



Report of the Arlington Redevelopment Board to the 2006 Annual Town Meeting

Below the Board lists the warrant articles on which it is required to issue a recommendation. Each article is briefly explained and is followed by the Board's vote. The Board's vote was unanimous on each one of its recommendations. Town Meeting members should take particular note that the recommendation of the Redevelopment Board, not the original warrant article, is the motion that will be considered by the Town Meeting. A vote of "no action" means that the Town Meeting will be asked to vote that no action be taken on the proposed warrant article. Sometimes the recommended vote shown in this report differs slightly from the warrant article. This occurs when errors are discovered or testimony at the public hearing convinces the Board that a change should be made. In such cases, the changes must not differ from the original to the extent that the scope of the warrant article is changed. When there is question about the scope, the Town Moderator will make the judgment. Any changes to an article are noted in the votes shown below.

The Arlington Redevelopment Board held a public hearing on April 3, 2006. In all illustrations of the amended bylaw sections below, underlined text indicates additions and ~~struck through~~ text indicates deletions.

ARTICLE 5

CLUSTER RESIDENTIAL DEVELOPMENT

This zoning bylaw amendment was submitted by the Redevelopment Board and would create a way to preserve open space or a significant structure when a large property is developed. The provision would allow greater flexibility in the siting of residential structures on lots that are large enough for 2 or more units. Rather than subdividing a property into legal sized lots and likely demolishing an older structure, it allows the clustering of structures in such a way that there could be more useable open space, or that a significant structure could be saved in its

present location. The total number of units allowed on a lot would be unchanged by this provision. Any cluster development would require review by the Redevelopment Board, under Environmental Design Review. The article was created in response to recent proposals that involved moving or removing existing structures to allow new development.

Following the public hearing, changes were proposed to the original amendment that limited the zoning districts in which Cluster Development was allowed, and the types of dimensional regulations that could be changed (see below). After testimony at the public hearing and extensive discussion, the Board voted to recommend **No Action** on this amendment. While the Board thinks the proposal has merit, it felt that more study was needed before recommending this change to the bylaw.

VOTE:

No action.

The Board invites your comments on the proposal and for purpose of discussion – though, not at Town Meeting – the text of the proposal in its last iteration is reproduced below.

Proposal for Discussion:

In Article 2. DEFINITIONS, following the definition for “Certificate of Occupancy”, add:

“Cluster Development:

A residential development in which the buildings are clustered together with reduced lot sizes, or on a single lot, in order to preserve open space or significant structures. The number of units in a Cluster Development shall not exceed the number of units allowed by right. The maximum number of units allowed by right shall be determined by first developing a “Yield Plan” showing the maximum number of dwelling units that could be placed upon the site under conventional zoning, taking into consideration any undevelopable land, such as wetlands, and any roads needed to provide access and frontage. A Cluster Development may include single-family, two-family, duplex, three-family, townhouse, or apartment uses.”

In Section 5.04 TABLE OF USE REGULATIONS, add:

“Use 1.14, Cluster Development, by Special Permit in the following zones: R0, R1, R2,” , and

In Section 6.00, TABLE OF DIMENSIONAL AND DENSITY REGULATIONS

Under District R0, following “Single-family detached dwelling”, add:

“Cluster Development^T” with the following values in the columns labeled

“Lot Requirements, Minimum Size, Sq. Ft. 18,000; Frontage 75

Intensity of Development, Floor Area Ratio Maximum NA; Lot Coverage Maximum Percent 35%;

Minimum Lot Area Per Dwelling Unit, Sq. Ft. 9000

Minimum Yard, Ft. Front 25; Side 10; Rear 20

Maximum Height Stories 2 ½; Feet 35

Open Space Minimum Percent of Gross Floor Area Landscaped 10%; Usable 30%” and

Under District R1, following Single family detached dwelling, add:

“Cluster Development^T” with the following values in the columns labeled

“Lot Requirements, Minimum, Size, Sq. Ft. 12,000; Frontage 60

Intensity of Development, Floor Area Ratio Maximum NA; Lot Coverage Maximum Percent 35%;

Minimum Lot Area Per Dwelling Unit, Sq. Ft. 6000
Minimum Yard, Ft. Front 25; Side 10; Rear 20
Maximum Height Stories 2 ½; Feet 35
Open Space Minimum Percent of Gross Floor Area Landscaped 10%; Usable 30%”, and

Under District R2, following Single family detached dwelling, two-family dwelling or duplex house add:

“Cluster Development^T”

“Lot Requirements, Minimum, Size, Sq. Ft. 12,000; Frontage 60
Intensity of Development, Floor Area Ratio Maximum NA; Lot Coverage Maximum Percent 35%;

Minimum Lot Area Per Dwelling Unit, Sq. Ft. 3000

Minimum Yard, Ft. Front 20; Side 10; Rear 20

Maximum Height Stories 2 ½; Feet 35

Open Space Minimum Percent of Gross Floor Area Landscaped 10%; Usable 30%”, and

in Footnotes to Table of Dimensional and Density Regulations, add:

“T The Redevelopment Board, in evaluating a proposal for Cluster Development, may by Special Permit adjust the required yard setbacks between buildings, but not between the buildings and abutting lots or streets, in order to encourage preservation of open space or significant structures.”, and

in Article 6, DIMENSIONAL AND DENSITY REGULATIONS, insert a new paragraph

“Section 6.31 - Protection of Open Space in Cluster Residential Developments

Open space in Cluster Residential Developments shall either be conveyed to the Town and accepted by it for park or open space use, or be conveyed to a non-profit organization the principal purpose of which is the conservation of open space, or be conveyed to a corporation or trust owned or to be owned by the owners of lots or residential units within the plot. If such a corporation or trust is utilized, ownership thereof shall pass with conveyances of the lots or residential units. In any case where such land is not conveyed to the Town, a restriction enforceable by the Town shall be recorded providing that such land shall be kept in an open or natural state and not be built upon for residential use or developed for accessory uses such as parking or roadway.”, and

in Section 11.06, Environmental Design Review, subsection b. APPLICATION, add:

“(i) Cluster Development.”

ARTICLE 6 ZONING BYLAW AMENDMENT / OPEN SPACE DISTRICT

This article was proposed by the Redevelopment Board and is intended to correct an oversight that occurred when the Open Space District was created in 2001. We forgot to include parking as an allowed use in the district. The district contains passive and active recreational and natural resource properties owned by the Town of Arlington. The spaces are sometimes “neighborhood” in use, but frequently they serve every age group and recreational use, including organized sports where teams come from outside of the area to play. Open space advocates expressed concern about the potential loss of our limited open and recreational land to supply parking and also that the “neighborhood” feel to these spaces would be lost if part of the space were used for parking. While there is an obvious need for parking at some open spaces, it is inappropriate at others. For this reason the Redevelopment Board recommends that parking be a special permit use subject to

Environmental Design Review. The underlined text, below, indicates a change from the language in the warrant.

VOTE:

That the Town vote to amend the Zoning Bylaw in Article 5 to allow accessory off-street parking by special permit in the Open Space District. To accomplish this, add the letters “SP” in the column for the “OS” district in the row for use 8.11 (Accessory off-street parking...) in Section 5.04, The Table of Use Regulations, and in Section 11.06, b, by adding a new subparagraph as follows, “3. Parking in the open space district shall be subject to the environmental design review procedures and standards hereinafter specified.”

or take any other action related thereto.

AMENDED BYLAW: (Changes underlined)
SECTION 5.04 - TABLE OF USE REGULATIONS (Continued)

		District													
		R0	R1	R2	//	B2	B2A	B3	B4	B5		MU	PUDI	T	OS
ART 15, ATM 5/91; ART 4, STM 5/97; ART. 14, ATM 4/01; ART. 2, STM 9/04	Principal Use				//										
ART. 14, ATM 4/93	8.11 Accessory off-street parking and loading spaces conforming to the provisions of Article 8	Yes	Yes	Yes	//	Yes	Yes	Yes	Yes	Yes		Yes	Yes	Yes	<u>SP</u>

Section 11.06 - Environmental Design Review

- a. PURPOSE.
- b. APPLICATION.

ART. 74, ATM 3/77; ART. 80, ATM 4/80; ART. 8, ATM 4/94; ART. 11, STM 5/97; ART. 9, ATM 4/98

1. In any instance where a new structure, or a new outdoor use, or an exterior addition or a change in use a) requires a building permit, b) is subject to a special permit in accordance with Section 5.04, structure, and c) is one of the uses included in subparagraphs (a), (b), (c), (d), (e), (f), (g), or (h) below, the aforementioned special permit shall be acted upon by the Arlington Redevelopment Board in accordance with the environmental design review procedures and standards hereinafter specified.
 - (a)...
 - (b)...
 - etc.
2. Any use permitted as a right or by special permit in the Planned Unit Development District and the Multi-Use District shall be subject to the environmental design review procedures and standards hereinafter specified.
3. Parking in the open space district shall be subject to the environmental design review procedures and standards hereinafter specified.