

Planning Board Zoning Regulations
Section 176-12.0 Site Plan Review and Special Permit Design Regulations
(approved October 6, 2021)

12.1 Goals and Evaluation.

12.1.1 Goals.

The goals of the Site Plan Review and Special Permit Design Regulations are to:

- Ensure the site is designed holistically for all users and contributes to the neighborhood and Lexington;
- Ensure that new development is planned, designed, and constructed in a manner that integrates sustainable design practices into the process from the very beginning so that efforts to generate energy on-site, promote energy efficiency, and eliminate harmful materials are considered along with the functional design to deliver the best functional design while achieving high levels of health, energy, and resilience performance;
- Ensure that projects prioritize pedestrians, cyclists, and public transit before the automobile;
- Establish best practices through the implementation of low-impact development (LID), net-zero techniques, and other measures to create a site that contributes to rather than degrades the functioning of surrounding natural systems and the environment;
- Establish concepts for projects to incorporate as minimum standards that will guide a project through the permitting process while allowing for flexibility in design;
- Minimize new impervious surface and encourage restoration of previous development to natural conditions in sensitive areas, and direct new development towards disturbed land and brownfields;
- Prioritize the use of reclaimed and recycled materials, in addition to high efficiency and high-quality materials; and
- Reduce the heat island effect on site by incorporating canopies, shade trees, and other sustainable methods.

12.1.2 Evaluation.

1. Each Site Plan Review and Special Permit project will be evaluated on the following criteria, where applicable.
2. Criteria using 'shall' are minimum requirements, which the Planning Board expects Applicants to exceed. When compliance is not possible, the Applicant shall provide a written statement to request a waiver under §176-9.1.6.
3. Criteria not using 'shall' are desirable. When compliance is not possible, the Applicant shall provide a written explanation.

12.2 General Compliance.

Projects shall comply with all provisions of the General and Zoning Bylaws and other applicable regulations, as may be amended.

12.2.1 Landscaping.

The project shall comply with the landscaping standards of §135-5.3.4 through 5.3.10, 5.3.13, and 5.1.13.9 of the Zoning Bylaw.

12.2.2 Lighting.

The project shall comply with the lighting standards of §135-5.4.4 through 5.4.6 of the Zoning Bylaw.

12.2.3 Noise.

The project shall comply with the noise standards of §80-4 of the General Bylaws.

12.2.4 Signs.

The project shall comply with the signage standards of §135-5.2.8 of the Zoning Bylaw.

12.2.5 Stormwater Management.

The project shall comply with the stormwater management standards outlined in Chapter 114 of the General Bylaws and the rules and regulations of the Board of Health. All stormwater management facilities shall comply with the Department of Environmental Protection's Stormwater Management Regulations, 314 CMR 21.00 et seq.

12.2.6 Trees.

The project shall comply with the tree standards outlined in Chapter 120 of the General Bylaws.

12.2.7 Archeological or Historic Resources.

The proposed development shall be consistent with the applicable standards of the Historical Commission and the Massachusetts Historical Commission.

12.2.8 Bicycle.

All bicycle parking shall comply with §135-5.1.8 Bicycle Parking Facilities.

12.2.9 Wetland Protection.

The project shall comply with Chapter 130 of the General Bylaws.

12.3 Construction Standards.

12.3.1 Land Disturbance.

The site and building design shall preserve natural topography outside the development footprint to reduce unnecessary land disturbance and preserve natural drainage.

12.3.2 Utility Trenching.

1. Clearing for utility trenching shall be limited to the minimum area necessary to maneuver a backhoe or other construction equipment.
2. Tunneling for utility installation shall be used wherever it is necessary and feasible to protect the root systems of trees.
3. Tree roots shall be cut cleanly rather than pulled or ripped out during utility trenching.

12.3.3 Preservation of Existing Vegetation.

1. All vegetation to be retained shall be surrounded by temporary protective fencing or other measures during clearing and construction activities before any clearing or grading occurs and maintained until all construction work is completed and the site is cleaned up.

2. No construction work shall begin until tree protection fencing is in place.
3. Priority shall be given to preserving existing stands of mature trees, trees at the site perimeter, vegetation contiguous with adjacent sites (particularly existing sites protected through conservation restrictions or public ownership), and specimen trees.
4. Vegetation barriers shall be large enough to encompass the essential root zone of all vegetation to be protected.

12.3.4 Location of Construction Activities.

1. Construction staging areas shall not be located near buildings, porous surfaces, high-priority trees, and sensitive areas.
2. To minimize the clearing and grading on a site associated with construction activities, such as parking of construction vehicles, offices, trailers, and stockpiling of equipment and materials, such activities shall be limited to areas already planned for permanent structures. Topsoil may not be stockpiled in areas of protected trees and wetlands or their vegetated buffers.

12.3.5 Limit of Clearing.

1. Development envelopes for structures, driveways, wastewater disposal, lawn areas, and utility work shall be designated to limit clearing and grading.
2. The clearing of vegetation and alteration of topography is strongly discouraged. Where required, the disturbed area shall be revegetated with a stratified planting of native plant material.

12.3.6 Finished Grade.

Finished grades in disturbed areas shall be limited to no greater than a 3:1 slope (rise over run) while preserving, matching, or blending with the natural contours and undulations of the land to the greatest extent possible. The finished grade shall be no higher than the trunk flares of trees to be retained unless tree wells are used.

12.3.7 Phasing of Development.

The extent of a site exposed at any one time through phasing of construction operations shall be minimized.

12.3.8 Revegetation.

1. Proper revegetation techniques shall be employed during construction using native plant species, proper seedbed preparation, fertilizer, and mulching to protect germinating plants.
2. Proposed temporary (during construction, such as seeding of loam piles) landscaping shall include native and drought-tolerant species and prohibit invasive or non-native plants.

12.3.9 Soil.

1. All disturbed areas shall be appropriately prepared to improve soil water retention, where necessary.
2. Soil stripped from the property shall be stockpiled and reused on-site where possible. Such stockpiles shall be seeded or covered and protected with erosion controls around the pile base until such soils are needed.

3. When new fill is required to be brought onto the site, clean fill shall only be permitted. Before fill is brought onto site, the Applicant shall provide a written notice to the Planning Board, Department of Public Works (DPW), and the Conservation Commission that includes the name of the company, the location where the fill is coming from, the type of fill, and any additional information to certify that all fill is clean.

12.3.10 Sensitive Areas.

When any work is located within a wetland buffer or wetland area, the Conservation Commission will review construction staging and all associated construction work.

12.3.11 Best Management Practices (BMP) Installations.

1. Construction sites shall be appropriately closed at the end of each day of construction.
2. Erosion control and construction Best Management Practices (BMP) installations shall be checked before the start of construction and at the end of construction daily. Such controls, when damaged, shall be repaired within 24 hours.
3. Public ways along the property's frontage and within 200 feet in both directions shall be kept clear of plant litter, construction debris, etc.

12.3.12 Noise.

Where a project is located within or adjacent to a residential neighborhood or directly abuts a property with residential use, the Planning Board may impose limited construction hours.

12.4 Access, Parking, Transportation.

12.4.1 Site Access.

1. Pedestrian, Bicycle, and Vehicular Access.
 - a. Access points shall not create a backup on the public way for vehicles trying to access the site.
 - b. Access to the site from a public way shall be clearly visible and easily accessible for all modes of transportation, without visual interferences (overgrown landscaping, signage, etc.).
 - c. Adequate sight lines shall be provided and maintained for pedestrians, bicyclists, and motorists at all entrance and exit locations. At a minimum, sight distances shall meet the Massachusetts Highway Department and American Association of State Highway Transportation Officials standards for safe stopping sight distances.
 - d. The number of vehicular access points shall be minimized to decrease disruptions in the flow of traffic in public ways.
 - e. The site shall be designed to provide safe pedestrian access to adjoining sidewalks, paths, walking trails, or bikeways, where necessary.
 - f. Where vehicular access drives cross pedestrian routes or sidewalks, the pedestrian crossings shall be marked and differentiated with variations in paving materials (for example, by using stamped concrete or asphalt).
2. Service, Delivery, and Loading Access.
 - a. If separate service, delivery, or loading access is required for site operations, it shall be distinct and distinguished from other forms of site access.

- b. The number of service, delivery, or loading bays shall be designed to meet current demands. Where potential expansion may be necessary, the site shall be designed with reservation space rather than constructing additional impervious areas for service, delivery, or loading bays or areas that are presently not needed.

12.4.2 Bicycle Parking and Ways.

1. All projects shall provide pedestrian and bicyclist connections on the property and allow possible future connections with adjoining properties.
2. Bicycle lanes or sharrows shall be designed to decrease bicycle and vehicular conflict.
3. Long-term bicycle racks intended for extended use by employees shall be protected from the elements and secure.
4. Bicycle racks shall be easily accessible for both long-term and short-term use.
5. If the property abuts a public bikeway, a paved access route to the bikeway shall be required.
6. Short-term bicycle racks shall be located near main entrances and be visible (where possible) from the public way.
7. Signage shall be provided to guide bicyclists through the site.
8. Side setbacks shall allow pedestrians, cyclists, and vehicles to pass from the public street corridor into the development site and appropriate adjacent properties that share access.

12.4.3 Drainage and Stormwater Management.

1. Country drainage shall be considered along roadways, sidewalks, pathways, and other compacted surfaces where soils permit.
2. Pocket parks, plazas, terraces, and other civic gathering spaces shall incorporate light imprint techniques that address stormwater on-site quantity and quality.
3. Reduce impervious surfaces and consider opportunities for permeable pavement where applicable. Drain impervious surfaces into on-site landscape areas (examples include rain gardens and vegetated retention ponds). Reduce stormwater collection and removal from site. Avoid creating chutes off impervious surfaces that will cause erosion in the landscape areas.
4. Strive to replicate natural hydrologic conditions and manage precipitation on-site by exceeding the LID and conservation design requirements.
5. Use stormwater harvesting systems such as cisterns and ponds for plant irrigation.

12.4.4 Interior Drives, Driveways, and Roadways.

1. Interior drives, driveways, and roads shall be easily navigable and remove traffic from public streets quickly.
2. Internal circulation shall be planned to accommodate existing or planned transportation demand management services, such as public transit, ride-sharing, and shuttle services.
3. The site shall be designed to assure safe interior circulation. When possible, pedestrians, bikeways, and vehicular traffic shall be separated.
4. Where possible, sites shall connect to abutting properties to allow vehicular, bicycle, and pedestrian flow outside the public roadway system.

12.4.5 Public Transportation.

The site shall be accessible for shuttles and public transportation near an entrance of the main structure to promote alternative transportation options.

12.4.6 Sidewalks and Pathways.

1. A walkability audit shall be conducted to assess the safety and desirability of routes. This effort shall inform the development of the pedestrian network that prevents pedestrians from walking through landscaping or natural and sensitive areas.
2. Sidewalks and pathways shall be designed to anticipate future connections to off-site bicycle facilities and trails.
3. Sidewalks and pedestrian ways shall be constructed from sustainable materials, recycled rubber, permeable or porous material, and recycled materials.
4. Sidewalks shall be accessible, inviting, safe, and efficiently connect public sidewalks, non-vehicular trails, building entries, parking areas, and outdoor amenity spaces.
5. To the extent that outdoor spaces/sidewalks/pathways have permanent shading/weather protection structures employed, structures with canopy solar energy systems should be considered.

12.4.7 Parking.

1. General Parking.
 - a. Car-sharing programs and vehicle charging stations shall be prioritized near locations where accessible parking is provided.
 - b. Except where physical constraints, site configuration, or safety considerations preclude strict compliance, all off-street parking shall be accessible by driveways to the parking lots of similar adjacent uses.
 - c. Shared parking opportunities (surface and structured) with adjacent property owners should be considered when possible.
 - d. The site shall be designed to provide no more off-street parking than the minimum number required by the Zoning Bylaw and the minimum number needed to support the reasonably intended uses.
2. Surface Parking.
 - a. Surface parking shall be covered by Canopy solar energy systems and water retention (green, blue, greywater) devices, where feasible unless this would require the removal of healthy mature shade trees whose environmental benefits outweigh those of the solar canopies that would replace them.
 - b. Surface parking shall be buffered from a street or public way with street trees, natural features (boulders), and landscaping.
 - c. Surface parking shall be conveniently located near the entries of structures while maintaining the pedestrian safety, attractiveness, and aesthetics of the site.
 - d. The placement of surface parking shall consider existing or potential shared parking opportunities with adjacent properties and parking agreements.
 - e. The use of open grid pavement or like material shall be utilized in vehicular areas with minimal use or areas that serve as overflow parking.
 - f. Where possible, surface parking is to be located to the side or rear of a site or occupiable structure.

3. Structured Parking.
 - a. Where the top level of a structured parking garage is unroofed, it shall incorporate Canopy Solar Energy Systems and water retention (green, blue, greywater) devices, if feasible.
 - b. Architectural forms, screening, or materials shall blend the parking structure with the other on-site buildings.
 - c. If visible from a public way, the ground floor of parking structures shall create visual interest and visually soften landscaping, architectural screening, and pedestrian entrances.
 - d. Internal support columns shall be located outside or not part of the critical area of an off-street parking space.
 - e. Pedestrian access to structured parking shall be made directly through a building, pedestrian bridge, or other pedestrian ways, where feasible.

12.5 Building Planning and Design.

12.5.1 Building Height.

1. A penthouse shall be designed to be compatible with the aesthetic and material design of the building, minimize interference with solar and green roofs, and be centered on the building where possible.
2. New structures and additions shall minimize the negative impacts of shadows on adjacent properties or streets.
3. To the extent feasible, roof pitch and arrangement should maximize available space for solar or green roofs.

12.5.2 Building Massing.

1. Building massing shall be designed to reduce the overall perceived scale and provide simple and evocative forms that reinforce the theme of a contemporary business park and a sense of a human-scaled environment.
2. Buildings are encouraged to utilize architectural design, terraces, balconies, varying roof height, fenestration as a function space.
3. New buildings shall reveal different aspects of themselves from different distances and vantage points through articulation and modulation of vertical and horizontal components.
4. Structures located closer to established residential areas shall consider tapering down the mass of a structure to provide a more compatible character transition.
5. The scale of a building shall be designed to consider the overall size and context of the surrounding area or neighborhood.

12.5.3 Façade Treatment.

1. Envelopes of structures should be physically durable and utilize high-quality, energy-efficient, easily repaired, and sustainable materials. The use of natural materials such as wood, glass, and stone is recommended for the first floors of public-facing façades.
2. When a structure is intended for general public use, structures facing a public street should be designed to promote street activation.
3. Where feasible, awnings and canopies should be designed to gather photovoltaic and other energy for future use.

4. Where publicly-oriented ground floor commercial uses are present, retractable storefront windows and moveable facades shall be considered to allow internal uses to visually "spill out" onto the sidewalks, activating them and enhancing the pedestrian experience.
5. Windows on the ground floor facing the street shall be large and highly transparent to provide views within the buildings from the sidewalk and allow natural light to penetrate the interior space.

12.5.4 Sustainable Structure Guidelines.

1. Preference should be given to locally sourced and recycled materials.
2. Structures should be designed or retrofitted to meet a high level of efficiency possible. Programs such as Energy Star, WaterSense, Green Seal, LEED, Green Globes, etc. may provide guidance.
3. Structures should be designed to achieve the Town's Net Zero goals, in addition to the Commonwealth's efforts to decrease fossil fuel emissions (examples include net-zero conditions for the building envelope, geothermal, wind and solar energy, reduction in fossil fuel reliance, efficient HVAC systems, domestic hot water, lighting, and other strategies).
4. The envelopes of structures should utilize high-performance glazing and continuous insulation, along with roof space for best management practices (ex. blue roof, green roof, solar energy systems, penthouses for utilities and other mechanicals, etc.).
5. Priority should be given to including mechanical systems that do not combust fossil fuel on-site, high-efficiency appliances, and building commissioning/energy metering tools.
6. Structures should be oriented for maximum use of daylight, reduction in heat gain, passive ventilation, and solar energy system generation.
7. Avoid the use of red list substances as defined in the Healthy Building Network (or similar toxic avoidance guidelines) to the greatest extent practical. Projects should be designed and materials selected to avoid toxins. Programs such as the Environmentally Preferable Purchasing program, other successor programs of the Commonwealth of Massachusetts, or other similar cooperative purchasing programs should be utilized when selecting products and services for a project. Products that have Green Seal or EcoLogo certifications should be prioritized for use on a project.

12.6 **Landscaping.**

12.6.1 Site Design.

1. All projects should demonstrate to the greatest extent feasible the utilization of the Low Impact Development (LID), best management landscape design, and green site design features to reduce adverse impacts to the environment and public while aiding in the mitigation and management of stormwater, site design that manages and protects natural constraints, thermal pollution, and non-point and point source pollution.
2. Create sensory landscapes that focus on beautiful views, fragrant plants, and the sound of water, colorful and texturally rich vegetation, and art.
3. Design a variety of smaller, restorative spaces located throughout a site rather than one ample space.

4. Gardens of all types, such as community gardens, contemplative gardens, roof gardens, courtyard gardens, vertical gardens, edible gardens, rain gardens, etc., are encouraged to promote community engagement, health and well-being, physical activity, and mental restoration.
5. Loading zones and docks shall be adequately screened to not be visible from the primary public way.
6. Projects shall provide ample space for canopy trees to grow to mature size and specify sufficient space for water penetration and root growth. Projects shall not be over vegetated to compensate for future plant growth.
7. Projects that involve disturbance of more than one-half acre of land shall demonstrate certifiability at the Gold level under SITES v2, as amended.

12.6.2 Connectivity.

1. Retain or establish habitat corridor connectivity through the site, along natural circulation routes, and to adjacent sites where possible.
2. Support social connections by creating gathering and seating spaces for eating, working, and recreation opportunities.

12.6.3 Preservation and Conservation.

1. Avoid locating buildings, impervious surfaces, and general development around high-priority trees and sensitive areas.
2. Design projects that encourage preserving native, historical, aesthetic, or culturally significant vegetation, especially mature trees that are healthy. Allow snags to stand where they do not pose a hazard.
3. Invasive species shall be removed except when their removal will cause environmental damage than the harm posed by the species.
4. Sites shall be designed in such a way as to avoid impacts to rare and endangered species and wildlife habitat on a site and to maintain contiguous forested areas.
5. Where possible, the Applicant should create a buffer (vegetated with native plants) between un-vegetated areas or lawns and wetlands.

12.6.4 Plant Selection.

1. Invasive plants on the most recent list of the Massachusetts Invasive Plant Advisory Group are strictly prohibited.
2. Plant and tree selection shall consider pollutant interception, water management, habitat for pollinator species and other wildlife, and aesthetics while improving biodiversity and water conservation, limiting pesticide and fertilizer use, and reducing energy use. Please reference the Lexington Preferred Planting List, or genotypes found in EPA Eco Region III for planting trees and shrubs.
3. Turf grass seed mix must use region-appropriate drought-tolerant species (primarily fescues, some clover). Avoid a monoculture grass with only one species of grass used. The use of lawn alternatives (“No Mow”) should be considered for areas to be left un-mowed.
4. Shrubs and herbaceous vegetation planted in non-turf areas must include native species on the Lexington Preferred Planting List, or genotypes found in EPA Eco Region III sufficient to achieve seventy (70) percent aerial coverage in ten years. The sum of the DBHs of native trees on the Lexington Preferred Planting List, or genotypes found in EPA Eco Region III for newly planted trees must also comprise at least seventy (70) percent of the total DBHs of all newly planted trees.

12.6.5 Parking Perimeter Buffers and Screening.

1. Plantings shall not be planted or maintained to create a visual hazard for either pedestrians or drivers.
2. Provide a mix of deciduous and non-deciduous plantings of adequate height and density to visually screen surface parking lots from the public sidewalk and adjacent residential neighborhoods.

12.6.6 Parking Interior Landscaping.

1. Incorporate trees that are native species or cultivars of native species, drought, shade, and salt-tolerant plants of varying heights and species at parking islands and edges to diminish the heat island effect.
2. Provide curb extensions where pedestrians are required to cross driveways and parking aisles.

12.6.7 Natural Features and Preserved Space.

1. Maximize the use of excavated boulders in site landscaping.
2. Preserve natural meadows and native trees and shrubs or cultivars of native species that are in good health.
3. Rehabilitate lost or degraded stream channels, wetlands, and associated native plant communities. Protect riparian and shoreline buffers where required by law or, where feasible, exceed requirements.
4. Strive to create an ecological "sense of place" based on the plants and rocks conspicuously identifiable as endemic to the local region.

12.6.8 Irrigation and Soils.

1. Conserve water resources and minimize energy use by reducing or eliminating the use of potable water for landscape irrigation after the establishment period. Rainwater irrigation systems are encouraged, such as the use of cisterns. Hand watering during the establishment of new plantings is preferred.
2. Identify and protect healthy soils and vegetation by mapping soils and creating soil protection zones that prevent disturbance during construction. Use fences or other physical barriers to create boundaries and prevent intrusion.
3. Maintain healthy soil ecosystems by preventing soil compaction, chemical contamination, avoiding excessively steep slopes, and preventing the loss of organic matter and biological activity in the soil.
4. Plant during the optimal planting season to minimize the use of excess water for irrigating plants.
5. Promote site design that reduces or eliminates the need for water, pesticide, and herbicide use.
6. Support healthy plants, biological communities, and water storage and infiltration by restoring damaged soils, protecting healthy soils, and limiting soil disturbance during construction.

12.7 Signage and Wayfinding.

12.7.1 In natural areas or areas of recreation, create interpretive signage and selective use of individual plant labels to identify the genus and species of plants.

12.7.2 Maximize the use and placement of wayfinding signage and interpretive signage to inform and direct visitors around the site.

12.7.3 Provide wayfinding signage that directs users and visitors to pedestrian and transportation nodes, landscapes, buildings, historical and cultural locations, and other destinations.

12.8 Outdoor Lighting.

12.8.1 Downward-directed, dark-sky compliant, energy-efficient lighting is required to provide a minimum lighting level for evening activities, particularly near-site and building entries, pedestrian ways, and within parking lots.

12.8.2 Outdoor lighting shall use 3,000K or warmer fixtures.

12.8.3 Lighting fixtures shall contribute to the overall character of the building and be consistent with the overall design of the site development.

12.8.4 Minimize unnecessary nighttime lighting by using motion-activated controls or timers that dim or turn off exterior lights beyond regular hours of operation. Other than what is necessary for security purposes, exterior lighting shall be shut off one (1) hour after the last employee leaves.

12.8.5 Use top-mounted sign lighting with shields so that the light falls entirely on the sign and is positioned so that the light source (bulb) is not visible from any point of the property or the roadway.

12.8.6 Use 'full cut-off' or 'fully shielded' designated light fixtures to reduce glare.

12.8.7 Internal lighting shall not cause overspill onto abutting properties, the street, or the night sky.

12.9 Utilities.

12.9.1 Wastewater.

There shall be adequate capacity to meet the flow demands of the proposed use under the standards of the Department of Public Works, the Board of Health, and the Massachusetts Department of Environmental Protection.

12.9.2 Water.

The Department of Public Works shall confirm that there is adequate water capacity to meet the flow demands of the proposed use.

12.9.3 Other Utilities.

All electrical, cable, and telecommunications services shall be installed underground.