

**ARTICLE 35**

**AMEND ZONING BYLAW  
SUPPLEMENTAL INCLUSIONARY HOUSING REQUIREMENTS**

To see if the Town will vote to amend the Zoning Bylaw to add stricter inclusionary housing requirements for multi-family housing; or act in any other manner in relation thereto.

*(Inserted by the Select Board at the request of the Planning Board)*

**DESCRIPTION:**

This article would require more inclusionary dwelling units in multi-family housing developments permitted under Article 35. If Article 34 and 35 is adopted, Article 35 would go into effect, replace, and supersede the Inclusionary Housing Requirements in Article 35 upon approval from DHCD.

**MOTION:**

That the Zoning Bylaw, Chapter 135 of the Code of the Town of Lexington, be amended as follows, and further that non-substantive changes to the numbering of this bylaw be permitted to comply with the numbering format of the Code of the Town of Lexington:

1. Replace §135-7.5.12 with the following:
  1. In any development containing eight (8) or more dwelling units, at least 15% of the dwelling units, rounded down, shall be Inclusionary Dwelling Units of which two-thirds, rounded up, shall be eligible for inclusion on DHCD's Subsidized Housing Inventory.
  2. Inclusionary dwelling units shall be substantially similar in size, layout, parking, construction materials, fixtures, amenities, and interior and exterior finishes to comparable dwelling units in the same dwelling.
  3. Inclusionary dwelling units shall be proportionally dispersed throughout the development and not concentrated within particular sections of a dwelling or within particular dwellings.
  4. Occupants of inclusionary dwelling units shall have the same access to common areas, facilities, and services as enjoyed by other occupants of the development including but not limited to outdoor spaces, amenity spaces, storage, parking, bicycle parking facilities, and resident services.
  5. The Planning Board, in consultation with the Select Board, the Housing Partnership Board, and the Commission on Disability, may adopt regulations consistent with DHCD's Compliance Guidelines and this section to facilitate equitable size, physical characteristics, location, and access to services for the inclusionary units and the form of required legal restrictions.
  6. Certificate of occupancy. No residential certificate of occupancy shall be issued until the regulatory agreements for any inclusionary dwelling units are recorded.