

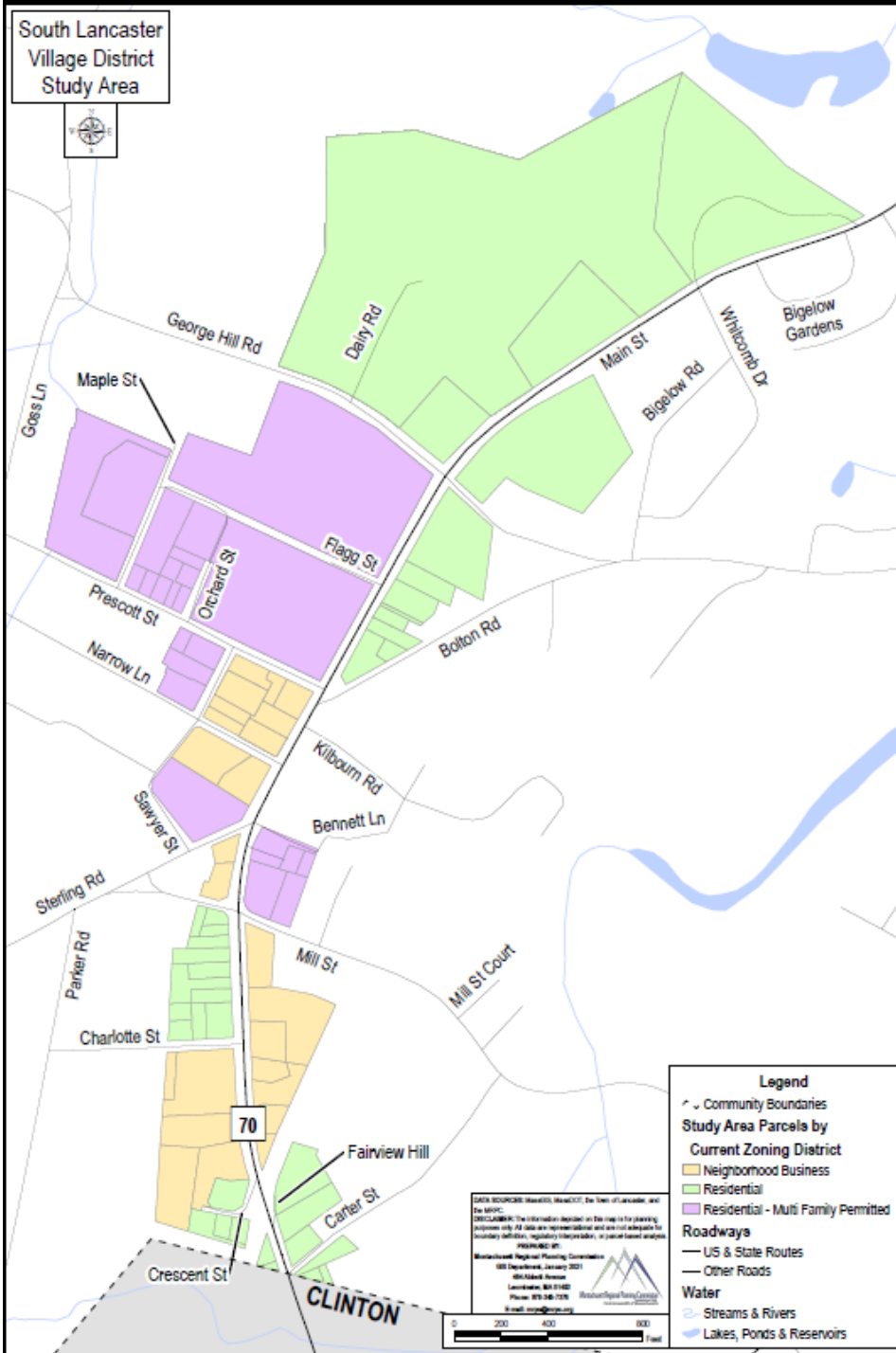
# LANCASTER CHAPTER 40R & VILLAGE CENTER BYLAWS



Prepared by Karen Chapman, Senior Planner, Montachusett Regional Planning Commission (MRPC)  
Under the MA District Local Technical Assistance Program of the MA Department of Housing & Community Development (DHCD)

# **DLTA LANCASTER BOARD OF SELECTMEN REQUEST FOR SERVICE DELIVERY**

- Assistance with creation of a draft language to amend the town's zoning bylaw by creating a new zoning district to resemble a mixed-use, center village district
- To engage the public in accordance with best practices for public participation in planning
- To achieve smart growth planning in Lancaster
- To achieve State goals regarding the creation of new and affordable housing units by capitalizing on Chapter 40R
- Preserving the campus at Atlantic Union College
- Increasing the tax base by adding new commercial properties to the town



# **AFFORDABLE HOUSING IN LANCASTER**

2,544 HOUSING UNITS (2010 Census)

250 AFFORDABLE HOUSING UNITS

9.8% TOWARDS 10% STATE GOAL

# **M.G.L. CHAPTER 40R**

## **SMART GROWTH ZONING**

- Substantially increase supply of housing & decrease its cost by increasing land zoned for dense housing\*
  - 8 units/acre minimum for Single Family
  - 12 units/acre minimum for 2-3 family
  - 20 units/acre multifamily ( $\geq 4$  units)

\* Muni w/ population <10,000 may request DHCD to reduce minimum allowable density standards for a Smart Growth Zoning District

# **SMART GROWTH ZONING**

- Requires inclusion of affordable units in most private projects
  - 20% of all units in projects >12 units shall be Affordable (80% AMI - \$89,280)
- Projects must be developable under town's Smart Growth or Starter Home Zoning, either as-of-right or through site plan review.
- Developer may elect to either develop a Project under the 40R Zoning, or the Underlying Zoning

# **SMART GROWTH ZONING**

- Ensure all Future Zoned Units within a proposed 40R Zoning District will not overburden existing Infrastructure or Planned Infrastructure
- Required to start construction of a project or planned infrastructure upgrade within an Approved District within three years of the date the Town received the Zoning Incentive Payment or must pay back the incentive payment
- Requires annual updates to DHCD

# **SMART GROWTH ZONING**

- Parcels are required to be in one of four types of Eligible Locations:
  - 1. Substantial Transit Location** – none
  - 2. Area of Concentrated Development**
  - 3. Other Highly Suitable Location**
  - 4. Starter Home District**



# **ELIGIBLE LOCATION**

## **Area of Concentrated Development**

1. Includes town center; contiguous, previously developed portions of an existing commercial district; or a rural village district;
2. Is currently served, or scheduled to be served, within 5 years by public sewer(s) and/or private sewage treatment plant(s)
3. At least 50 percent of total land area is either Substantially Developed Land or Underutilized Land; and
4. The primary current use of land and/or buildings is commercial (including retail, office, or industrial businesses) or mixed-use.

# **ELIGIBLE LOCATION**

## **Other Highly Suitable Location**

Where residential or Mixed-use Development would nonetheless promote Smart Growth, such as:

1. Location near a rapid transit/commuter rail station or bus/ferry station terminal, though not w/in a Substantial Transit Access Area;
2. Location has Pedestrian Access within  $\frac{3}{4}$  mile to a Pedestrian Destination;

# **ELIGIBLE LOCATION**

## **Other Highly Suitable Location**

3. Proposed zoning in the location & existing zoning near the location will encourage compact, land-use-efficient design, and Mixed-use Development;
4. Infill & redevelopment of previously-developed areas with Infrastructure are likely to occur that will help to preserve open space, farmland, natural beauty, and critical environmental areas elsewhere in the Town.

# **ELIGIBLE LOCATION**

## **Starter Home District**

1. Starter Home defined as SFD w/ up to 1,850 square feet of heated living area
2. District requires minimum of 3 contiguous acres & 4 units/acre
3. Minimum of 50% of units must have 3 bdrms
4. Required to incorporate Cluster Zoning & all development required to utilize LID Techniques & include features encouraging walking within Projects

# **ELIGIBLE LOCATION**

## **Starter Home District**

5. Minimum 20% of units required to be Income Restricted units (100% AMI - \$111,600)
6. May permit the construction of Accessory Dwelling Units (ADU) in Starter Home Zoning Districts up to 600 sq.ft. & exists on the same lot as a Starter Home.
7. ADUs qualify as Bonus Units in determining the Municipality's Bonus Payment.

# M.G.L. CHAPTER 40R

- Provides financial incentives for communities to establish Smart Growth Zoning Overlay Districts

| Incentive Units | Payment   |
|-----------------|-----------|
| Up to 20        | \$10,000  |
| 21 to 100       | \$75,000  |
| 101 to 200      | \$200,000 |
| 201 to 500      | \$350,000 |
| 501 or more     | \$600,000 |

Incentive Unit = # of Future Zoned Units MINUS # of Existing Zoned Units for the same parcel or area of land

# M.G.L. CHAPTER 40R

- Provides bonus payments for units constructed due to the greater density afforded the district(s).
  - Bonus Units = # of units in excess of existing zoned units on a parcel
  - \$3,000/Bonus Unit following building permit

# NEXT STEPS FOR 40R

1. BOS or designee holds public hearing to determine if town should adopt 40R
2. Determine Eligible Locations (appropriate parcels) for 40R District using application spreadsheet:
  - a. Includes acres of Developable Land, Underutilized Land, Undevelopable Land, Environmentally Constrained Land; Existing As of Right Density; Proposed 40R As of Right Density; Total Existing Zoned Units; Total Future 40R Zoned Units; Future Bonus Units
3. Draft 40R Smart Growth Zoning Bylaw from DHCD template



## **NEXT STEPS FOR 40R**

3. Draft Smart Growth Starter Home Bylaw using DHCD template, if applicable
4. Complete and submit preliminary application to DHCD
5. DHCD has 60-days to review the application
6. Letter from DHCD approving district, approving district w/ conditions, or denying
7. If approved by DHCD, Town presents 40R zoning @ TM and sends DHCD certified letter of vote if passed

# **NEXT STEPS FOR 40R**

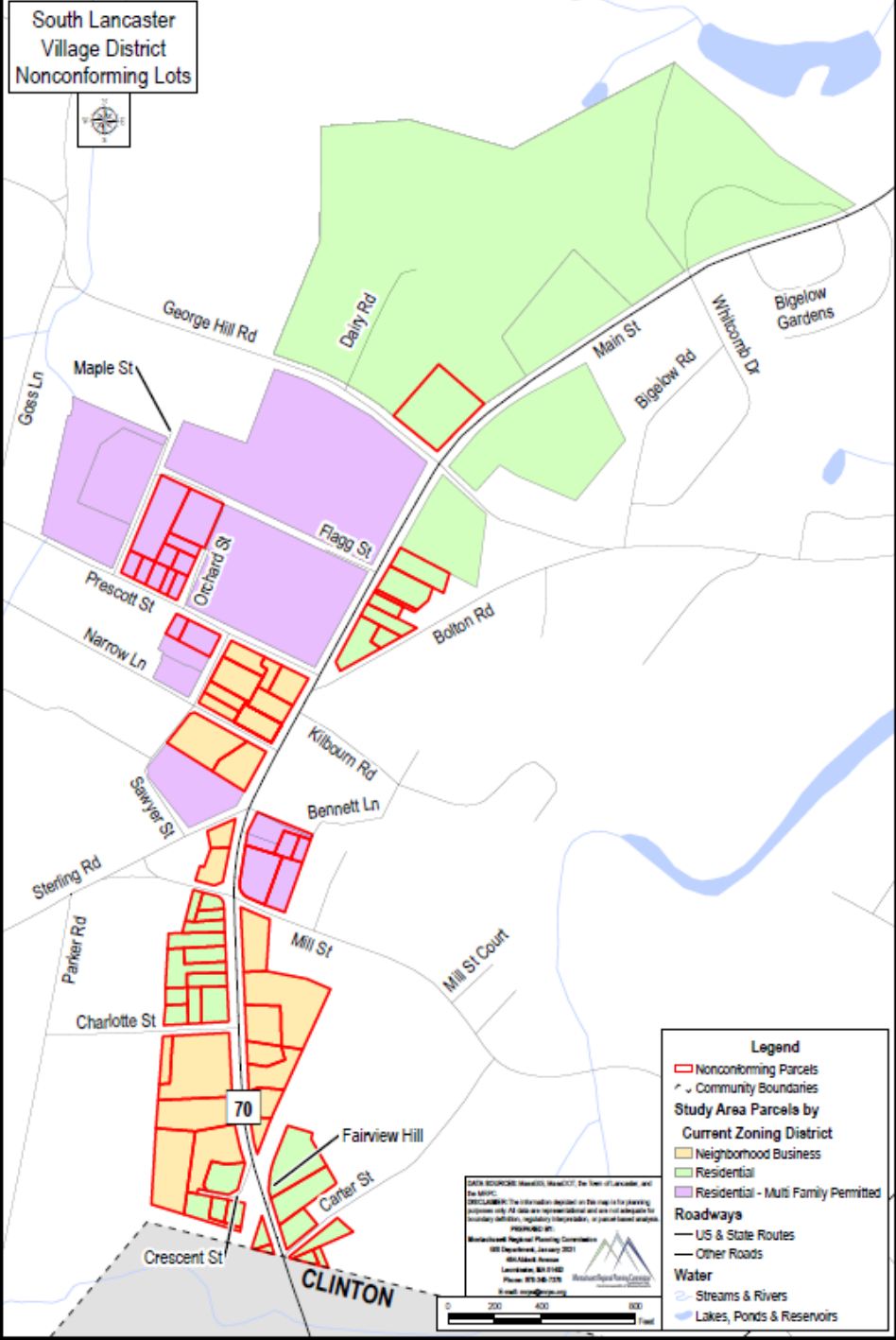
8. Within 30 days, DHCD issues Letter of approval, approval w/ conditions, or denial – if approved, Letter will specify # of incentive units and amount of incentive payment
9. Once approval received, Town can request payment for Incentive Units
10. Construction of incentive zoning units must be started within 3 years of DHCD approval

# RECOMMENDATIONS FOR 40R IN LANCASTER

## 84 parcels in Study Area

- 7 parcels: can build housing units under current zoning (excluding single to multifamily conversion)
- 5 parcels: exempt under Ch. 40A, Sec. 3
- 72 parcels: non-conforming under current zoning
- 23 of 84 owned by AUC

South Lancaster  
Village District  
Nonconforming Lots



DATA SOURCES: MassGIS, MassDOT, The Town of Lancaster, and the MRC.  
DISCLAIMER: The information depicted on this map is for planning purposes only. All data are representative and are not a guarantee for boundary definition, regulatory interpretation, or parcel-based analysis.  
PROJECT NO. 201  
Massachusetts Regional Planning Commission  
685 Devonport, January 2021  
600 South Avenue  
Lancaster, MA 01902  
Phone: 978-346-1726  
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**Legend**

- Nonconforming Parcels
- Community Boundaries

**Study Area Parcels by Current Zoning District**

- Neighborhood Business
- Residential
- Residential - Multi Family Permitted

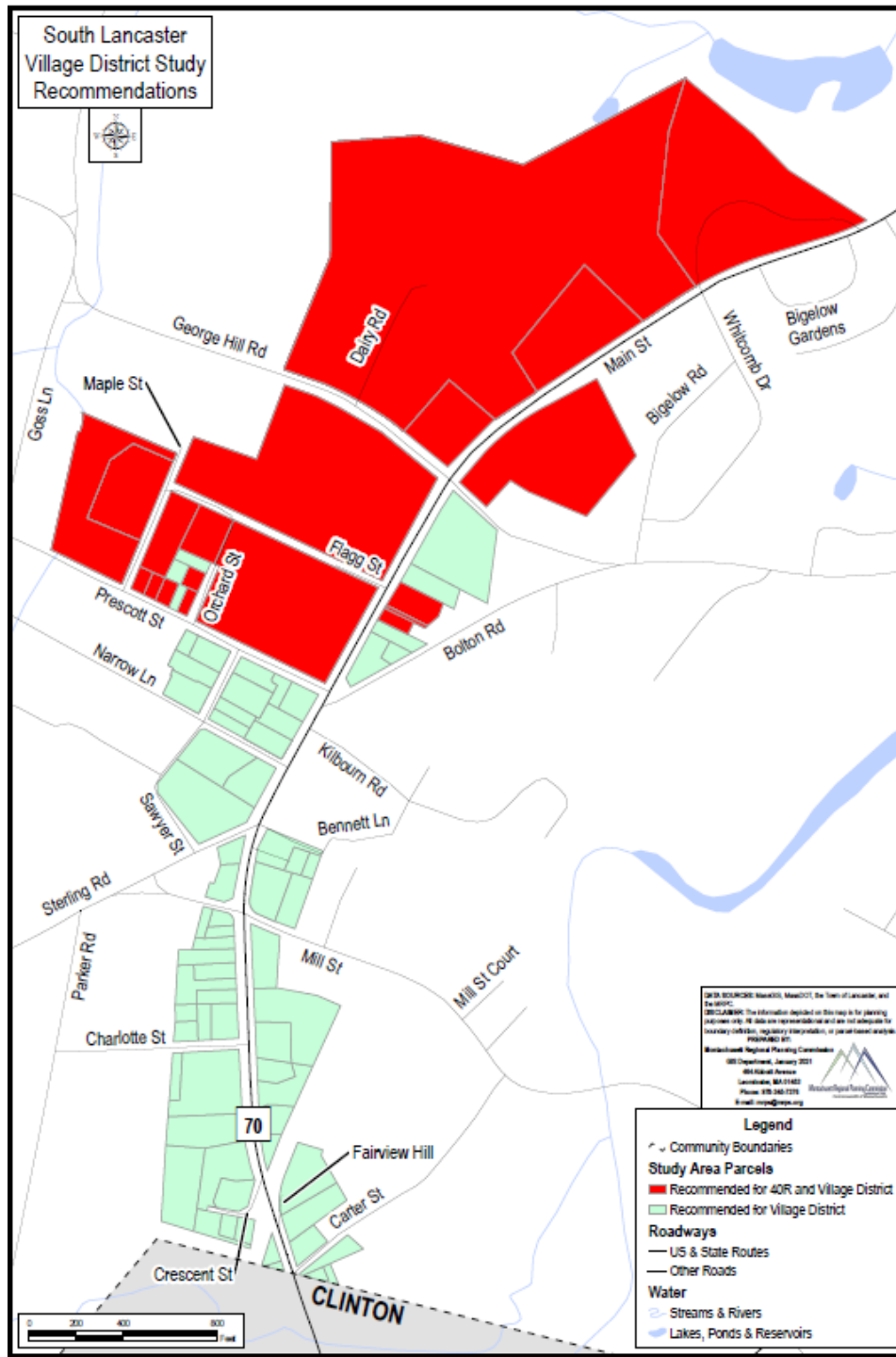
**Roadways**

- US & State Routes
- Other Roads

**Water**

- Streams & Rivers
- Lakes, Ponds & Reservoirs

# South Lancaster Village District Study Recommendations



DATA SOURCES: MassDOT, MassGIS, the Town of Lancaster, and the WSPC.  
DISCLAIMER: The information depicted on this map is for planning purposes only. It does not represent official data and does not constitute the boundary definition, regulatory interpretation, or parcel-based analysis.  
PROJECT NO. 011  
Worcester Regional Planning Commission  
680 Department, January 2021  
680 State Avenue  
Lancaster, MA 01903  
Phone: 978-340-7376  
E-mail: [info@wrcpa.org](mailto:info@wrcpa.org)

## Legend

- Community Boundaries
- Study Area Parcels
  - Recommended for 40R and Village District
  - Recommended for Village District
- Roadways
  - US & State Routes
  - Other Roads
- Water
  - Streams & Rivers
  - Lakes, Ponds & Reservoirs

# **SOUTH LANCASTER VILLAGE ZONING DISTRICT**

## **GOALS:**

- Enhance the economic vitality of the Village by offering a needed mix of commercial services available to Village residents and visitors.
- Expand housing choices available to Village residents.
- Facilitate new development (and re-development) designed to follow traditional New England villages in terms of its physical design, scale, mix of uses, and visual character.

## **GOALS cont.**

- Promote attractive, functional development that is more compatible with residential development than other commercial zoning districts in the Town. Preserving property values.
- Develop clear procedures for the Planning Board and developers to provide a development that meets the Town's respective needs.
- Develop design guidelines to encourage increased density, infill development, and walkability.

# FOR YOUR CONSIDERATION

- Uses which would enhance the District include ground floor retail uses which would contribute to the cultural vitality of the area, full-service restaurants, and uses which provide pedestrian scale and siting.
- Uses such as full-service food establishments, art galleries, bookstores and other culturally compatible and pedestrian-oriented uses will contribute to the area's economic vitality.
- Village should be a unique and identifiable place and be well connected to the surrounding neighborhoods to encourage convenient pedestrian and bicycle access.



# **FOR YOUR CONSIDERATION**

## **ESSENTIAL DESIGN ELEMENTS FOR REVITALIZATION:**

- A modest building scale.
- An orientation toward the street.
- Close proximity to the street.
- Parking behind or to the side of buildings.
- Places for pedestrian amenities such as plazas and benches.

# FOR YOUR CONSIDERATION

## ESSENTIAL DESIGN ELEMENTS FOR REVITALIZATION:

- Large windows on the ground floor with no blank walls.
- Use of natural materials such as wood, brick, and stone.
- Camouflaged large parking areas, storage areas, and mechanical equipment.
- Appropriately maintained landscaping.
- Lighting and Signs

# **VILLAGE DISTRICT BYLAW**

## **NEXT STEPS**

- Outreach to property owners
- Review current zoning district for barriers to development or redevelopment
- Reach consensus for dimensional/use changes
- Consider which uses will be allowed/prohibited
- Draft Bylaw based on outcomes/answers to previous steps

***THANK YOU !!***