

# Resident's Guide to new 3A Overlay District and Village Center (Mandatory Mixed-Use) Overlay District

Draft (1) 12/07/2023

## Items for Discussion:

1. What percentage, if any, of a Mixed-Use Building should be required to be commercial in the Village Center District? Currently the Planning Board is discussing 33%, which is the max allowed by the State. Less than 33% could be approved by special permit.
2. Should a special permit process be available to give flexibility for added height and an additional story in the Village Center District? Should a max height be specified, or should there be flexibility? Is 48' reasonable?
3. Should an additional guardrail regulating Building and Parking Coverage be incorporated into the zoning? If so, what would be the goals of this requirement and what percentage would accomplish the goals.
4. The Planning Board will develop a set of Design Guidelines which will apply to any project within the 3A and Village Center Districts.
5. Review "transparency language" for retail uses and uses facing a primary street.
6. Town Counsel to provide a definition of "street activating uses".
7. How many electric car charging stations should be required in multi-family or mixed-use developments? Is this covered by the Specialized Stretch Code? The Opt-in Stretch Code requires that at least 1 space per home or a minimum of 20% of spaces in new multi-family parking lot be wired for EV charging.
8. Do we want to include uses accessory to residential uses as outlined in Section 6.1 (g) and (h)?
9. How many non-resident workers should be allowed to work in live/work units? Currently 5 is being discussed.

## Zoning Summary:

The Planning Board has been diligently working on a zoning bylaw that will implement the 3A and the Village Center Overlay Districts.

Now that Option C has been chosen by residents at the December 2, 2023 Town Meeting, it is time to finalize the zoning bylaw language that will be brought to Town Meeting in March. Please note that

the zoning requirements and controls must align with the Option C parameters that were presented at Town Meeting. If the zoning bylaw changes any of the parameters by making them more restrictive it will negatively affect HCA compliance. We can, however, add specificity to the requirements and additional guardrails that do not affect compliance. We can also structure the by-law to support a special permit process for additional height, stories, or reduced setbacks. Special permits are not “by-right” and give the town negotiating power during the approval process.

Option C requires both the 3A district and the Village Center District to ensure that the unit capacity requirement of Lincoln’s HCA Compliance is met. Lincoln’s unit capacity requirement of 635 units is met by taking “credit” for 125 units allowed by right in the Village Center District. This is illustrated in the chart below that was presented at the December 2<sup>nd</sup> Special Town Meeting. The parameters in the chart are the parameters that cannot be made more restrictive.

Lincoln

## Option C

Zoning Standards & Model Outputs

Draft District Name	Max. Stories	Setbacks	Min. Parking Spaces per Unit	Max. Units per Acre	Modeled Multifamily Unit Capacity	District Acreage	Subdistrict Density Denominator*	Modeled Gross Subdistrict Density**
Lincoln Woods (3A)	3 stories	Front: 25' Sides: 25' Rear: 25'	1	8	161	20.5 acres	7.3 acres	22.1 Units/Acre = 161 units / 7.3 acres
Lincoln Rd / Lewis St (3A)	3 stories	Front: 15' Sides: 15' Rear: 25'	1	11	193	20.3 acres	12.6 acres	15.3 Units/Acre = 193 units / 12.6 acres
Codman Rd (3A)	3 stories	Front: 30' Sides: 30' Rear: 50'	1	10	169	23.7 acres	14.3 acres	11.8 Units/Acre = 169 units / 14.3 acres
Village Center (MMU)	3 stories	Front: 25' Sides: 25' Rear: 25'	1	25	125	7.1 acres***	7.1 acres***	17.6 Units/Acre = 125 units / 7.1 acres***
<b>TOTAL w/o MMU</b>	-	-	-	-	<b>523 units</b>	<b>64.5 acres***</b>	<b>34.2 acres***</b>	<b>15.3 Units/Acre = 523 units / 34.2 acres</b>
<b>TOTAL w/ MMU</b>	-	-	-	-	<b>648 units</b>	<b>64.5 acres*</b>	<b>34.2 acres***</b>	<b>15.3 Units/Acre = 523 units / 34.2 acres</b>
<b>COMPLIANCE TARGET</b>					<b>635 units</b>	<b>42 acres</b>		<b>15 units/acre</b>

\* "District Density Denominator" is the district size MINUS any areas containing: wetlands, water bodies, Title V setbacks, Water Protection Zone A, and Wellhead Protection Zone 1.

\*\* District Density is calculated as Modeled Unit Capacity / District Density Denominator

\*\*\* Mandatory Mixed Use (MMU) subdistricts count towards meeting 3A unit capacity requirements but do not count towards 3A acre requirements. The 3A subdistricts alone must meet at least 75% of the Minimum Multifamily Unit Capacity Requirement. The calculations in this sheet reflect that.

Section 12 of the Zoning Bylaw contains our Overlay Districts. We are adding two overlay districts.

1. The 3A District; and
2. The Village Center District.

An Overlay District is a type of land use zoning district that "lies" on top of the existing zoning and potentially covers many underlying districts or portions thereof. Overlay zoning is a popular and useful tool allowing municipalities to provide an alternate set of regulations without the complexity of amending the underlying zoning. The underlying zoning of each parcel remains. A landowner can choose to follow the rules of the underlying zoning district or the overlay district. Examples of typical overlays that are more restrictive include those for sensitive resources such as flood plains or aquifer protection districts. Examples of typical overlays that are more flexible include those for village centers,

or other areas designated for higher levels of density and economic development. Other permitting requirements such as Historic, Conservation/Wetlands Protection, Septic, Site Plan Review, and Stormwater Mitigation still apply.

## **1. The 3A District and Subdistricts**

This section lays out the 3A District and subdistricts. There are three subdistricts: Lincoln Woods, Lincoln Rd/Lewis St, and Codman Road. Lincoln Woods and Codman Road are multi-family only. The Lincoln Rd/ Lewis Street subdistrict allows mixed-use buildings AND allow multi-family buildings.

### **Lincoln Woods subdistrict:**

Max Height is 36'

Max number of stories is 3.

Front, Side and Rear setbacks are 25'.

### **Lincoln Rd/ Lewis Street subdistrict:**

The zoning by-law will include a list of non-residential uses that are allowed and a list of non-residential uses that are specifically not allowed.

Height max is 36' for multi-family buildings and 42' for mixed-use buildings.

Max number of stories is 3.

Front and Side Yards must be a minimum of 15' and rear yards, a minimum of 25'.

Uses are taken mainly from the underlying B-1 and B-2 zoning. Some uses are refined or added, and a few new ones were specifically excluded such as retail gun and parts of guns sales.

Parking for multi-family projects requires a minimum of 1 space per residential unit.

Parking for mixed-use buildings requires a minimum of 1 space per residential unit and the project must comply with the existing parking requirements in Section 15 of the Zoning Bylaw unless the Planning Board finds that the proposed parking plan is sufficient to meet the needs of the development.

### **Codman Road subdistrict:**

Max Height 36'

Max number of stories is 3

Front and Side setbacks are 30' and Rear setbacks are 50'.

### **Affordable Units:**

A minimum of 10% affordable housing must be part of any project at 80% Area Median Income and said units shall remain affordable in perpetuity.

**Energy Efficiency:**

All new buildings must meet the new Specialized Energy Code passed by Town Meeting and if the Town's application is approved by the DOER, for the Ten Town Demonstration Pilot, projects will need to comply with those requirements.

## **2. Village Center Overlay District**

**This Overlay District functions as the Town's Mandatory Mixed-Use District. In this District, the Town can mandate commercial uses.**

Again, in this district, the underlying zoning of each parcel remains.

The permitted uses are mixed-use and multi-family.

The allowed uses and list of not allowed non-residential uses are the same as for the Lincoln Road/Lewis Street subdistrict. The difference here is that 80% of the ground floor of a mixed-use building that has frontage on a public way must be dedicated to retail, restaurant, or other active commercial use including "street activating uses".

Max Height is 36' for multi-family and 42' for mixed-use.

Max number of stories is 3

Front, Side, and Rear setbacks minimum is 25.'

Parking must have a minimum of one parking space per residential unit and the applicant must demonstrate to the Planning Board during the Site Plan Review process that the proposed parking for a mixed-use project is sufficient to meet the needs of the development. The State does not allow a minimum parking requirement for commercial uses. However, it is unlikely that a developer would not want adequate parking for both residential and commercial uses.

A minimum of 10% affordable units must be part of any project at 80% Area Median Income and said units shall remain affordable in perpetuity.

All new buildings must meet the new Specialized Energy Code and if approved by DOER must comply with the Ten Town Demonstration Pilot.

In this District an incentive for additional height and an additional story through a Special Permit process could be used to add more affordable units or other concessions.