

Housing Choice Act Zoning Handout

Overlay District: A zoning district that lies on top of existing zoning. An applicant can use either the rules of the overlay district or the rules of the underlying zoning but may not mix and match.

3A District: An overlay district that complies with the MBTA Communities section of the Housing Choice Act, M.G.L., c. 40A, s.3A.

Multi-family Housing: A building with 3 or more residential dwelling units or 2 or more buildings on the same lot with more than 1 residential dwelling unit in each building (State definition).

Live/Work Unit: A single unit consisting of both a commercial or office component and a residential component that is used and occupied by the same resident.

- Primary dwelling of the occupant.
- Only in mixed-use zoning districts and mixed-use overlay districts.
- Uses shall be consistent with the allowed uses in each subdistrict.
- Limited to five non-resident workers.

Mandatory Mixed-Use District: A District that is determined by the State to be in an “eligible location” (near public transportation, a village center), may require up to 33% commercial uses, and allows multi-family housing. The Village Center District requires 33% commercial and contributes 125 units to the Housing Choice Act zoning.

- The Village Center zoning allows us to have lower density in other subdistricts

Street Activating Uses: Uses designed to enhance pedestrian activity on sidewalks and nearby areas, and thereby create a sense of community or neighborhood by providing an interesting, lively, and active presence at street level.

- **Commercial:** Retail, restaurants, professional offices, etc.
- **Spaces accessory to residential uses:** Fitness or community rooms, and lobbies that access directly to a private or public sidewalk, or street.

Permitted Commercial Uses:

- Retail stores and retail services, including restaurants, bakeries, catering
- Live/work units
- Studios and craft workshops
- Professional and business offices
- Owner-occupied bed and breakfast Inns
- Municipal or public utility use

Commercial Uses Not Permitted:

- Service station or repair shop for motor vehicles or appliances
- Sale or rental of heavy equipment
- Manufacturing and assembly
- Offices or facilities for building or landscaping use that includes outdoor storage of supplies, tools, and equipment
- Private postal or deliver service distribution center

- Drive in or drive-through services except by Special Permit from the Planning Board
- Gun vendors including retail sales and/or manufacturing of guns or parts

Dimensional Controls:

- Frontage: How long the front lot line must be that abuts a public or private right of way.
- Yards: Also known as Setbacks. How far back a building must be from the property line.
- Height: Maximum height allowed. Height is measured the same way for all buildings in Lincoln from lowest exposed point to highest point on the building. The PB may allow the use of average natural grade instead of lowest exposed point upon a finding that the additional height will not adversely affect the neighborhood.

Units per Acre: The maximum number of housing units that may be built on each acre of land. **This is a hard cap.**

- In the state model, a “unit” is an average of 1000 SF.
- Units may be smaller or larger but cannot exceed the units/acre cap that is stated in the bylaw.

Dimensional Controls in Zoning Bylaw

R1 Residential Zoning (Single Family on ≥80,000ft ² lot)	Lincoln Woods	Lincoln Road/Lewis Street	Codman Road	Village Center
Residential Only 2 ½ floors (if built after 2003)	Residential Only 3 floors maximum	Mixed Use Allowed 3 floors maximum	Residential Only 3 floors maximum	Commercial Required Mixed Use Allowed 3 floors maximum
A “conforming lot” allows 1 unit per 80,000SF (just under 2 acres) lot by right	Maximum Density = 8 units/acre	Maximum Density = 11 units/acre	Maximum Density = 10 units/acre	Maximum Density = 25 units/acre
Residential Height ≤ 36’	Residential Height ≤ 36’	Residential Height ≤ 36’ Mixed Use Height ≤ 42’	Residential Height ≤ 36’	Residential Height ≤ 36’ Mixed Use Height ≤ 42’
Front Setback ≥ 50’	Front Setback ≥ 25’	Front Setback ≥ 15’	Front Setback ≥ 30’	Front Setback ≥ 25’
Side Setbacks ≥ 50’	Side Setbacks ≥ 25’	Side Setbacks ≥ 15’	Side Setbacks ≥ 30’	Side Setbacks ≥ 25’
Rear Setbacks ≥ 50’	Rear Setbacks ≥ 25’	Rear Setback ≥ 25’	Rear Setback ≥ 50’	Rear Setback ≥ 25’
Residential Parking = minimum 1 per unit	Residential Parking = minimum 1 per unit; parking on side or in back or as approved by the PB under Site Plan Review (SPR).	Residential Parking = minimum 1 per unit; side or back or per SPR. Commercial = per Section 15 or per the site plan determined under SPR.	Residential Parking = minimum 1 per unit; parking on side or in back or as approved by the PB under SPR.	Residential Parking = minimum 1 per unit; side or back or per SPR. Commercial = no minimum requirement; determined per SPR.
Building and Parking Coverage: Total square footage of home may not exceed 25% of the lot area. No prohibitions on parking.	Building and Parking Coverage: The footprint of the building and associated parking areas shall not be greater than 50% of the lot area.	Building and Parking Coverage: The footprint of the building and associated parking areas shall not be greater than 50% of the lot area.	Building and Parking Coverage: The footprint of the building and associated parking areas shall not be greater than 50% of the lot area.	Building and Parking Coverage: Per Site Plan Review.