



Town of Lexington

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**EXCERPT OF THE TOWN OF LEXINGTON
 ANNUAL TOWN MEETING
 HELD MONDAY, MARCH 18, 2024, 7:30 P.M.
 CARY MEMORIAL BUILDING – BATTIN HALL
 WITH ADJOURNED SESSIONS HELD
 MARCH 20, 22, 27, and APRIL 1, 3, 8, 10, 24**

ARTICLE 52 AMEND ZONING BYLAW – TECHNICAL CORRECTIONS MOTION:

That the Zoning Bylaw, Chapter 135 of the Code of the Town of Lexington, be amended as follows, where ~~struck through~~ text is to be removed and underlined text is to be added:

1. In §135-10.0, amend definitions as follows:

~~DEPARTMENT OF HOUSING AND COMMUNITY DEVELOPMENT (DHCD)~~

~~The Massachusetts Department of Housing and Community Development.~~

INCLUSIONARY DWELLING UNIT

A dwelling unit, the sale, lease, or rental of which is permanently restricted with limits on the household income of occupants, sale price, and rent through a deed rider or other restriction acceptable to the Town in conformance to the Lexington Moderate Unit Income Guidelines or as regulated as a Local Action Unit under the ~~DHCD~~ EOHLC Local Initiative Program.

2. In §135-10.0, add definition as follows:

EXECUTIVE OFFICE OF HOUSING AND LIVABLE COMMUNITIES (EOHLC)

The Massachusetts Executive Office of Housing and Livable Communities.

3. Amend §135-6.12.6 as follows:

3. Subsidized housing inventory. At least 10% of the dwelling units in an OSRD shall be eligible for inclusion on the ~~DHCD~~ EOHLC Subsidized Housing Inventory.

4. Amend §135-7.5.3 as follows:

Procedures and Regulations. Development under this section requires Site Plan Review by the Planning Board under § 9.5. The Planning Board shall adopt regulations to

facilitate site layout, building design, and outdoor amenity spaces. All site plan review standards applicable to developments under this section shall be consistent with the purposes of this section and ~~DHCD~~ EOHLC's current *Compliance Guidelines for Multi-family Zoning Districts Under Section 3A of the Zoning Act* as amended.

5. Amend §135-7.5.12 as follows:

1. In any development containing eight (8) or more dwelling units, at least 15% of the dwelling units shall be Inclusionary Dwelling Units with household income limited to 80% of the Area Median Income and eligible for inclusion on the ~~DHCD~~ EOHLC's Subsidized Housing Inventory. Where a fraction of a dwelling unit is required for this calculation, the amount of required dwelling units shall be rounded down. If ~~DHCD~~ EOHLC determines in writing that the Town has not shown this 15% requirement to be feasible, at least 10% of the dwelling units in any development containing ten (10) or more units shall be Inclusionary Dwelling Units with household income limited to 80% of the Area Median Income and eligible for inclusion on the Subsidized Housing Inventory.

5. The Planning Board, in consultation with the Select Board, the Housing Partnership Board, and the Commission on Disability, may adopt regulations consistent with ~~DHCD~~ EOHLC's Compliance Guidelines and this section to facilitate equitable size, physical characteristics, location, and access to services for the inclusionary units and the form of required legal restrictions.

6. Amend §135-7.5.14 as follows:

Conditions. The Planning Board may impose reasonable terms and conditions, consistent with the parameters established by ~~DHCD~~ EOHLC's Compliance Guidelines, to promote these objectives and serve the purposes of this section. Approval may reasonably regulate matters such as vehicular access and circulation on site, architectural design of a building, site design, and screening for adjacent properties. The Board may require a performance guarantee to ensure compliance with these conditions.

Following remote electronic vote tallying, the Moderator declared that:

Motion to Approve Article 52 – Amend Zoning Bylaw and Map – Technical Corrections

Adopted by a vote of:

Yes	No	Abstain
158	0	2

MOTION CARRIES UNANIMOUSLY WITH MORE THAN NECESSARY 2/3RDS