

## **RIO Bylaw Concept: Variable Density by Zoning District**

### **Problem:**

The current RIO Bylaw confers a max density of 24 units per acre, regardless of where the parcel is or what its underlying zoning density is. If a RIO is approved by Town Meeting under today's RIO Bylaw, the parcel will have the ability to have 24 units/acre – in perpetuity – even if a planned project on a RIO site is much less dense. This could mean 24 units/acre in a Single Residence 10 District that would otherwise have 4 or less units per acre allowed.

Some Town residents believe this higher density is not appropriate anywhere in a Single Residence ("SR" districts. Others would agree that 24 units/acre in SR districts is may be too dense, but lower levels of density would be appropriate (depending on the parcel and its location vis-à-vis the Commercial Districts). Further, many would agree that 24 units/acre in a Commercial District is considered more feasible and acceptable than in other zoning districts. Of course, in the end, the appropriateness – and Town Meeting's decision – is driven by the specifics of the individual site and what is planned.

### **Proposed Solution Idea in 2 sentences:**

Rather than have a blanket 24 units per acre max density for RIO overlays in every zoning district, the RIO bylaw could set the maximum density of a RIO based on the underlying zoning district. Further, it is appropriate to limit RIO applicability within Single Residence Districts to parcels in or near Commercial Districts.

### **How Would the Idea Work?**

The idea has two main tenets:

1. To be eligible for RIO, a parcel or parcels wholly or partially in a SR District must either directly abut a Commercial District or must be partially in a Commercial District; and
2. The maximum housing density of any RIO parcel is limited by the underlying/existing zoning, as per Table 1 below.

If a RIO parcel or parcels contain a mixture of underlying zoning districts, the max density of such a mixed-zoning parcel is either the weighted average of max densities of the parcel (i.e., proportional to the amount of land in each zoning district), OR the max density for each portion of the parcel must be consistent with max underlying zoning as defined in Table 1. (We may want to suggest adjustments to Table 1 if we collectively feel that a density of 2 in SR30 and SR40 could be higher, or if we want to ensure more choices with a density between the Commercial District 24 and the SR10 level of 6.)

## RIO Bylaw Concept: Variable Density by Zoning District

**Table 1: Housing Density by Zoning District Today vs. Proposed Variable**

<b>Example Zoning Districts</b>	<b>Current Max Housing Density</b> (ft <sup>2</sup> /unit) / (Units/Acre)	<b>Current RIO<sup>1</sup> Max Housing Density</b> (Units/Acre)	<b>Implied Incentive<sup>2</sup> "multiplier"</b>	<b>Potential Max Housing Density<sup>3</sup></b> (Units/Acre)
<b>Business / A</b>	2,500 / 17.4	24	1.4	<b>24</b>
<b>Industrial / A</b>	2,500 / 17.4	24	1.4	<b>24</b>
<b>Lower Falls Village</b>	2,500 / 17.4	24	1.4	<b>24</b>
<b>Wellesley Square<sup>4</sup></b>	1,800 / 24.2	24	0	<b>24</b>
<b>Educational / A / B</b>	2,500 / 17.4	24	1.4	<b>24</b>
<b>Limited Residence</b>	2,500 / 17.4	24	1.4	<b>24</b>
<b>Multi-Unit Residence</b>	3,000 / 14.5	24	1.7	<b>20</b>
<b>Town House<sup>5</sup></b>	4,000 / 10.9	24	2.2	<b>15</b>
<b>Gen Res<sup>6</sup></b>	10,000 / 8.7	24	2.8	<b>12</b>
<b>Gen Res<sup>7</sup></b>	6,000 / 7.3	24	3.3	<b>10</b>
<b>SR10</b>	10,000 / 4.4	24	5.5	<b>6</b>
<b>SR15</b>	15,000 / 2.9	24	8.3	<b>4</b>
<b>SR20</b>	20,000 / 2.2	24	11.0	<b>3</b>
<b>SR30</b>	30,000 / 1.5	24	16.5	<b>2</b>
<b>SR40</b>	40,000 / 1.1	24	22.0	<b>2</b>

<sup>1</sup> Assumes all other criteria and requirements for RIO are also met

<sup>2</sup> Density "multiplier" = the current RIO max of 24 units/acre divided by the density in the underlying zoning district.

<sup>3</sup> Using a multiplier of 1.4 to determine max additional density rather than a flat 24 (shaded in green)

<sup>4</sup> Wellesley Square already allows 1800 ft<sup>2</sup>/unit (24 units/acre) by Special Permit from the Planning Board.

<sup>5</sup> The Max density in Town House district requires 75% open space – lower max available with less open space.

<sup>6</sup> Gen Res district - assuming all 2-unit housing per lot.

<sup>7</sup> Gen Res district - assuming Town Houses with 25% affordable.

## **RIO Bylaw Concept: Variable Density by Zoning District**

### **Why?**

- Why it makes sense to have variable RIO density limits across the many Wellesley Zoning Districts.

The same housing density does not make sense to apply uniformly across the various Zoning Districts. Even if you prohibit RIO in SR Districts, the General Residence district density or the Town House district density is very different than Commercial District densities. RIO should not confer the same max density of 24 to every zoning district in the Town. A redevelopment and housing density overlay like RIO should better respect the original zoning limitations of the underlying districts.

The three hypothetical examples below demonstrate how a lower density than 24 might work in a few different parcels around Town. Each example shows what a hypothetical RIO would yield using a Variable Density approach instead of an across-the-board 24 units/acre max.

NOTE: None of the 3 parcels is owned by the Town of Wellesley. These are not suggested projects, but examples of how RIO might be useful zoning tool on different kinds of examples around Town.

- Why variable density might be preferable to a full prohibition of RIO in Single Residence Districts.

A variable max density proposal resolves the one-size-fits-all density limit problem noted above with a more flexible approach than an outright ban of the RIO overlay in a given district.

Consider Hypothetical Parcel Example 1, a property denied a RIO zoning map change by the 2024 Special Town Meeting. During the debate, many opponents opined that a much smaller development would be acceptable on the parcel. Yet the bylaw had no way for a smaller density to be regulatorily possible. With a variable density approach, embodied in Table 1 above, the property in question would have been limited to 6-8 units (depending how densities might be defined in mixed zoning parcels). A development of 8 or fewer Town Houses on the 1.07 acre parcel would have led to a different Town Meeting discussion, and potentially a different outcome, than the larger density project voted on.

Further, simply prohibiting RIO Single Residence Districts does not resolve the max density issue in any of the other districts where development at a density of 24 may be too much. Examples of non-SR districts include the Limited Residence District, which includes WHA Morton Circle, or the Admin & Professional district, which includes 888 Worcester Street. RIO can be a useful option in the “toolbox” in these other districts.

- Why couldn't a property owner redistrict a parcel rather than apply a RIO overlay?

A property owner can always seek to change the zoning of a parcel rather than seek an overlay zoning. That has always been the case. RIO is one of several approaches “in the toolbox” to enable a redevelopment-ripe parcel to have the zoning that best fits.

## **RIO Bylaw Concept: Variable Density by Zoning District**

### Hypothetical Example 1:

#### **6-14 Washington Court**

**Parcel size:** 1.07

**Narrative:** Subject of RIO application Fall 2024, denied by Town Meeting vote. Many project opponents wished a much smaller housing development might go there ... what would that look like? Also, example of a parcel with multiple zoning districts.

**Current Zoning:** SR10 (89%), Lower Falls Village Commercial (11%)

**Current Lot:** Consists of 1 2-unit dwelling and 2 unused industrial buildings.

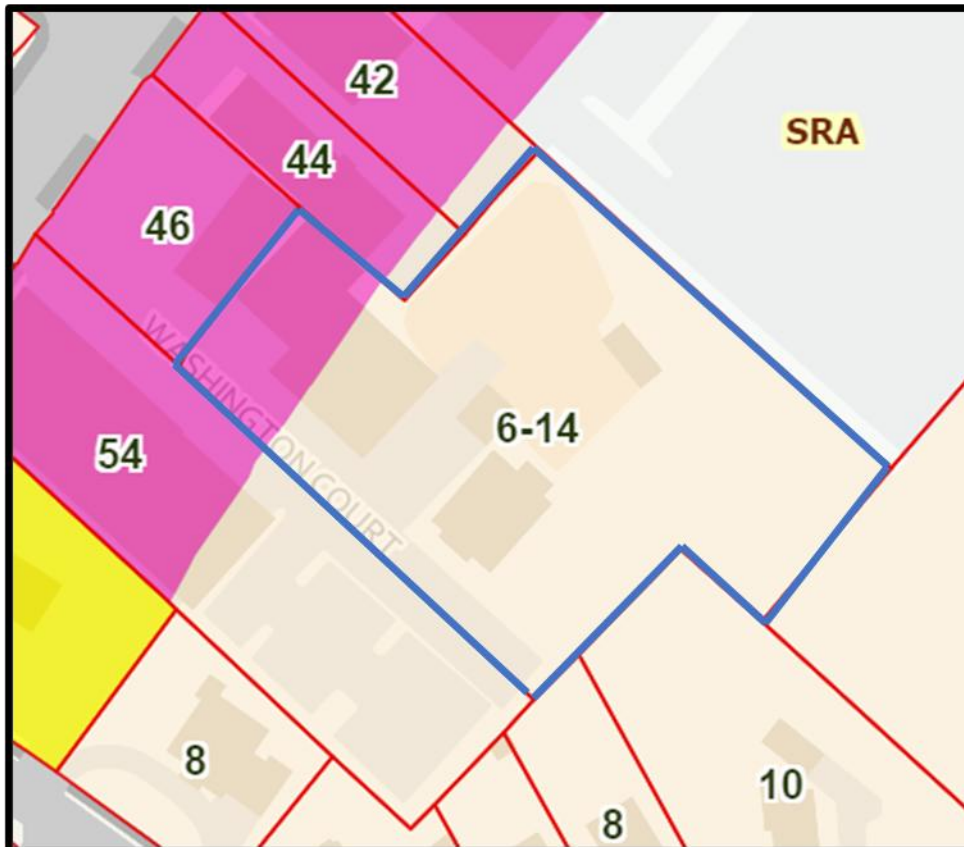
- Bounded on W side by gas station (LFVCD) and small office buildings (LFVCD)
- Bounded on N side by office complex paved parking lot (SRA)
- Bounded on E side by 2 S.F. houses + empty lot (SR10)
- Bounded on S side by medical office and Parking lot (LFVCD and SR10)

**Allowed Density Today:** 2-3 Single Family Houses (depends on other restrictions like frontage)

**Allowed Density with Current RIO Bylaw:** 24 units/acre (or 25 units on this site)

**Potential Allowed Density with Proposal**

- 6 Units per/acre – **6 Units** (If max density = the lowest zoning district in the parcel)
- 8 Units per/acre – **8 Units** (If max density = a weighted average of zoning in the parcel)



## **RIO Bylaw Concept: Variable Density by Zoning District**

### Hypothetical Parcel Example 2:

#### **14 Minuteman Lane**

**Narrative:** Old Wellesley Armory, owned by the Commonwealth of Massachusetts. No longer used as an armory, but currently (lightly) occupied by a state agency for office space. What if we found a way to develop this parcel as part of a redevelopment of the Barton Road / Cedar St. village?

**Parcel size:** 7.01 Acres

**Current Zoning:** SR10

**Current Lot:** Consists of 1 2-unit dwelling and 2 unused industrial buildings.

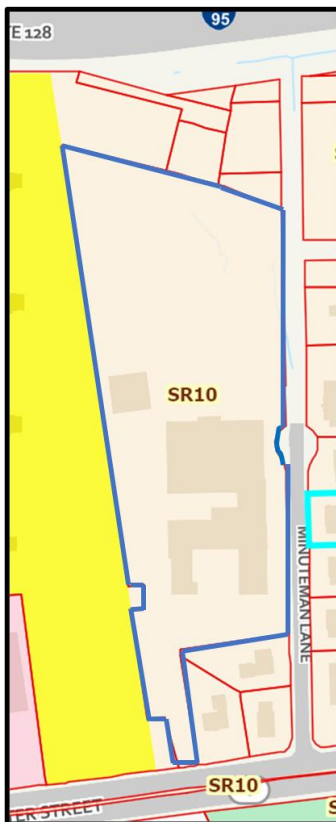
- Bounded on W WHA/Barton Road (Gen Res)
- Bounded on N side by very small Town Park Land (SR10)
- Bounded on E side by S.F. houses along E side of Minuteman Lane (SR10)
- Bounded on S side by S.F. houses and Route 9 (SR10)

**Allowed Density Today:** Theoretically up to **30 units of** Single-Family Housing (likely significantly fewer to meet frontage and other lot requirements)

**Allowed Density with Current RIO Bylaw:** 24 units/acre (or **168 units** on this site)

**Potential Allowed Density with Proposal**

- 6 Units per/acre – **42 Units**



## **RIO Bylaw Concept: Variable Density by Zoning District**

### **Hypothetical Parcel Example 3:**

#### ***219 Washington Street***

**Narrative:** Wellesley Community Center: mixed use (small offices and community space) owned by Wellesley Friendly Aid Association. Not used as much as it used to be. Talk of Housing here in Housing Production Plan, but owner currently not interested in redeveloping. (Not including adjacent Historical Society house also owned by Friendly Aid).

**Parcel size:** est. 1.83 Acres (79,900 square feet)

**Current Zoning:** General Residence

**Current Lot:** Consists of 1 2-unit dwelling and 2 unused industrial buildings.

- Bounded on W side by Town offices / Municipal Way (SR15)
- Bounded on N side by Wellesley Hills Congregational Church (SR10)
- Bounded on E side by Wellesley Hills Congregational Church (SR10)
- Bounded on S side by Route 9 ramp and Stanwood House / Wellesley Friendly Aid (Gen Res)

#### **Allowed Density today:**

- 8.7 Units per/acre (2-unit housing cluster) – **16 Units**
- 7.3 Units per/acre (Town Houses with 25% affordable) -- **13 Units**

**Allowed Density with Current RIO Bylaw:** 24 units/acre (or **44 units** on this site)

#### **Potential Allowed Density with Proposal**

- 12 Units per/acre (2-unit housing cluster) – **22 Units**
- 10 Units per/acre (Town Houses with 25% affordable) -- **18 Units**

