



Town of Lexington
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Robert D. Peters, Chair
Michael Schanbacher, Vice Chair
Melanie Thompson, Clerk
Robert Creech, Member
Charles Hornig, Member
Michael Leon, Associate Member

RECOMMENDATION REPORT OF THE LEXINGTON PLANNING BOARD

ARTICLE 33: AMEND ZONING BYLAW — SPECIAL PERMIT RESIDENTIAL DEVELOPMENT

RECOMMENDATION

On Wednesday, March 1, 2023, after three Public Hearings, the Planning Board voted four (4) in favor, none (0) opposed, and one abstention (1) to recommend that Town Meeting **approve** Article 33 to amend the Zoning Bylaw relative to Special Permit Residential Developments (SPRDs).

JUSTIFICATION FOR RECOMMENDATION

The amendments under Article 33 were developed by staff and consultants under the supervision of the Select Board's Special Permit Residential Development (SPRD) Ad Hoc Committee. They update §6.9 of the Zoning Bylaw, which provides alternatives to conventional subdivisions, by replacing Special Permit Residential Developments (SPRDs) with two types of Special Residential Developments (SRDs).

All SRDs:

- Permit a variety of housing types (detached, attached, and multi-family) to create a diverse housing stock;
- Within the existing 40-foot height limit, permit 3-story buildings to gain flexibility in design;
- Limit the total gross floor area (GFA) of the development to what would be permitted in a conventional subdivision plus a 15% bonus to subsidize the inclusionary dwelling units;
- Limit the GFA of each dwelling to maintain the scale of the development;
- Require provision of inclusionary dwelling units with price and income limits to provide housing low-income and workforce housing;
- At least 15% of the developable site area must be set aside for common open space; and
- Be permitted through Site Plan Review rather than by Special Permit to streamline the approval process.

SRDs must provide inclusionary (subsidized) dwelling units with a GFA at least 15% of the total GFA permitted in a conventional subdivision, with at least two-thirds of that GFA incorporated into dwelling units that are eligible for inclusion on the Subsidized Housing Inventory. Where there are six or fewer market-rate dwelling units, a payment to the Affordable Housing Trust calculated in accordance with Planning Board regulations may be made in lieu of providing a dwelling unit.

Site Sensitive Developments (SSDs) are similar in purpose to the current provision of the same name. They require preservation of natural features, mature native trees, habitat areas, sloped areas, and historically or

architecturally significant buildings or places. The number of dwellings is limited to the number permitted in a conventional subdivision but the number and size of dwelling units within those dwellings is not limited.

Compact Neighborhood Developments (CNDs) replace the current Balanced Housing Development (BHD) and Public Benefit Development (PBD) provisions. CNDs do not limit the number of dwellings or dwelling units, but limit the average dwelling unit GFA to 2,250 SF, with an absolute maximum of 2,800 SF. In addition to the price-limited inclusionary dwelling units, CNDs will produce dwelling units significantly smaller and less expensive than those produced currently.

Use of the Site Plan Review process rather than the Special Permit process makes these developments more attractive to landowners while protecting the community's interests. After a public hearing with notice to abutters, the Planning Board will impose conditions to enforce compliance with the zoning bylaw and the Board's development regulations.

SRDs are consistent with goals, objectives, and directives from the 2022 *Lexington NEXT* Comprehensive Plan:

- Goal 2: To promote a wide range of housing options:
 - Produce a range of housing types in a variety of locations throughout town (*objective 2.1*)
 - Increase the supply of subsidized housing (*objective 2.2*)

PUBLIC PROCESS:

The public hearing was opened on February 8, 2023, after publication of the legal advertisement in the Lexington Minuteman Newspaper on January 19, 2023, and January 26, 2023. The Board held continued hearings on February 15 and March 1. The SPRD Committee presented at many public meetings and events since 2019. Outreach in 2023 has included:

- Select Board on February 13th.
- Commission on Disability on February 14th
- Planning Board on February 15th
- Housing Partnership Board on February 21st
- Community-Wide Meeting at the Community Center on February 23rd
- Sustainable Lexington Committee on February 28th
- Town Meeting Members Association Information Session on March 2nd
- League of Women Voter's First Friday at Cary Library on March 3rd

The public hearing was closed on March 1 and the Board voted to recommendedTown Meeting approval.

RECORD OF THE VOTE:

Michael Schanbacher moved that the Planning Board recommend that Town Meeting **approve** the motion under Article 33 as presented and amended through March 1. Melanie Thompson seconded the motion. The Planning Board voted in favor of the motion 4-0-1 (Roll Call: Robert Creech – abstain, Charles Hornig – yes, Robert Peters – yes, Michael Schanbacher – yes, Melanie Thompson – yes).

SIGNATURE OF THE PLANNING BOARD CHAIR



Robert D. Peters

Exhibits:

Approved [Planning Board Meeting Minutes](#)