

Article T

Amend Zoning Bylaw & Town Zoning Overlay Map – MBTA Communities Multi-Family Housing

To see if the Town will vote to amend Chapter 198 of the Code of the Town of Wayland to:

- 1) Add a new Article 27 Multi-Family Overlay Zoning District, in substantially the following form;
- 2) Add 198-302.1.11. A Multi-Family Overlay District that includes land in four sub-districts [in process is a description of spatial location by reference to a plan of land – Plate X of the Atlas of the Town of Wayland, Massachusetts, YEAR, numbered as Parcels xx-xxx, and as shown on the plan entitled “WHAT” prepared by “WHOM”, dated “WHAT”, a copy of which plan is on file in the office of the Town Clerk];
- 3) Add to 198 Attachment 1 Table of Dimensional Requirements the words “Multi-Family Overlay District – Requirements of Article 27 apply”;

and

- 4) Amend the Town Zoning Overlay Districts Map to add the Multi-Family Overlay District.

Article 27. Multi-Family Housing Overlay District

198-2701. Purposes

2701.1. The purpose of the Multi-Family Housing Overlay District (MFHD) is to:

- 2701.1.1 Provide for multi-family housing development in accordance with G.L. c. 40A, § 3A and the Section 3A Compliance Guidelines of the Executive Office of Housing and Livable Communities (EOHLC), as may be amended from time to time;
- 2701.1.2. Implement the Wayland Housing Production Plan;
- 2701.1.3. Encourage the production of a variety of housing sizes and types to provide access to new and redeveloped housing for people with a variety of needs and income levels;
- 2701.1.4. Locate housing in areas to promote public health and meet the community’s environmental goals, including maintaining open space, reducing greenhouse gases and improving air quality;
- 2701.1.5. Locate housing in or near existing developed areas and roadways;
- 2701.1.6. Provide multi-family housing that is well integrated into Wayland’s land use patterns; and
- 2701.1.7. Increase the tax base through private investment in new housing development.

198-2702. Definitions

2702.1. As used in this article, the following terms shall have the meanings indicated:

Affordable dwelling unit – A residential unit that is restricted in perpetuity for sale, lease or rental to a qualified income-eligible household at specific price limits that qualify such residential unit for inclusion in the Chapter 40B Subsidized Housing Inventory maintained by the Commonwealth of Massachusetts Executive Office of Housing and Livable Communities.

Building – A structure with a roof supported by walls and intended to shelter people or goods.

Building height – The distance, measured vertically from the average grade to the highest roof element. However, limitations in height shall not apply to chimneys, ventilators, skylights, tanks, bulkheads, penthouses for mechanical equipment, solar panels and other necessary features usually carried above roofs so long as such features are not used for living purposes. Wireless communications facilities may not be erected except in compliance with Article 15 or Article 15A.

Development and Use Plan – A comprehensive plan depicting an entire development scheme on a lot and/or lots to ensure that site layout, building design, and outdoor amenity spaces meet the Design Standards for Site Layout and Development as established by the Planning Board.

Dwelling unit -- A single unit providing complete, independent living facilities for one or more persons, including permanent provisions for living, sleeping, eating, cooking and sanitation; but no trailer, trailer coach or mobile home, whether or not self-propelled, and whether or not the wheels thereof may have been removed, shall be construed to be a dwelling.

Grade -- A reference plane representing the average of finished ground adjoining the building at all exterior walls, established by the lowest points within the area between the building and a point six feet from the building.

Lot – An area of land with definite boundaries that is used or available for use as the site of a building or buildings.

Lot coverage – the percentage of a lot that may be covered by the footprint of buildings and the footprint and roof of structures.

MFHD -- Multi-Family Housing Overlay District

Mixed-use – A combination of residential and commercial uses including retail, office, municipal, or service establishments.

Multi-family housing -- a building with three or more residential dwelling units or two or more buildings on the same lot, each of which has more than one residential dwelling unit in each building.

Resident – For purposes of determining applicability of the local preference option for an initial offering of an affordable dwelling unit, a “Resident” is a person who has been registered as a Wayland resident with the Wayland Town Clerk pursuant to G.L. c. 51, § 4 and would be considered a resident under the United States Census Bureau’s residency guidelines.

Setback – The shortest distance from the lot line to the wall of a building or structure.

Structure – A combination of materials assembled at a fixed location to provide support or shelter.

Townhouses – A form of multi-family housing comprised of three or more attached vertical multi-floor dwelling units that share one to two walls with adjacent dwelling units but each unit has its own entrances.

198-2703. **Establishment of Multi-Family Housing Overlay District**

2703.1. The MFHD is an overlay district shown on the Town of Wayland Zoning Overlay Districts map dated [DATE], on file with the Town Clerk and is comprised of the following sub-districts, all of which are shown on the map:

2703.1.1. Route 20 West – Parcel Nos. 21-006, 21-006A, 21-CM1, 21-003 comprising 10.5 acres

2703.1.2. River's Edge West – the western portion of Parcel No. 22-006 comprising 5.7 acres [plan reference is in process]

2703.1.3. Town Center Development Area – portions of Parcel Nos. 23-052E, 23-052C, and 23-052 comprising 10.7 acres [plan reference is in process]

2703.1.4. Planned Development District - Central – Parcel No. 45-CM3 comprising 25.1 acres

198-2704. **Applicability**

2704.1. The MFHD shall not replace existing zoning districts or zoning overlay districts, but shall be superimposed over them. At the option of the property owner, development and use of land within the MFHD may be undertaken subject to compliance with the requirements of this Article 27 or by complying with the standards or procedures of the underlying district or another applicable overlay district.

2704.2. Developments proceeding under this Article 27 shall be governed by the provisions of Article 27 and the standards and procedures of the underlying district, another applicable overlay district, and other sections of the zoning bylaw shall not apply unless specifically referenced. Where the MFHD authorizes uses not otherwise allowed in the underlying district, the provisions of the MFHD shall control.

198-2705. **Administration**

2705.1. The Planning Board shall be the site plan review authority under this Article.

2705.2. Where the MFHD requires a special permit, the Planning Board shall be the special

permit granting authority pursuant to the standards established in G.L. c. 40A, § 9.

2705.3. The Planning Board shall adopt, maintain and file with the Town Clerk a set of regulations to facilitate site layout, site and building design, and outdoor amenity spaces and that contain the necessary policies, definitions, fee structures, procedures, and requirements to implement the provisions of this article including procedures for the Board to engage outside consultants pursuant to G.L. c. 44, § 53G.

198-2706. Permitted Uses

2706.1. All developments under this Article shall include multi-family housing and all residential uses under this Article shall be multi-family housing.

2706.2. Subject to an Article 27 approved Development and Use Plan, depicted below as site plan review (SPR), the principal uses set forth below are permitted as of right in the MFHD:

Permitted Uses As of Right	Route 20 West	River's Edge West	Town Center Develop. Area	Planned Development District - Central
Principal Uses:				
Multi-family housing	SPR	SPR	SPR	SPR

2706.3. Subject to special permit (SP) and an Article 27 approved Development and Use Plan, the uses set forth below are permitted in the MFHD:

Permitted Uses – Special Permit & Site Plan Review	Route 20 West	River's Edge West	Town Center Develop. Area	Planned Development District - Central
Mixed-use	SP & SPR	SP & SPR	SP & SPR	NO

198-2707. Site Development Standards

2707.1. Dimensional Requirements and Aggregate Limits

Dimensional Requirements & Aggregate Limits	Route 20 West	River's Edge West	Town Center Develop. Area	Planned Development District - Central

MBTA COMMUNITIES ZONING
 PLANNING BOARD’S PROPOSED BYLAW (2.16.24)

Basic Requirements:				
Minimum lot size	2 acres	5.5 acres	4 acres	25 acres
Minimum frontage	50 ft.	50 ft.	50 ft.	50 ft.
Minimum setbacks:				
Front	30 ft.	30 ft.	20 ft. (30 ft.*)	30 ft.
Rear	15 ft.	15 ft.	15 ft. (30 ft.*)	15 ft.
Side	15 ft.	15 ft.	15 ft. (30 ft.*)	15 ft.
Maximum building height	35 ft.	45 ft.	35 ft.	35 ft.
Maximum lot coverage	25%	20%	25%	20%
Maximum units per acre	20	32	21	10

*30 ft. only at the eastern boundary of Parcel 23-052C adjacent to Parcel 23-CM2

2707.2. Off Street Parking Spaces

A minimum number of off-street parking spaces shall be provided for residential uses in the MFHD:

Off-Street Parking Spaces	Route 20 West	River’s Edge West	Town Center Develop. Area	Planned Development District - Central
Minimum number per dwelling unit	1.5	1.5	1.25	2

2707.3. Design Standards for Site Layout and Development

2707.3.1. In conducting its review, the Planning Board shall apply the design standards expressed in the regulations adopted to implement the provisions of this Article 27 including site layout, building design, outdoor lighting, signage, site amenities, landscaping, screening, buffers, stormwater management, open space, as well as parking requirements for non-residential uses.

2707.4. Inclusion of Affordable Dwelling Units

2707.4.1. In lieu of the requirements of Article 22 of the Town’s Zoning Bylaw (the “Inclusion of Affordable Housing”), the provisions of this Article 27 shall apply.

2707.4.2. A minimum of 10% of the dwelling units on any lot subject to the MFHD shall be affordable units.

2707.4.3. If, when applying the percentage to the total number of units to determine the number of required affordable units, the number of affordable dwelling units results in a fraction, the number shall be rounded up to the nearest

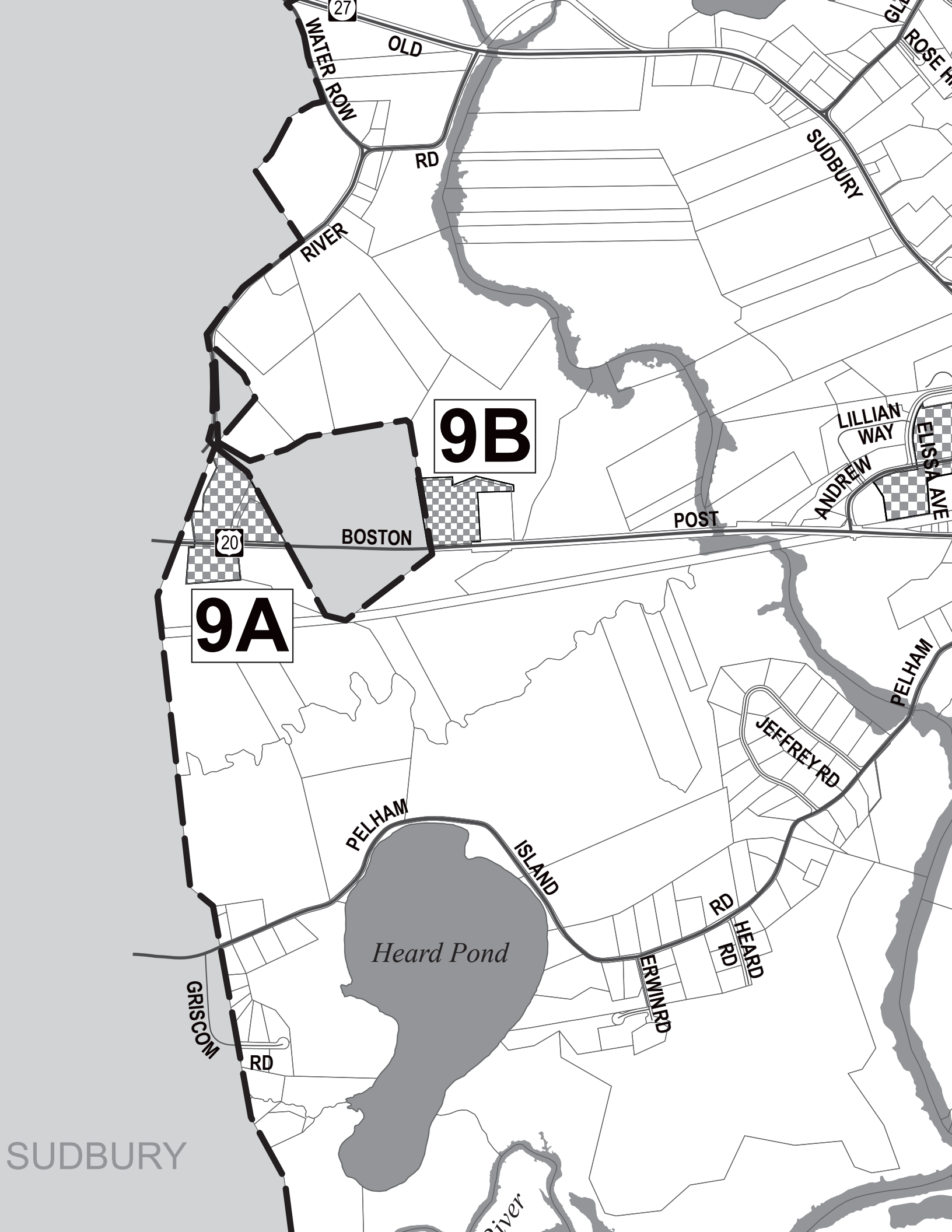
MBTA COMMUNITIES ZONING
PLANNING BOARD'S PROPOSED BYLAW (2.16.24)

whole number understanding, nevertheless, that there is no requirement for the number of affordable units to exceed 10%.

- 2707.4.4. No project may be divided or phased to nullify or reduce the number of required affordable dwelling units.
- 2707.4.5. Affordable dwelling units shall be similar in size and indistinguishable from market-rate units with regard to quality of materials and finishes, shall be distributed proportionately among unit sizes and throughout the development, and shall have use of all common areas and amenities.
- 2707.4.6. Affordable dwelling units shall be rented or sold subject to deed restrictions, restrictive covenants, contractual agreements, and/or other mechanisms restricting the use and occupancy, rent levels, and sales prices of such units to assure their affordability over time. All restrictive instruments shall be subject to review and approval by the Wayland Housing Partnership, or successor authority or agency, the Planning Board and Town Counsel and shall be recorded with the Middlesex South Registry of Deeds prior to the commencement of any construction. Any condominium documents and fees shall be subject to review and approval by the Wayland Housing Partnership and Town Counsel.
- 2707.4.7. A monitoring agreement for oversight of all affordability restrictions shall be entered into and shall be recorded with the Middlesex South Registry of Deeds prior to the issuance of the first building permit for any dwelling unit in the project.
- 2707.4.8. To the maximum extent permitted by law and, if applicable, any federal or state financing or subsidy program supporting the development, first preference for the initial offering of an affordable dwelling unit shall be given to households that meet one or more of the following criteria:
 - 2707.4.8.1. At least one member of the household is a Resident of the Town of Wayland at the time of an affordable unit lottery application deadline;
 - 2707.4.8.2. At least one member of the household is either a daughter, son, parent or sibling of a Wayland Resident;
 - 2707.4.8.3. At least one member of the household is a municipal employee of the Town of Wayland.

198-2708. Decision and Appeals

- 2708.1. The Planning Board shall issue a Decision on the Development and Use Plan in accordance with the regulations adopted to implement the provisions of this Article 27 and shall file the decision with the Town Clerk.
- 2708.2. Any person aggrieved by the Planning Board's decision may appeal per G.L. c. 40A, § 17 within 20 days after the MFHD Development Plan Approval decision has been filed with the Town Clerk.



27

WATER ROW
RD

OLD

RD

RIVER

SUDBURY

GLA
ROSE H

9B

LILLIAN
WAY

ELISSA
AVE

ANDREW

POST

20

BOSTON

9A

PELHAM

JEFFREY RD

PELHAM

ISLAND

Heard Pond

RD
HEARD

ERWIN RD

GRISCOM
RD

RD

SUDBURY

River