#### Section 10.0 Special Regulations

10.5 West Ayer Village Form-Based Code

#### 10.5.1 Intent & Purpose

The West Aver Village Main Form-Based Code (WAVFBC) is designed to foster, reinforce and predictably deliver a high-quality Public Realm, with moderate density commercial, residential, mixed-use development designed to conveniently access the Downtown Ayer Commuter Rail Station through various multi-modal options. The District's built character will develop in accordance with a traditional and economically sustainable New England building and street pattern. Development and redevelopment along the West Main Street Corridor, which serves as the "connective multi-modal corridor" between the Community of Devens, the Downtown Ayer MBTA Commuter Rail Station, the Nashua River Rail Trail, and the high-density residential district of Downtown Aver shall be regulated by the West Ayer Village Form-Based Code in order to achieve the vision set forth in the *Town* of Ayer 2018 Master Plan, Town of Ayer Complete Streets Policy, the Town of Ayer Open Space & Recreation Plan, the newly adopted Downtown Ayer/Park Street Form-Based Code (6/10/2019), and the Commonwealth of Massachusetts 10 Principles of Sustainable Development.

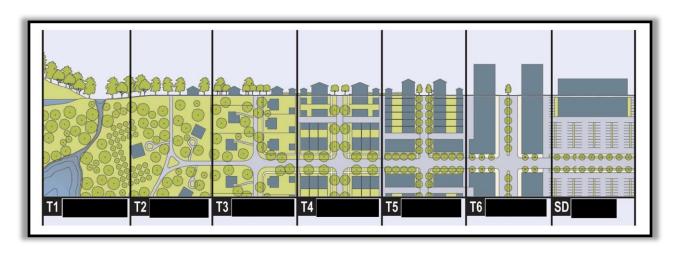
The West Ayer Village Form-Based Code provides the specific means to regulate and guide implementation of the civic vision for the development and redevelopment of all properties along the West Ayer Village District of West

Main Street. The West Ayer Village Form-Based Code (also referred to herein as the "Form-Based Code" or the "WAVFBC") is a legal document that regulates land-development by setting careful and coherent controls on building form - while employing more flexible parameters relative to building use and density. This greater emphasis on "fine-grained" functional building and street form is designed to deliver safe, healthy, walkable, attractive and appealing public spaces (squares, sidewalks, streets, downtown parks, and traditional neighborhoods) complemented with a healthy range of building uses. By prescriptively composing/regulating a high-quality Public Realm the Form-Based Code will result in escalated pedestrian activity, social gathering, destination place encounters, improved residential development with associated daytime retail, restaurant and professional office vitality, and evening social gathering, the Code shall serve to more energetically and prescriptively drive the "Economics of Place" along the West Ayer Village District of West Main Street.

The Form-Based Code uses simple and clear graphic prescriptions and parameters for Building Height, Building Placement, and Building External Elements to address the basic functional necessities for forming good public space (Public Realm). Wherever there appears to be a conflict between the West Ayer Village Form-Based Code and other sections of the Town of Ayer Zoning Bylaw (as applied to a particular development along the West Ayer Village District of West Main Street), the requirements specifically set forth in the Form-Based Code shall prevail.

For development standards not covered by the Form-Based Code, the other applicable sections in the Town of Ayer Zoning Bylaw shall be used as the requirement. Similarly, all development must comply with all relative Federal, State or local regulations and bylaws.

- T.5 "Village Core"
- T.5.1 "Village Street"



#### 10.5.2 The "Transect"

The Rural-to-Urban Transect is a system that places all the elements of the built environment in a New England traditional and sustainable order, from most rural to most urban. The West Ayer Village FBC shall be founded upon the "Rural-to-Urban Transect" which delivers a well-composed and understandable land development pattern. The Code shall deliver concentrated mixed-use development at the West Ayer Village core and a gradually less intense development pattern moving outward from the West Aver Village District core eastward towards the West Main Street Railroad Overpass Bridge. The West Ayer Village Sub-Transect will meet and integrate into the new Downtown Ayer/Commuter Rail Station/Park Street Transect District. The West Ayer Village Sub-Transect includes:

The Rural-to-Urban Transect is divided into six (6) zones based on intensity of the built environment and physical and social character. The underlying principle of the Rural-to-Urban Transect is that certain forms and elements traditionally belong and function best in certain environments.

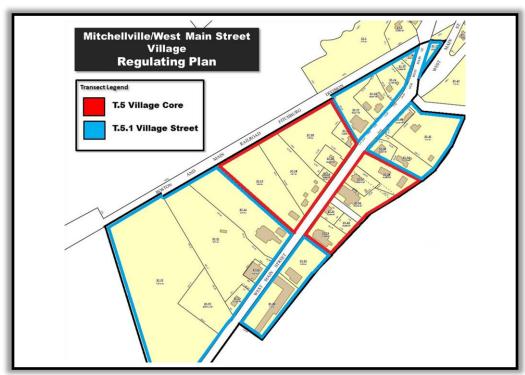
For example, a "street" is more urban than a "road", a "curb" more urban than a "swale", a "brick wall" more urban than a "wooden fence", and greater density is more urban than less density; an "apartment building" belongs in an urban setting and a "farm" belongs in a more rural or working lands setting. As transect zones become more urban they also increase in complexity, density and intensity, such as building height.

#### The "Rural-to-Urban Transect"

Each particular town, or city, composes and formulates its own "Rural-to-Urban Transect"; meaning for large New England cities such as Worcester or Lowell - their most urban transect zone (T.6) would accommodate 6-10 story buildings at the Downtown Core. However for smaller New England Towns such as Ayer or Reading - their most urban transect zone (T.6) would accommodate 3-4 story buildings at the Downtown Core.

#### 10.5.3 The Regulating Plan

A Regulating Plan is essentially a finegrained zoning map keyed to a set of Building Development Standards (BDS) described below; detailed to the level of individual streets, blocks, public spaces, and sometimes even lots or buildings. which is a level of detail not found in conventional zoning ordinances. Each street, block, or parcel must comply with the FBC illustrated standards. The Regulating Plan identifies the Building Development Standards (BDS) for all building sites within the West Ayer Village Form-Based Code District. The goal of the (BDS) is the creation of a healthy and vital Public Realm. Deviations from the BDS can be approved only through a Special Permit process as provided in the Town of Ayer Zoning Bylaw. The Building Development Standards (BDS) set the basic parameters governing building construction, including the building envelope (in three dimensions) and certain required and/or permitted elements, such as colonnades, stoops, balconies, porches, and street walls.



# 10.5.4 How Buildings Form the Public Realm – Private Frontage & Public Frontage

10.5.5 The Frontage Types (How buildings shape the Public Realm); Frontage Types -- describe how the front facade of a building and the privately-owned land between the building and the sidewalk relate to the streetscape. Frontage Types get to the heart of what a Form-Based Code is all about: How buildings shape the Public Realm. (See: "Building Frontage Types Illustrative Sheet" – See Section 10.5.9.1)

#### 10.5.6 Lot Layers/Parking Location

Lots are composed of three (3) *Lot Layers* - the First (1<sup>st</sup>) Lot Layer - the Second (2<sup>nd</sup>) Lot Layer, and the Third (3<sup>rd</sup>) Lot Layer. The Lot Layer provides a range of depth of a Lot within which certain elements (such as surface parking) are permitted.
\*All on-site/off-street Surface Parking

\*All on-site/off-street Surface Parking shall be located in the Second (2<sup>nd</sup>) & Third (3<sup>rd</sup>) Lot Layer of the building lot; all Underbuilding Parking shall be located in the Third (3<sup>rd</sup>) Lot Layer in the Mitchellville/West Main Street Form-Based Code District.

(See "Lot Layers Illustrative Sheets" – See Sections 10.5.12, 10.5.16 & 10.5.19)

#### 10.5.7 How to Use this Code

Wherever a word is in *italic letters* format, consult the Definitions for the specific meaning.

In order to understand what the *Code* allows on property within the West Ayer Village District there are four (4) basic steps:

A. Review the Regulating Plan: Find your property/parcel of interest. Note the Transect Color of the property/parcel — the color is keyed to the applicable Building Development Standard for building/s fronting that street(s) in the particular Transect zone of the West Ayer Village District. The Legend Block at the upper right of the Regulating Plan will direct you to the required Building Development Standard.

B. Review the appropriate Building Development Standard (BDS) page in the Code. This page outlines the basic parameters for building on the site in terms of Building Height, Building Placement, Building Fenestration & External Elements, etc.

**C. Review the Building Frontage Types** permitted in the selected
Transect; (T.5 or T.5.1).

D. Review the Ayer Zoning Bylaw Parking Requirements & the Use Table to determine the property/district Parking & Land Use requirements and permitted uses as per Section 9.1 General Regulations (for Parking Spaces) and Section 5.0 Use Regulations (for Building Use) of the Town of Ayer Zoning Bylaw.

The information from the above listed steps explains where the building will sit on the lot, the limits on its three-dimensional form, the building frontage that addresses the primary street, the parking requirements, and the range of uses. For exact dimensions specific to a particular property, consult with the Office of the Ayer Town Planner.

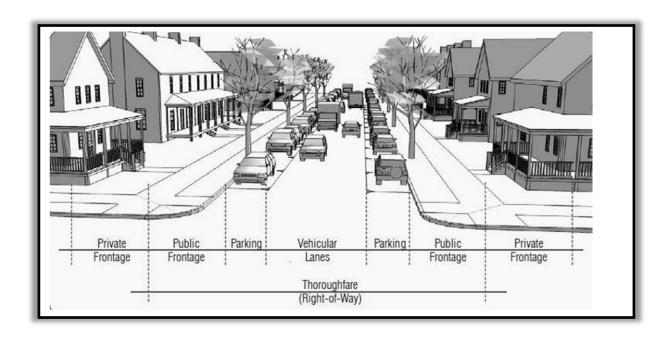
# 10.5.8 West Ayer Village Form-Based Code District (WAVFBC):

**District Purpose:** 

The Purpose of the West Ayer Village Form-Based Code is:

- To incrementally transform Ayer's outer West Main Street Corridor into a safe, healthy, attractive, and appealing "Great Street" for residents, customers, clients, visitors and new investors;
- To effectively and more-simply regulate a traditional New England building development pattern that is based upon the built environment's physical form and its relationship between the Public Realm and private building/lot space;
- To deliver a more predictable building development process & outcome consistent with Ayer's traditional pedestrian-oriented, street & building development pattern & Complete Streets Policy & municipal Master Plan.
- To facilitate the construction of new moderate-density, commercial development complimented by multi-family/single-family residential building development along West Main Street in convenient proximity to the Downtown Ayer MBTA Commuter Rail Station by means of well-designed multi-modal transportation choices/options;
- To generate the maximum amount of municipal real estate tax revenue through concentrated & sustainable

- land development in the West Ayer Village District;
- To preserve Ayer's & Devens remaining rural open space & limited undeveloped land resources;
- To facilitate and provide more housing stock, for all income and household size residents, in order to enhance and accommodate greater job creation and corporate investment/expansion within the Town of Ayer;
- To deliver greater commercial vitality & job creation to the Town of Ayer and its surrounding communities.



#### 10.5.9 General Guiding Principles

Buildings are aligned and may be closer to the Street:

Buildings and/or front ground low-Fences/Walls spatially contain, define and form the space of the street; the Public Realm;

The Street is a coherent space, with consistent building forms on both sides: This agreement/relationship of buildings facing across the street-space contributes to a clear public space and street-space identity;

# <u>Buildings address the street-space with</u> active fronts:

This addressing of the street-space contributes to vital and safe public space;

# Public spaces are physically defined by buildings, walls, or fences:

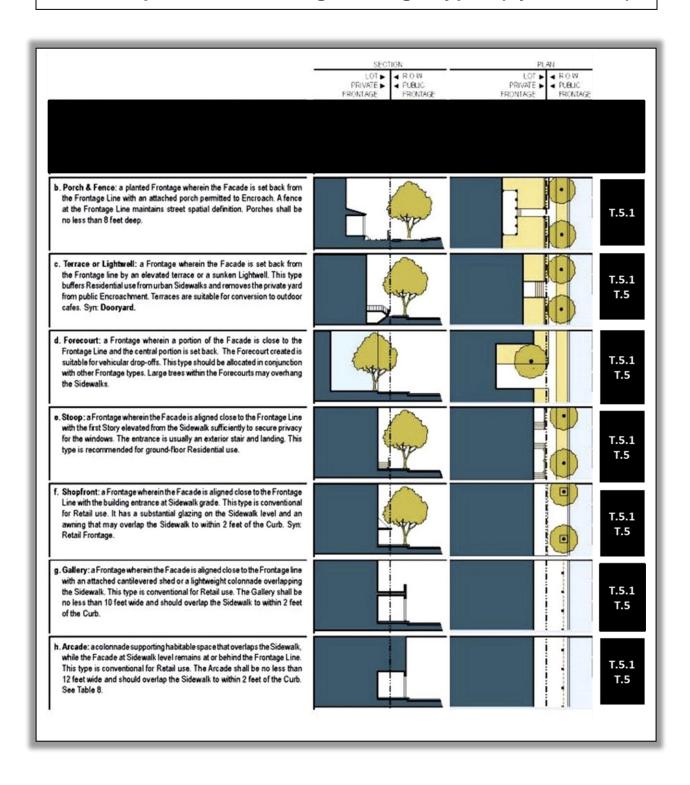
Land should be clearly public or private in public view and under surveillance or private and protected;

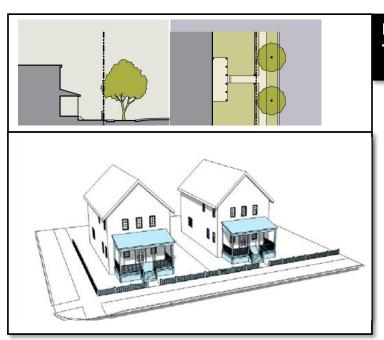
# <u>Buildings are designed (composed) for towns and cities:</u>

Rather than being simply pushed closer together, as in many suburban developments, buildings must be designed (composed) for a traditional, compact and human-scale New England urban situation within towns and cities. Views are directed to the street-space and interior gardens/court-yards, not into neighboring lots;

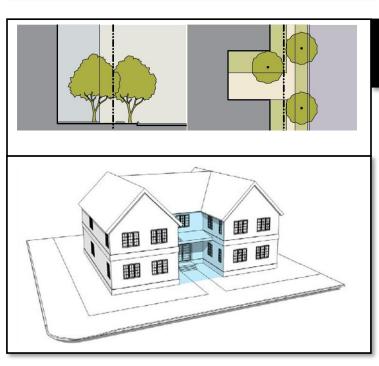
Vehicle storage/parking, (other than onstreet parking), waste disposal units and mechanical equipment are kept away from the street-space.

### 10.5.9.1 Specific to Building Frontage Types (by Transect)

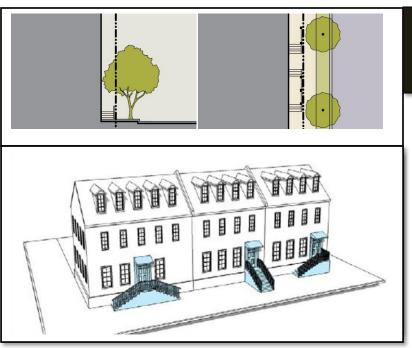




# Porch & Fence T.5.1



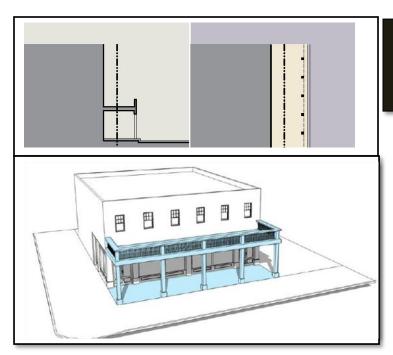
Forecourt T.5.1 & T.5



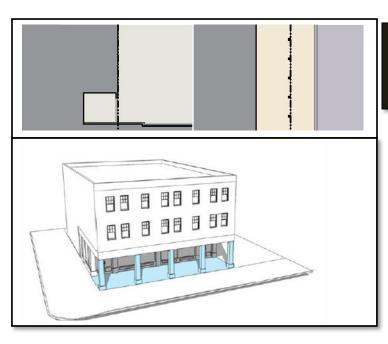
Stoop T.5.1 & T.5



Shopfront T.5.1 & T.5

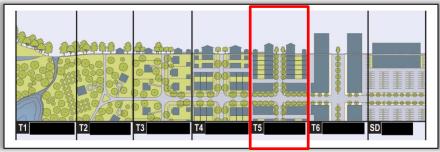


Gallery T.5.1 & T.5



Arcade T.5.1 & T.5





#### 10.5.14 Vision, Intent and Purpose

## Village Core (T.5)

The Village Core zone is characterized by medium-to-large scale mixed-use buildings in a walkable, bike-able, connective and compact urban environment that accommodates highquality Commuter Rail Station Bus Shuttle (Devens Regional Shuttle) Waiting Stations, Bicycle-Share Stations, and a "park- once, walk-anddo-many-things" development pattern. The (T.5) mixed-use and multi-story building pattern will provide more residential/housing opportunities for all income levels, generate greater socioeconomic stimulation and enhanced sidewalk interaction and ease of access to the Downtown Ayer MBTA Commuter Rail Station (.75 mile proximity).

The new district building & street form will also serve to "calm" vehicular traffic along the West Main Street corridor, provide for a more human-scale street, contribute to "eyes-on-the street" for improved personal safety/security, encourage a more healthy "walking/biking/public transportation-lifestyle", and will attract new high-quality retail, cafes, service enterprise, and spontaneous social encounter.



#### A. Key Features

- The District will incrementally transform a current auto-centric, disconnected, un-walkable and harsh corridor into a more upvalued and livable traditional building and street pattern more consistent with a Traditional Village Main Street;
- Introduction of a new 5ft. wide sidewalk infrastructure network at West Ayer Village along the West Main Street Corridor:
- Medium-to-Large scale buildings & lots;
- Traditional historic building form uplifts and ennobles the street (Public Realm) by serving as a well-composed and unified architectural definer of the future West Main Street at West Ayer Village;
- Safe, healthy, human-scale, multi-modal transportation "Complete Streets" design and destination experience;
- Concentration and connectivity of many retail & restaurant

- storefronts along the street-level (with residential units in upper stories) builds the walkable "sidewalk shopper-storefront merchant" economic fabric & vibrancy of a traditional New England Public Realm;
- Well-designed Bike-Share
   Stations & Bike Lanes connecting with Downtown Ayer MBTA
   Station;
- Commercial uses on street-level with Residential Dwellings units in upper-stories;
- Transformative introduction of abundant on-street parking spaces;
- Sidewalk street trees & Pedestrian Wayfinding signage directional experience/s.

#### **B. Building Entries:**

Primary Entry Door <u>is required</u> along ground story facade facing (the) Primary Street.

Front Facade Wall: Blank lengths of building wall exceeding twelve (12) linear feet are prohibited.

#### C. External Elements T.5

- <u>Building Projections</u>: No part of any building, except overhanging eaves, awnings, balconies, bay windows, stoops and other architectural features shall encroach beyond the minimum front setback line.
- Encroachments: Front Stoops may encroach upon the front

- setback line, but not encroach in the street right-of-way. (See 10.6.15, B., Encroachments)
- Garages: Detached garages shall be located in the "Third Layer" of the Lot. (See 10.6.14, A., Location)
- <u>Driveways</u>: Driveways shall be paved and a minimum of ten (10) feet wide and a maximum of eighteen (18) feet wide.
- Parking:

Residential - Vehicle parking areas shall be located only on driveways or designated parking areas and shall not extend into the street right-of-way or sidewalk.

<u>Commercial</u> – All Surface Parking shall be located in the Second (2<sup>nd</sup>) & Third (3<sup>rd</sup>) Lot Layer of the parcel.

Underbuilding Parking shall be located in the Third (3<sup>rd</sup>) Lot Layer of the parcel. (See 10.4.14, A., Location). Screening and/or Street Wall is required for parking areas visible from the street.

#### D. Accessory

- <u>Structures</u>: Accessory structures shall be located in the Third (3<sup>rd</sup>)
   Lot Layer and ten (10) feet from either side or rear property line.
- Accessory Building Height Max.:
   In the (T.5) zone Accessory
   Buildings shall not exceed two (2) stories.
- <u>Landscaping</u>: Landscaping is encouraged but shall not extend into any street sidewalk or travel way. Street trees are encouraged.

 Foundation Planting: Foundation plantings are encouraged but should be pruned and maintained with enough clearance from the building facade to encourage air circulation.





# Village Core (T.5)SECONDARY FROMMASE T.5

#### 10.5.15 **Building Development Standards**

PRINCIPAL BUILDING

Front Setback (Primary Front)

South-Side of West Main St.

10 ft. min, 30 ft. max

North-Side of West Main St.

10 ft. min., 20 ft. max

Front Setback, (Secondary Front)

South-Side of West Main St.

10 ft. min, 30 ft. max

North-Side of West Main St.

10 ft. min, 20 ft. max

Side Setback: 10 ft. min



Rear Setback: 25 ft. min



Building & Lot Principal Use:

See: Ayer Zoning Bylaw Section 5.2

Table of Use Regulations

#### B. BUILDING/LOT OCCUPATION

Lot Width: 60 ft. min, 260 ft. max



Building on Lot Coverage: 60% max

Frontage Build-Out: 75% along front setback (min)

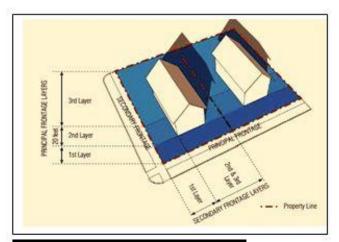
C. BUILDING FORM - PRINCIPAL BUILDING

Building Height: 2-Story min, 3-Story max



Building Facade Window Proportions Ground Story (Glazing)

60% min, 90% max 40% min, 60% max Upper Stories



#### **10.5.16 PARKING**

#### A. LOCATION

Second and/or Principal Building Setback
Third Lot Layer +20 ft

#### B. REQUIRED SPACES

 Residential
 See Sec. 9.1.2 A.

 Business
 See Sec. 9.1.2 B.

 Industrial
 See Sec. 9.1.2 C.

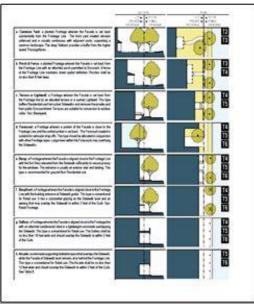
 Mixed Uses
 See Sec. 9.1.2 D.

 Special Downtown
 See Sec. 9.1.4 A., B., C.

C. OFF-STREET PARKING DESIGN STANDARDS

Dimensional See Sec. 9.1.5 A.
Driveways/Interior See Sec. 9.1.5 B.
Location/Design See Sec. 9.1.5 C.
Shared Parking See Sec. 9.1.5 D.

See: Ayer Zoning Bylaw Section 9.0 General Regulations



#### 10.5.17

#### PRIVATE FRONTAGES & ENCROACHMENTS

#### A. PRIVATE FRONTAGE TYPES

Storefront	Permitted	See Table
Forecourt	Permitted	See Table
Gallery	Permitted	See Table
Arcade	Permitted	See Table

#### B. ENCROACHMENT OF BUILDING ELEMENTS

Enclosed landings, stairs, stoops, bays, ramps and similar projections may encroach upon the indicated setbacks by the following distances.

<u>Front Setback: Principal Frontage 5 ft max</u> <u>Front Setback: Secondary Frontage 5 ft max</u>

Rear Setback: 5 ft max





# 10.5.18 Vision, Intent and Purpose Village Street (T.5.1)

The "Village Street" zone is characterized by medium scale residential and/or mixed-use buildings in a walkable, compact urban environment. The Village Street is a less intense building development form than the Village Core (T.5), in terms of density, intensity and use; it serves as the transitional-form block between the Verbeck Gate to the west, and the Railroad Bridge Overpass to the east. This building pattern will generate beneficial

neighborhood street interaction, permanence of place, calmer neighborhood traffic, higher property values, enhanced quality of life, and safe walkable connectivity within the TOV Core and outward to the Downtown Ayer MBTA Commuter Rail Station and into the Devens Community.



#### A. Key Features

- The District will transform a current auto-centric, disconnected, un-walkable and harsh corridor into a more upvalued and livable traditional building and street pattern consistent with a Traditional New England Village Street;
- Introduction of a new 5ft. wide sidewalk infrastructure network at West Ayer Village along the West Main Street Corridor;
- Small-to-Medium scale buildings & lots relative to "Village Core" (T.5) and Downtown Ayer (T.6);
- Traditional historic building form uplifts and ennobles the street (Public Realm) by serving as a well-composed and unified architectural definer of the future West Main Street at West Ayer Village;
- Safe, healthy, human-scale, multi-modal transportation
   "Complete Streets" design and destination experience;
- Concentration and connectivity of many retail & restaurant

- storefronts along the street-level (with residential units in upper stories) builds the walkable "sidewalk shopper-storefront merchant" economic fabric & vibrancy of a traditional New England Public Realm;
- Well-designed Bike-Share
   Stations & Bike Lanes connecting with Downtown Ayer MBTA
   Station;
- Commercial uses on street-level with Residential Dwellings units in upper-stories;
- Transformative introduction of abundant on-street parking spaces;
- Sidewalk street trees & Pedestrian Wayfinding signage directional experience/s.

#### **B. Building Entries:**

Primary Entry <u>Door is required</u> along ground story facade facing a primary street.

Front Facade Wall: Blank lengths of building wall exceeding twelve (12) linear feet are prohibited.

#### C. External Elements T.5.1

 <u>Building Projections</u>: No part of any building, except overhanging eaves, awnings, balconies, bay windows, stoops and other architectural features shall encroach beyond the minimum front setback line.

- Porch & Stoop Encroachments: Porches & Stoops may encroach upon the minimum front setback line by the following distances; but shall not encroach into the street right-of-way. Front Setback, Principal Frontage is five (5) ft. maximum; Front Setback, Secondary Frontage is five (5) ft. maximum.
- Garages: Detached garages shall be located in the "Third Layer" of the Lot. (See
- <u>Driveways</u>: Driveways shall be paved and a minimum of nine (9) feet wide and a maximum of eighteen (18) feet wide.
- Parking:

Residential - Vehicle parking areas shall be located only on driveways or designated parking areas and shall not extend into the street right-of-way or sidewalk.

<u>Commercial</u> – All Parking shall be located in the Second (2<sup>nd</sup>) & Third (3<sup>rd</sup>) Lot Layer of the parcel. (See 10.5.17, Location). Screening and/or Street Wall is required for parking areas visible from the street.

#### D. Accessory

<u>Structures</u>: Accessory structures shall be located in the Third (3<sup>rd</sup>) Lot Layer and ten (10) ft. from either side or rear property line.

<u>Landscaping</u>: Landscaping is encouraged but shall not extend into any street sidewalk or travel way. Street trees are encouraged.

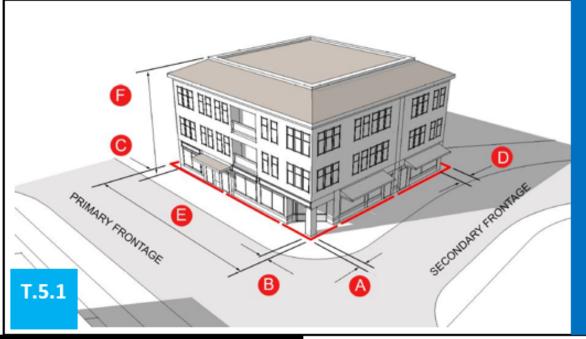
Building Foundation Planting/s: Building Foundation plantings are encouraged but should be pruned and maintained with enough clearance from the building facade to encourage air circulation.





## **Village Street**

(T.5.1)



10.5.18 **Building Development Standards** 

PRINCIPAL BUILDING

A

Front Setback (Primary Front)

Frontage: 10 ft. min, 20 ft. max

Front Setback, (Secondary Front)

Frontage: 10 ft. min, 20 ft. max

Side Setback: 10 ft. min

c

В

Rear Setback: 25 ft. min

0

Building & Lot Principal Use:

See: Ayer Zoning Bylaw Section 5.2

Table of Use Regulations

B. BUILDING/LOT OCCUPATION

Lot Width: 60 ft. min, 192 ft. max

E

Lot Coverage: 60% max

Frontage Build-Out: 60% along front setback (min)

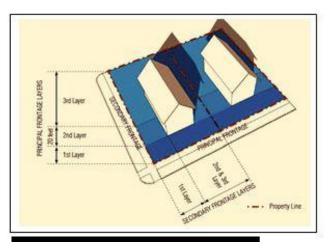
C. BUILDING FORM - PINCIPAL BUILDING

Building Height: 1-Story min, 3-Story max



Building Facade Window Proportions (Glazing)

60% min, 90% max Ground Story 40% min, 60% max Upper Stories



#### **10.5.19 PARKING**

#### A. LOCATION

Second and/or	Principal Building Setback	
ThirdLot Layer	+20 ft.	

#### B. REQUIRED SPACES

Residential	See Sec. 9.1.2 A.	
Business	See Sec. 9.1.2 B.	
Industrial	See Sec. 9.1.2 C.	
Mixed Uses	See Sec. 9.1.2 D.	
Special Downtown	See Sec. 9.1.4 A., B., C.	

#### C. OFF-STREET PARKING DESIGN STANDARDS

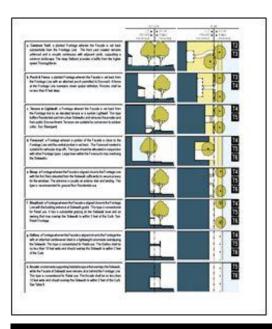
Dimensional See Sec. 9.1.5 A.

Driveways/Interior See Sec. 9.1.5 B.

Location/Design See Sec. 9.1.5 C.

Shared Parking See Sec. 9.1.5 D.

See: Ayer Zoning Bylaw Section 9.0 General Regulations



#### 10.5.20

#### A. PRIVATE FRONTAGE TYPES

Porch & Fence	Permitted	See Table
Storefront	Permitted	See Table
Forecourt	Permitted	See Table
Gallery	Permitted	See Table
Arcade	Permitted	See Table

#### **B. ENCROACHMENT OF BUILDING ELEMENTS**

Enclosed landings, stairs, stoops, bays, ramps and similar projections may encroach upon the indicated setbacks by the following distances.

Front Setback: Principal Frontage 5 ft max
Front Setback: Secondary Frontage 5 ft max

Rear Setback: 5 ft max

## Attachment A: The Regulating Plan

West Ayer Village FBC District

