmental impact in the subject neighborhood; and
 - (b) To recommend potential mitigation measures for the Technical Review Team and the Planning Board's consideration
- (2) General
 - (a) For all Large Project Site Plan and Design Review projects, the Planning Board is authorized to appoint an Impact Advisory Team (IAT) that shall not include Planning Board members and that shall be made up of no more than seven members that consist of:
 - i. A Brookline resident(s) who is a professional architect;
 - ii. A Brookline resident(s) who is landscape architect or environmental engineer;
 - iii. A Brookline resident(s) who is a real estate professional, housing professional, or urban planning professional;
 - iv. Town Meeting Members in the subject and directly abutting precincts may recommend to the Planning Board precinct residents with or without any of the above credentials for up to four seats on the IAT.
 - (b) Only the Planning Board is authorized to provide design directives to the Applicant.
- (3) Procedures for Impact Advisory Team Meetings
 - (a) IAT Meetings shall be noticed on the Town Calendar and posted on the project page on the Town website.
 - (b) The Applicant shall be present.
 - (c) The DPCD Director shall designate a Regulatory Planner to facilitate and take minutes.

- (d) The IAT shall meet at least once after the Applicant submits the Site Plan and Design Review Application.
- (e) The IAT shall provide a formal written report to the Applicant and to the Planning Board.

F. Step 4 Submittal of Formal SPDR Application and Application Completeness

- (1) No public hearing may be scheduled unless the SPDR Application meets all standards for completeness as follows:
 - (a) All required pre-submittal procedures have been completed.
 - (b) The Technical Review Team determines that all required materials were submitted in accordance with the provisions of this Section.
 - (c) The required Application fee has been paid.
- (2) The Technical Review Team reserves the right to determine if revised plans constitute a new proposal, which will require the Applicant to re-do Steps 1, 2, and 3 if applicable. Plans revised to resolve concerns in response to neighborhood meetings and preliminary feedback from Town staff, the Preservation Commission, or the Planning Board are encouraged and are not necessarily new proposals.
- (3) The Applicant shall file in a digital format the Site Plan and Design Review Application Form and Required Materials with the Zoning Coordinator in the Department of Planning and Community Development. The Town may request hardcopies of the SPDR Application Materials and in a particular format.
- (4) The Zoning Coordinator will certify the date and time the SPDR Application was received.
- (5) Once an Application is determined by the Technical Review Team to be complete, the Technical Review Team or the Review Authority reserves the right to request additional data to determine compliance with the requirement and intent of Article XI.

G. Step 5 Materials Required for a Complete Application

- (1) Demonstration of site control. Name and address of owner of record. If Applicant is the owner's representative, a statement of consent from owner of record.
- (2) Names of each member of the project team, including respective role, and contact information.
- (3) A narrative describing the project, including Sustainable Building and Site Design Measures as specified in Section 11-5.09 and compliance with accessibility standards as specified, in part, in Sections 11-4.03 and 11-6.03.
- (4) Site plan of existing conditions and of proposed conditions (separate sheets):
 - (a) Stamp and signature of a Massachusetts Professional Engineer or Professional Land Surveyor
 - (b) Name of project
 - (c) Sheet Title and Date
 - (d) Owner and Abutter Names
 - (e) Scale at 1"=10' or 1"=20'
 - (f) Plans shall be on State plan coordinate system with elevations (Brookline datum = -6.60 feet off NAVD 1988 elevation). Provide reference to Town Benchmark.

- (g) True north arrow
 - (h) Property lines (bearings and distances)
 - (i) Lot area in square feet and Assessor's Block and Lot specifications
 - (j) Limits of pavement
 - (k) Building location, footprint dimensions, elevation, including dimensions of abutting structures within 5 feet of a shared lot line
 - (l) Grading plan with one-foot contour intervals with spot grades at building foundation, driveways, ramps,
 - (m) All easements, public and private
 - (n) Abutting sidewalks and streets
 - (o) Utilities (water, sewer, drain, gas, and electric) and location of hydrants
 - (p) Public Shade Trees including location, caliper, species
 - (q) Private trees including location, caliper, species
 - (r) Trees proposed for conservation, removal, new plantings
 - (s) Location, size, and type of existing and proposed mains, services, and structures
 - (t) Total impervious area (existing and proposed)
 - (u) 10 ft horizontal offset water (domestic and fire) from sanitary sewer
 - (v) Any overlaying districts (e.g.: floodplain zone)
 - (w) Rock outcroppings and natural vegetation
- (5) Stormwater Management Report and other calculations
- (a) Demonstration that stormwater management systems above and below the surface were designed to standards in accordance with the Town By-Law Article 8.26 Stormwater Management and any supplemental stormwater regulations, including Town requirements related to the current USEPA MS4 General Permit and with MADEP Stormwater Management Handbook and Stormwater Standards. The report shall include:
 - i. Soil classification and location of test pits or borings for soil testing;
 - ii. Soil infiltration rates based on field permeability tests or Rawl's Infiltration Rates in accordance with the National Resources Conservation Service (NRCS) soils classification;
 - iii. Depth of the seasonal high-water groundwater table;
 - iv. Distance between proposed infiltration system and property lines;
 - (b) Stormwater calculations by a professional engineer demonstrating that peak rates and flow and volume do not exceed rates for post-development conditions for the 2-, 10-, 25-, and 100-year design storms.
 - (c) Include profile of proposed sewer and drain services (show length, slope, invert elevation at both ends, and utility crossings)

- (d) Sanitary flow calculations (based on 314 CMR 7.15 prepared by a Professional Engineer)
 - (e) Domestic and Fire flow calculations by a Professional Engineer
 - (f) On-site infiltration structures shall be designed to retain 25-year and 24-hour events.
- (6) Architectural Drawings and Demonstration of Zoning Compliance
- (a) Floor area for residential, commercial, parking areas
 - (b) Number of dwelling units
 - (c) Number of affordable units
 - (d) Number of accessible units
 - (e) Dimensional labels indicating setbacks, stepbacks, floor to ceiling heights, overall height
 - (f) Site sections with cross-cuts representing proposed building and subterranean structures, rooftop structures, screening and including front, side, rear abutters as applicable.
 - (g) Elevations
 - (h) Floor plans
 - (i) Roof plan
 - (j) Perspective drawings
 - (k) Electronic 3D model with proposed building and massing of abutting structures.
 - (l) Proposed exterior materials
 - (m) Building components
 - (n) Demonstration that projections such as balconies will not create a hazard to pedestrians
 - (o) Demonstration that entrances are accessible in compliance with State standards
 - (p) For excavation for proposed underground structures, a narrative describing excavation method, how abutting structures will be protected, and, if excavation and construction into the groundwater table is proposed, how impacts to groundwater would be mitigated.
- (7) Landscaping and Screening
- (a) Indicate plant species
 - (b) Fence or wall materials
 - (c) Dimensional labels indicating height
 - (d) Hardscape materials
 - (e) Location and number of outdoor furniture
- (8) Transportation and Mobility
- (a) All projects subject to Standard Project and Large Project Review shall provide a Transportation Demand Management Plan as specified in the TRANSPORTATION ACCESS PLAN GUIDELINES.

- (b) Projects with 25,000 square feet of floor area or 20 motor vehicle parking spaces or more are required to submit a Transportation Impact Study and Transportation Access Plan, as specified in the TRANSPORTATION ACCESS PLAN GUIDELINES which the Technical Review Team led by the Transportation Division will evaluate for appropriate mitigation measures that will serve as the basis of the Transportation Access Plan Agreement.
 - (c) Driveways within 20 feet of a lot line shall demonstrate a slope of less than 10 percent.
 - (d) A diagram delineating the cone of visibility, as indicated in Section 11-6.03.8 at all driveways.
 - (e) The design of all Long-Term and Short-Term Bicycle Parking Spaces including any ramps and access ways in accordance with the BICYCLE PARKING DESIGN STANDARDS.
 - (f) The layout of parking areas, including access ways, dimensions of stalls and drive aisles.
 - (g) Location and dimensions of accessible parking spaces and demonstration they are designed to comply with accessibility standards.
 - (h) All pedestrian pathways including grade and demonstration they are designed to meet safety standards and accessibility standards.
- (9) Trash and Recycling Management
- (a) The number and size of trash and recycling receptacles for residential and for commercial uses and any food waste generated by commercial uses;
 - (b) The number of trash compactors;
 - (c) The location and size of the trash/recycling storage area or enclosure;
 - (d) The frequency of trash and recycling pick-up;
 - (e) The location of trash/recycling pick-up and if such pick-up will be privately managed;
 - (f) Any noise or odor control measures;
 - (g) Demonstration of compliance with any standards or guidelines set forth by State and/or Health Department
- (10) Remediation Sites
- (a) The following materials shall be stamped and signed by a qualified licensed site professional or geotechnical engineer.
 - (b) Provide record of correspondence with State in regard to M.G.L. Chapter 21E, 310 CMR 40.0000 Massachusetts Contingency Plan as applicable.
 - (c) Provide evidence that soil conditions were investigated for possible future remediation required (depth, location, number of borings) consistent with the proposed design and future use of the site, including vapor barriers to protect future occupants of the project.
 - (d) Provide evidence that proposed excavation method was evaluated to show how Applicant will avoid the migration of any contaminants into groundwater.
 - (e) If applicable, indicate where fuel tanks were located; where monitoring wells are located; if/ how site was closed; how future use of site was investigated for environmental protection.

(11) Sustainable Building and Site Design

- (a) Description of all proposed sustainable site development measures as required in Article XI and additional measures voluntary proposed by Applicant.

(12) State of impact and proposed on- and off-site mitigation

- (a) Describe potential impacts and proposed mitigation measures including improvements in the public way.

H. Step 6 Application Review and Staff Reports

- (1) The Technical Review Team, coordinated by the DPCD Director, shall provide an initial report at least five days prior to a presentation of such report at a public hearing identifying conformance with Town by-laws, regulations, and review criteria and any areas of impact that the require further analysis, additional data, or referral to technical review pursuant to M.G.L. Chapter 44 Section 53G.
- (2) Prior to the Planning Board formally voting on the Site Plan and Design Review application, the Technical Review Team shall provide a follow up report of any resolution of impact, safety, or compliance issues, and any recommended conditions and mitigation measures for the final design for inclusion in the Planning Board decision. The follow up report does not serve as the approval of final drawings for the issuance of a Building Permit.

I. Step 7 Public Notice

- (1) General. The purpose of public notice is to inform the general public and interested parties of the public meeting or hearing and related information about the development proposal.
- (2) Public Notice
 - (a) Mailed Notice. The DPCD Director shall provide notice of the opening of a public hearing as follows:
 - i. Mailed notice to property owners within 300 feet of the project or 600 feet for projects larger than 50,000 square feet in total lot area
 - ii. Mailed notice to Town Meeting Members in precinct of the project
 - iii. Electronic mail notice to Planning Board
 - (b) Published Notice
 - i. DPCD Director shall publish notice for the opening of the public hearing for Site Plan and Design Review in a newspaper of general circulation in the Town at least fourteen (14) days in advance of the scheduled hearing date, with a second notice the following week.
 - ii. The DPCD Director for shall post a notice of each public meeting and site visit, or public hearing for Site Plan and Design Review on the Town website no later than 48 hours in advance of the scheduled hearing date in accordance with Open Meeting Law.
 - (c) Posted Notice
 - i. The DPCD Director shall provide the Applicant with a sign featuring related information about the proposal and with link to Town's website address for the proposed project to post at project at least seven days prior to the initial public hearing or the pre-submittal design presentation in lieu of mailed notice to tenants in public notice area

- ii. The DPCD Director shall post notice of a public hearing for Site Plan and Design Review in a conspicuous place in Town Hall at least fourteen (14) days in advance of the scheduled hearing date for a public hearing, and at least seven days in advance of the scheduled date for a public meeting.

J. Step 8 Public Hearing

(1) Opening of Hearing

- (a) A public hearing shall be held within 65 days the Technical Review Team determines that the Standard Project Site Plan and Design Review application is complete in accordance with the requirements of this Section.
- (b) A public hearing shall be held within 90 days the Technical Review Team determines that the Large Project Site Plan and Design Review application is complete in accordance with the requirements of this Section.

(2) Continuances and Extensions

- (a) Upon mutual agreement by the Applicant and a majority of the Planning Board, the following procedural requirements may be extended:
 - i. the time limit required to open the public hearing; and
 - ii. the time limit required for the Planning Board to make a decision
- (b) Mutual agreement of extended time limits shall be recorded in writing.

K. Step 9 Decision

(1) Action by the Planning Board. Within 90 days of the closing of the public hearing, the Planning Board shall:

- (a) make a decision to approve, approve with conditions, or grant withdrawal the application for Site Plan and Design Review; and
- (b) file that decision with the Office of the Town Clerk.

(2) Findings Required

- (a) The Planning Board shall hear testimony from the applicant's project team, the Impact Advisory Team (if applicable), members of the public, Town Boards, Town Departments, and expert testimony.
- (b) Prior to granting approval or disapproval, the Planning Board shall make written findings with supporting documentation including any site plan or design modifications imposed by the Planning Board as a condition of its approval, and any off-site improvements proposed by the Applicant or required by the Planning Board as a condition its approval.

(3) Conditions for Approval

- (a) Upon review of the proposed development's impacts and measures for mitigating such impact, the Planning Board shall approve a site plan application, if the Planning Board finds that the proposed development complies, to the extent feasible, with the standards set forth in the Zoning By-Law. The Planning Board may provide conditional approval subject to the Board of Appeals' approval of a Special Permit or Variance if applicable.

- (b) The Planning Board may attach conditions and limitations that it deems necessary in order to ensure compliance to the Board's findings and the standards and review criteria for granting of a specific site plan approval.
 - (c) Conditions must have 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.
- (4) Conditions for Disapproval. The Planning Board may reject a site plan that:
- (a) Fails to furnish adequate information required by the Town's by-laws and regulations; or
 - (b) Although proper in form the site plan depicts a use or structure so intrusive on the needs of the public in one regulated aspect or another that rejection by the Planning Board would be tenable.
- (5) Withdrawal of Application
- (a) An Application for a Standard or Large Project Site Plan and Design Review that has been transmitted to the Planning Board may be withdrawn, without prejudice, by the Applicant or Petitioner prior to the publication of the notice of a public hearing. After publication of the public hearing notice, an Application for a Site Plan and Design Review may be withdrawn without prejudice only with the approval of the Board. All requests for withdrawal must be signed and dated by the Applicant, Petitioner, or Appellant, or its authorized agent or attorney; state the reasons therefore; and be filed with the DPCD Director. The Board members sitting as voting members on said public hearing shall vote to accept or reject the request in accordance with G.L. c. 40A s. 16.
 - (b) In the discretion of the Planning Board Chairperson, prior to a vote of the Planning Board on the request, testimony or evidence on the merits of the request to withdraw without prejudice may be accepted from any party in attendance at the Public Hearing. In making its decision, the Board shall consider and take into account the effect of acceptance or rejection of the request on the Appellant, Applicant, or Petitioner, and the abutters and public in general.
 - (c) A request for withdrawal without prejudice, by the Applicant or Petitioner, after the publication of the notice of a public hearing, shall be taken as the first order of business in the Motion Session at the hearing the application is scheduled to be heard.
- (6) Written Decision. The Planning Board decision shall include in writing a detailed record of the proceedings of the public hearing, the Planning Board's actions, the vote of each Planning Board member, the findings that serve as the reason for the Board's decision, and conditions attached to the approval. The Planning Board, in its sole discretion, may obtain the assistance of the Town Counsel, the Building Commissioner, and the DPCD Director in drafting its decision.
- (7) Filing of Decision. The DPCD Director shall file Decisions with the Office of the Town Clerk with 14 days of Planning Board's making of the decision. The Town Clerk will date stamp the decision, beginning the time period for the appeal period.
- (8) Notice of Decision. The DPCD Director shall mail notification of the Decision to the petitioner, the applicant, and abutters as applicable.

L. Step 10 Appeals and Constructive Approval

- (1) Any person aggrieved by a decision of the Planning Board with regard to Site Plan and Design Review may appeal such decision to a court having jurisdiction, in accordance with Massachusetts General Laws, Chapter 40A, Section 17.
- (2) A site plan application is considered constructively approved if the hearing is not opened for a complete application, as defined in this Section, within the time period specified in this Section.

M. Step 11 Certification of Decision

- (1) After the time period for an appeal has expired as specified in this Section, the Applicant shall obtain from the Town Clerk a stamp on the Decision certifying that no appeals have been filed.
- (2) Once the Town Clerk has certified that the Decision has not been appealed, or certified that the decision was appealed and the Applicant decides to proceed at risk, the Applicant shall file the Decision with the property authority as follows:
 - (a) For unregistered/recorded land, the Applicant shall file the certified copy of the decision to the Norfolk County Registry of Deeds.
 - (b) For registered land, the Applicant shall file the certified copy of the decision to the Land Court.
- (3) The Applicant shall provide proof to the DPCD Director that the Decision was filed with the Registry of Deeds or Land Court as applicable.

N. Step 12 Plan Review with Building Department

- (1) Once the Planning Board has filed its Decision, the Applicant may apply to the Building Department for Plan Review.
- (2) If the Plan Review application requires relief from the Zoning By-Law from the Board of Appeals, the Building Commissioner will issue a denial letter.

O. Step 13 Appeal to the Board of Appeals for a Discretionary Permit (if applicable)

- (1) Boards of Appeals applications for projects that have undergone the Site Plan and Design Review procedures in accordance with this Section require only the base application fee.
- (2) The Applicant may proceed directly to the Board of Appeals for the public hearing.
- (3) The DPCD Director shall confirm for the Board of Appeals the Planning Board's Site Plan and Design Review Decision.
- (4) In its decision, the Board of Appeals reserves the right to impose its own conditions in addition to those required by the Planning Board Decision.

P. Application and Review Procedures for Minor SPDR. Unless otherwise specified, the following review procedures are required:

- (1) Step 1 Formal Application and Required Materials
- (2) Step 2 Application Review and Staff Reports
- (3) Step 3 Public Notice
- (4) Step 4 Public Meeting
- (5) Step 5 Decision

- Q. **Application and Review Procedures for Administrative SPDR.** Unless otherwise specified, the following review procedures are required:
- (1) Step 1 Formal Application and Required Materials
 - (2) Step 2 Application Review and Staff Reports
 - (3) Step 3 Decision

11-9.06 Standards for Compliance and Review Criteria (Large and Standard Projects)

1. General

- A. The inadvertent omission of an applicable by-law, regulation, standard, or guideline shall not be construed as an exemption.
- B. Section 11-9.06 serves as the basis for the findings required in the Planning Board Decision.

2. Historic Preservation and Resources

- A. General Criteria
 - (1) Facilitate renovations and infill development that preserve historic resources for present and future generations to enjoy;
 - (2) Preserve architecturally significant features and structures;
 - (3) Preserve architectural features and development patterns that define the character of the Brookline Village Commercial National Register District;
 - (4) Conserve existing housing stock; and
 - (5) Conserve embodied carbon.
- B. Standards
 - (1) Preservation Commission CATALOG OF ARCHITECTURALLY SIGNIFICANT PROPERTIES IN HARVARD STREET MAIN STREET CORRIDOR
 - (2) General By-Law Article 5.3 Demolition Delay By-Law
 - (3) Preservation Commission GUIDELINES FOR POSSIBLE LIFT OF DEMOLITION STAY FOR ARCHITECTURALLY SIGNIFICANT PROPERTIES IN HARVARD STREET MAIN STREET CORRIDOR (as applicable)
 - (4) Preservation Commission ARCHITECTURAL STANDARDS AND GUIDELINES FOR THE BROOKLINE VILLAGE COMMERCIAL NATIONAL REGISTER DISTRICT (BV-NRD)
 - (a) Applicable to all parcels within the BV-NRD; see [Official Historic District Map](#).

3. Building Design and Placement

- A. General Criteria
 - (1) Building forms and building placement shall reinforce the Main Street character of the district as indicated in the Intent for each zone in Article XI.
 - (2) Building forms shall employ frontage types allowed in that zone to ensure that the building engages the public realm in a manner that reinforces the Main Street place type.

- (3) The massing, façade composition and articulation, and architectural standards and principles in Chapter 11-2 shall be used to integrate the proposed structure and any traditional or contemporary architectural style proposed with existing buildings, especially architecturally Significant Buildings, in the Harvard Street Main Street Corridor.
- (4) Setbacks and stepbacks shall be used to create transitions in massing between the building and abutting residential structures to the rear of the site and to improve residential abutters' view of sky.

B. Standards

- (1) Chapter 11-2 Harvard Street Form-Based Zone Standards

4. **Open Space**

A. General Criteria

- (1) Provide private space and common space for the enjoyment of residents of the site;
- (2) Enhance walkability of the corridor by fostering connectivity between the site and the public realm; and
- (3) Promote environmental, sustainable, and visual quality of the community,

B. Standards

- (1) Section 11-3 Frontage Types, as applicable
- (2) Section 11-4.10 Balconies, as applicable
- (3) Section 11-5.05 Open Space
- (4) Section 11-5.09 Sustainable Building and Site Design
- (5) PUBLIC WORKS SUSTAINABLE SITE DESIGN STANDARDS AND GUIDELINES

5. **Sustainable Building and Site Design**

A. General Criteria. Sites shall be designed to:

- (1) Comply with state and local requirements for energy efficiency, renewable energy, fossil-free infrastructure;
- (2) Mitigate heat island impacts;
- (3) Increase the Town's tree canopy on or nearby the site;
- (4) Manage stormwater runoff using low impact best practices when possible;
- (5) Filter pollutants; and
- (6) Avoid demolition when possible to conserve embodied carbon.

B. Standards

- (1) Article XI (Harvard Street Form Based Zone Standards), especially Section 11-5.04 (Landscaping) and Section 11-5.09 (Sustainable Building and Site Design)
- (2) Article V Section 6.10 Electric Vehicle Readiness
- (3) Regulations adopted by the Town including but not limited to energy efficiency, fossil-fuel free infrastructure, renewable energy, and embodied carbon.

- (4) PUBLIC WORKS DEPARTMENT SUSTAINABLE SITE DESIGN GUIDELINES
- (5) Also see standards in 11-9.06.6 (Accessibility, Inclusive Design, and Pedestrian Access and Safety) and 11-9.06.9 (Stormwater, Trees, and Low Impact Development) in the following subsections.

6. **Accessibility, Inclusive Design, and Pedestrian Access and Safety**

A. General Criteria

- (1) Buildings, especially ground-floor commercial entrances, shall be designed for accessibility and, when practicable in pre-existing non-conforming structures, accessible accommodations.
- (2) The design of driveways shall demonstrate that pedestrians are visible to drivers entering and exiting a parking area.

B. Standards

- (1) Article XI, especially Section 11-4.03 Active Ground Floor Designs, Section 11-6.03.8.B Driveways and Pedestrian Safety, and Section 11-6.03.8.C.9 Surface Parking and Pedestrian Pathways
- (2) Americans with Disabilities Act
- (3) Massachusetts Architectural Access Board Guidelines
- (4) Article XI, especially Chapter 11-2 where dimensional requirements for pedestrian access are specified.

7. **Parking, Mobility, and Loading**

A. General Criteria

- (1) Bicycle and motor vehicle parking areas and on-site loading areas shall be designed to be feasible, accessible, and safe such that one entering and exiting parking areas and parking spaces avoids conflicts with pedestrians and other users.

B. Standards

- (1) Article XI Chapter 11-6 Parking and Mobility
- (2) Article VI Section 6.05 Bicycle Design and Parking Requirements
- (3) Article VI Section 6.10 Electric Vehicle Readiness
- (4) Section 11-5.04 Surface Parking Landscaping
- (5) Section 11-5.08 Screening (of Loading Areas)

8. **Landscaping**

A. General Criteria. Landscaping shall be effectively designed to:

- (1) Minimize visual, light, and sound impact of adjacent uses;
- (2) Increase privacy;
- (3) Expand the Town's tree canopy; and
- (4) Provide sustainable site design measure to mitigate stormwater runoff and heat island impacts and to promote soil-based carbon sequestration.

B. Standards

- (1) Section 11-4.11 Structured Parking garage door and entry standards
- (2) Section 11-5.04 Surface Parking Landscaping
- (3) Section 11-5.07 Outdoor Lighting
- (4) Section 11-5.08 Screening (of Loading Areas)

9. **Stormwater, Trees, and Low Impact Development**

A. General Criteria

- (1) Development plans shall demonstrate compliance with local, state, and federal stormwater standards
- (2) Mitigation of stormwater runoff impacts on the municipal system, including reduction of pollutants into the groundwater due to runoff
- (3) Low impact development best practices (nature-based solutions) to mitigate both stormwater runoff into the municipal system and heat island impacts and to promote soil-based carbon sequestration.

B. Standards

- (1) Town By-Law Article 8.26
- (2) Public Works Stormwater Rules and Regulations
- (3) Article XI – Harvard Street Form-Based Zone Standards, especially Section 11-5.04 Landscaping and Section 11-5.09 Sustainable Building and Site Design
- (4) PUBLIC WORKS DEPARTMENT SUSTAINABLE SITE DESIGN STANDARDS AND GUIDELINES
- (5) PUBLIC WORKS MITIGATION AND SUSTAINABLE STANDARDS AND GUIDELINES FOR PUBLIC IMPROVEMENTS
- (6) Federal and State Standards

10. **Outdoor Lighting and Screening**

A. General Criteria

- (1) All outdoor lighting shall be designed, located, and lamped to prevent overlighting and light trespass;
- (2) Bollard lighting may be used to light landscaping its light shall case downward;
- (3) Internally illuminated building parts shall be prohibited;
- (4) All parking lot light shall be full cutoff luminaires with the light source directed downward and away from adjacent residences;
- (5) Entrances to garages shall have doors; and
- (6) Surface parking lots shall be screened to prevent glare onto adjacent residences

B. Standards

- (1) Section 11-4.11 Structured Parking garage door and entry standards
- (2) Section 11-5.04 Surface Parking Landscaping
- (3) Section 11-5.07 Outdoor Lighting
- (4) Section 11-5.08 Screening (of Loading Areas)

11. Emergency Access and Safety

A. General Criteria

- (1) The site and building design shall demonstrate adequate emergency access as required by State regulations
- (2) Parking garages shall be installed with ventilation and sprinklers as required by State electrical and fire codes
- (3) Trash storage areas shall not be co-located in rooms with ductwork that runs to residential levels per State Fire Code.
- (4) Access to the roof and to underground (subterranean) structures shall be designed to ensure safe access by emergency responders subject to the review and approval of the Fire Prevention Chief.
- (5) Landscaping, screening, and outdoor shall be designed to avoid obstructions to emergency responders and to emergency shutoff or utility access subject to the review and approval of the Fire Prevention Chief.

B. Standards

- (1) Relevant State Codes

12. Environmental Health

A. General Criteria

- (1) Sliding door/window openings for indoor restaurant seating shall meet State health and sanitation codes
- (2) Trash and recycling management plan shall be sufficient designed to meet the waste generated by the development's uses
- (3) Trash and recycling service areas shall be enclosed within the building or if outdoors fully enclosed to minimize odors, rodents, and runoff of contaminants in groundwater
- (4) Noise and odors shall be mitigated to minimize quality-of-life impacts

B. Standards

- (1) Relevant State health codes and regulations
- (2) Town By-Law Article 8.15 Noise Control
- (3) Town By-Law Article 8.16 Collection and Recycling of Waste Material
- (4) HEALTH DEPARTMENT GUIDELINES FOR TRASH AND RECYCLING MANAGEMENT
- (5) Article XI Section 11-5.08.5 Trash and Recycling Service Areas

13. Mechanical Equipment

A. General Criteria

- (1) Ventilation of commercial kitchens should minimize impact of odors on the surrounding neighborhood
- (2) Chases should be integrated into the façade and not exposed on the exterior of the facade
- (3) Mechanical equipment, roof- or ground-mounted, shall be screened as required by the standards in Article XI.

B. Standards

- (1) Article XI Chapter 11-2 Form-Based Zones, especially J. Encroachments
- (2) Article XI Section 11-4.05 Standards for Ventilation Openings
- (3) Article XI Section 11-4.11 Structure Parking (ventilation)
- (4) Article XI Section 11-5.08 Screening (of Mechanical Equipment)
- (5) Article XI Chapter 11-6 (Mechanical Access Parking)
- (6) Town By-Law Article 8.15 Noise Control

14. Impact Mitigation

A. General Criteria

- (1) The development shall demonstrate
 - (a) Mitigation of stormwater runoff and pollutants into groundwater through off-site mitigation especially when on-site mitigation is insufficient
 - (b) Mitigation of heat island impacts due to pavement and building coverage by increasing urban tree canopy on or off-site
 - (c) Use of transportation demand management measures to encourage alternative to motor vehicle usage
- (2) Improvements to the public way shall be in proportion to the extent of the project impact such as:
 - (a) Facilitating shared infrastructure like bike racks in the public way to encourage alternatives to motor vehicle usage.
 - (b) Facilitating public improvements that increase accessibility features such as ramps and signals and enhance pedestrian safety and conveniences (like benches).
 - (c) Facilitating flex loading zones in the public way that multiple properties can use at certain peak times to avoid double-parking and reduce pedestrian safety hazards due to in part truck deliveries, drop-offs, trash pick-up.

B. Standards

- (1) Article XI, especially Section 11-5.04.6 Surface Parking Landscaping, Section 11-5.09 Sustainable Building and Site Design, Section 11-6 Parking and Mobility
- (2) TRANSPORTATION ACCESS PLAN AND TRANSPORTATION DEMAND MANAGEMENT GUIDELINES
- (3) PUBLIC WORKS MITIGATION AND SUSTAINABLE STANDARDS AND GUIDELINES FOR PUBLIC IMPROVEMENTS

11-9.07 Standards for Compliance and Required Materials (Minor and Administrative)

1. **Minor Site Plan and Design Review**
 - A. Awnings, Canopies Commercial Signs, Required Materials and Standards
 - (1) Materials: As specified on Application Form
 - (2) Standards:
 - (a) Article XI especially Section 11-4.03 Active Ground Floor Design
 - (b) Article XI especially Section 11-5.11 Commercial Signs
 - B. Additions, Change in Materials, Roof Replacement (no demolition)
 - (1) Materials: As specified on Application Form
 - (2) Standards:
 - (a) Article XI as applicable
 - (b) BV-NRD Architectural Standards and Guidelines, if applicable
2. Administrative Site Plan and Design Review
 - (1) Materials: As specified on Application Form
 - (2) Standards: Article XI as applicable

11-9.08 Administration

1. **Authority to Establish and Amend Regulations, Scope, and Criteria.** The Planning Board shall establish and may periodically amend rules and regulations relating to the administration of this Section, including additional regulations relating to the scope and format of reports required hereunder.
2. **Fees**
 - A. The Planning Board shall establish and may periodically amend a schedule of fees for all applications under this section, which may include fees for legal advertising and lawn signs. No application shall be considered complete unless accompanied by the required fees.
 - B. Application fees are not refundable if applications are withdrawn before or after public notice.
 - C. The Planning Board may vote to hire a court stenographer to transcribe hearing proceedings on applications for Standard Project and Large Project Site Plan and Design Review, with all costs thereunder borne by the Applicant. The Applicant shall pay any outstanding court stenographer fees prior to the issuance of a Building Permit.
3. **Technical Review Fees**
 - A. Pursuant to M.G.L. Chapter 44 Section 53G, the Planning Board reserves the right to engage the services of qualified independent technical consultant(s) to review any plan if the Board believes that such technical review is necessary to accomplish the purpose and intent of this Section.

- B. The costs for any technical review shall be borne by the Applicant and may be imposed in accordance with M.G.L. Chapter 44, Section 53G, and as duly adopted by the Board in accordance with said law.
- C. The Town shall provide cost estimates to the Applicant for review before the Planning Board authorizes technical review.
- D. The Applicant shall provide funds for the aforementioned review to the Town for deposit into a special account established by the Town's accountant prior to any work being undertaken by any technical consultant. This amount may be augmented by the applicant from time to time, as required by the Board.
- E. Funds from the special account may be expended only for the purposes described in this Section
- F. The Town shall return to the Applicant any unused portion of funds after all consultants have been paid.
- G. The Planning Board may impose a review fee only if:
 - (1) The work of the consultant consists of review of studies prepared on behalf of the applicant, and not of independent studies on behalf of the Planning Board;
 - (2) The work is in connection with the Applicant's specific project; and
 - (3) All written results and reports are made part of the record before the Board.

4. **Approval Lapse.**

If an Application is approved by the Planning Board, all permits necessary for the commencement of the work shall be obtained, and construction shall be commenced within one year from the effective date of the Board's decision—unless, in the case of the granting of a special permit, the Board of Appeal's decision provides other allowances and limitations. The effective date of a Planning Board Decision will be suspended during the pendency of an appeal to a court of competent jurisdiction. For the purposes of this paragraph only, Commencement of Construction shall mean construction of the foundation of the development project's building.

5. **Extensions, Amendments, and Modifications.**

Any change, extension, material corrections, additions, substitutions, alterations, or modification to a site plan review permit that is not deemed a minor field change by the Planning Board or its designee shall require a majority vote at a public meeting in accordance with M.G.L. c. 40A, Section 11.

6. **Final Construction Drawings and As-Built Plans.**

Final Construction Drawings and As-Built Plans shall demonstrate evidence of compliance with local, State, and federal rules, regulations, and laws and conditions of SPDR Decision.

7. **Building Permits and Certificates of Occupancy**

- A. No building permit shall be issued by the Building Commissioner for, and no person shall undertake, any use, alteration or improvement subject to this Section unless an application for site plan and design review and approval has been prepared for the development project in accordance with the requirements of this Section, and unless such application has been approved by the Planning Board.
- B. No Certificate of Occupancy shall be granted by the Building Commissioner until the review authorities specified in the Planning Board's Decision have given their approval that the development project and any associated off-site improvements conform to the approved application for site plan and design review and approval, including any conditions imposed by the Planning Board.

- C. If weather conditions for any on-site landscaping and tree plantings required of the Applicant required as a condition of approval are not optimal for installation according to industry standards, the Building Commissioner may issue a Temporary Certificate of Occupancy for a limited time period and allow the Applicant to post a performance bond in the amount of 150 percent of the cost specified in a signed contract for such work, which shall be deposited in a Town-segregated account until required work is performed.

8. **Conditions, Limitations, and Safeguards Town Counsel**

- A. In granting approval of a Site Plan and Design Review application, the Planning Board may impose conditions, limitations and safeguards which shall be in writing and shall be a part of such approval. Such conditions may include, among other matters and subjects:
 - (1) Requirements for off-site improvements to improve the capacity and safety of roads, intersections, pedestrian ways, water, sewer, drainage, and other public facilities which are likely to be affected by the proposed development.
 - (2) Conditions to minimize off-site impacts on traffic and environmental quality during construction.
 - (3) Requirements for securing the performance of all proposed work, including proposed offstreet improvements, by either or both of the following methods:
 - (a) A performance bond, a deposit of money, negotiable securities, letter of credit, or bank passbook in an amount determined by the Planning Board to be sufficient to cover the cost of all or any part of the improvements required as conditions of approval.
 - (b) A covenant running with the land, executed and duly recorded by the owner of record, whereby the required improvements shall be completed before the property may be conveyed by other than a mortgage deed.

9. **Succession**

- A. Any person or entity claiming to be the Applicant's successor in interest shall provide to the Planning Board documentation establishing such succession in interest.
- B. The provisions of the Planning Board's Decisions shall be binding on the heirs, successors, and assigns of the Applicant, and shall run with the land.

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Chapter 11-10: Definitions & Methods of Measurement

11-10.01 Definitions

This Section provides definitions for specialized terms and phrases used in this Article. All other applicable definitions in Article II (Definitions) of Zoning By-laws apply.

A. Definitions

Architectural Features. Exterior building elements intended to provide ornamentation to the building massing, including, but not limited to: eaves, cornices, bay windows, window and door surrounds, light fixtures, canopies, and balconies.

Articulation. Differentiation of elements, spaces, planes, and/or geometries of a building facade.

B. Definitions

Bay Window. An architectural projection from the building with window openings on each side or spaced across the circumference when circular. Sometimes cantilevered from the facade.

Blank Wall. Areas on the exterior facade of a building that do not include a substantial material change; windows, doors or openings; columns, pilasters, or other articulation greater than 2 inches (2") in depth.

Block Face. The aggregate of all the building facades on one side of a block. The block face provides the context for establishing architectural harmony.

Block Scale, Building. A building that is individually as large as a block or individual buildings collectively arranged along a street to form a continuous facade as long as most or all of a block.

Block Length. The horizontal distance measured from one end of the block to the other end along the same street.

Block Perimeter. The aggregate of all sides of a block measured along the adjacent streets.

Buildable Area. The area in which a building is permitted to be constructed.

Building. A combination of any materials, whether portable or fixed, having a roof, to form a structure for the shelter of persons, animals, or property. For the purpose of the definition, "roof" shall include an awning or any similar covering, whether or not permanent in nature. The word "building" shall be construed where the context allows as though followed by the words "or parts or parts thereof."

Building Facade. The exterior wall of a building adjacent to a street, the front or side along a private street, or civic space.

Building Entrance. A point of pedestrian ingress and egress to the front of a building along the sidewalk of the street immediately adjacent to the building.

Building Form. The overall shape and dimensions of a building.

Building Frontage. The facade(s) along the front and side street of any lot or along an open space.

Building, Main. A building in which is conducted the principal use of the lot on which it is situated.

C. Definitions

Carshare Parking Space. A parking space required to be dedicated for current or future use by a carshare service through a deed restriction, condition of approval, or license agreement. Such deed restriction, condition of approval, or license agreement shall grant priority use to any carshare service that can make use of the space, although such spaces may be occupied by other vehicles so long as no carshare organization can make use of the dedicated carshare space(s).

Carshare Service. A service that provides a network of motor vehicles available to rent by members by reservation on an hourly basis, or in smaller intervals.

Ceiling Height, Ground Floor. The height from finished floor to finished ceiling of primary rooms on the ground floor, not including secondary rooms such as bathrooms, closets, utility rooms, and storage spaces.

Ceiling Height, Upper Floor(s). The height from finished floor to finished ceiling of primary rooms on the floor(s) above the ground floor, not including secondary rooms such as bathrooms, closets, utility rooms, and storage spaces.

Center. Concentration of ground floor shopping, restaurants, and services, with additional offices and housing located above, within a Walkable Urban context.

Chamfered Corner. An external wall of a building joining two perpendicular exterior walls, typically at a symmetrical, 45 degree angle creating a beveled edge to the building rather than a 90 degree corner.

Civic. A term defining not-for-profit organizations that are dedicated to arts, culture, education, religious activities, recreation, government, transit, and public parking facilities.

Civic Building. A structure operated by governmental or not-for-profit organizations and limited to civic and related uses.

Common Entry. See 11-3.05 (Common Entry).

Common Space (Common Area). A portion of a development held in common and/or single ownership and not reserved for the exclusive use or benefit of an individual tenant or owner and is available for use by all persons who reside or work in the building or on the Lot.

Corner Element. A physical distinction in a building at the corner of two streets or a street and public space. The physical distinction is from the ground floor through the top of the facade.

Corner Entry. An entrance located on the corner of a building.

Courtyard. An unroofed area that is completely or partially enclosed by walls or buildings on at least two sides and often shared by multiple residential units or non-residential suites.

Crawl Space. A shallow unfinished uninhabitable space beneath the floor or under the roof of a building, that provides access to utility, structural, and other building components not readily accessible from the habitable portions of the building.

D. Definitions

Defensible Space. A public, private, or semi-private residential environment whose physical characteristics—building layout and site plan—function to allow inhabitants themselves to become key agents in ensuring their security.

Depth, Ground-Floor Space. The distance from the street-facing facade to the rear interior wall of the ground-floor space available to an allowed use.

Depth-to-Height Ratio. The relationship of the depth of a space measured perpendicular to a building divided by the average height of the surrounding buildings.

Disposition, Formal. Composed in a formal arrangement, in a regular, classical, and typically symmetrical manner.

Disposition, Informal. Composed in an informal character with a mix of formal and natural characteristics.

Distance Between Entries. The horizontal distance between entrances to a building or buildings, measured parallel to the facade.

Dooryard. See 11-3.07 (Dooryard).

E. Definitions

Elevated Ground Floor. A ground floor situated above the grade plane of the adjacent sidewalk.

Encroachment. Any architectural feature, structure, or structural element, such as a gallery, fence, garden wall, porch, stoop, balcony, oriel window, bay window, terrace or deck, that breaks the plane of a vertical or horizontal regulatory limit by extending into a setback, or beyond the build-to-line into the public frontage, or above a height limit.

Entry. An opening, such as a door, passage, or gate, that allows access to a building.

Entry, Primary. The opening that allows access to a building directly from the sidewalk along the front facade.

Entry, Service. An entrance located toward or at the rear of the building intended for the delivery of goods and removal of refuse.

F. Definitions

Facade. See Building Facade.

Facade Zone. The area between the minimum and maximum setback lines along the front of a site and along the side street of a corner parcel where the building facade is required to be placed.

Family. One or more persons occupying a dwelling unit and living as a single, non-profit housekeeping unit.

Finish Level, Ground Floor. Height difference between the finished floor on the ground floor and the adjacent sidewalk. In the case of a terrace frontage that serves as the public right-of-way, the floor finish level is the height of the walk above the adjacent street. Regulations for ground floor finish level for ground floor residential uses do not apply to ground floor lobbies and common areas in buildings.

Floorplate. An area measurement in square feet of either the gross or the rentable floor area of a typical floor in a building.

Footprint. The outline of the area of ground covered by the foundations of a building or structure.

Forecourt. See 11-3.08 (Forecourt).

Freestanding Wall. A wall that is separate from a building and supported by independent means.

Front. See Lot Line, Front.

Frontage, Private. The area between the building facade and the back of the sidewalk abutting a street or public open space.

Frontage, Public. The area between the on-street parking and the back of the sidewalk.

Frontage Type. Physical element(s) configured to connect the building facade to the back of the sidewalk abutting a street or public open space.

G. Definitions

Gable. A vertical wall in the shape of a triangle formed between the cornice or eave and the ridge of the roof.

Glazing. Openings in a building in which glass is installed.

Gross Floor Area. The total floor area inside the building envelope, including the external walls, but not including the roof.

H. Definitions

Height. See Measurement Methods 11-10.02.

House Scale, Building. A building that is the size of a small-to-large house and detached from other buildings, typically ranging from 24 feet to as large as 80 feet overall, including secondary wings.

I. Definitions

Improvement. The product of any modification to a site structure or building.

J. Definitions

No specialized terms beginning with the letter J are defined at this time.

K. Definitions

No specialized terms beginning with the letter K are defined at this time.

L. Definitions

Landing. A level area at the top or bottom of a staircase or between one flight of stairs and another.

Live/Work. A unit that combines and accommodate both residential and the place of business for the resident(s) of the unit. Typically characterized with having the “work” function at the ground level and the “live” function on upper levels.

Loading Dock(s). A platform where cargo from vehicles can be loaded or unloaded.

Lot, Corner. A lot fronting two (2) or more thoroughfares at their intersection.

Lot Depth. The horizontal distance from the midpoint of the front lot line to the midpoint of the rear lot line of a lot to the most distant point on any other lot line where there is no rear lot line.

Lot, Interior. A lot fronting one thoroughfare and abutting other lots at both sides.

Lot Line. The perimeter and geometry of a parcel of property demarcating one lot from another.

Lot Line, Front. Any lot line along the Principal Street Frontage abutting a Front Street.

Lot Line, Rear. Any lot line that is parallel to or within forty-five degrees (45) of being parallel to a front lot line, unless that lot line is a side lot line of an abutting lot.

Lot line, Side. Any lot line that is not a Front, Rear, or Side Street lot line.

Lot Line, Side Street. Any lot line abutting a street that is secondary to the primary front lot line.

Lot Width. The horizontal distance between side lot lines measured perpendicular to the mean direction of the side lot lines.

Luminaire. A light unit or fixture including any bulb(s), tube(s), housing, reflective shield, lens, and/or ballast. The complete lighting unit (fixture), consisting of a lamp, or lamps and ballasts, when applicable, together with the parts designed to distribute the light (reflector, lens, diffuser), to position and protect the lamps, and to connect the lamps to the power supply.

Luminaire, Cutoff. The luminous intensity (in candelas) at or above an angle of 90° above nadir does not numerically exceed 2.5% of the luminous flux (in lumens) of the lamp or lamps in the luminaire, and the luminous intensity (in candelas) at or above a vertical angle of 80° above nadir does not numerically exceed 10% of the luminous flux (in lumens) of the lamp or lamps in the luminaire.

Luminaire, Full Cutoff. The luminous intensity (in candelas) at or above an angle of 90° above nadir is zero, and the luminous intensity (in candelas) at or above a vertical angle of 80° above nadir does not numerically exceed 10% of the luminous flux (in lumens) of the lamps or lamps in the luminaire.

M. Definitions

Main Body. The primary massing of a main building.

Main Building. The building that serves as the focal point for all activities related to the principal use of the lot.

Main Facade. The front facade of a building.

Major. Having a greater size, scope, effect, characteristic or quality relative to the other corresponding sizes, scopes, effects, characteristics or qualities; or being the greater of two or more.

Massing. The overall shape or arrangement of the bulk or volume of a building.

Minor. Having a lesser size, scope, effect, characteristic or quality relative to the average size, scope, effect, characteristic or qualities; or being the lesser of two or more.

N. Definitions

No specialized terms beginning with the letter N are defined at this time.

O. Definitions

Oriel Window (Syn. Upper Story Bay Window). A window that projects from the building facade or elevation, located on upper floors and may extend for multiple stories.

Overhead Doors. Doors constructed in horizontally hinged sections that are equipped with hardware that rolls the sections into an overhead position, clear of the opening.

P. Definitions

Parapet. A wall along the edge of a roof or the portion of a wall that extends above the roof line.

Parking Driveway Width. The horizontal measurement of an access driveway to a parking area, measured perpendicular to the direction of travel.

Pedestrian-oriented Businesses. General commercial businesses that allow customers to park once and complete multiple transactions and visits on foot in a context that encourages people to walk instead of drive.

Planting Strips. A landscaped or grassy area located between a street and a sidewalk.

Podium. A continuous projecting base or pedestal under a building often occupied by parking.

Podium Top. A flat, elevated and open area above a podium that can be used as common area.

Point of Intersection. Location where two Streets meet. Point of intersection of two Streets is measured from the face of the curb, or if none, from the edge of the pavement.

Porch Projecting. See 11-3.09 (Porch Projecting).

Production, Artisanal. Food and/or products made by hand in small batches that requires skills from a maker/master with a combination of science and art derived from experience.

Projection. A change in the facade plane wherein a portion of the facade is located some distance ahead of the primary facade plane. "Projection" is the opposite of "Recession."

Protected Tree. As defined in General By-Law Section 8.26.2.

Public Use. A use undertaken by a political subdivision.

Q. Definitions

No specialized terms beginning with the letter Y are defined at this time.

R. Definitions

Rear. Opposite of front.

Rear Loaded (Rear Access). Lots that provide vehicular access from the rear of the lot.

Recession. A change in the facade plane wherein a portion of the facade is located some distance behind the primary facade plane. "Recession" is the opposite of "Projection."

Recessed Entry. An entrance to a building that is set back from the facade of the building.

Regulating Plan. A map that identifies the zoning and standards to be applied to specific locations.

S. Definitions

Secondary Wing. A structure physically attached to, and smaller in footprint and height to, the Main Body of a building.

Semi-Public Use. A use owned or operated by a non-profit organization, private institution or foundation.

Service Entries. Building access for service providers.

Setback, Parking. The mandatory clear distance between a lot line and parking.

Shared Parking. Any parking spaces assigned to more than one user, where different persons utilizing the spaces are unlikely to need the spaces at the same time of day.

Shopfront. See 11-3.04 (Shopfront).

Shopfront Base. A very low wall, that does not include glass, between the display window(s) of a shopfront and the adjacent sidewalk.

Sidewalk. A paved area along a street intended exclusively for pedestrian use and often installed between a street and lot frontages.

Single Loaded, Building. A building containing dwellings and/or commercial suites without common hallways for access to the dwellings and/or suites.

Site. One or more adjacent lots under common ownership.

Stealth Design. The effect of integrating an element such as a cellular antenna into a building that results in the element being unobtrusive and not easily perceived from adjacent public sidewalks and open space.

Stoop. See 11-3.06 (Stoop).

Story, Half (Syn. Attic Story). A conditioned space that rests primarily underneath the slope of the roof, usually having dormer windows. The half story is identified by the ".5" in the description of maximum height (2.5). A half-story is considered a story when its top wall plates, on at least two opposite exterior walls, are four feet or more above the floor of such story.

Street, Front. Street located along the front lot line.

Street, Side. Street located along a lot line that is not the front lot line.

Street Frontage, Principal. The length of the property line of any one premise parallel to and along the public right-of-way which it borders and which is identified by an officially assigned street address.

Street Tree. A tree of any species or size planted in open spaces, parkways, sidewalk areas, easements, and streets.

Structure, Accessory. A subordinate structure, the use of which is incidental and secondary to that of the main structure on the same lot.

T. Definitions

No specialized terms beginning with the letter T are defined at this time.

U. Definitions

Understory. The smaller trees and shrubs below the canopy of large trees.

Unit. See Dwelling Unit.

Upper Floor. A floor in a building containing habitable space that is located above the ground floor.

V. Definitions

Vertical Division. Segments running from top to bottom along the length of a facade that provide an organized framework for the placement of facade openings, projections and/or recessions, material changes and other facade elements.

Vertical Division, Major. A vertical division that contains locally-symmetrical minor divisions.

Vertical Division, Minor. A vertical division that establishes local symmetry within a Major Vertical Division.

W. Definitions

Walkable Neighborhood Center. A walkable urban environment that provides a concentrated mix of civic, institutional and/or commercial uses.

Walkable Urban Context Type. Areas that are pedestrian-oriented in nature, where bicycling and walking are viable daily options because services, retail, or restaurants are within a short walking distance of most residences.

Walkability. The condition when an area is highly interconnected to other areas and appeals to pedestrians for recreational walking or for walking to work, transit, errands, shopping, or restaurants.

Wall Plane. A vertical surface defined by the facades of buildings.

Water Table. A horizontal projecting string-course of masonry, molding or a ledge placed so as to divert rainwater from a building and act as an architectural feature.

Width-to-Height Ratio. The ratio of the horizontal size of a space measured perpendicularly to the vertical height of a building.

X. Definitions

No specialized terms beginning with the letter X are defined at this time.

Y. Definitions

No specialized terms beginning with the letter Y are defined at this time.

Z. Definitions

No specialized terms beginning with the letter Z are defined at this time.

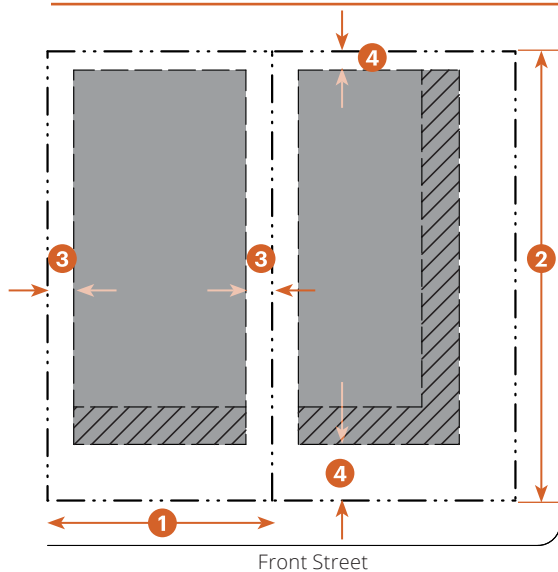
11-10.02 Measurement Methods

This Section provides methods of measurement for specialized terms and phrases used in this Article. All other applicable definitions in Article II (Definitions) of Zoning By-laws apply.

1. Facade Zone Defined by Primary Building/Frontage

- A. **Applicability.** The facade zone standards apply to new primary buildings and their additions along the front and side street of a Lot.
- B. **Methodology.** The required amount is expressed in the zone standards as a percentage, in Sub-section D of 11-2 (Building Placement). The percentage is calculated as follows through an example for the front facade zone. The same approach is to be applied to the side street, using the minimum front and rear building setbacks.
 - (1) Identify the width of Lot (e.g., 50 feet) and apply required side building setbacks (e.g., 5 feet and 5 feet).
 - (2) Subtract the horizontal length between each side setback and the adjacent side Lot Line from the total width of the Lot. The result is the net buildable width of the Lot (e.g., 40 feet).
 - (3) Multiply the required minimum percentage in the zone standards (e.g., 50 percent) by the net buildable width of the Lot (e.g., 50 feet).
 - (4) The result is the minimum length, in feet, of building facade, frontage type(s), and/or outdoor seating area(s), as allowed by the zone standards, that is required in or abutting the facade zone (e.g., 20 feet).
 - (5) See Figure 11-10.02.B (Applying the Required Amount to the Facade Zone) for examples that are consistent with the intent of this standard

Figure 11-10.02.A: Determining the Required Amount Subject to the Façade Zone



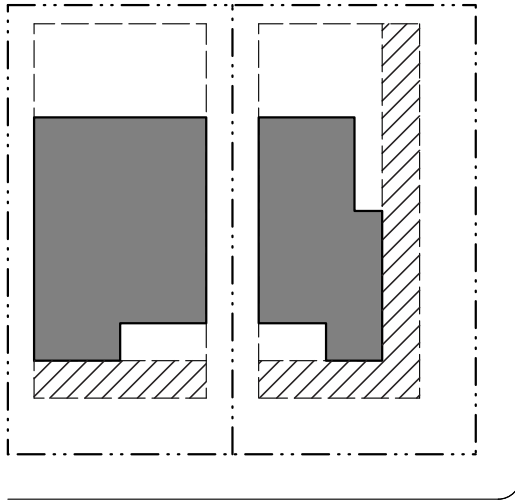
- 1 Width of Lot
- 2 Depth of Lot
- 3 Setback to be subtracted from Lot Width
- 4 Setback to be subtracted from Lot Depth

Example Calculation

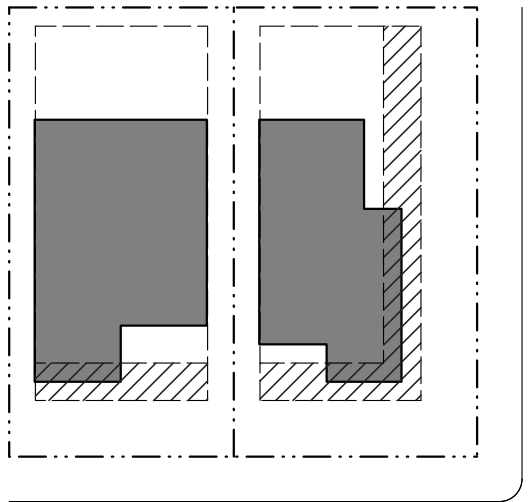
50'	Width of Lot
- 5'	Side Setback
- 5'	Side Setback
= 40'	Net Buildable Width
40'	Net Buildable Width
x Zone Standard (e.g., 50%)	
= 20'	Required In or Abutting the Façade Zone

Figure 11-10.02.B: Examples of Applying the Required Amount to the Facade Zone

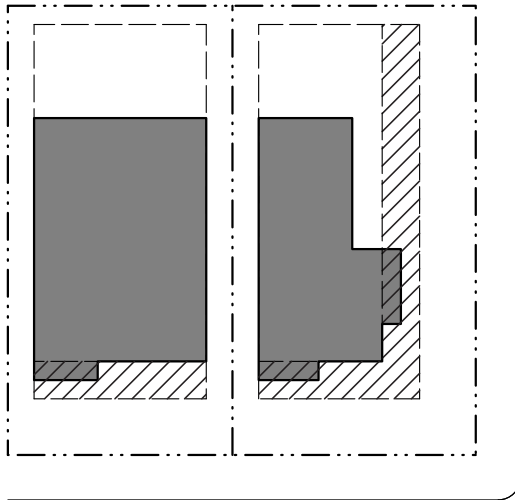
A. Abutting Facade Zone Only



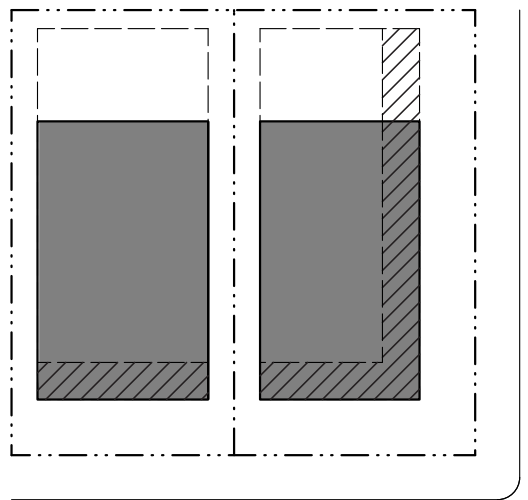
B. Within Facade Zone Only





C. Abutting and Within Facade Zone



D. For Zones with 0' minimum Setbacks



		Front Street	Side Street
	Facade Zone	50% min. ¹	50% min. ¹
	Building, Frontage Type(s), and/or Outdoor Seating Area(s)		

¹This is an example. See Sub-section D (Building Placement) of each zoning district for the standard.

2. **Measuring Building Height.**

- A. **Height, Overall.** The vertical distance between adjacent finished grade and the highest part of the structure directly above. See Figures 11-10.02.C through H.
- B. **Height, Eave/Parapet.** The vertical distance between adjacent finished grade and the lowest part of the eave or parapet. See Figures 11-10.02.C through H.

Figure 11-10.02.C: Parapet and Highest Top Plate

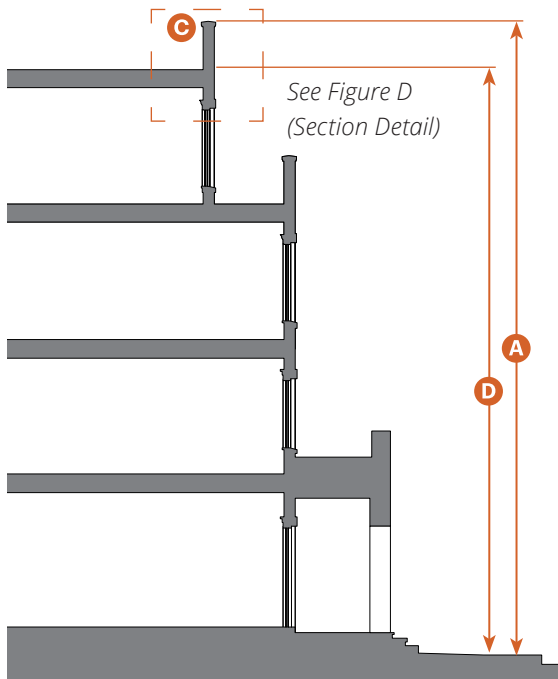
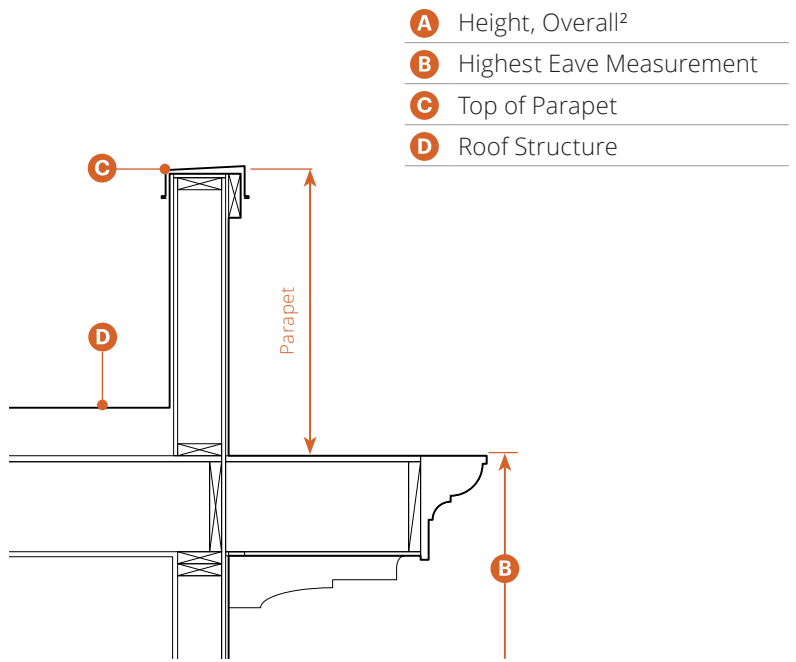


Figure 11-10.02.D: Section Detail of Top of Parapet and Flat Roof



- A** Height, Overall²
- B** Highest Eave Measurement
- C** Top of Parapet
- D** Roof Structure

Figure 11-10.02.E: Highest Eave for Mansard Roof

Figure 11-10.02.F: Section Detail of Highest Eave for Mansard Roof

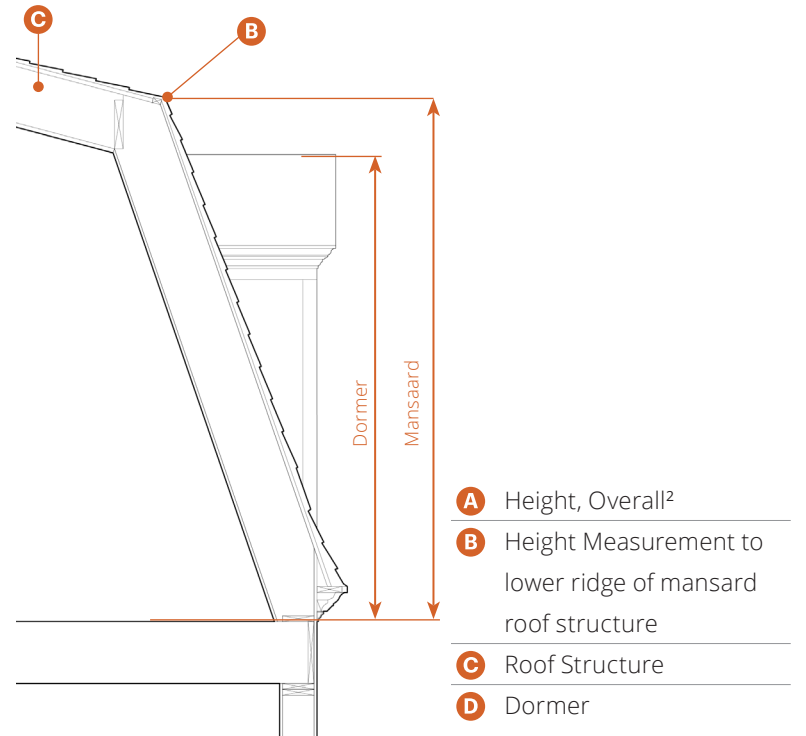
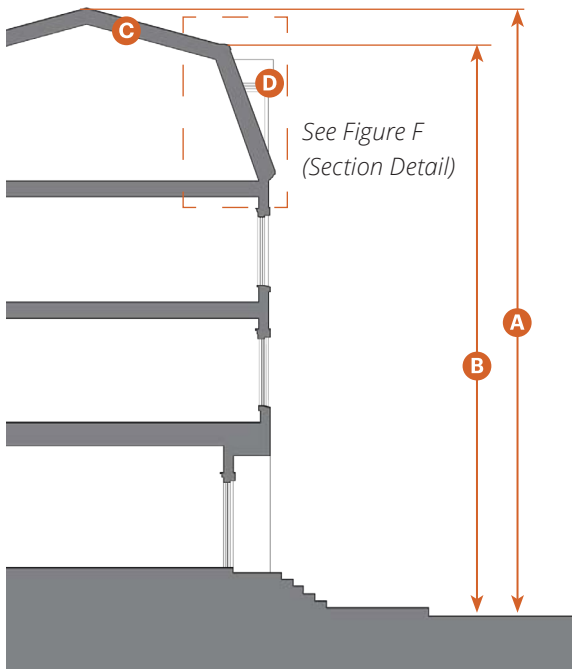
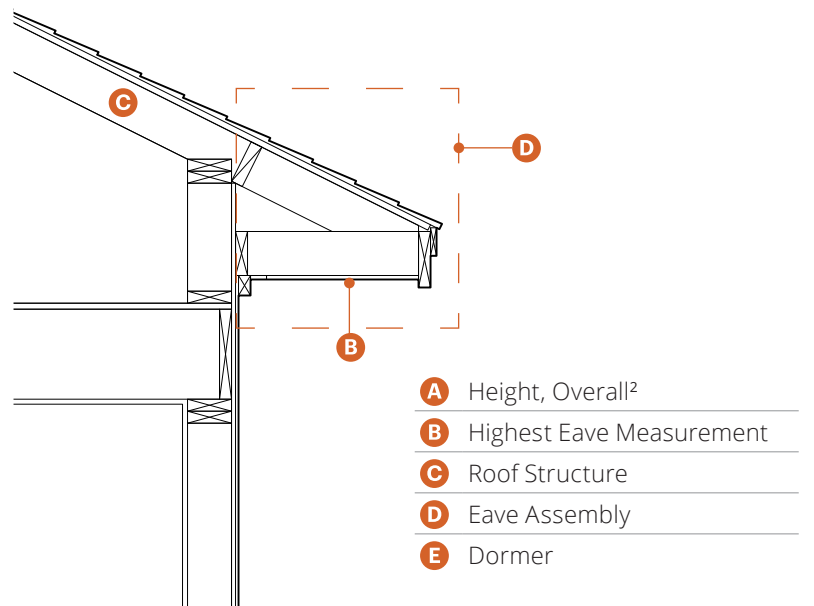
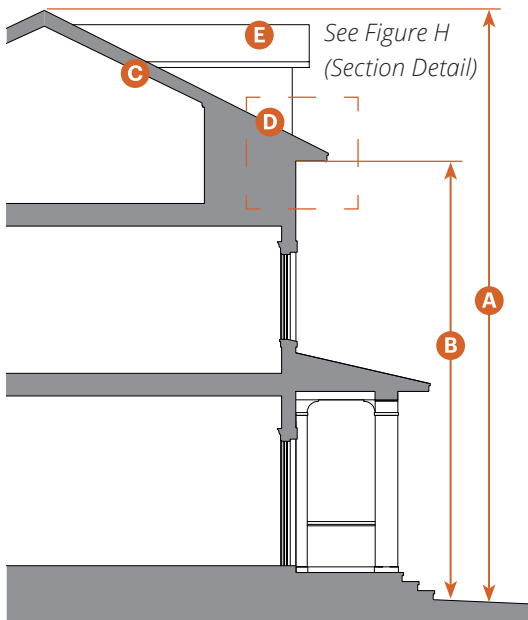


Figure 11-10.02.G: Highest Eave for Pitched Roof

Figure 11-10.02.H: Section Detail of Highest Eave for Pitched Roof



²Structures and rooftop equipment that do not provide additional floor space shall be allowed to exceed the overall height limit in accordance with Section 11-2.06 (Administration).