

Draft 01.021.2020 - 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 replacing the Manufacturing (CM) District with 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
C-HIP	Hartwell Innovation Park

135-3.0 Use Regulations

Amend §135-3.4 Table 1, Permitted Uses and Development Standards, to replace the CM column heading with C-HIP; add, remove, or modify permitted uses in the C-HIP District; and further add new rows and modify existing rows to support the vision of the C-HIP District.

135-4.0 Dimensional Controls

Amend §135-4.0 Table 2, Schedule of Dimensional Controls, by deleting the CM title and replacing it with a new title C-HIP.

Table 2

	<u>CM</u> <u>C-HIP</u>
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

135-5.1 OFF-STREET PARKING AND LOADING

Amend §135-5.1.11.3(b) by replacing the “CM” row heading with “C-HIP”.

District	Residential District Line (feet)	Street Line (feet)	All Other Lot Lines (feet)	Wall of a Principal Building (feet)
RS, RO, RT	N/A	25	5	5
RD	N/A	25	8	5
CRO, CLO	50*	50	10	5
CM C-HIP	N/A 50*	N/A 25	N/A	5
CRS, CS, CB, CN	20*	10	N/A	5
GC	0	25	5	5
CSX	20*	10	N/A	5

135-5.2 SIGNS

Amend §135-5.2.8.3 as follows:

Standing signs. In particular instances the SPGA may issue special permits for standing signs in accordance with § 5.2.10, if it is determined that the architecture of the building, the location of the building with reference to the street or the nature of the establishment is such that the sign should be permitted in the public interest. Except in the C-HIP District, no establishment shall be permitted more than one standing sign other than signs directing traffic flow. In the ~~CM~~ and CRO Districts one standing sign, not to exceed 50 square feet in area and five feet in height, shall be permitted by right on each lot. In the C-HIP District, standing signs shall be permitted by right.

135-5.3 LANDSCAPING, TRANSITION AND SCREENING

Amend §135-5.3.5, by replacing the “CM” row and column headings with “C-HIP”.

Adjacent District

District In Which Lot is Located	GC	RO	RS	RT	RD	CN	CRS	CS	CSX	CB	CLO	CRO	<u>C-HIP</u> <u>CM</u>	Street Line
GC	—	20	20	20	20	—	—	—	—	—	—	—	—	—
RO	—	25*	25*	25*	10*	15	15	20	—	—	20	20	20	—
RS	—	25*	25*	25*	10*	15	15	20	—	15	20	—	—	—
RT	—	25*	25*	25*	10*	10	10	—	—	—	10	—	—	—
RD	—	20*	20*	20*	20*	20	20	20	—	20	20	20	20	25
CN	—	20	20	20	20	—	10	15	—	—	20	—	—	10
CRS	—	20	20	20	20	10	—	15	—	—	10	—	—	10
CS	—	20	20	20	20	15	15	—	—	—	15	—	—	20
CSX	—	20	20	20	20	15	15	—	—	—	—	—	—	20
CB	—	—	20	—	20	—	—	—	—	—	—	—	—	—
CLO	—	50	50	50	50	10	10	10	—	—	—	—	—	10
CRO	—	50	—	—	50	—	—	—	—	—	—	—	—	50
<u>CM C-HIP</u>	—	50	—	—	50	—	—	—	—	—	—	—	—	25

* No requirement for an individual dwelling

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.

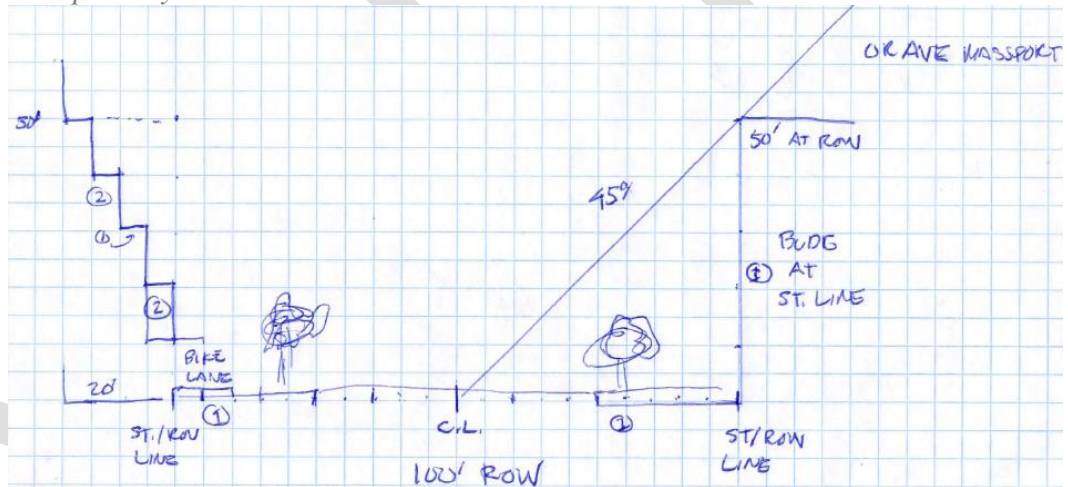
7.4.3 Design Guidelines

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 facing a public right-of-way 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. Parking structures shall be designed to be readily adaptable to create usable space (ex. flex space, conference area, fitness centers, recreation space, 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. Properties that contain multiple structures shall incorporate accessible sidewalks, skybridges, pedestrian bridges, 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 HIP Design Guidelines in the Planning Board Zoning Regulations. All projects are expected to achieve a rating of

Gold, 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 to manage stormwater, solar or alternative energy generation, and energy independence.

6. Landscaping and Stormwater

- a. Projects within the C-HIP shall be designed to a minimum level of Goal for the LexSITE for landscaping of Planning Board Zoning Regulations. All projects are expected to achieve a rating of Gold, with a minimum of fifty (50) percent of the points coming from each category.
- b. Shade trees shall be installed one (1) every twenty (20) to thirty (30) feet between the ROW and a building. Said trees 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.
- c. Native and native hybrid trees that are eight (8) inch DBH or greater that are removed shall be replaced within the C-HIP District or mitigated. Mitigation for trees lost that cannot be saved or replaced 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.

7. 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, with the exception of necessary surface features and life safety items. 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. Such provision does not apply to catch basin or storm drain covers.
- c. Utility areas for electricity should include a ten (10) foot easement around transformers, switch boxes, and other associated utility cabinets for future expansion of services.

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 health or the environment, and is compatible with its surroundings.

7.4.5 Parking, Transportation and Circulation

1. Off-Street Parking and Loading

Off Street Parking and Loading requirements under § 135 - 5.1 – Off Street Parking and Loading in General Regulations as amended shall apply in the C-HIP Zoning District with the following exceptions:

- a. Developments may lease off-site parking for an employee off-street parking that allows the use of public transportation or shuttle service, car sharing, or non-motorized transportation.
- b. Off-street surface parking spaces shown on the site plan may be land banked for future use is strongly encouraged to decrease impervious areas. When such spaces are needed, the Applicant shall submit a letter to the Planning Office for the record.
- c. Off Street parking may be provided on an adjacent lot or a lot within 500 feet of the subject lot.

2. Transportation and Circulation

- a. Projects shall be designed to incorporate Complete Street concepts and pedestrian and bicycle features throughout the site.
- b. Applicants shall design projects to reduce and consolidate curb cuts while using access driveways and alleyways to connect abutting properties.
- c. Each property shall have at least one conveniently located protected bus stop on the property for use of a private or quasi private shuttle or Transportation Management Association
- d. Access to secure bicycle parking shall be separate from vehicle access.
- e. Pedestrian and bicycle amenities provided are distinctly separated from drive aisles and parking, and offer ease of access to public transit systems, trails and access to adjoining properties and streets;
- f. Pedestrian and bicycle facilities should connect to local recreation assets including but not limited to the Minuteman Bikeway, the proposed elements outlined in the Town’s 2011 West Lexington Greenway Master Plan and the proposed expansion of the ACROSS Lexington route system, and adjacent properties, wherever feasible

3. Traffic and Transportation Demand Management

- a. With the exceptions above, developments located in the C-HIP Zoning District and in the TMO-1 District are subject to § 135 - 5.1 Off Street Parking and Loading and §135 - 5.5 Traffic Standards or the Development may elect the provisions of the Section 7.2 Transportation Management Overlay District.

7.4.6 Special Permit.

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

7.4.7 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.

135-10.0 Definitions

Amend §135-10.0 Definitions to amend the definitions for LIGHT MANUFACTURING as follows.

LIGHT MANUFACTURING Fabrication, processing, or assembly employing only electric or other substantially noiseless and inoffensive motive power, utilizing hand labor or quiet machinery and processes, and free from neighborhood disturbing agents, such as odors, gas fumes, smoke, cinders, flashing or excessively bright lights, refuse matter, electromagnetic radiation, heat or vibration. [Light Manufacturing may include but not limited to Clinical Manufacturing \(CRO\), Contract Manufacturing \(CMO\), Contract Development & Manufacturing Organization \(CDMO\), and Artificial Intelligence \(AI\).](#)

135-10.0 Definitions

Amend §135-10.0 Definitions to include the following new definitions: **Terms and definitions will be amended through the drafting process**

FLEX OFFICE A coworking center, is a place where individual small business owners/employees, remote workers, or freelancers work alongside one another in common space, or a business incubator, where individuals working to launch new businesses can rent affordable space in which to perform office work and access shared resources such as printers, scanners, and other tools and services such as financial counseling and management training. A Flex Office may also be a building or group of buildings providing use flexibility for office and light industrial uses, such as printing, design, light assembly of products, artist space, or storage/warehousing.

FOOD TRUCK OR OUTDOOR MOBILE VENDING CART A readily movable trailer or motorized wheeled vehicle, currently registered with the Division of Motor Vehicles, designed and equipped to serve food.

RESEARCH & DEVELOPMENT Research, development, and testing conducted in dry labs, wet labs, or other types of facilities related to such fields as chemical, pharmaceutical, medical, electrical, transportation, and engineering, provided such activities do not involve live mammals, reptiles, or birds for research, testing, or any other purpose, and provided such activities are conducted within entirely enclosed buildings and produce no noise, smoke, glare, vibration, or odor detectable outside the buildings. Includes, drug discovery, drug development, preclinical research, and clinical research. Examples include are not limited to Biopharma, Pharmaceutical Research, Diagnostics, and Disease Identification.

CONTRACT MANUFACTURING (CMO) Outsourcing services that provide drug development and drug manufacturing services in the pharmaceutical industry on a contract basis.

CLINICAL MANUFACTURING (CRO) Early stage clinical testing and manufacturing to achieve pivotal milestone in the development of drug product and batch manufacturing.

WET OR PILOT MANUFACTURING Laboratory engaged in research, experimental and testing activities, which may include the development of mockups and prototypes but not the

manufacture of finished products. Industrial uses that include fabrication, manufacturing, assembly or processing of materials that are in refined form and that do not in their transformation create smoke, gas, odor, dust, noise, vibration of earth, soot or lighting to a degree that is offensive when measured at the property line of subject property. Examples of such uses may include but are not limited to Medical Device, MedTech, Nanotechnology Research and Development, Active Pharmaceutical Ingredient (API) preparation and production facilities, Prototype production facilities and pilot plants, Digital Health and Bioinformatics.

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

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