



Article 34 & 35: Zoning Bylaw & Map Amendment for Multi-Family Housing and Inclusionary Housing for MBTA Communities





Article 34

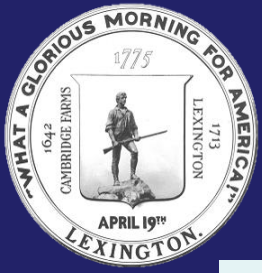
In 2020, State Zoning Act Amended by Legislature to promote the production of multi-family housing walking distance of public transportation to address a severe regional housing shortage.

The New Law:

“M.G.L. c. 40A § 3A (a)(1) An MBTA Community **shall** have a zoning ordinance or by-law that provides for at least one district of a reasonable size in which multi-family housing is permitted as of right...”

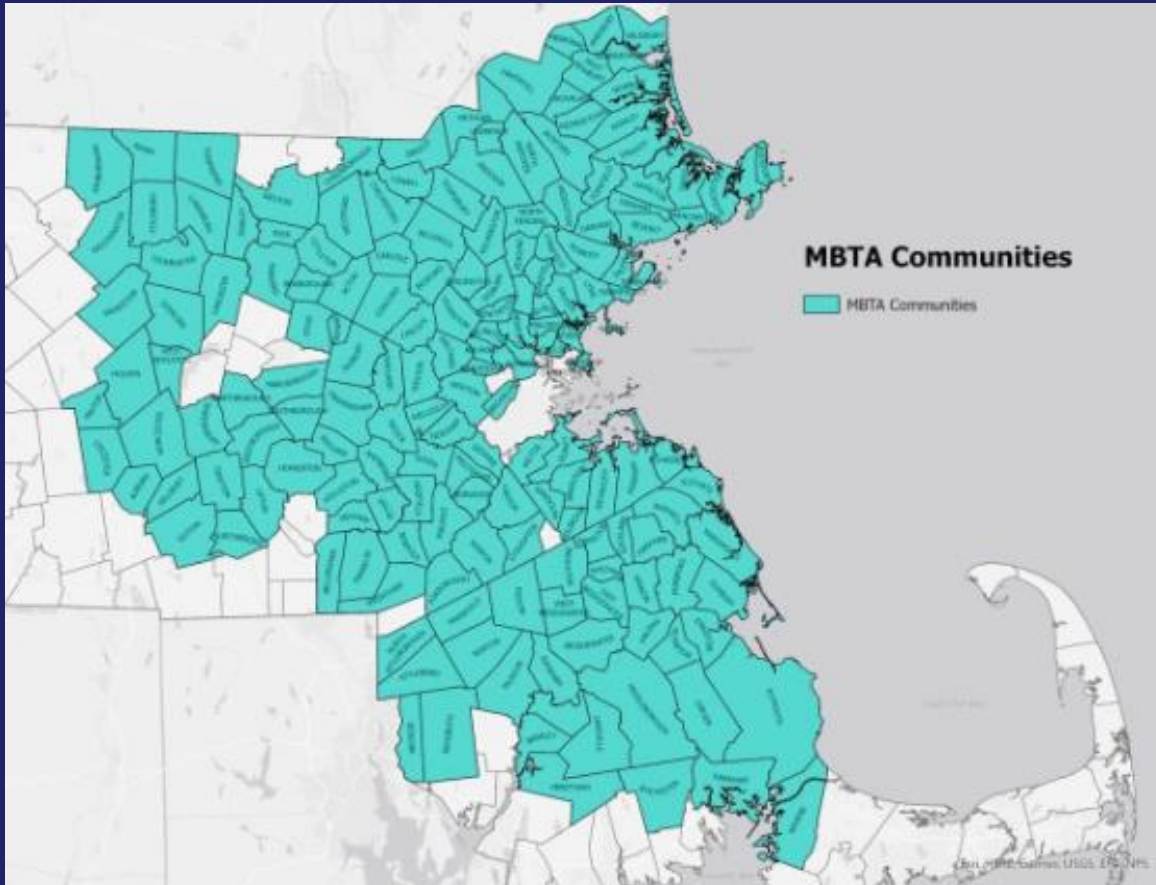


Katahdin Woods Apartments, 1 Katahdin Dr.
120 units = **11** units per acre



Article 34

Multi-Family is very limited in many communities



- MA is among the highest home prices and rents in the country
 - HI, CA, NY, MA
 - MA > \$600K homes & > \$2,000 / monthly rents
- Lack of housing - impediment to healthy economy & job growth
- To address severe housing shortage
- Need more housing for young families, one-income households, and aging population
- More types of housing to support long-term economic growth and prosperity
- Transit oriented development helps traffic congestion and climate crisis
- One tool for regional solution



Article 34

5 Key Components of the LAW –

- At least one zoning district of a **reasonable size**
- Walking distance to public transportation, bikeways, bus stops/bus routes, and major transportation routes
- Suitable for families with children
- Zoning must allow a min. gross density of **15 units per acre**
- Permitting process **cannot be discretionary**

Multi-family = building designed for 3+ dwellings



Article 34

MA GUIDELINES:

- Defines “reasonable” as:
 - At least 50 acres of land
 - Zoning must provide a unit capacity to allow up to 1,231 dwelling units
 - Half of the total area has to be contiguous
 - More than one lot
 - No portion can be < 5 acres



DENSITY & HEIGHT EXAMPLES

Lexington Place Condos 50 Waltham St.

- 30 units = 44 units / acre, 42 ft., 3 Stories





DENSITY & HEIGHT EXAMPLES

Avalon

Off Concord Ave.

- 386 units = **17** units / acre
- 40-62 ft., varying
- 3 Stories





DENSITY & HEIGHT EXAMPLES

Muzzey School Condos Massachusetts Ave.

- 71 units = **18 units / acre**
- 52 ft.
- 3 Stories





DENSITY & HEIGHT EXAMPLES

186 Bedford Street Mixed Use

- 13 units = 9.6 units / acre
- 41 ft.
- 3 Stories





HEIGHT EXAMPLES



Cary Memorial Hall
58 ft.



Brookhaven Residential Community
60 ft., 4 Stories

Copyright Photo: James M. Collins



HEIGHT EXAMPLES

62.7 ft.
To parapet



Waterstone at Lexington

Photo: Cranshaw Construction

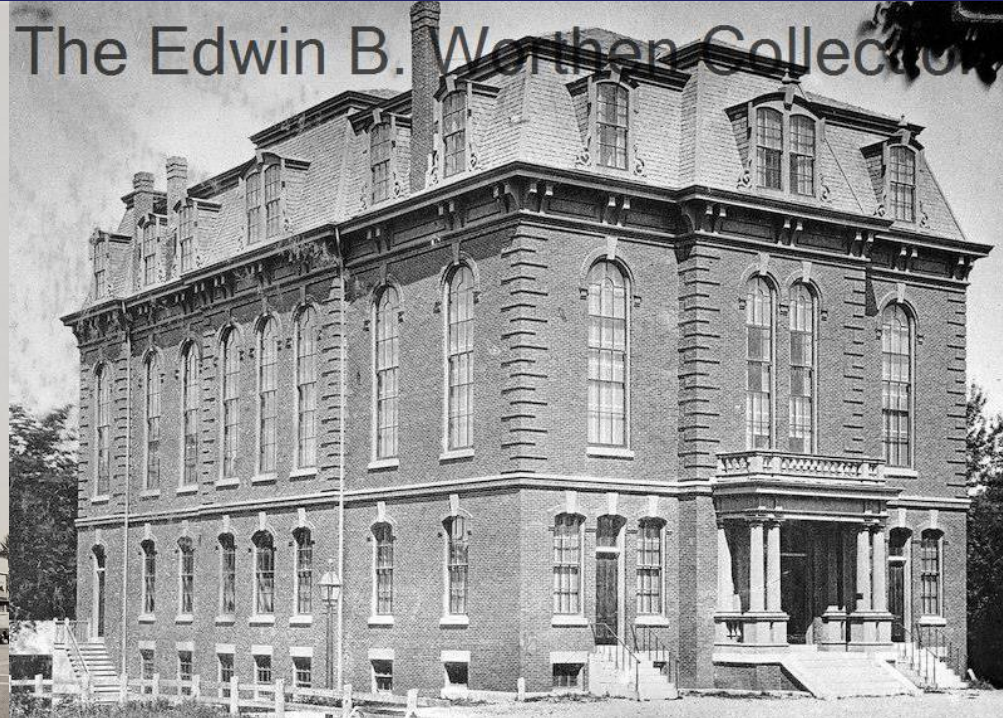


HISTORIC LEXINGTON CENTER

~40 ft.



~46 ft.



~42 ft.





PLANNING BOARD'S WORK

- 2022 proposal in Lexington Center **withdrawn**
- Completed *Lexington NEXT* Comprehensive Plan
- October 25 Workshop for 2023 proposal

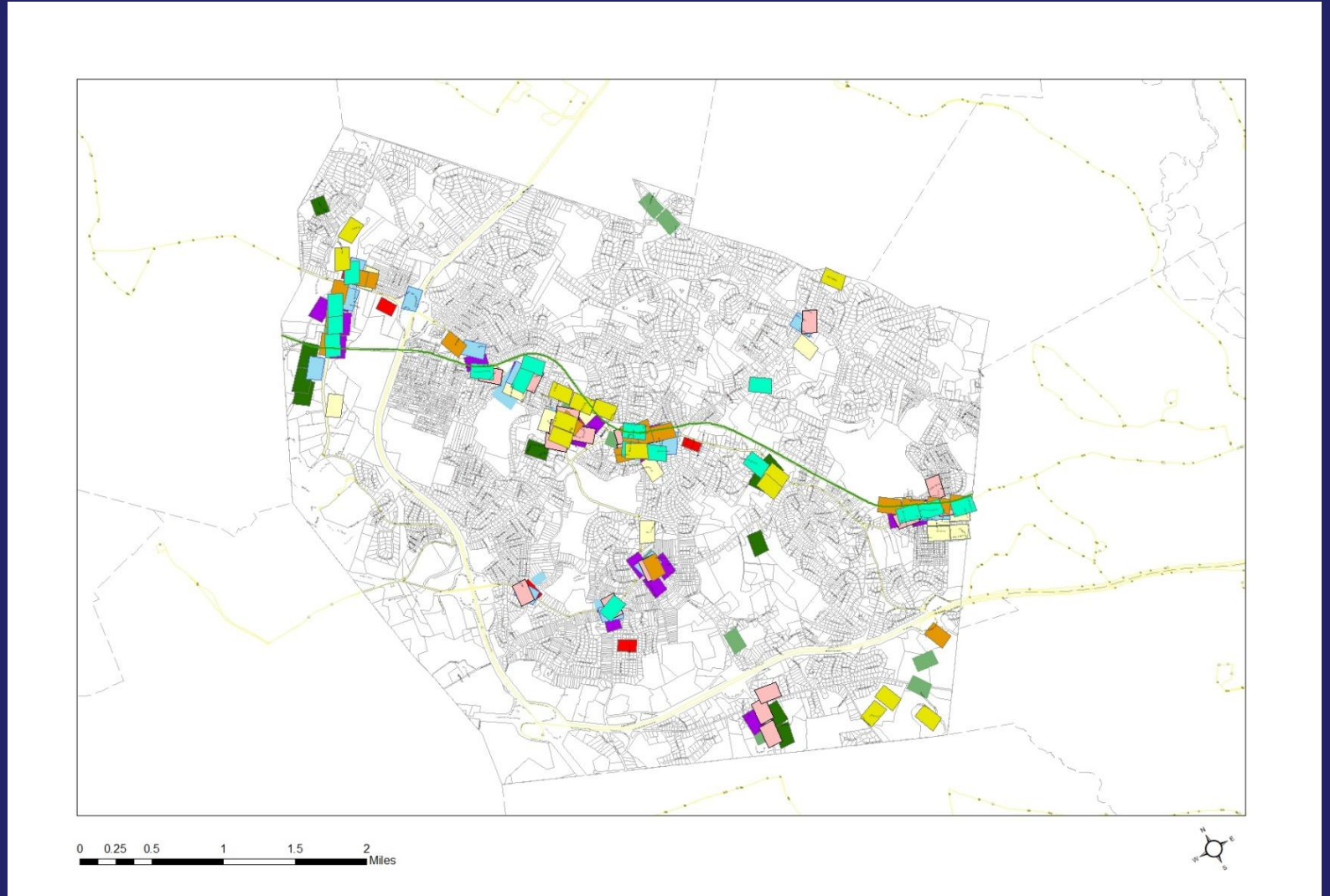




PLANNING BOARD'S WORK

October 25, 2022
Workshop:

- 80 residents in attendance
- Identified general locations for housing





Planning Board Public Outreach

May 4, 2022 – Action Plan	May 18, 2022 – Action Plan	June 1, 2022 – Approved Action Plan	July 14, 2022 – Housing Partnership
July 21, 2022 – EDAC	Sept. 8, 2022 - Town Center Com.	Oct. 12, 2022 – Public Work Session	Oct. 19, 2022 – Public Work Session
Oct. 25, 2022 – Community Workshop	Nov. 4, 2022 – Lex Local, Lex Media	Nov. 9, 2022 – Public Work Session	Nov. 16, 2022 – Public Work Session
Dec. 7, 2022 – Public Work Session	Dec. 14, 2022 – Public Work Session	Dec. 21, 2022 – Public Work Session	Jan. 4, 2023 – Public Work Session
Jan. 6, 2023 – League of Women Voters Forum	Jan. 12, 2023 – Public Work Session	Jan. 18, 2023 – Public Work Session	Jan. 19, 2023 – Housing Partnership

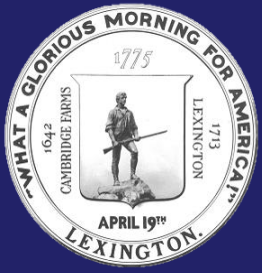
20 Public Meetings & Presentations

Mailing to property owners

Weekly Lexington News Emails, Lex Media, Lexington Observer

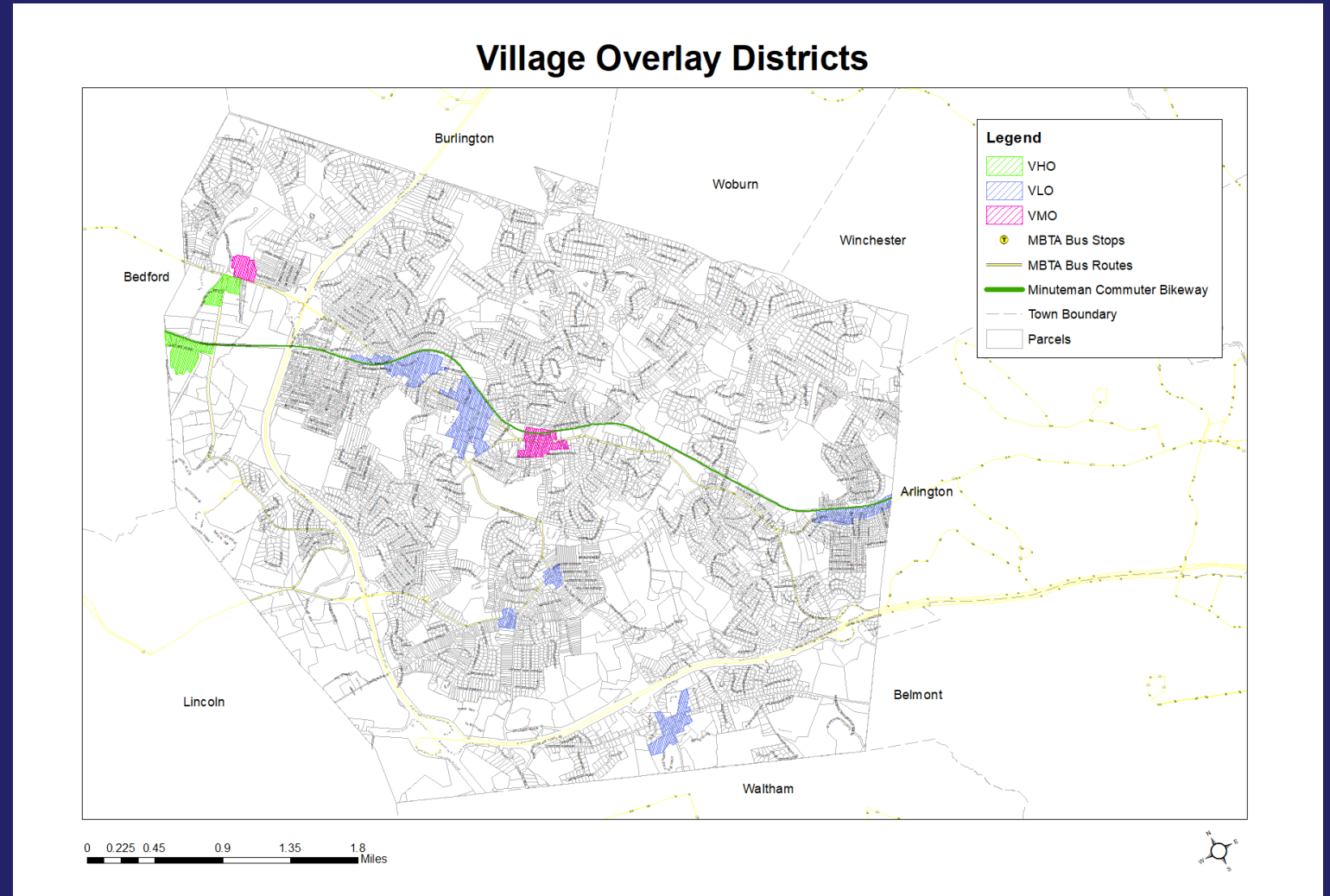
Webpage: www.lexingtonMA.gov/MBTAZoning

Email Notifications – *TMMA, Board Meeting Notifications*



Board's Zoning Proposal

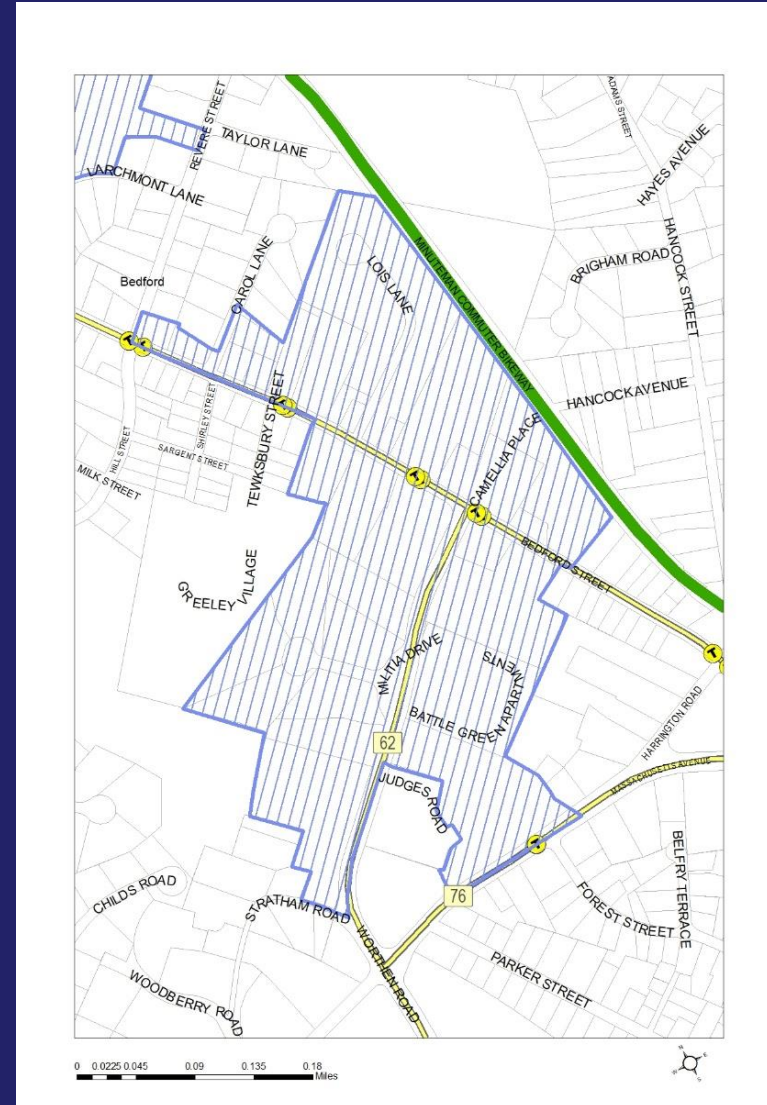
- Bedford St./Worthen Rd.
- Bedford St./Reed St.
- Marrett Rd./Waltham St.
- Marrett Rd./Spring St.
- Concord Ave./Waltham St.
- East Lexington
- Lexington Center – **VMO**
- Bedford St. North - **VMO**
- Hartwell Ave. - **VHO**
- Maguire Rd. - **VHO**





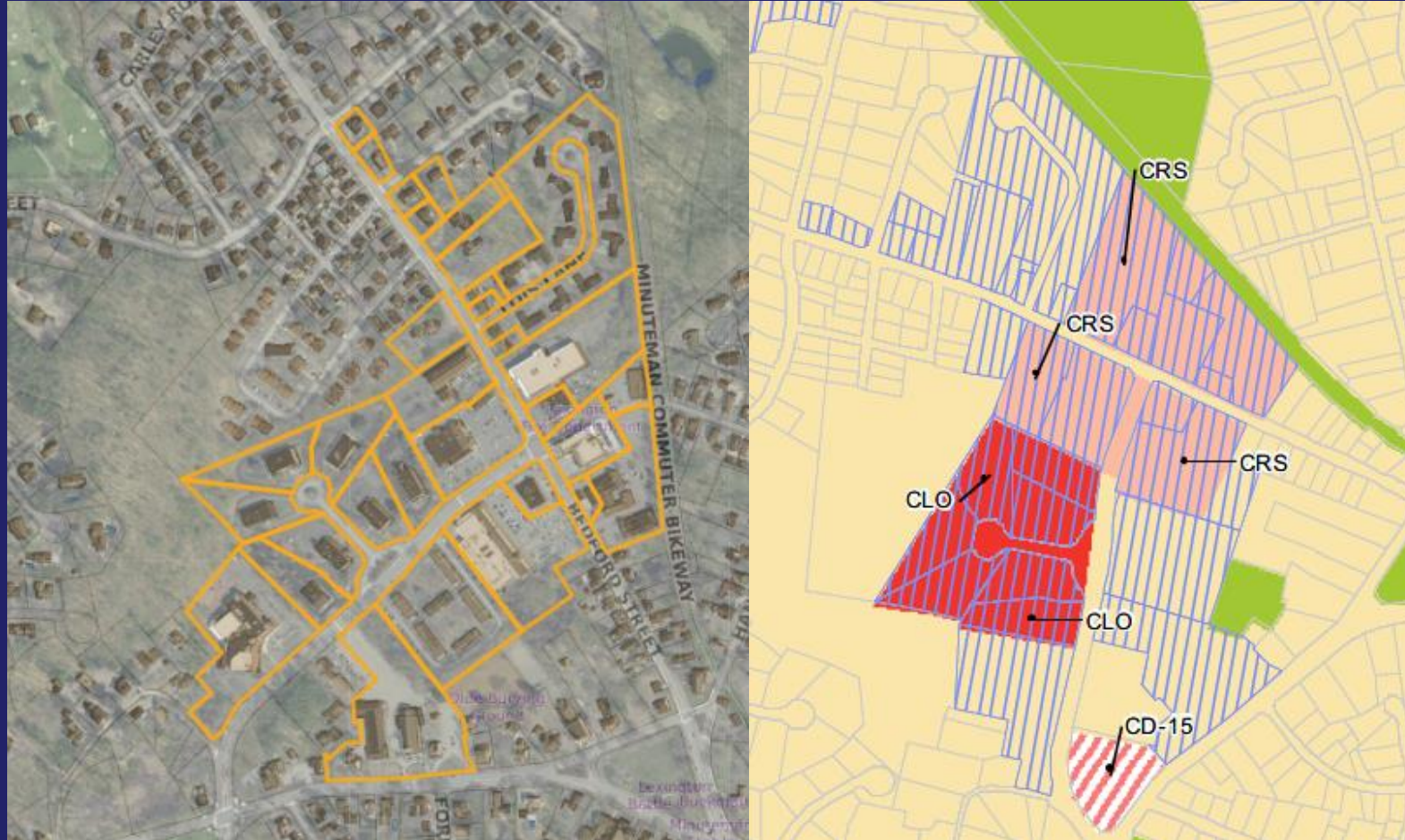
Bedford St./Worthen Rd.

- VLO
- Max. height = 40 ft. If only residential
- Height bonus up to 65 ft. if ground floor commercial
- Height bonus up to 55 ft. for commercial if underlying zone is residential





Bedford St. / Worthen Rd. - VLO

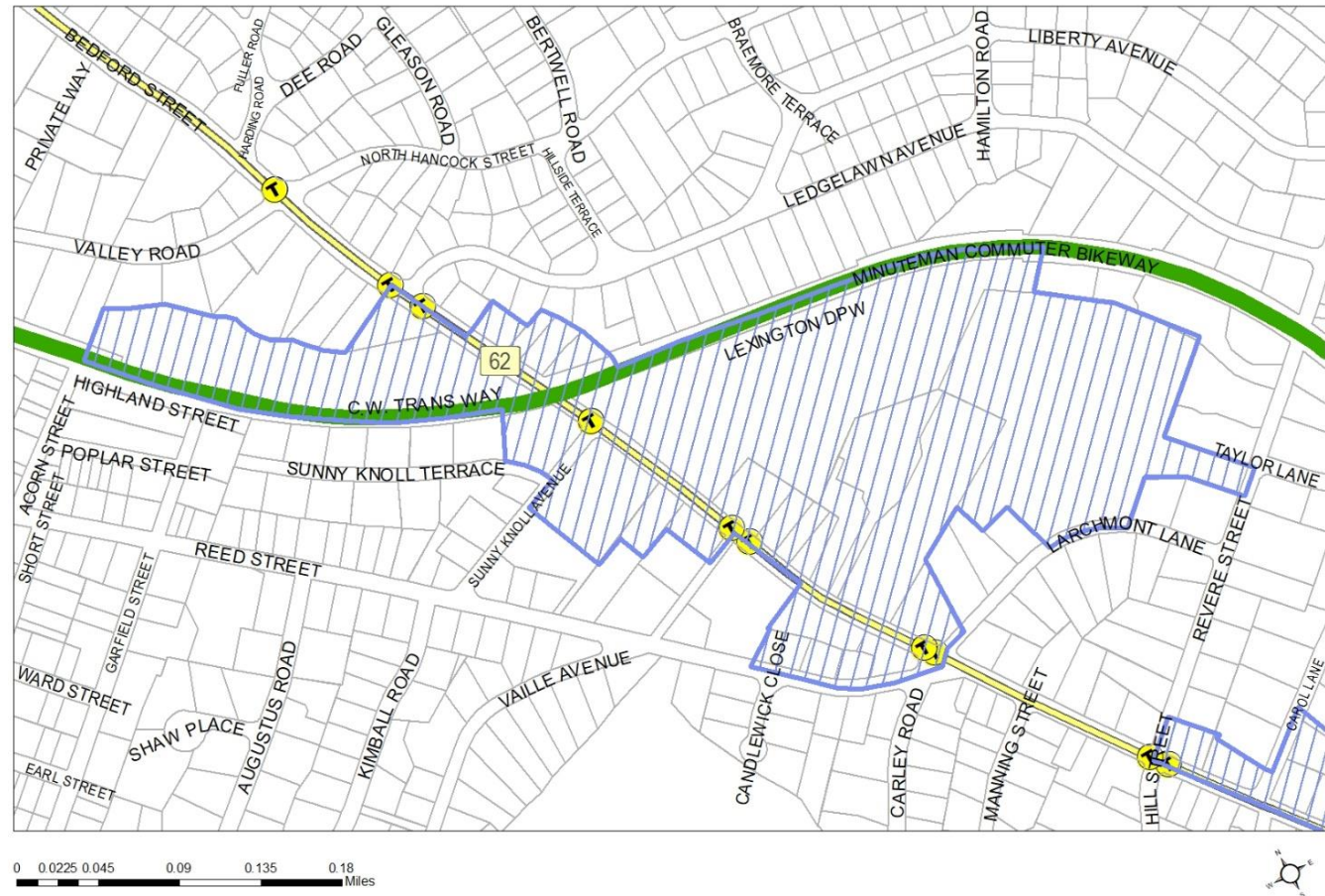


CRS = Retail Shopping, CLO = Local Office, CD = Planned Commercial Development



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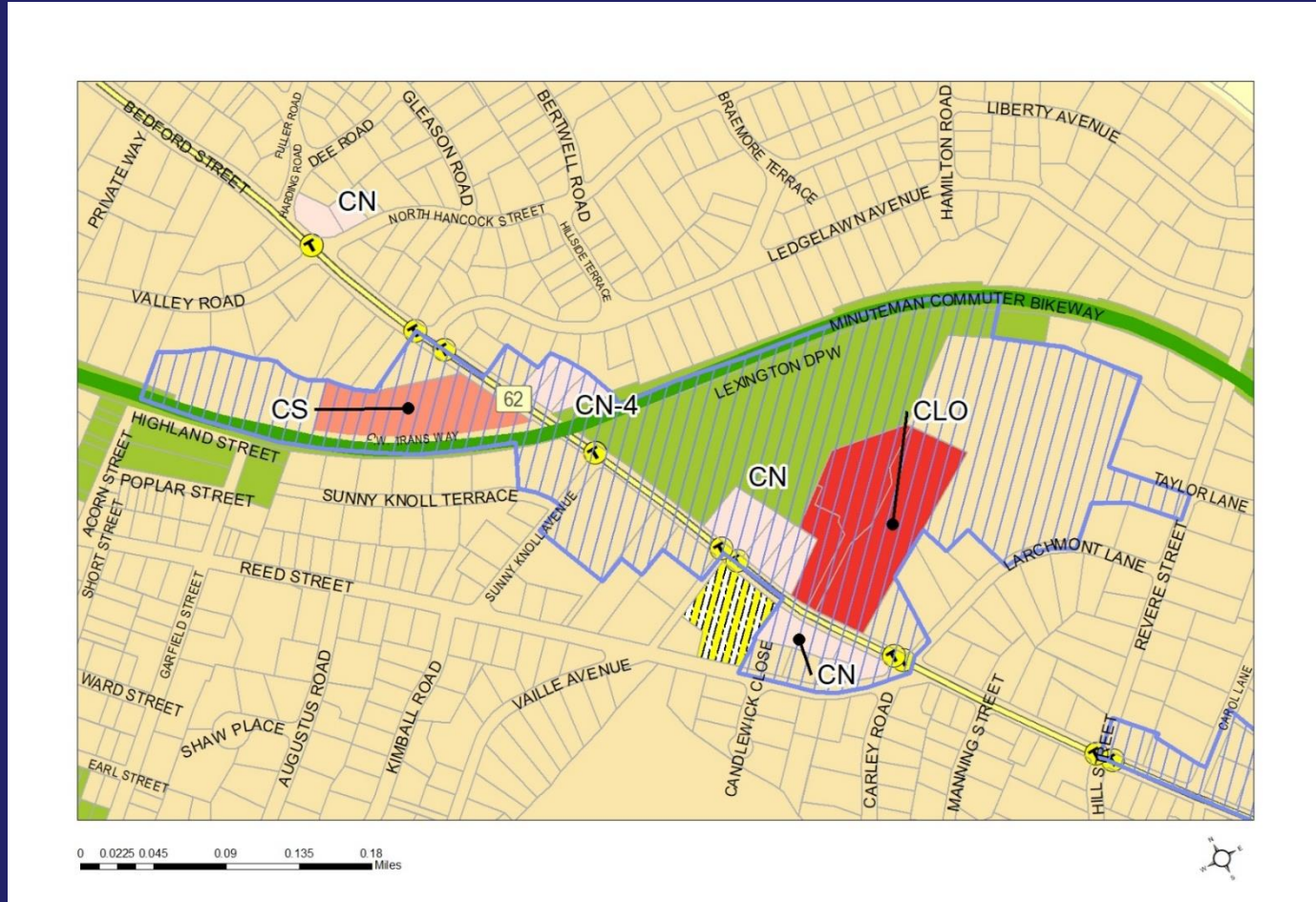
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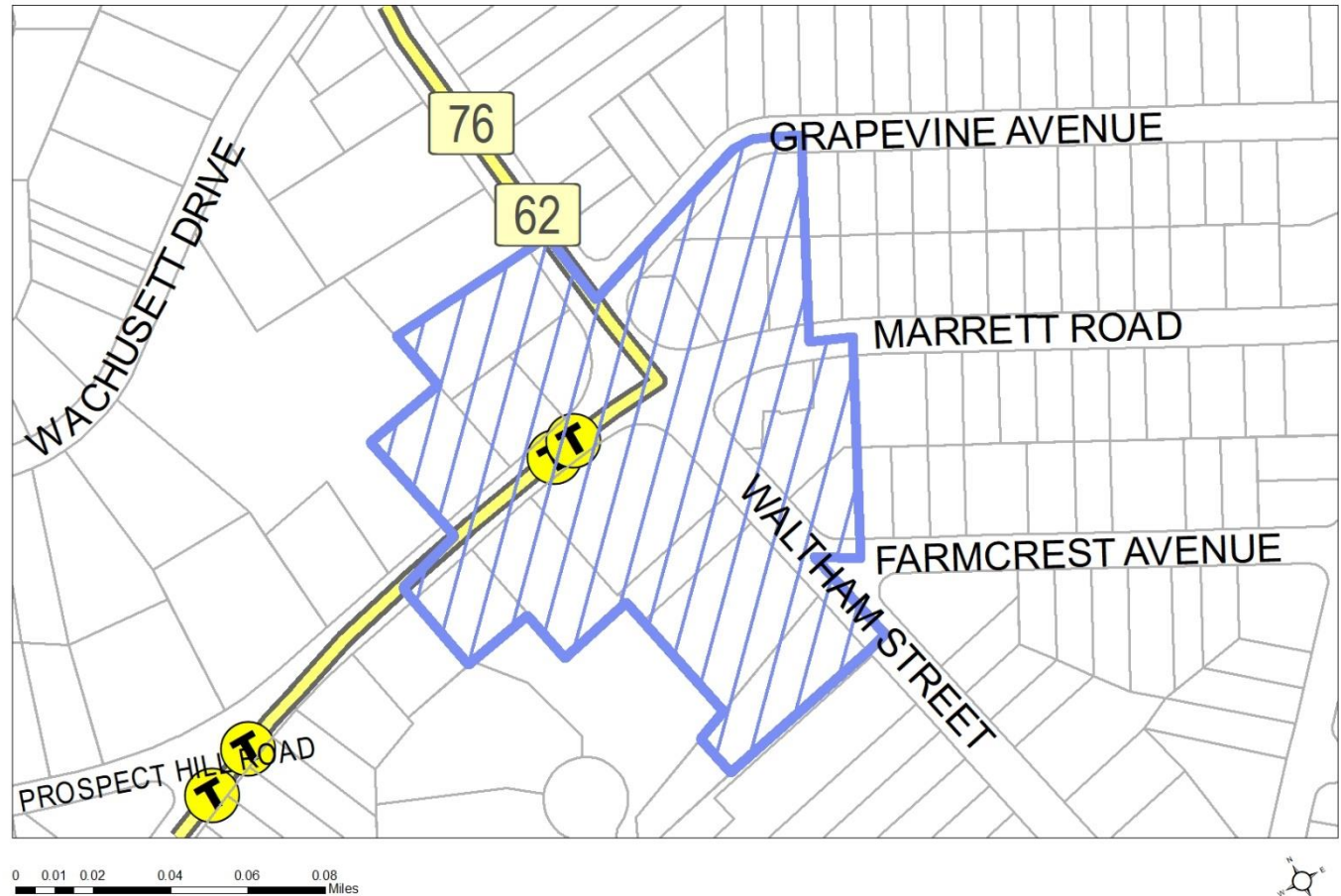


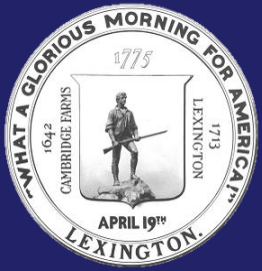
CRS = Retail Shopping, CLO = Local Office, CN = Neighborhood Business, CD = Planned Commercial Development



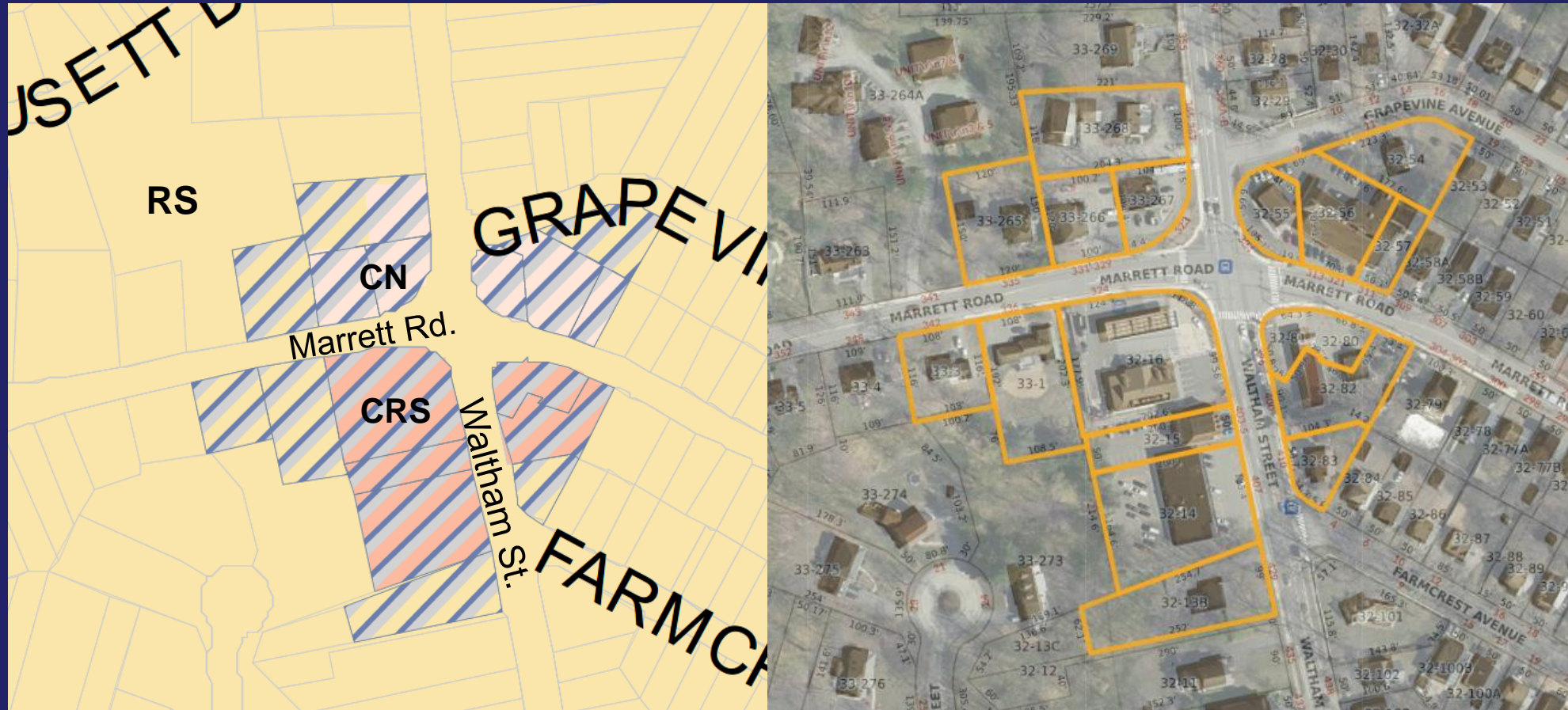
Marrett Rd. / Waltham St.

- VLO
- Max. height = 40 ft. If only residential
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Marrett Rd. / Waltham St. - VLO

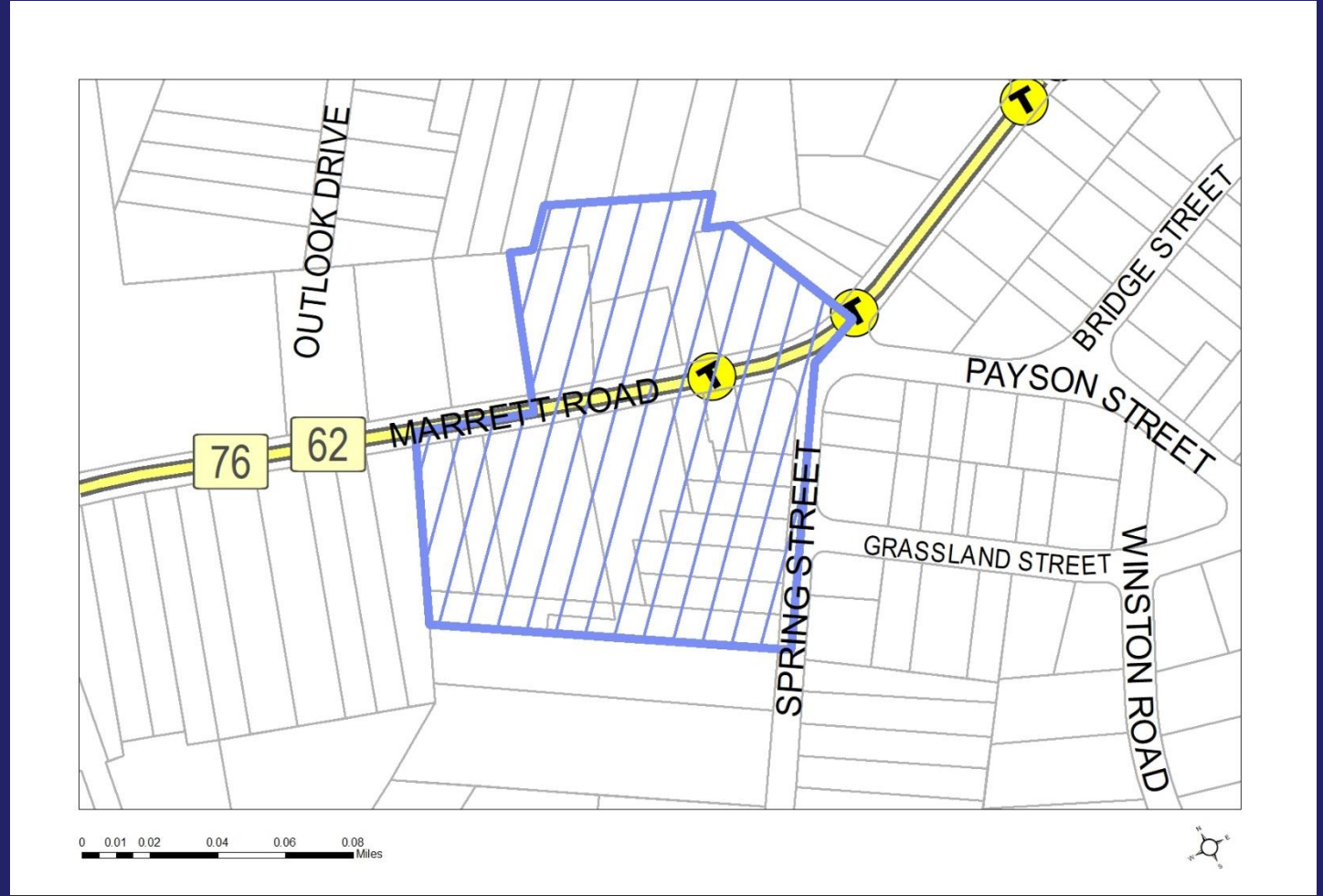


CRS = Retail Shopping, CN = Neighborhood Business, RS = One Family



Marrett Rd. / Spring St. - VLO

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Marrett Rd. / Spring St. - VLO

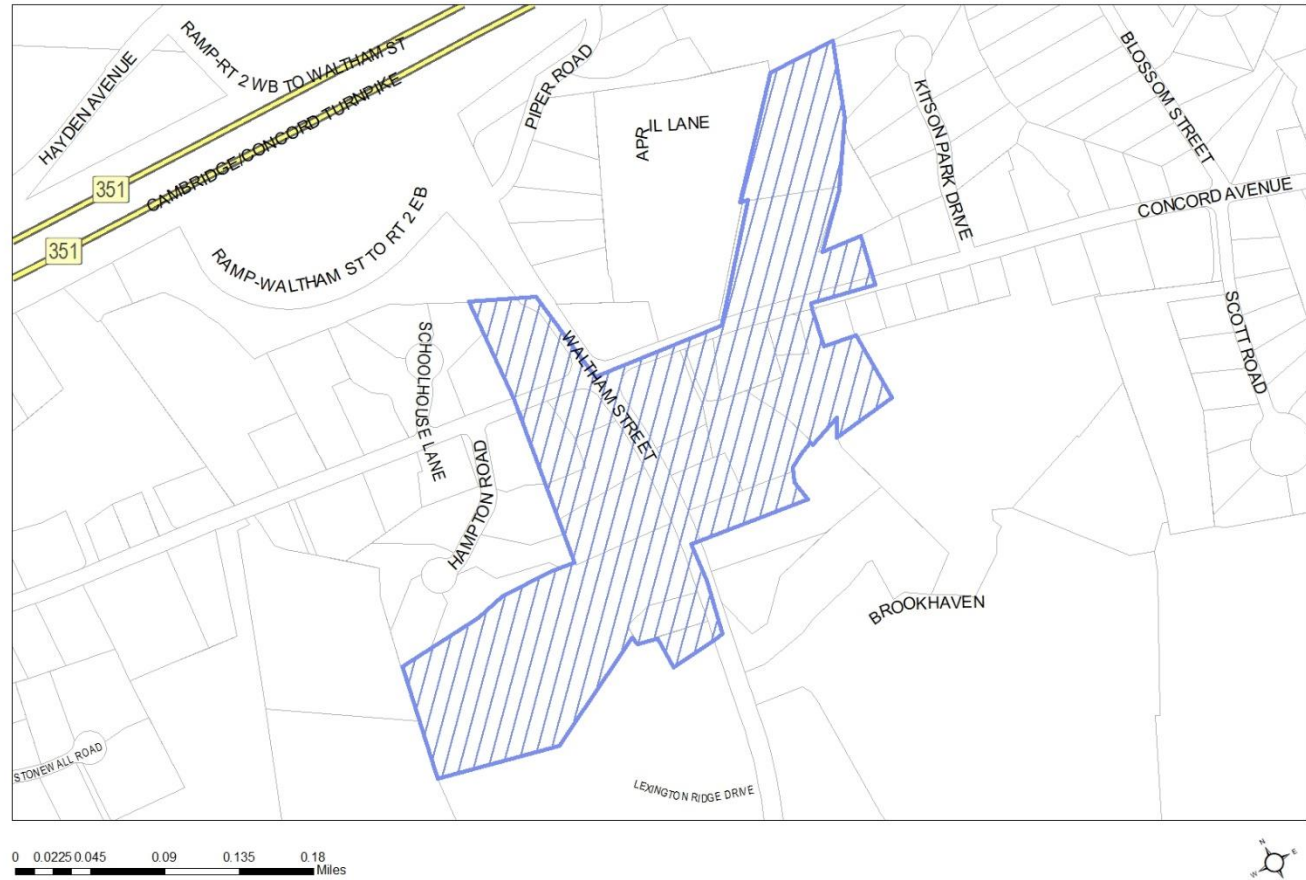


CN = Neighborhood Business, CSX = Commercial Service Expanded, RS = One Family



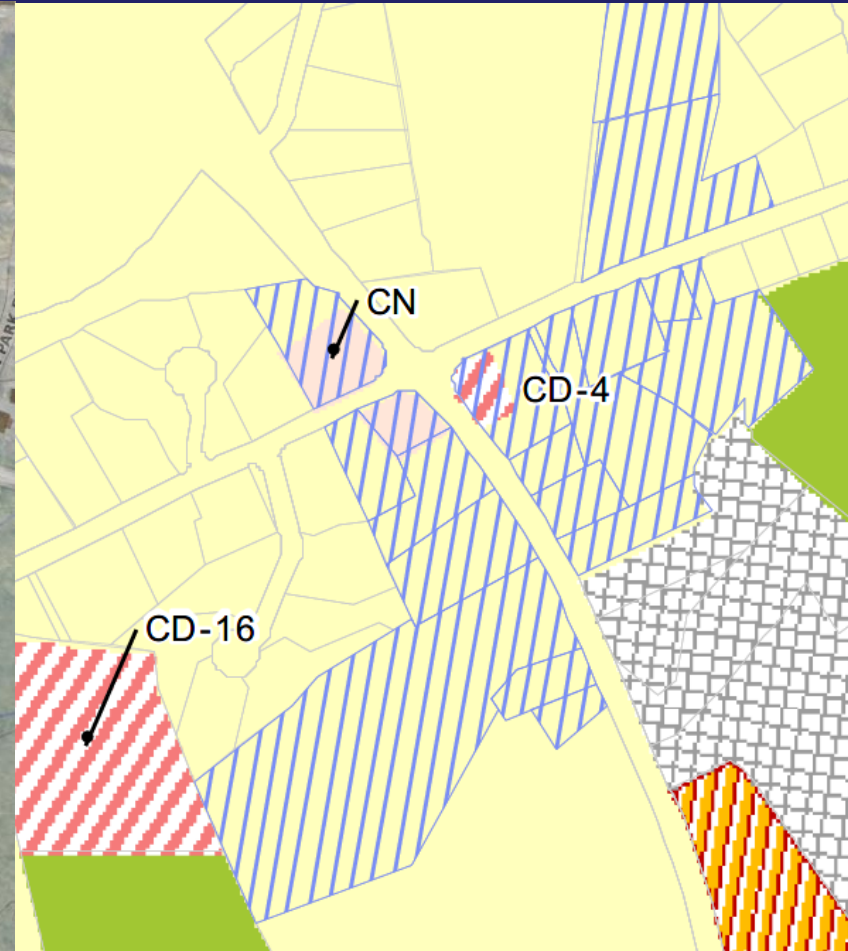
Concord St. / Waltham St.

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Concord St. / Waltham St.

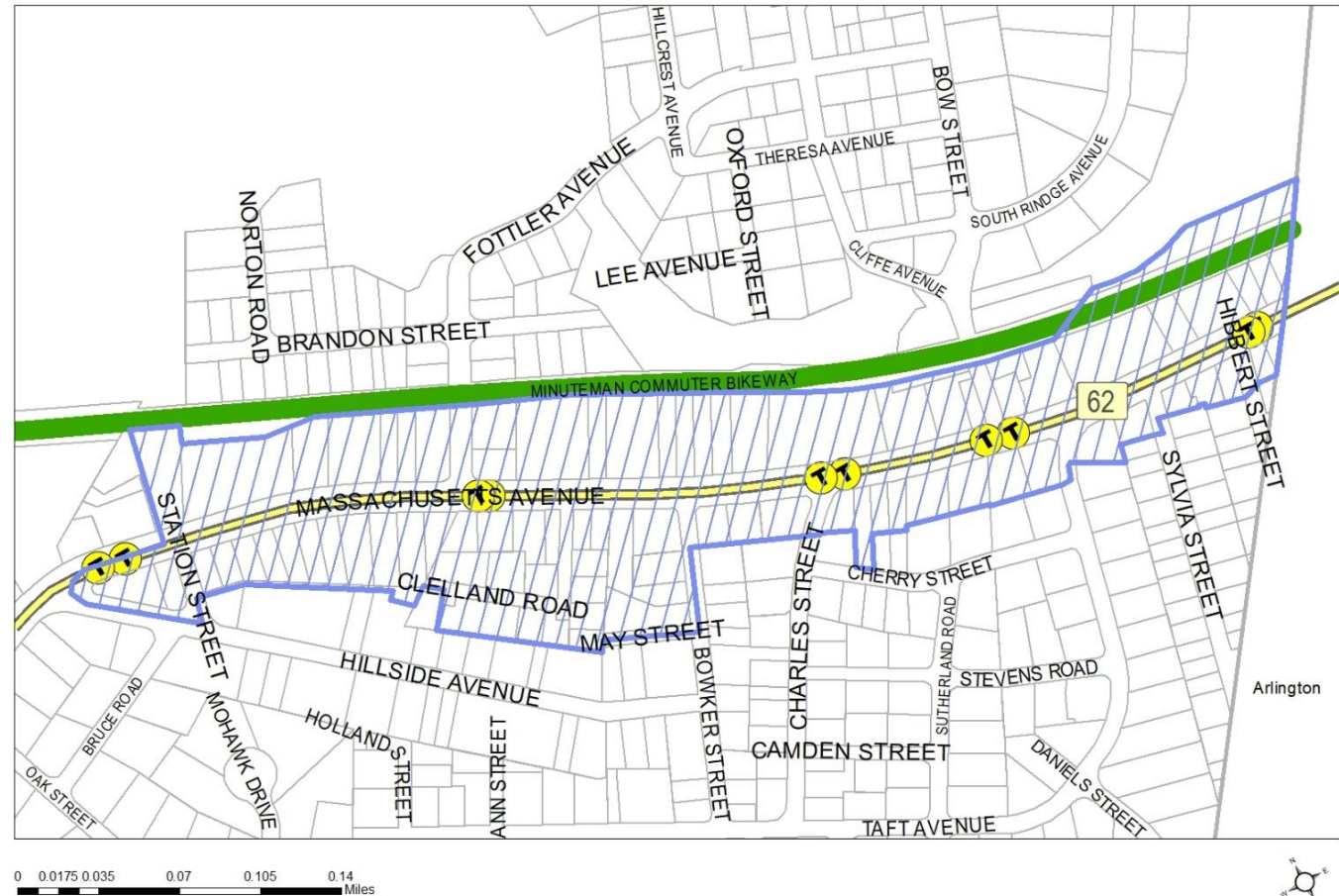


CD = Planned Commercial District, CN = Neighborhood Business



East Lexington - VLO

- VLO
- Max. height = 40 ft. If only residential
- Height bonus up to 65 ft. if ground floor commercial
- Height bonus up to 55 ft. for commercial if underlying zone is residential





East Lexington - VLO





East Lexington - VLO

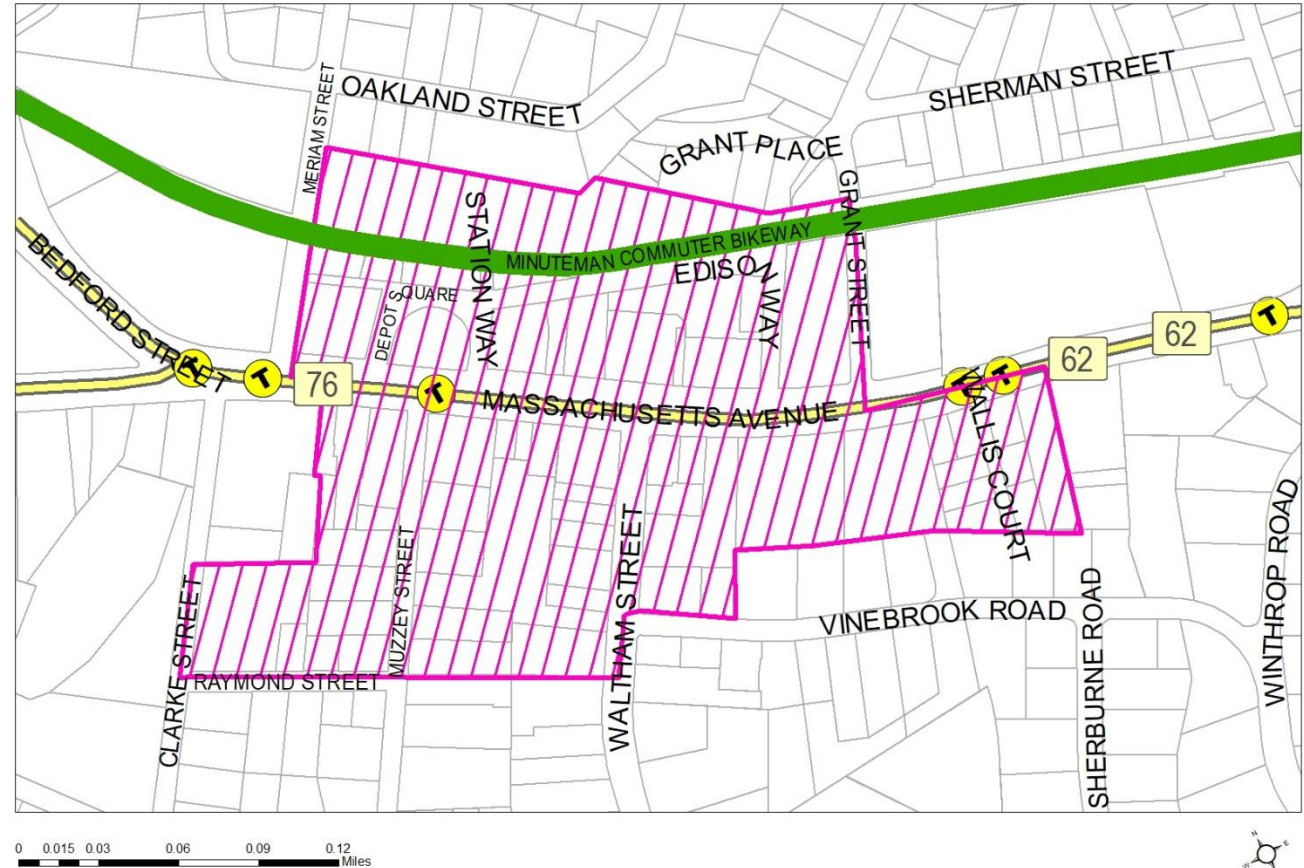


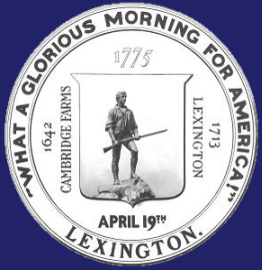
**CRS = Retail Shopping, CN = Neighborhood Business, RT = Two-Family, RS = One Family,
GC = Government Civic Use**



Lexington Center

- VMO
- Up to 60 ft. height
- Requires Commercial (CB) uses on first floor





Lexington Center



Planning Board Hearing 02.01.23
Articles 34 & 35

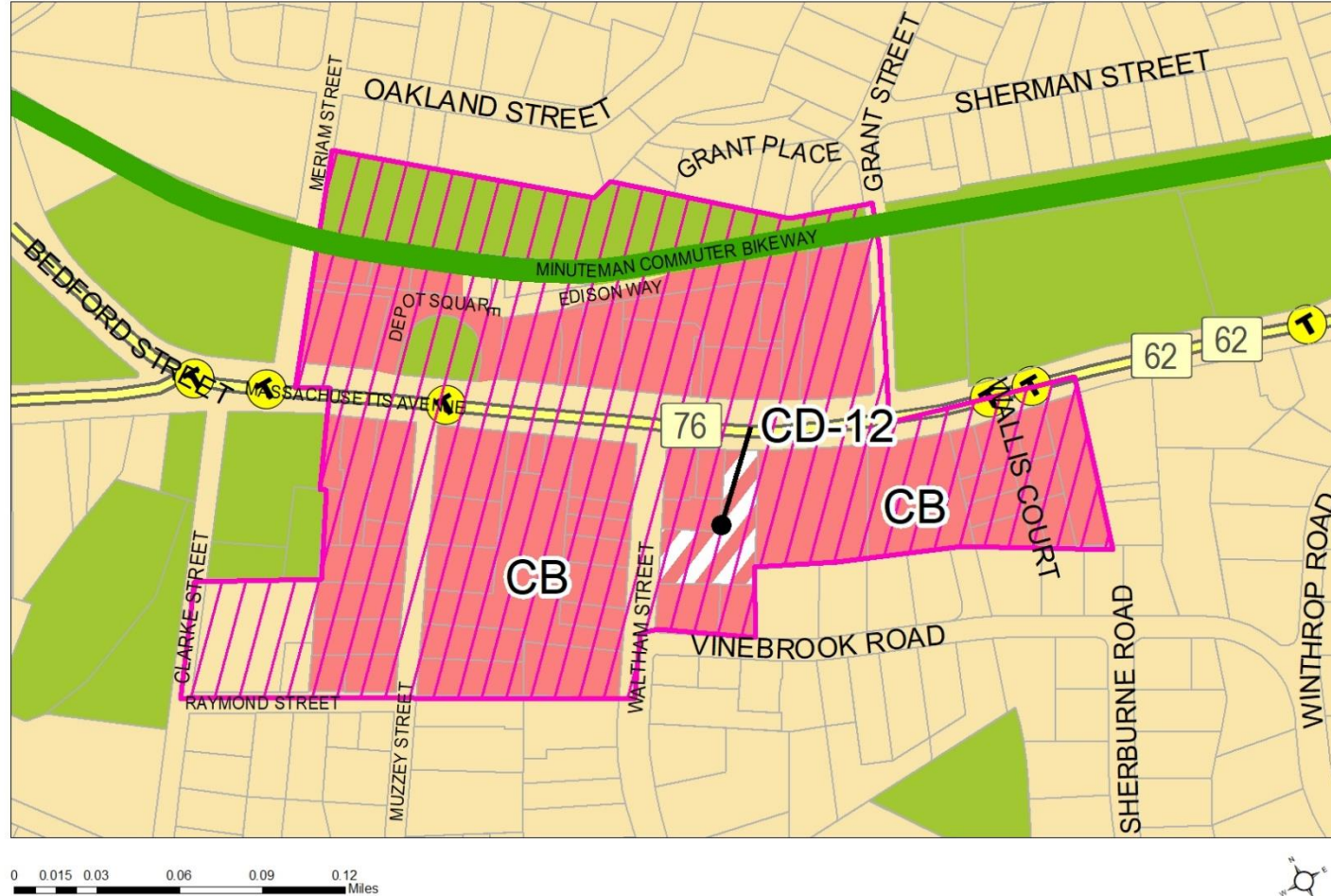


Lexington Center

**CB = Central
Business**

**GC =
Government
Civic**

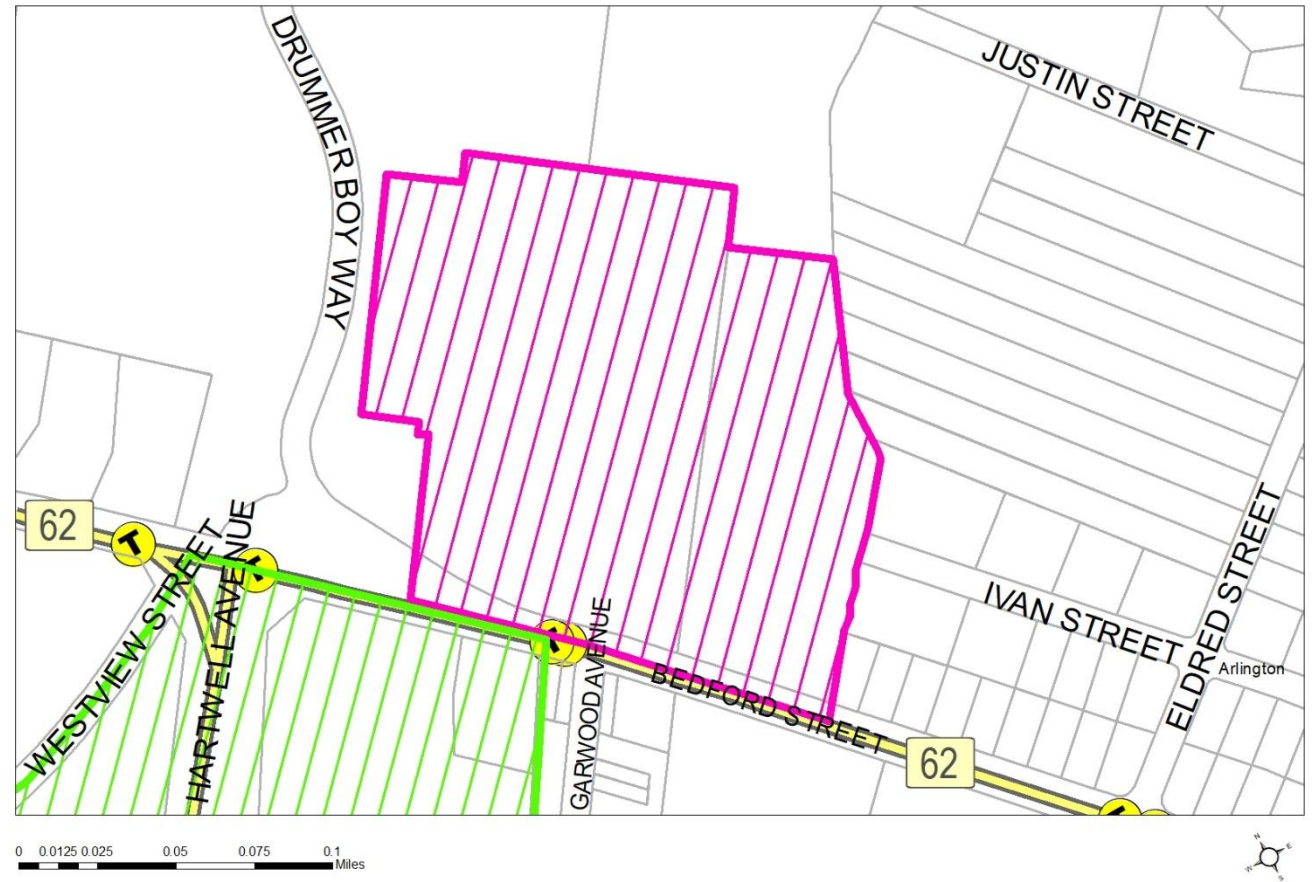
**CD = Planned
Commercial
Development**





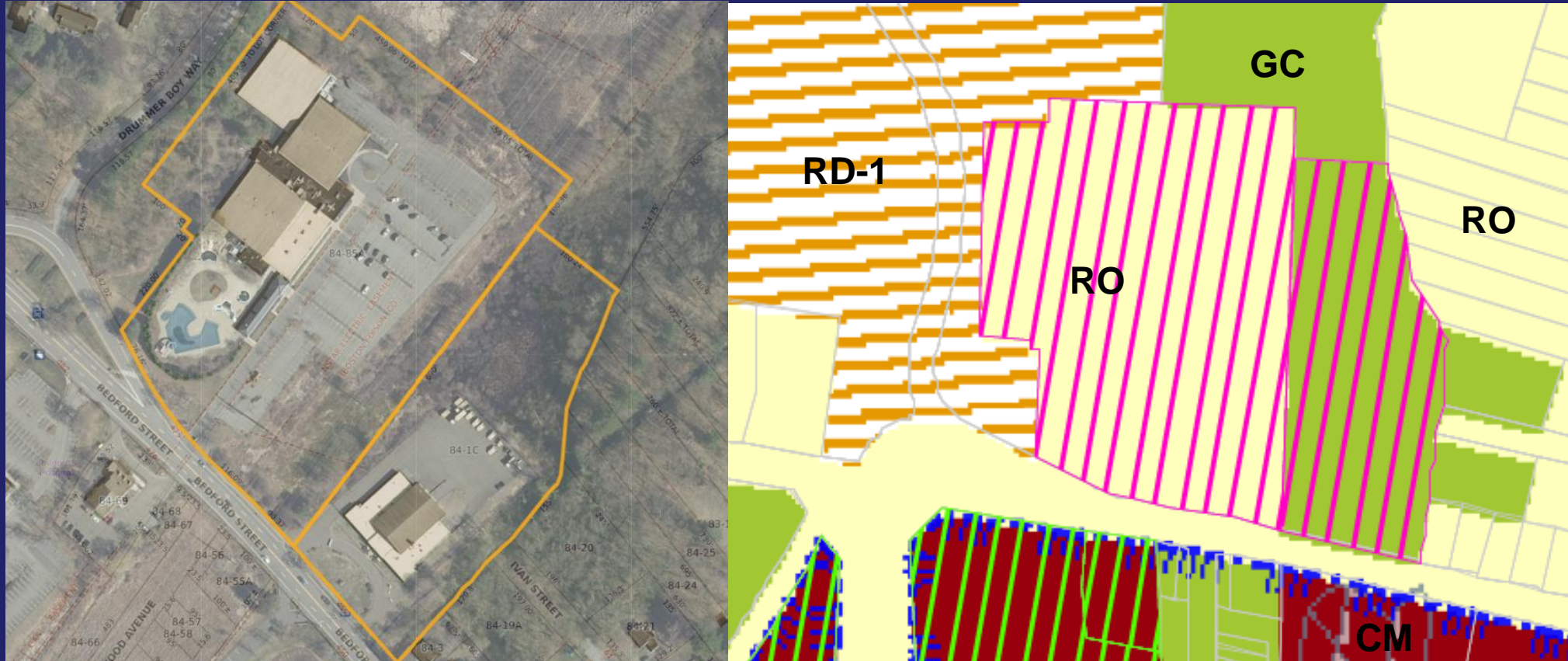
Bedford Street (North)

- VMO
- Max. height 60 ft.
- Residential only





Bedford Street (North)

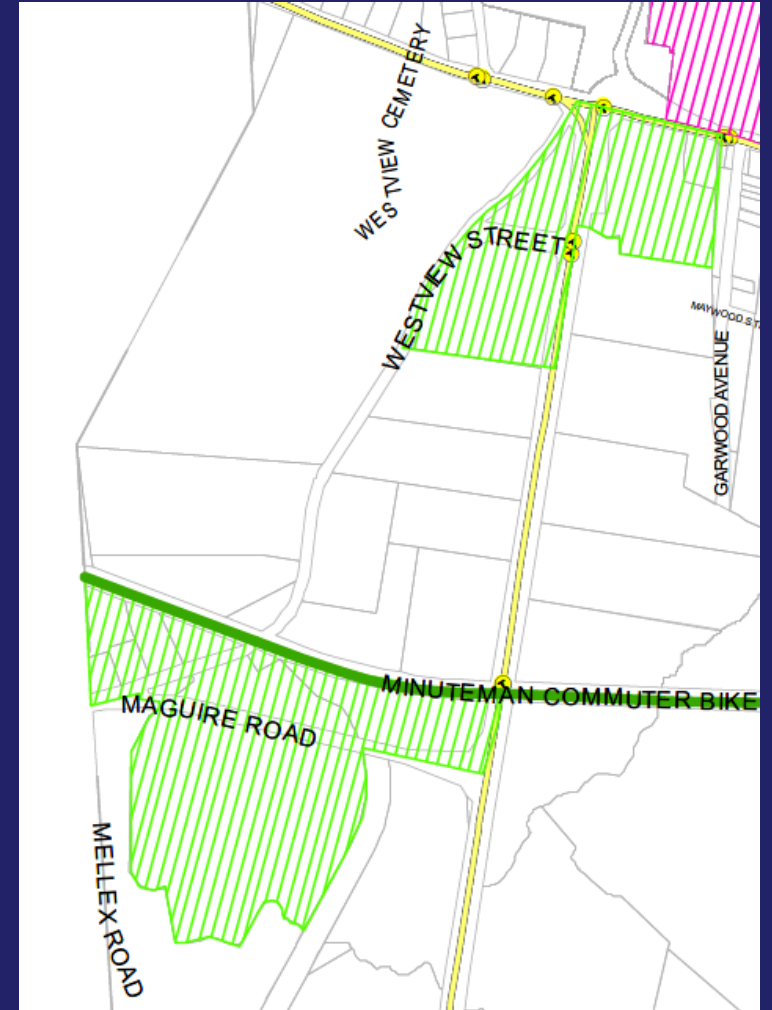
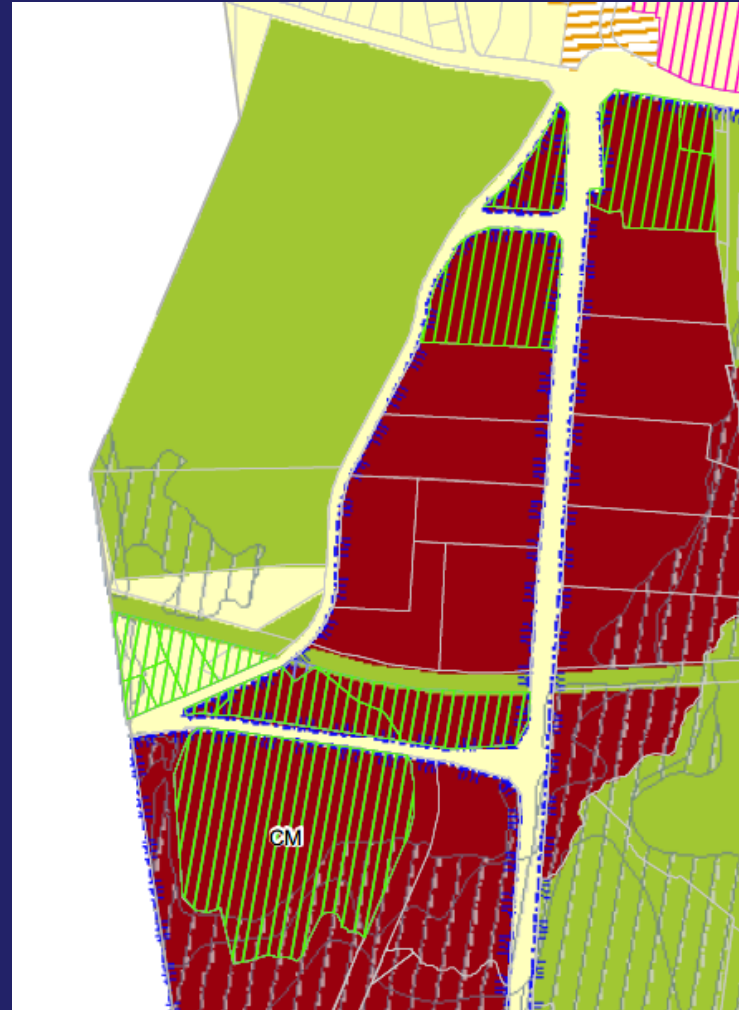


RD = Planned Residential Development, GC = Government Civic, CM – Manufacturing, RO = One Family



Hartwell Ave. & Maguire Rd.

- VHO
- Up to 70 ft. height
- Allows uses in underlying CM district





Hartwell Ave. & Maguire Rd.

- VHO
- Up to 70 ft. height
- Allows uses in underlying CM district





Inclusionary Housing

15% of dwellings in projects with 8+ dwellings to be inclusionary, 10% included on the SHI

Example: 25 unit building = 3 inclusionary units

Combine Articles 34 & 35, can withdraw article 35



Village Overlay Districts (VOD)

Sec. 7.5 – Village Overlay Districts added to Zoning Bylaw

Sets Standard Requirements for Planning Board Application Process

- Site Plan Review permit application
- Planning Board public hearing process with abutter notification
- Heights, setbacks, parking, site circulation, trash, lighting, architecture reviewed
- 15% of proposed units required to be inclusionary
- 85% units are market rate



Articles 34 & 35

- Ensures compliance with state law and guidelines
- Eligible for grant programs, competitive advantage
- Advances Select Board's goal for more affordable and accessible housing and vibrant mix of businesses
- Consistent with *Lexington NEXT* Comprehensive Plan recommendations:
 - Housing, Economic Vitality, Transportation,
 - Diversity & Inclusion, Sustainability & Resiliency,
 - Land use



Public Hearing

Board Questions Public Questions and Comments



Comparison – Reading, MA

Downtown Zoning:
4 Stories
55 ft. height

2009 Town Meeting Zoning
Approval

- Site Plan Review
- 9 Projects in 14 years
- 246 units created
- 20% Inclusionary





Comparison - Westwood

- Zoning adopted 2013 - 2015
- Produced 480 Units
- 15% affordable, 40-60 ft. height





Height Example, Wellesley

590 Washington St.
Wellesley, MA

46 ft.
4 Stories
Commercial first
floor





Height Example, Beverly

131 Rantoul
St.
Beverly

55 ft.

5 stories

1st floor retail



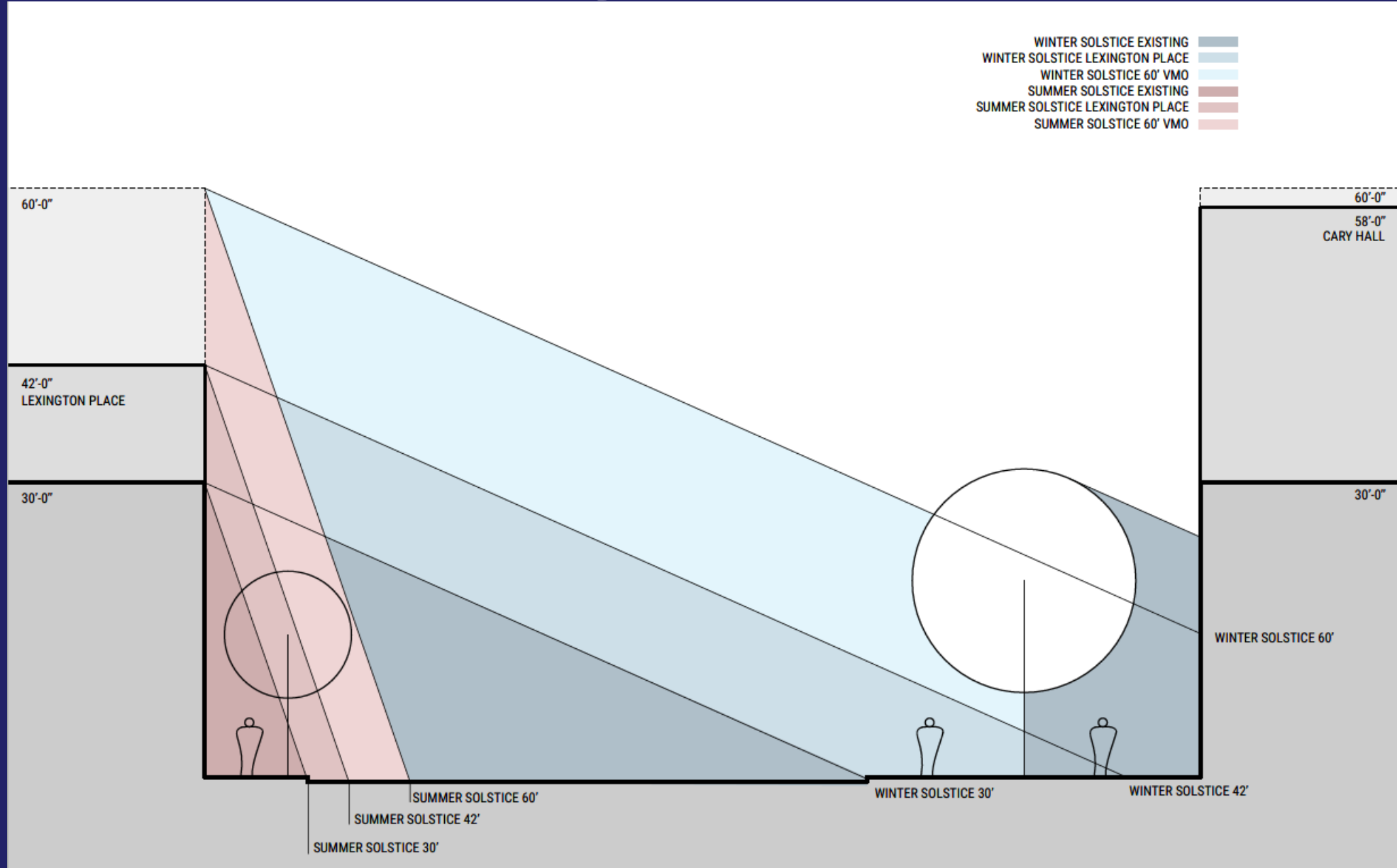


Housing Terms

- **Inclusionary Dwellings** – Requires dwelling units with sale price/rent limit restrictions based on earnings
- **Subsidized Housing Inventory (SHI)** – Households earning **80%** of the Area Median Income (AMI)
 - Household Income 1 = \$78,550 (monthly rent 2 bd. \$1,900 or \$252K condo)
- **“Workforce Housing or Moderate Income”** - Households with incomes of 80% to **150%** of Area Median Income
 - Household Income 1 = \$147,250 to \$210,300 for family of 4



Lexington Center





Measuring Building Height

From average natural grade to upper elevation to the highest point of any ridge gable, roof surface, or parapet

