

Draft 02.22.2021 - Proposed amendments to the Lexington Zoning Bylaw

135-2.0 Districts

Amend §135-2.2.3 Commercial Districts by adding a new Hartwell Innovation Park (C-HIP) District as follows:

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, by adding a new C-HIP column as follows:

[use table]

135-4.0 Dimensional Controls

Amend §135-4.0 Table 2, Schedule of Dimensional Controls, by adding a new C-HIP column as follows:

Table 2

	<u>C-HIP</u>
Minimum lot area	<u>20,000 SF</u>
Minimum lot frontage in feet	<u>125(j)</u>
Minimum front yard in feet (a), (b)	<u>10(f)</u>
Minimum side yard in feet	<u>15(f)</u>
Minimum rear yard in feet	<u>15(f)</u>
Minimum side and rear yard adjacent to a residential district in feet	<u>25(f)</u>
Maximum nonresidential floor area ratio (FAR)	<u>NR</u>
Maximum site coverage	<u>NR</u>
Public and institutional buildings, maximum height:	
In stories:	<u>NR</u>
In feet:	<u>85(f)(i)</u>
Other buildings, maximum height:	
In stories:	<u>6(f)</u>
In feet:	<u>85(f)(i)</u>

Amend §135-4.0 Table 2, Schedule of Dimensional Controls, adding a new footnote as follows:

- i. See §7.5.4.1.
- j. To reduce curb cuts and points of conflict for pedestrians, motorist, and bicyclist, lot frontage may be decreased to a minimum of fifty (50) feet when a property is accessed by a drive alley, shared

curb cut, or a shared driveway that has been designed to accommodate the Lexington Fire Department’s largest fire apparatus.

Amend §135-5.1.11.3(b) by adding a new C-HIP row as follows:

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	50*	25	N/A	N/A
<u>C-HIP</u>	<u>15**</u>	<u>15**</u>	<u>N/A</u>	<u>5</u>
CRS, CS, CB, CN	20*	10	N/A	5
GC	0	25	5	5
CSX	20*	10	N/A	5

** See §7.5.4.5.a

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. No establishment shall be permitted more than one standing sign other than signs directing traffic flow. In the C-HIP, 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.

135-5.3 LANDSCAPING, TRANSITION AND SCREENING

Amend §135-5.3.5, by adding new “C-HIP” rows and columns as follows:

Adjacent District

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

(*) No requirement for an individual dwelling.

135-7.5 Hartwell Innovation Park (C-HIP District)

Add a new §7.5 as follows:

7.5 Hartwell Innovation Park (C-HIP District)

7.5.1 Purpose and Intent

The Hartwell Innovation Park (C-HIP District), one of Lexington's major employment centers, possesses excellent opportunities for entrepreneurs and well-established businesses that promote diversity and various options for technology, Light Manufacturing, Research & Development, and supporting businesses. The C-HIP District allows for the rejuvenation of an existing economic center through a by-right permitting process for desired uses, with aggressive dimensional standards that demand high sustainability and predictability through design standards and regulations. All of which supports the vision of creating an attractive, sustainable, and vibrant area. Applicants complying with the C-HIP District provisions shall have projects reviewed through a streamlined sixty (60) day review permitting process.

7.5.2 Compliance

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

7.5.3 Design Regulations and Guidelines

The Planning Board shall promulgate, after public notice and hearing, Planning Board Regulations and C-HIP Design Guidelines to effectuate the purposes and intent of this section to contribute to a sustainable Lexington. The Planning Board Regulations and the C-HIP Design Guidelines shall guide Applicants when planning development and redevelopment projects. Such Planning Board Regulations and C-HIP Guidelines shall provide requirements and guidance designing sustainable projects, outdoor amenity space, landscaping, site layout and design, low energy device utilization, etc.

7.5.4 Development Standards

The Development Standards for the C-HIP expect projects to incorporate best practices and technology. Such Development Standards shall be utilized for new construction, including additions or major renovations to existing structures. Where a project proposes a major renovation of a section of a building, the unaffected portion of the existing building and parking shall not be required to comply with these 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 the Minuteman Bikeway multiplied by 2.0.*
- b. Height near residential districts. Portions of buildings within fifty (50) feet of a residential zoning district shall be restricted to fifty (50) feet in height.
- c. The maximum height of a building may be increased by waiver request during Site Plan Review to one-hundred and fifteen (115) feet if the portion of the first floor of the building facing a public right of way is reserved for flex space, conference area, fitness centers, recreation space, office space, retail, etc.
- d. Rooftop structures erected on a building and not used for human occupancy shall not have a horizontal coverage limit when such structures are under the allowed height.

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. The first and top floors parking structure shall be designed with ceiling heights that shall be adaptable to create usable space (ex. flex space, conference area, fitness centers, recreation space, office space, retail, etc.) should the developer no longer need the additional parking.

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. **Pedestrian Connectivity.** Properties containing multiple structures shall incorporate accessible sidewalks, skybridges, pedestrian bridges, pathways, etc., to establish a walkable campus compliant with 521 CMR.

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.*
 - i. **When a Conservation Restriction is granted for the area within the developable site area, such area shall be counted towards the outdoor amenity space.**
 - ii. **Rooftop terraces, balconies, and other outdoor amenities attached structurally to a building shall only be counted at fifty (50) percent of the required outdoor amenities.**
- ~~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. **When multiple lots collaborate to share outdoor amenity areas through a binding agreement, the outdoor amenity requirement is reduced to ten (10) percent of the lots. *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. **Surface Off-street Parking.**

- a. **In accordance with §5.1.11.3(b), surface off-street parking located within fifty (50) feet of a residential district line, street line, natural area, or wetland buffer shall establish a fifteen (15) foot buffer for the planting of native or hybrid native trees with a size minimum three (3) inch caliper tree every thirty (30) feet, along with other stormwater management best practices to allow for natural infiltration, while retaining sheet flow from the off-street parking lot.**
- b. **Trees provided in accordance with § 5.1.13.9 shall be native or hybrid native trees and a minimum of three (3) inch caliper. For every two-thousand (2,000) SF of existing surface off-street parking area removed, which shall include the off-street parking spaces and drive aisles and which is replaced with a porous**

surface or building, the required number of on-site trees may be reduced by one (1).

- c. The total number and size of loading bays, per §135-5.1.5 may be reduced by waiver request during site plan review when a decrease in size or number of loading bays lends to a better site design.

6. Site Circulation.

- a. Pedestrian and bicycle routes and amenities shall be physically separated from internal drives, driveways, maneuvering aisles, and off-street parking spaces.

7. Sustainable Building and Site Design.

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 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.~~

- a. Projects shall incorporate best practices related to sustainable sites, water efficiency, energy and atmosphere, materials and resources, and indoor environmental quality. Applicants must submit a current Green Building Council Leadership in Energy and Environmental Design (LEED®) checklist, appropriate to the type of development, annotated with a narrative description that indicates how LEED® performance objectives will be incorporated into the project.

b. Projects within the C-HIP District shall comply with the General Bylaws, including c. 114 (Stormwater Management), c. 120 (Trees), and c 130 (Wetland Protection).

~~e. Buildings utilizing on-site combustion for HVAC system operation are limited to six stories.~~

8. Infrastructure and Utilities.

- a. Roofs within the C-HIP District shall be designed to hold rooftop mechanical equipment as a priority. Where space exists, vacant roof space shall be utilized for best practice sustainable features such as equipment for alternative energy generation or stormwater collection and retention.

- b. All rooftop equipment shall be screened and shall not be visible from the ground except for Solar Energy Systems, where no screening is required.

- c. All electric power lines and communication lines shall be placed underground. Utility equipment shall be screened from the public view using architectural forms, fencing, or landscape materials.

- d. Utility areas for electrical transformers, switch boxes, and other associated utility cabinets shall be designed to accommodate future expansion of services to meet the demands for future Electric Vehicle (EV) chargers and other sustainable infrastructure as demand grows.

7.5.5 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, where such use is found to contribute to the C-HIP as a better project, create jobs, not impact or degrade the quality of health or the environment, and is compatible with its surroundings.

7.5.6 Special Permit.

The SPGA may grant a special permit modifying the requirements of § 7.5.

7.5.7 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. Furthermore, the Planning Board shall conduct an annual review of Planning Board Regulations and Guidelines associated with the C-HIP.

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.

Zoning Map Amendments

1. The entire Manufacturing (CM) District except for lot 11 on assessor’s map 12 and lot 1A on assessor’s map 19;
2. Lots 55A, 56, 57, 58, 59, 60A, 61, 62A, 63A, 65, 66, 67, and 68 on assessor’s map 84;
3. The rights of way of Garwood Avenue and Maywood Street; and
4. Lot 9 on assessor’s map 80