

6.9 DIVERSIFIED ~~SPECIAL PERMIT~~ RESIDENTIAL DEVELOPMENTS

6.9.1 Purpose. (Replace existing purpose statement)

1. To encourage greater diversity and affordability of housing opportunities to meet the needs of a diverse population with respect to income; disability and accessibility needs; size of household; and stage of life.
2. To provide incentives for the creation of modestly sized market rate housing units and affordable housing units in accordance with the goals of the Town's Comprehensive Plan and Housing Production Plan, recognizing the Town's moral and practical obligation to contribute to a balanced housing stock for all its residents.
3. To provide better access between housing and public transportation, shops, services, and employment.
4. To encourage less sprawling and more efficient forms of development as an alternative to conventional subdivisions, so as to consume less land, preserve open space, and conform to existing topography and natural features.
5. To encourage the use of sustainable building techniques and universal design.
6. To sustain Lexington's cultural and historical values and to facilitate contextual development that preserves historically or architecturally significant buildings and landscapes, as well as traditional patterns of land use and neighborhood development.
7. Recognizing that not all of the stated purposes can be achieved in every development and every location, to nonetheless consider each carefully in approving new developments and to be mindful of the need to further these goals across the Town over time.

6.9.2 Applicability.

A diversified ~~special permit~~ residential development is a project in which one or more lots or tracts of land are to be improved for use as a coordinated site for housing. No diversified ~~special permit~~ residential development shall be initiated without first obtaining a special permit in accordance with the provisions of this section. The purpose of the special permit is to provide detailed review of residential developments ~~that may have a benefit to the Town by creating more housing choices while controlling potential~~ ~~have a substantial~~ impacts upon the character of the Town, adjacent residential areas, and the provision of public facilities and services.

6.9.3 Diversified ~~Special Permit~~ Residential Development Types.

Replace Site Sensitive Development (SSD), Balanced Housing Development (BHD), Public

Benefit Development (PBD)

A Diversified Residential Development (DRD) shall mean a principally residential development located on contiguous land and including residential units and accessory facilities owned individually and/or in common. In comparison to Conventional Residential Subdivision Development, a DRD allows for a mix of residential building types and may allow the concurrent development of selected non-residential uses compatible with and supportive of the residential development. A DRD may allow organized groups of households to construct residential units and common facilities for their collective and individual ownership and use. It is intended that a DRD be a development method that is flexible in nature and allows for modification of lot size, bulk or type of dwelling, density, intensity of development, or required open space in the regulations of zoning district established by this Zoning Bylaw, so as to result in patterns of land use that are more compact and more efficiently laid out on a smaller area of a site, while providing open space and other natural and cultural features. The forms of DRDs allowed by special permit from the Planning Board are defined below and development standards are provided on Table 1:

1. Open Space Community Development (OSCD). A density neutral residential development where preservation of natural features such as forested slopes, ravines, ridges, wetlands, and other natural attributes and constraints are prioritized in the location and configuration of the residential buildings within a tract of land. OSRDs typically cluster residential units to preserve natural features as well as to conserve open space for active and passive uses. OSCD may also include the preservation and continued operation existing farmlands and buildings. This form of OSCD (so called “agri-hoods”) may provide a revenue source to preserve the viability of existing farms while the sale of residential units supports the farm operations and provides added value to the residences.
2. Compact Neighborhood. For the purpose of this bylaw, three (3) types of compact neighborhoods have been established below with design and development standards provided on Table 1:
 - A. Cottage Court Development (CND-CC). A Compact Neighborhood Development and community of small detached or semi-attached residential buildings with narrow frontages arranged around and oriented to a common open space which becomes an important community-enhancing element of the neighborhood. Cottage Courts typically have a network of pedestrian walkways to provide connectivity within the neighborhood while maintaining personal privacy. Cottage Courts may also have shared community garden plots and accessory buildings and facilities that support the neighborhood. Vehicle access is typically located behind the residential units and parking is typically located behind the residential units or in a central location.
 - B. Traditional Neighborhood Development (CND-TND). A type of Compact Neighborhood Development which may include a variety of residential building types with narrow frontages any oriented toward a network of streets, sidewalks, and common open spaces

that provide active and passive recreation. TND have a network of pedestrian walkways to provide connectivity within the neighborhood and shared community open spaces and facilities. Vehicle access can be front loaded or behind the residential units.

- C. Cohousing Development (CND-CD). A type of Compact Neighborhood Development and community of small private homes clustered around shared buildings and common spaces. Each attached or detached residential unit has traditional amenities, including a private kitchen. Shared spaces typically include a common house, which may have a kitchen and dining area, laundry, and assembly spaces for all residents. Other shared spaces may include community garden plots, recreational fields, parking courts, and shared work spaces.

TABLE 1 - OPEN SPACE COMMUNITY DEVELOPMENT AND COMPACT NEIGHBORHOOD DEVELOPMENT STANDARDS					
		Open Space Community Development (OSCD)	Cottage Court (CND-CC)	Traditional Neighborhood Development (CND-TND)	Cohousing Development (CND-CD)
1.1. DEVELOPMENT STANDARDS					
A.	Tract Size (Min.)	80,000 S.F.	10,000 S.F.	40,000 S.F.	20,000 S.F.
B.	Tract - Public Street Frontage (Min.)	80 Ft.	40 Ft.	50 Ft.	50 Ft.
C.	Tract Perimeter - Front Setback (Min.)	50 Ft.	20 Ft.	20 Ft.	20 Ft.
D.	Tract Perimeter - Side Setback (Min.)	20 Ft.	15 Ft.	15 Ft.	15 Ft.
E.	Tract Perimeter - Rear Setback (Min.)	20 Ft.	15 Ft.	15 Ft.	15 Ft.
H.	Tract Impervious Surface (Max.)	25%	30%	30% ^{^^}	30%
F.	Total Common Open Space (Min.)	33% of Tract	20% of Tract	20% of Tract	20% of Tract
G.	Total Outdoor Amenity Space (Min.)	15% of Tract	15% of Tract	15% of Tract	15% of Tract
1.2. PERMITTED BUILDING TYPES					
See Section 6.9.4					
1.3. PERMITTED OUTDOOR AMENITY SPACES					
See Section 6.9.7					
1.4. ADDITIONAL STANDARDS					
A.	Access Road (Subdivision Regs, S. 7.2)	Minor Complete Street, 50 Ft ROW	Minor Complete Street, 50 Ft ROW	Minor Complete Street, 50 Ft ROW	Minor Complete Street, 50 Ft ROW
B.					
C.					

- 3. Residential Frontage Development (RFD). A RFD is an alternative to an Approval Not Required (ANR) subdivision consisting of a group of single-family detached dwellings or two-family dwellings combined for a total of no more than ten (10) residential units and sharing a common frontage road which shall meet the requirements for a Minor Street in Section 7.2 of the Subdivision Regulations. The purpose of a RFD is to reduce impacts of new development on a public street buffer and abutting properties; reduce curb cuts onto a public streets; reduce Town responsibility for small access roads; expand housing options and affordability; create

useful open space; and preserve the semi-rural character of the Town. The Planning Board may grant a special permit for a Residential Frontage Development in any residential district subject to the requirements in Table 1.

- A. General Standards. A Residential Frontage Development shall consist of a group of single-family detached dwellings and/or two-family dwellings. For every five (5) ANR building lots permitted under the requirements of Section 4 of the Subdivision Regulations, an additional building lot shall be permitted for a combined total of no more than ten (10) residential units sharing a common private access road.
- B. Residential Units and Dimensional Standards. Building lots may contain one (1) single-family detached dwellings with one (1) Accessory Dwelling Units, or a Duplex but the total number of residential units in the development shall not exceed 10. Under this bylaw, the dimensional requirements regarding lot size, frontage, and setbacks for a two-family dwelling are the same as for a single-family detached residential unit in the underlying residential zoning district.
- C. Affordable Units. Residential Frontage Developments are required to create one (1) affordable residential unit for each eight (8) residential units in the development. All affordable dwelling units are subject to the requirements of Section **(Affordable Housing Requirements)**.
- D. Access. Each residential lot shall have legally enforceable rights of access to a public street via a private frontage access road which meets the requirements for Section 7.2 of the Subdivision Regulations except that the maximum surface width of the private access road shall be 20 feet. The Planning Board may allow a waiver of the width of a private access roads to no less than 18 feet or more than 22 feet with prior approval of the Town Engineer and Fire Chief. Each building lot shall have physical access over said private access road.
- E. Open Space. All land between the public street and the private frontage access road shall be designated as permanent common open space. Such land may be used only for conservation, outdoor recreational facilities of a noncommercial nature, agriculture, preservation of scenic or historic structures, and structures accessory to any of the above uses (including swimming pools, tennis courts, stables, greenhouses).
- F. Streetscape. If natural vegetation along the public street frontage is removed to allow for recreational uses on the common open space, deciduous trees shall be installed on a parallel line setback 10 feet from the public street right-of-way at 40 feet on center. At installation, the trees shall be 4 inches DBA. If a public sidewalk or private pathway exists along the public street adjacent to the building lots, then the applicant shall install a similar facility along the entire frontage of the development consistent in width and materials as the adjacent sidewalk or pathway.

- G. *Proof Plan and Alternative Plan.* An application for a special permit from the Planning Board pursuant to a Residential Frontage Development shall submit an ANR subdivision proof plan meeting the requirements of Section 4 of the Subdivision Regulations demonstrating and illustrating the number of building lots that can be created by right. The applicant shall also submit an alternate frontage development plan setting forth:
- 1) The layout of all building lots, the type of dwelling units, the private frontage access road, and common open spaces
 - 2) The details of all entrances and exits to and from the public street;
 - 3) All proposed deed restrictions;
 - 4) The proposed locations of all existing and proposed commonly owned structures;
 - 5) The location and details of all existing and proposed utilities and proposed connections;
 - 6) The existing and proposed easements or rights of way traversing or adjacent to the tract; and
 - 7) The boundaries, if any, of any area which the Conservation Commission has determined to be subject to Massachusetts General Laws, Chapter 131, Section 40.
4. *Workforce House Infill Lot (WFI).* The purpose of this section to is allow for the construction of an affordable and small detached single family residential unit on a lot with sufficient upland area and public utility services that does not comply with the minimum lot area and/or frontage requirements of the RO, RS, or RT zoning district. The Planning Board may issue a special permit for a Workforce House subject to the following requirements:
- A. *Eligible Infill Lots.*
- 1) *Pre-Existing Lot.* A pre-existing vacant infill, including a lot held in common ownership with an adjoining lot, existed as of January 1, 2021.
 - 2) *Subdivision of Existing House Lot.* A pre-existing house lot divided into two (2) separate house lots where the existing house lots remains compliance with all dimensional requirements and the new lot meets the requirements of this section.
- B. *Minimum Dimensional Requirements.*
- 1) In the RO zoning districts, the infill lot shall have a minimum of 40,000 square feet, a minimum of 40 feet of contiguous frontage on a public street, and 10,000 square feet of upland area.
 - 2) In the RS and RT zoning districts, the infill lot shall have a minimum of 20,000 square feet, a minimum of 40 feet of contiguous frontage on a public street, and 5,000 square feet of upland area.

- 3) The minimum front, side, and rear yards shall not be less than the required yards in the underlying zoning district.
 - 4) A new workforce single-family home shall be located in a manner that allows its construction to meet the requirements of this section without needing an existing home to be demolished or relocated.
- C. Number and Size of Units. An infill workforce house shall be a detached single-family home with less than 3,000 square feet of gross floor area and no more than three (3) bedrooms. No infill workforce house approved under this section shall be converted to a two-family or multi-family dwelling. The workforce housing unit may include one (1) accessory dwelling unit.
- D. Affordability Requirement. An infill workforce house shall be rented or sold only to an eligible household with an income at or below 80% of the AMI. The infill workforce house shall be subject to a permanent affordable housing deed restriction. The workforce house shall be eligible for inclusion in the Chapter 40B Subsidized Housing Inventory (SHI) and are subject to the standards in Section XX of the Lexington Planning Board Sustainable Development Guidelines & Standards (Fair Housing and Affordability Standards).
- E. Access. An infill lot shall have frontage on an existing public way or private way that provides safe and adequate access as determined by the Planning Board.
- F. Utilities. An infill residential lot shall connect to the public sewer and water system.
- G. Parking. There shall be at least two (2) off-street parking spaces per infill residential unit. No parking shall be located nearer than ten (10) feet to the adjoining property line, and no parking shall be located in the front yard. Parking areas shall be suitably screened from abutting properties.
- H. Further Subdivision. An infill lot approved under this section shall not be further subdivided or reduced in area or changed in size or shape. It may be used only for an infill workforce house as provided herein.
5. Residential Compound Development (RCD). An existing single family home with no more than three (3) additional residential units may be allowed on a common parcel or tract and subject to the requirements of this Section. The purpose of a Residential Compound Development is to provide an alternative to conventional residential subdivisions by allowing for limited residential development on a parcel of land without requiring the construction of a new road for the purpose of promoting common lot development; reducing impacts of new development on abutting properties; reducing Town maintenance responsibility and costs for a public road; diversify housing options; and preserve the semi-rural character of Town. The

Planning Board may grant a special permit for a Residential Compound Development in the RO, RS, and RT district subject to the following requirements:

- A. Scale of Development and Permitted Standards. A Residential Compound Development shall consist of a combination of single-family detached dwellings, two-family dwellings, and accessory dwelling units totaling no more than four (4) residential units on a lot or commonly owned lots and accessed by a private access road or driveway.
- B. Frontage. Frontage may be provided on a single parcel or tract of land held in common ownership, which has the minimum required continuous feet of frontage in the underlying zoning district on a public street or a private road that has been approved and constructed in accordance with the Subdivision Regulations.
- C. Minimum Parcel Size. The parcel or tract of land in common ownership shall contain at least 1.5 times the required minimum lot area in the underlying residential zoning district. Any land which, at the time of submission of an application, is subject to a perpetual restriction, such as the conservation, preservation, agricultural preservation, or watershed preservation restrictions described in Massachusetts General Laws, Chapter 184, Section 31 or any other restriction similar thereto, shall not be included in the minimum lot area.
- D. Dimensional Requirements. All dimensional controls on Table 2 in Section 4.1.1 shall not apply to this section of the zoning bylaws. Size limitation for each Residential Building Type are provided in Section 6.9.4 and development guidelines are provided in the Lexington Planning Board Sustainable Development Guidelines & Standards.
- E. Minimum Perimeter Buffers. The minimum front yard, side yard, and rear yard requirements on Table 2 in Section 4.1.1 for in the zoning districts shall apply to the perimeter of the common parcel or tract. The Planning Board may require additional landscaping and screening treatments along the perimeter to ensure a sufficient buffer from adjoining properties under Section XX.
- F. Access. Each residential unit in the development shall have adequate and legally enforceable rights of access to a public street via a private access road or driveway with a minimum surface width of twenty (20) feet for a development. The Planning Board may reduce the required width of private access roads by two (2) feet with the prior consent by the Town Engineer Fire Chief.
- G. Open Space. Any land within the common parcel or tract not designated as residential building area shall be designated as common open space. Such land may be used for conservation, outdoor recreation and related facilities, preservation of scenic landscapes or historic structures, and agriculture subject to use restrictions in the underlying zoning district.
- H. Limitation on Further Development. No such common parcel or tract for which a special permit has been issued under this section may be further subdivided and a notation to this effect shall be shown on the plan and recorded.

6. Adaptive Reuse Residential Development. A special-condition housing development in which non-residential buildings are repurposed and rehabilitated for residential use such as barns, school buildings, churches, and commercial/industrial buildings. This type of diversified residential development is subject the following requirements:
 - A. General Requirements. The Planning Board may authorize an existing structure, that was constructed at least 10 years prior to the date of application for approval of the special permit, to be converted to a residential use not otherwise permitted.
 - B. Site Development Plan. The special permit shall incorporate by reference the building design and definitive site development plans filed with the application for a special permit, and, where applicable, any legally binding document that has been submitted to ensure the completion and continued availability of any proposed improvement or compliance with special permit conditions.
 - C. Special Permit Findings. In order to grant a special permit, the Planning Board shall determine that:
 - 1) The structure can be modified for a residential use that does not have adverse impacts on any adjacent neighborhood;
 - 2) The exterior character of the structure is maintained and is compatible with any adjacent neighborhood;
 - 3) Modification of the existing structure maintains more of the site as open space than the alternative of removal of the structure and further subdivision of the lot into house lots.

7. Mixed Use Development. A development containing a horizontal and/or vertical combination of commercial, residential, and mixed-use building types. Non-residential buildings may include a combination of uses as permitted in the underlying zoning district.
 - A. Purpose.
 - 1) Encourage and allow a mixture of complementary land uses in Town Center and selected commercial corridors to create economic and social vitality, and to address the housing needs of the Town.
 - 2) Develop mixed-use areas and buildings which are safe, comfortable, and attractive to pedestrians and convenient for shopping, employment, and accessible to public transportation.
 - 3) Provide flexibility in the form of new developments and redevelopments that anticipates changes in the marketplace.

- 4) Encourage efficient land use by facilitating compact, higher-density development and minimizing the amount of land needed for surface parking.
- B. Permitted Zoning Districts. A Mixed Use Development or Mixed Use Building is permitted in the Central Business District (CB).
- C. Ground Level Restrictions. All residential units in a Mixed Use Development shall be located above the ground floor, shall have a separate entrance, and shall not share stairs or hallways with commercial uses, except that a fire escape or exit used only in emergencies may be available at all time to both.
- D. Residential Unit Standards. Each residential unit in a Mixed Use Development shall have a complete set of sanitary facilities, cooking, and living space that includes sleeping facilities independent from another residential unit in a Mixed Use Development. A Mixed Use Development may share common storage, laundry facilities, and other customary shared facilities located within a Mixed Use Development. Each residential unit cannot be less than four hundred (400) square feet and not more than one thousand five hundred (2,500) square feet in total gross floor area. The maximum number and type of allowable residential units shall be determined by the Planning Board as part of the special permit and site plan review process; provided, however, there shall not be more than sixteen (16) residential units in a residential or mixed use building. In the Central Business District the maximum number of residential units per building is twelve (2) and maximum size is 1,500 GFA.
- E. Dimensional Requirements. A Mixed Use Building or Development shall be subject to the dimensional controls on Table 2 in Section 4.1.1.
- F. Parking Requirements. All Mixed Use Development shall provide at least one (1) dedicated parking space per residential unit. Mixed Use Buildings and Developments shall provide additional parking for the nonresidential uses per the requirements set forth in 5.1.4 Table of Parking Requirements. The Planning Board may waive parking requires if the applicant can demonstrate that sufficient parking is provided to meet the needs of the Mixed Use Developments, taking into consideration complementary uses and activities having different peak demands, joint parking arrangements, the availability of public on-street and off-street parking, and such other mitigating factors and measures as may be appropriate.

6.9.4 Residential Building Types and Design Standards

The types of Residential Buildings allowed within a Diversified Residential Development by Special Permit from the Planning Board are as follows:

1. Primary Building Types

- A. Estate House. A detached residential building with 6,000 Square Feet in Gross Floor Area (GFA) or more, containing not more than one (1) dwelling unit, and intended or designed to be occupied by one (1) family.
- B. Standard House. A detached residential building with than 6,000 Square Feet in Gross Floor Area (GFA), containing not more than one (1) dwelling unit, and intended or designed to be occupied by one (1) family.
- C. Cottage. A small detached or semi-attached single-family dwelling with 3,000 Square Feet of Gross Floor Area (GFA) or less and no more than 3 bedrooms. Cottages are one (1) or 1 ½ stories in height, have narrow massing, are permitted on individual lots or on common lots, and typically grouped together around a common open space as part of a Cottage Court.
- D. Workforce House. A small detached or semi-attached single-family dwelling with 3,000 Square Feet of Gross Floor Area (GFA) or less and no more than 3 bedrooms. Workforce Residential Units must meet the affordability requirements of Section **XX**.
- E. Townhouse. An attached single family residential buildings located on an individual lot or common lot. Entries are typically on the narrow side of the unit and facing a street or courtyard. Vehicle access and garages are located to the side or rear of the building. Each dwelling unit is separated horizontally by a common wall and groups of buildings may be separated by a common driveway or community open space. Townhouse units shall be less than 2,500 Square Feet of Gross Floor Area (GFA).
- F. Duplex. A detached residential building that consists of two (2) dwelling units and has the appearance of a small-to-medium single-unit house. A duplex may be arranged side-by-side or one above the other, each with an entry from the street. Duplex units shall 3,000 Square Feet of Gross Floor Area (GFA) or less per unit.
- G. Triplex. A small-to-medium sized detached structure that consists of three (3) dwelling units that are stacked on top of each other on consecutive floors, with one entry from the ground floor unit and a shared entry for the units above, or arranged side-by-side, each with an entry from the ground floor. Side-by-side Triplexes may be designed to resemble large farmhouses with attached carriage houses. A triplex may be located on a common lot or separate lots and each residential unit is intended to be occupied by one (1) family. Triplex residential units shall be 2,500 Square Feet of Gross Floor Area (GFA) or less.
- H. Multiplex. A detached structure that consists of four (4) or more residential units arranged

side-by-side and/or stacked, typically with a shared entry from the street. Residential units may be ownership, rental, or share-based. Multiplex residential units shall be between 400 to 2,500 Square Feet of Gross Floor Area (GFA).

- I. Mixed Use Building. A variable floor plate building type that typically accommodates a variety of ground floor commercial uses and upper residential and office uses at a scale that is compatible and complimentary to its given district. Mixed use buildings may contain residential units unless otherwise limited. Typically, residential units shared an entry from the street and/or parking lot. Residential units may be ownership, rental, or share-based. Residential units in a Mixed Use Building or Development units shall be between 400 to 2,500 Square Feet of Gross Floor Area (GFA).

- 2. Primary Building Types Allowed by Diversified Residential Development Types. The allowed types of Primary Buildings are identified on Table 2 below:

TABLE 2 - ALLOWED BUILDING TYPES IN DIVERSIFIED RESIDENTIAL DEVELOPMENTS								
RESIDENTIAL DEVELOPMENT TYPES	BUILDING TYPES							
	<i>Estate House</i>	<i>Standard House</i>	<i>Cottage</i>	<i>Townhouse</i>	<i>Duplex (2 RUs)</i>	<i>Triplex (3 RUs)</i>	<i>Multiplex (4-16 RUs)</i>	<i>Mixed Use Building (MUB)</i>
1. Open Space Community Development (OSCD)	X	X	X	X	X	X	X	
2. Compact Neighborhood Development (CND)								
A. Cottage Court Development (CCD)		X	X	X	X	X		
B. Traditional Neighborhood Development (TND)		X	X	X	X	X	X	X
C. Cohousing Development (COD)		X	X	X	X	X	X	
3. Residential Frontage Development (RFD)		X	X		X			
4. Workforce Housing Infill Lot (WHI)					X			
5. Residential Compound Development (RCD)	X	X	X	X	X			
6. Adaptive Reuse Residential Development (ARRD)	X	X	X	X	X	X	X	X
7. Mixed Use Development/Town Center (MUD-TC)				X			X	X

- 3. Accessory Dwelling Units. The allowed types of Accessory Dwelling Units in Diversified Residential Developments are defined below:

- A. Integrated. An attached accessory residential unit located to the side or rear of the main house or within the existing footprint of the main house and with a separate entrance. An integrated ADU shall be a maximum of two (2) bedrooms, and 1,000 Square Feet of Gross Floor Area (GFA) or 40% of the primary house GFA, whichever is less.

- B. Carriage House. A detached or semi-attached accessory building that includes a residential unit combined with a garage or home business. Carriage House Units have separate entrances and are located to the rear of the main house. A Carriage House ADU shall have a maximum of 1,200 Square Feet of Gross Floor Area (GFA) and two (2) bedrooms.
 - C. Garden Cottage. A detached single family residential building with maximum of 1,200 Square Feet of Gross Floor Area and two (2) bedrooms.
 - D. Penthouse. An accessory dwelling units on the rooftop of a commercial building in a commercial district. A Penthouse ADU shall have a maximum of 1,200 Square Feet of Gross Floor Area (GFA) and two (2) bedrooms.
4. Primary and Accessory Building Types Design Guidelines. Design guidelines for Primary Building and Accessory Building Types are defined in the Lexington Planning Board Sustainable Development Guidelines & Standards.

6.9.5 Scale of Development.

1. General Standard. An applicant is not entitled to the maximum development, nor is the applicant entitled to approval of a special permit for a Diversified Residential Development. The amount of development permitted will be based on a fully complying development site plan and the Planning Board's evaluation of the extent to which the proposed development complies with the special permit criteria in Section 6.9.11.
2. Proof Plan
 - A. OSCDs and RFDs. A Proof Plan is required for an Open Space Community Development (OSCD) and a Residential Frontage Development (RFD). The proof plan must demonstrate the layout of lots and roadways for a development tract that fully complies with the requirements of this Zoning Bylaw and the Subdivision Regulations for a conventional subdivision.
 - B. Compact Neighborhood Development (CND). The Proof Plan for a CND shall be determined by calculating the total square feet of upland area on the lot or development tract and subtracting 15% for roads and utilities. The net upland area shall then be divided by the minimum lot size of the underlying residential zoning district to determine the base density (building lots) allowed in the development.
3. Alternative Development Plan Base Density and Gross Floor Area. The total number of building lots determined on the proof plan shall be used as a multiplier for the total amount of residential building type gross floor area for the Diversified Residential Development types below:

- A. *Open Space Community Developments (OSCD)*. The total gross floor area (GFA) in an OSCD may not exceed the sum of the gross floor area that would be permitted on each of the lots shown on the proof plan under §135-4.4 of this bylaw. The number of residential units in an OSCD shall not exceed the number of building lots shown on the proof plan.
- B. *All Other Diversified Residential Developments*. The total residential units and gross floor area (GFA) of all structures in a DRD are determine on Table 5 below. The minimum number of residential units under 3,000 square feet of GFA shall be 25% of the total residential units in the development.

TABLE 3 - ALLOWED BUILDING TYPES IN DIVERSIFIED RESIDENTIAL DEVELOPMENTS	
RESIDENTIAL DEVELOPMENT TYPES	BASE DENSITY
1. Open Space Community Development (OSCD)	Equal to Building Lots on the Proof Plan
2. Compact Neighborhood Development (CND)	
A. Cottage Court Development (CCD)	Based on Building Lots on the Proof Plan x 7,200 SF
B. Traditional Neighborhood Development (TND)	Based on Building Lots on the Proof Plan x 7,200 SF
C. Cohousing Development (COD)	Based on Building Lots on the Proof Plan x 7,200 SF
3. Residential Frontage Development (RFD)	Based on ANR Yield plus 1 RU per each 5 ANR Lot
4. Workforce Housing Infill Lot (WHI)	1 RU per Workforce Housing Lot + 1 ADU
5. Residential Compound Development (RCD)	4 RUs Per Development
6. Adaptive Reuse Residential Development (ARRD)	1 RU Per 1,000 Building GFA to Max. of 12 RUs Per Acre
7. Mixed Use Development/Town Center (MUD-TC)	12 RUs Per Building

6.9.6 Density Bonuses and Community Benefit Criteria.

- 1. Eligible Density Bonuses. The Planning Board may allow higher density up to the maximum established in Table 4 below if certain Community Benefit Improvements are made by the applicant that benefit residents in the development, surrounding neighborhood, or the Town in general. The density bonus for the DRD shall not, in the aggregate, exceed fifty percent (50%) of the Basic Density Limit in Table 3 above. Computations shall be rounded to the lowest number.
- 2. Eligible Community Benefit Improvements. These improvements shall include public benefits on Table 4 below not otherwise required by any town board or agency, serving a public purpose. Eligible improvements include the following:
 - A. *Missing Middle Residential Unit Production*. The Planning Board may allow a density bonus if at least 50% of the total residential units produced are less than 2,500 square feet in gross floor area.
 - B. *Affordable Residential Units*. Excluding all units required under inclusionary housing provisions, the Planning Board may allow a density bonus for the production of income-restricted residential units sold or rented to households at or below 80% or 100% of Boston

Metropolitan Area Median Income (AMI). Affordable units shall be restricted in perpetuity to occupancy by eligible persons or families who qualify as low or moderate income, as those terms are defined for the area by the Commonwealth's Department of Housing and Community Development (DHCD), and that shall be eligible for inclusion in and count toward the Town's "Subsidized Housing Inventory," as maintained by DHCD.

- C. *Permanent Conservation of Natural Resources*. Land acquisition or donation to the Town or a designated non-profit agency for the purpose of conservation, preservation, active or passive recreation, active farms and prime farmlands, and historically significant landscape or building.
- D. *Historic Preservation*. For any historically significant building, structure, or landscape that records a permanent preservation restriction under MGL 184 and/or rehabilitated for residential use, a density bonus may be provided. The Planning Board shall determine whether such building or structure is historically significant based on meeting at least one of the following criteria:
 - 1) Any principle building or structure within the Town which is in whole or in part seventy-five (75) or more years old;
 - 2) Any accessory structure one-hundred (100) or more years old; or
 - 3) Any building, structure, or landscape which is listed on the Massachusetts or National Register of Historic Places.
- E. *Sustainable Design*. The integration of sustainable site and building design best practices, renewable energy equipment, and Universal Design (fully accessible residential units) as defined in the Lexington Planning Board Design Guidelines & Standards.

TABLE 4 - BASE DENSITY BONUSES BY TYPE OF COMMUNITY BENEFIT	
COMMUNITY BENEFIT	DENSITY BONUS
<u>Missing Middle Residential Unit Production</u>	
Compact Neighborhood/At Least 50% of Residential Units < 2,500 GFA	10%
Compact Neighborhood/At Least 75% of Residential Units < 2,500 GFA	15%
<u>Affordable Residential Units</u>	
10% of All Residential Units are Affordable at 80% of AMI (On Site or Off-Site Production or Conversion)	20%
10% of All Residential Units are Affordable at 100% of AMI (On Site or Off-Site Production or Conversion)	10%
<u>Preservation/Conservation (Minimum of 25% of Tract)</u>	
Permanent Conservation or Preservation of of Active Farms and Prime Farmlands, Natural Resource Lands, and Scenic Landscapes	10%
Contribution of Open Space for Public Passive/Active Uses	15%
Permanent Conservation of a Historically Significant Building	10%
Rehabilitation of a Historically Significant Building for Residential Units	15%
<u>Sustainable Design (Planning Board Design Guidelines & Standards)</u>	
Sustainable Site/Building Design, Renewable Energy, and Universal Design (Fully Accessible Residential Units)	10%

3. Approval of Density Bonus. Community Benefit Improvements used for the density bonus should be recommended in planning documents approved or used by the Town of Lexington Board of Selectmen, Department of Public Works, Board of Health, Conservation Commission, Community Preservation Committee, or Planning Board. The Planning Board shall be under no obligation to grant such density bonus and may determine, in its sole discretion, whether the offered improvements are sufficient in nature, scope, cost or otherwise, to justify such bonus. The offer and commitment by an applicant to provide all or any number of the above enumerated examples does not, in and of itself, justify or require the Planning Board to grant such density bonus.

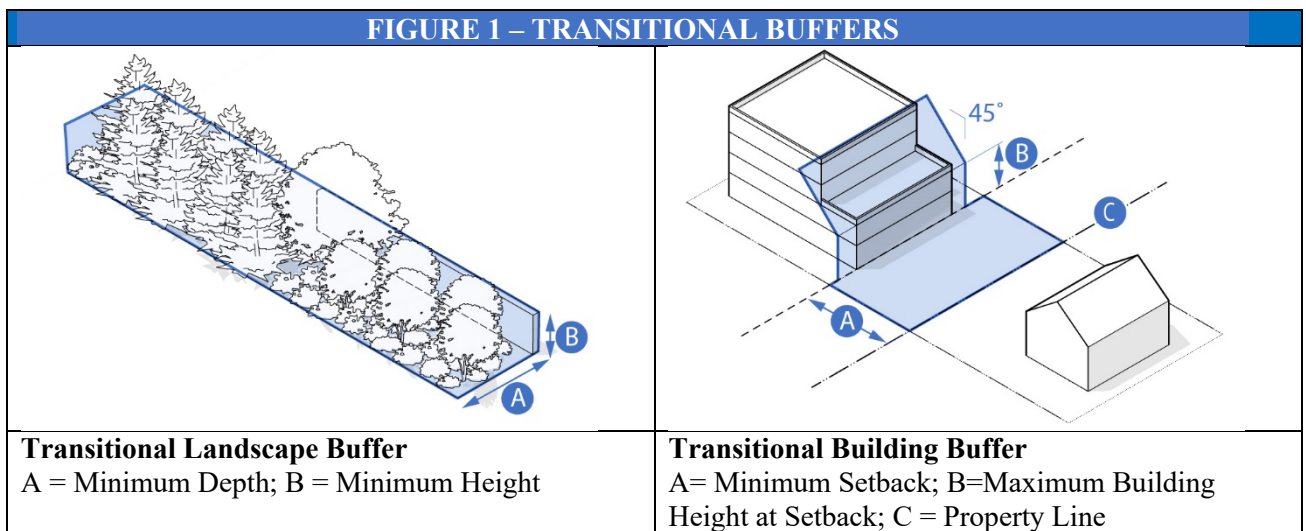
6.9.7 General Development Standards.

The following standards shall apply to all Diversified Residential Developments.

1. Landscaping. The existing landscape shall be preserved in its natural state, insofar as practicable, by minimizing the removal of healthy tree, shrub and other natural vegetation. Removal of soils should also be minimized. The grade changes shall be in keeping with the general appearance of the neighboring developed areas. The orientation of individual building sites should maintain maximum natural topography and cover.
2. Transitional Buffer Areas. Along the perimeter of the lot or development tract abutting

residentially zoned and occupied properties, certain buildings and uses may need to be buffered to create a compatible transition with the surrounding neighborhoods.

- A. **Landscape Buffer.** Where required, buffers may include a combination of natural or landscaped screening and fencing that provides an opaque visual barrier to a minimum height of six (6) feet above the ground.
- B. **Building Buffers.** Primary Residential and Mixed Use Buildings shall be setback a minimum of 50 feet from the tract boundary. The maximum building height at the setback line shall be 25 feet with increasing height permitted on a 45-degree plane further setback from the tract boundary to the maximum height allowed in by the Building Type.



- C. **Resource Buffer Areas.** Along certain resource areas on or adjacent to the development tract like ponds, wetlands, streams and riverfront areas, rock outcrops, ledge, agricultural or recreational fields, and land held for conservation purposes. All driveways necessary for access and egress to and from the tract may cross such buffer areas. No vegetation in this buffer area will be disturbed, destroyed or removed, except for normal maintenance of structures and landscapes approved as part of the project.
3. **Drainage.** Applicants are encouraged the use of "soft" (non-structural) stormwater management techniques (such as swales) and other drainage techniques that reduce impervious surface and enable infiltration where appropriate in the Residential Districts. Additional structure stormwater management techniques are encouraged in the Commercial Districts as identified in the Lexington Planning Board Sustainable Development Guidelines & Standards.
 4. **Context.** The design and pattern of the development should be related harmoniously to the terrain on the property as well as the use(s), scale, and architecture of existing buildings in

the vicinity that have functional or visual relationship to the proposed development.

5. Sustainable Buildings. Efficient buildings best practices and Universal Design should be integrated as identified in Lexington Planning Board Sustainable Development Guidelines & Standards.
6. Historic Resources. The removal or disruption of historic, traditional or significant uses, structures, or architectural elements shall be minimized insofar as practicable.
7. Streets. Streets shall be designed and located in such a manner as to maintain and preserve natural topography, significant landmarks, and trees in order to minimize cuts and fills and to preserve and enhance views and vistas on or off the subject property.
8. Common/Shared Driveway. Common or shared driveway are encouraged and may serve a maximum of four (4) residential units.
9. On-site Pedestrian and Bicycle Circulation. Walkways and bicycle paths shall be provided to link residences with parking areas, recreation facilities (including parkland and open space) and adjacent land uses where appropriate.
10. Parking. Unless waived by the Planning Board due to a reduced parking demand as demonstrated through a traffic and parking impact study, each residential unit shall be served by two (2) off-street parking spaces. Parking spaces shall be located behind the front elevation of the building. All parking areas with greater than four (4) spaces shall be screened from view.
11. Open Space. Land in a Diversified Residential Development (DRD) not used for residential, approved non-residential, or accessory purposes shall be permanently preserved as open space according to the methods below.
 - A. Minimum Common Open Space. The minimum open space required for each type of Diversified Residential Development is identified on Table 1 in Section **XX**. Of the Common Open Space, a minimum amount is designated as Outdoor Amenity Space is also required on Table 1 in Section **XX**.
 - B. Outdoor Amenity Space (OAS) Types. Outdoor Amenity Spaces include Civic Space (CS), Publicly Oriented Private Space (POPS), and Private Open Space (PS) which are defined in the Lexington Planning Board Sustainable Development Guidelines & Standards.
 - C. Outdoor Amenity Space Design Standards. Outdoor Amenity Space Types and design standards are included in the Lexington Planning Board Sustainable Development Guidelines & Standards.
 - D. Ownership of Open Space. Common Open Space and Outdoor Amenity Space shall be conveyed to:

- 1) The Town, subject to acceptance, to ensure its perpetual use as open space, conservation, recreation or park land; or
- 2) A legal association comprised of the owners of the development, which may include homeowners or owners of condominium or cooperative units; or
- 3) A nonprofit organization, the principal purpose of which is the conservation of open space.

12. Compliance with Other Rules and Regulations. The construction of community services, such as utilities, and of streets and interior drives shall comply with the requirements of the Planning Board's Subdivision Regulations. [Amended 3-23-2016 ATM by Art. 37]

A. Access. The objective of this section is that adequate access for fire-fighting, medical and other emergency operations be provided from the public street system to each Diversified Residential Development, as follows:

- 1) Connection to Public Street System. Each street and interior, drive, or system of streets or interior drives, shall connect to a public street.
- 2) Dead-End Streets.
 - a) A dead-end interior drive will be treated in the same manner as a dead-end street, and is subject to the provisions governing a dead- end street that are found in the Subdivision Regulations. [Amended 3-23-2016 ATM by Art. 37]
 - b) In a development served by a dead-end street or dead-end interior drive, a secondary means of access may be required in order to provide adequate access for fire-fighting, medical and other emergency vehicles. The Fire Chief will be consulted as to the adequacy of the access.

6.9.8 SPGA. The Planning Board shall be the special permit granting authority for all special permit residential developments. The Planning Board may grant any special permits that are required for the special permit residential development, notwithstanding provisions of this bylaw designating a different special permit granting authority.

6.9.9 Special Permit Criteria.

The SPGA may only grant a special permit if it makes a determination that the proposed development is consistent with the standards and criteria set forth in §9.4.2 and the following additional criteria:

1. Where there is common open space, it shall include, as applicable:
 - A. Some, or all, of the outstanding natural features of the site and of the man-made features, including but not limited to stone walls, that enhance the land form;
 - B. Land that increases visual amenities for residents of the development and of the

adjacent neighborhood;

- C. One or more paths or entry points specifically designed for access purposes.
2. The dwellings are sited and oriented in a complementary relationship to: each other, the common open space, and the adjacent properties with respect to scale, mass, setback, proportions and materials;
3. Negative visual impacts of the development, if any, are screened from adjacent properties and nearby streets by landscaping or other site planning techniques;
4. Where opportunities exist, improved access is provided to, or additional links and connections are developed to, a Town system of public facilities, such as open space, recreation facilities, footpaths or bicycle paths;
5. Any building which contains more than one dwelling unit is designed so that either:
 - A. The building has the exterior appearance of a one-family dwelling; or
 - B. If two-family dwellings and/or townhouses are constructed, each individual dwelling unit has access to ground level and an opportunity for a private yard, patio, or other private outdoor space;
6. There are provisions for common facilities, such as recreation or parking, or for services such as the maintenance of streets, walkways or paths, utilities, landscaping or recreation facilities;
7. Where there are sufficient dwelling units, the layout of the street(s) and interior drive(s) will accommodate vehicles, other than automobiles, that are used in local transportation services.
8. To the extent practicable, sustainable development techniques, including green buildings, have been utilized.
9. A community benefit development shall meet the following criteria:
 - A. There are sufficient benefits to the adjacent neighborhood and the Town generally to warrant an increase in the maximum development otherwise permitted; and
 - B. Legally binding documents have been submitted that insure that affordable units will continue to be available to eligible households in perpetuity. An affordable unit shall be subject to maximum household income established for that unit, based on the area median income (AMI) as annually determined by the U.S. Department of Housing and Urban Development, assuming one more person in the household than the number of bedrooms in the unit. Eligible households shall have incomes no greater than 80% of the AMI.