

Draft 01.07.2020
Proposed amendments to the Lexington Zoning Bylaw

Notes:

- Items underlined or ~~stricken~~ are proposed amendments to the Lexington Zoning Bylaw.
- Items marked in **blue** are proposed amendments to existing text. Items shown in *grey italics* are language approved under Article 16 of the 2020 Special Town Meeting and are incorporated to reflect where they will be located in the Lexington Zoning Bylaw.

135-2.0 Districts

Amend §135-2.2.3 Commercial Districts by adding one (1) new row to include the Hartwell Innovation Park (C-HIP) District

CN	Neighborhood Business
CRS	Retail Shopping
CS	Service Business
CB	Central Business
CLO	Local Office
CRO	Regional Office
CM	Manufacturing
CSX	Commercial Service Expanded
<u>C-HIP</u>	<u>Hartwell Innovation Park</u>

135-3.0 Use Regulations

Amend §135-3.4 Table 1, Permitted Uses and Development Standards, to include one (1) new column: C-HIP; and further add new columns (attached) that support the vision of the C-HIP District.

135-4.0 Dimensional Controls

Amend §135-4.0 Table 2, Schedule of Dimensional Controls, to add “& C-HIP” to the title of the CM column.

Table 2

	CM & C-HIP
Minimum lot area	<i>20,000 SF(f)</i>
Minimum lot frontage in feet	<i>50(f)</i>
Minimum front yard in feet (a), (b), (h)	<i>NR</i>
Minimum side yard in feet	<i>15(f)</i>
Minimum rear yard in feet	<i>15(f)</i>
Minimum side and rear yard adjacent to, or front yard across the street from a residential district in feet	<i>50(f)</i>
Maximum nonresidential floor area ratio (FAR)	<i>NR</i>
Maximum site coverage	<i>NR</i>
Public and institutional buildings, maximum height:	
In stories:	<i>NR</i>
In feet:	<i>115(f)(h)</i>
Other buildings, maximum height:	
In stories:	<i>NR</i>
In feet:	<i>115(f)(h)</i>

Amend §135-4.0 Table 2, Schedule of Dimensional Controls, footnote (h), as follows:
h. See § **7.4.4.1**.

135-7.4 Hartwell Innovation Park (C-HIP District)

Replace §135-7.4 with the following:

7.4 Hartwell Innovation Park (C-HIP District)

7.4.1 Purpose and Intent

One of Lexington's major employment centers, known as the Hartwell Innovation Park (C-HIP District), possesses excellent prospects for entrepreneurs and well-established businesses focusing on technology, research & development, and innovation. This section establishes an efficient and predictable development review process while ensuring a well-designed, sustainable economic center for Lexington.

The C-HIP District allows for the rejuvenation of an existing economic center through progressive dimensional standards, the use of design standards and regulations, all established with the intent of creating an attractive and vibrant area. This section intends to allow properties within the C-HIP District to meet current and future market opportunities in an ever-changing economy. The C-HIP District promotes diversity and opportunity for landowners and businesses of all sizes through a streamlined sixty (60) day review permitting process when all requirements, standards, and design guidelines are met.

7.4.2 Compliance

Projects within the C-HIP District shall comply with this section. Wherever a conflict exists between two (2) Sections, this section shall prevail.

7.4.3 Design Guidelines

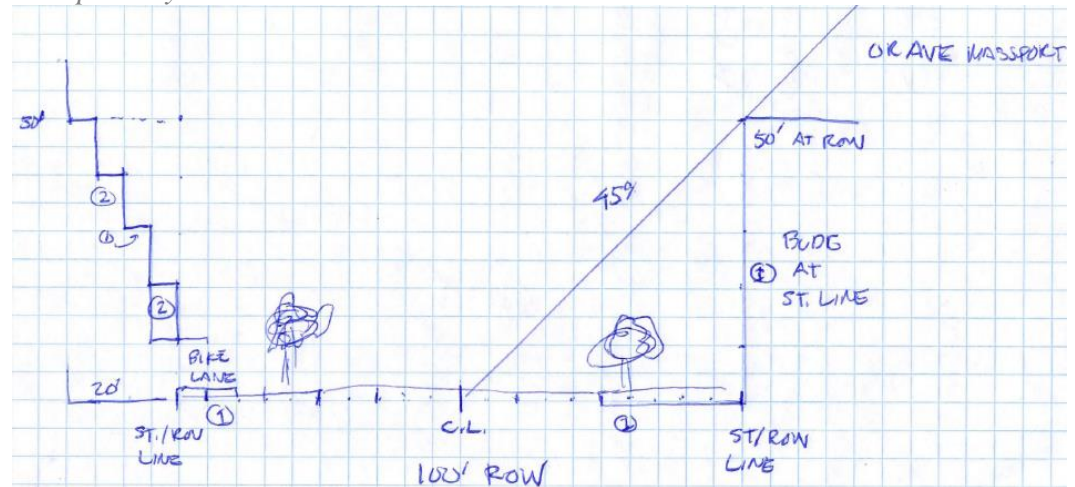
The Planning Board shall promulgate, after public notice and hearing, C-HIP Design Guidelines to effectuate the purposes and intent of this section. The C-HIP Design Guidelines are essential for creating a District-wide community campus. The C-HIP Design Guidelines shall guide Applicants when planning development and redevelopment projects.

7.4.4 Development Standards

1. Height Limits.

- a. *Height near streets. The difference between the upper elevation of each segment of a building or structure and the centerline grade of any street or bikeway shall be no greater than the distance from that segment to the centerline of a street multiplied by 1.0 or to the centerline of a bikeway*

multiplied by 2.0.



2. Design Mixture for Diversity.

- a. The first floor of façades shall incorporate varied fenestrations to ensure the design promotes activity and decrease building scale at the pedestrian level. Fenestrations may include bump-outs, entrances, sitting or eating areas, awnings, covered entries, landscaping area, etc.
- b. The first floor of parking structures facing public rights-of-way and the upper floors of parking structures shall be designed to be readily adaptable to create usable space (ex. flex space, conference area, fitness centers, office space, etc.).

3. Site Layout.

- a. Bedford Street front yard. Along the southwesterly side of Bedford Street there shall be a front yard of 70 feet measured from the base line of Bedford Street as shown on the Commonwealth of Massachusetts layout 4689, dated June 3, 1958, and shown as auxiliary base line "F" on the State Highway Alteration layout 5016, dated August 30, 1960.
- b. A Pedestrian Amenity Area shall be provided along the frontage of all parcels that commences at the public right-of-way with a ten (10) feet in width. Such Pedestrian Amenity Area may be reduced in length by a maximum of fifty (50) percent if a structure is placed in the Pedestrian Amenity Area. The depth of the Pedestrian Amenity Area shall be increase by the respective amount. The Pedestrian Amenity Area shall include street trees, pedestrian amenities, and walkways to help establish a transition from the public streetscape onto the property.
- c. Shade trees within the Pedestrian Amenity Area shall be installed one (1) every twenty (20) to thirty (30) feet along the property frontage and shall be a minimum three (3) inch caliper (cal). Trees shall be selected from Section V.B List of Recommended Trees of the Lexington Tree Manual.
- d. Properties that contain multiple structures shall incorporate accessible sidewalks, skybridges, pathways, etc., to establish a walkable campus.

4. Outdoor amenities.

- a. *At least 15% of the developable site area of each lot shall be devoted to outdoor amenities, including but not limited to courtyards, street-side or rooftop terraces, plazas, habitat areas, or passageways for pedestrians or bicycles.*
- b. *Outdoor amenities may be directed at the general public; directed at residents, businesses and patrons, but open to the public; or private to a specific user.*
- c. *For the purpose of this section, multiple lots may be considered as a single lot where a binding agreement provides for shared use and maintenance of the amenities.*
- d. *The Planning Board may adopt design standards for outdoor amenities through regulations.*

5. **Alternative Energy, Sustainability, Best Management Practices.**

The provisions below are intended to encourage construction of sustainable buildings. Each of these provisions applies only if permitted by MGL c. 40A § 3 and other State law:

- a. *The Planning Board in its regulations may establish additional standards for site plan review under § 9.5 incorporating sustainability principles that result in a plan that is responsive to the environment and actively contributes to the development of a more sustainable community.*
- b. *Buildings which are not designed to meet the requirements to demonstrate certifiability at the Silver or Gold? level using the LEED v4 for Building Design and Construction: Core and Shell checklist, as outlined by the United States Green Building Council, are limited to 65 feet in height.*
- c. *Buildings utilizing on-site combustion for HVAC system operation are limited to six stories.*
- d. **Projects within the C-HIP shall be designed to meet net-zero, carbon-neutral emissions through the LexLEED Hartwell Innovation Park standards in the Planning Board Regulations. All projects are expected to achieve a Tier III, with a minimum of fifty (50) percent of the points coming from each category.**
- e. **Roofs within the C-HIP District shall be designed to incorporate green or blue roofs, solar or alternative energy generation to manage stormwater, and energy independence.**
- f. *All trees that are six (6) inch DBH or greater that are removed shall be replaced. Mitigation of loss trees shall be mitigated per 120-8.C Mitigation of the General Bylaws, or per the Section, IV.C Donating Trees to the Town of the Lexington Tree Manual, as amended.*

6. **Infrastructure and Utilities.**

- a. **All rooftop equipment shall be screened and shall not be visible from the ground or adjacent buildings, except for Solar Energy Systems, where no screening is required.**
- b. **All utilities are required to be placed underground. Where transformers, switch boxes, and other utility cabinets are needed, such features shall be screened from the public view using architectural forms, fencing, or landscape materials.**

7.4.4 Review of Uses

Lexington encourages new uses that are proven viable elsewhere and do not negatively impact health, safety, or welfare. The SPGA may issue a Special Permit for a use not identified in Table 1, Permitted Uses and Development Standards. Such use is found to provide a better project, create jobs, not impact or degrade the quality of the health or the environment, and is compatible with the surroundings.

7.4.5 *Special Permit.*

The SPGA may grant a special permit modifying the requirements of § 7.4.

7.4.6 Hartwell Innovation Park Review

The Planning Board shall perform a review of the C-HIP District and the Lexington Zoning Map commencing no later than July 1, 2025, and to be concluded by December 31, 2025, and every five (5) years thereafter.

135-9.5 Site Plan Review

Amend §135-9.5.2.1.a and §135-9.5.2.1.b by adding “(5000 square feet in the C-HIP District)” to each provision.

135-9.5.4.2 Hartwell Innovation Park

Amend §135-9.5.4.2 as follows:

2. The Planning Board shall promulgate, after public notice and hearing, Zoning Regulations to effectuate the purposes and intent of this provision of this bylaw, including definitions of major and minor site plans and to delegate delegating-administrative review to the Board's designee that will allow site plan review without a public meeting for minor site plans. Such Zoning Regulations will include but are not limited to the following requirements and procedures:
 1. submission and review of major and minor site plan review projects;
 2. conditions/limitations/safeguards and mitigation measures;
 3. standards of review and decision criteria;
 4. performance security;
 5. construction inspection; and
 6. modification of approved site plans and/or decisions.

135-10.0 Definitions

Amend §135-10.0 Definitions to include the following new definitions: Mixed-Use, Sustainability, Peer Review Consultant, Best Management Practice (BMP), Low Impact Development (LID), Community Amenity Space, Development Review Team (DRT), Net Zero Emission Design, Biotechnology, Biopharma, Pharmaceuticals, MedTech, Medical Devices, Diagnostics, Digital Health, Artificial Intelligence (AI), Life sciences... **Terms and definitions will be amended through the drafting process**

Zoning Map Amendments

Amend the Zoning Map to rezone lots 79-47A, 84-40A, 84-41F, 84-41G, 84-69, 84-70A, 84-81, 84-70C, 84-80A, 84-70E, 84-80B, 85-10B, 84-83B, 85-21, 84-84A, 79-51, 85-18A, 80-4A, 80-4B, 80-9, 80-10C, 73-9A, 80-10B, 73-11, 74-8A, 74-9, 74-10, 74-6A, 74-7, 73-14, 80-10D, 85-20A, 85-20C, 85-12, 85-11,

80-8, 80-8A, 85-17A, 85-16, 80-5, 85-15, 85-13B, 80-11, 84-68, 84-67, 84-56, 84-55A, 84-57, 84-58, 84-59, 84-60a, 84-61, 84-62A, 84-63A, 84-66, 84-65, in addition to the right of way of Garwood Avenue and Maywood Street in their entirety into a new C-HIP District, as shown on the attached Hartwell Innovation District map.

General Bylaw – 120 Trees

Amend § 120-3 Definitions by adding language to the term PROTECTED TREE as follows:

PROTECTED TREE Any tree on private land, with a DBH of six inches or greater (or any multiple trunk tree with a DBH of 15 inches or greater), located in the setback area (or which, as determined by the Tree Warden, has any portion of the stem between six inches and 4 1/2 feet above grade actively growing into the setback area), provided that tree is not hazardous or undesirable as defined in the Tree Manual. Or a native or native hybrid tree of Middlesex County that is in good health, thriving, with a DBH of 8 inches or greater within a property or property frontage shall be preserved, including the tree, critical root zone, and soil preservation.

Article – General Updates and Technical Corrections

During the Hartwell Innovation Park Bylaw drafting, several amendments proposed were identified to be best practices for the entire Town. Therefore, the amendments specified below will be presented to the Annual Town Meeting of 2021, under the General Updates and Technical Correction Zoning Article.

135-5.0 General Regulations - 5.15 Table of Loading Requirements

Amend §135-5.1.5 to add a new row

Type of Use	Loading Factor
Manufacturing research, construction, storage, distribution and industrial service uses	1 per first 10,000 SF, 1 per each additional 40,000 SF <u>1 per the first 50,000 SF,</u> <u>1 per each additional 50,000 SF</u>

135-5.0 General Regulations - 5.15 Table of Loading Requirements

Amend §135-5.1.9 to add a new line 5. Loading bays shall be located to the side or rear of a structure.

135-5.0 General Regulations - 5.1.13 Design Standards.

Amend §135-5.1.13 to add a new line 11. Electronic vehicle (EV) charging stations shall be provided for a minimum of (10) percent of the total parking spaces, and twenty-five (25) percent of the total parking spaces shall be (EV) charging ready.

135-5.0 General Regulations - 5.1.13 Design Standards.

Amend §135-5.1.13 to add a new line 12. Off-street parking shall be located to the sides and rears of buildings and not located between a building and the property frontage, except for accessible and visitor parking.