



**Report of the Arlington Redevelopment Board to the  
2016 Annual Town Meeting  
April 25, 2016**

The Arlington Redevelopment Board (ARB), acting as the Town's planning board, is required to issue a report with recommendations to the Town Meeting on each warrant article that proposes to amend the "Town of Arlington Zoning Bylaw." The ARB must first hold an advertised public hearing on each such warrant article. The advertisements appeared in the "Arlington Advocate" as required on March 3, and March 10, 2016. The public hearing was held on Monday, March 21, 2016. At its meeting on March 21, 2016 the ARB voted on the recommended bylaw language shown below. The Board's vote was unanimous for each zoning warrant article. This report to the Annual Town Meeting was approved at the April 11, 2016 ARB meeting.

Appearing below are the twelve (12) articles that propose amendments to the Zoning Bylaw. The intent of each article is briefly explained, followed by the ARB's vote on each article, which constitutes its recommendation. Town Meeting members should take particular note of the fact that the recommendations of the ARB, and not the original warrant articles, are the actual motions that will be considered by the Town Meeting. An ARB vote of "no action" means that the Town Meeting will be asked to vote that no action be taken on the proposed warrant article.

Warrant article language may be quite general or very specific. The vote, however, must be specific in order to precisely tell how the Zoning Bylaw will be modified. Even when the language in the warrant is specific, the vote or recommendation shown in this report may differ slightly from the warrant language. This occurs when errors are discovered, or testimony at the public hearing convinces the ARB that a change from the original warrant article should be recommended. In such cases, the recommended change cannot exceed the scope of the original warrant article. When there is question about the scope of the change, the Town Moderator will determine whether the change exceeds the scope of the original warrant article. Changes to the Zoning Bylaw text are shown beneath the recommended votes. Additions to the original Zoning Bylaw text appear as underlined text, while any deletions to the original Zoning Bylaw text appear as ~~strike-through~~ text.



Article 6 amends the Zoning Bylaw to allow mixed-use development by special permit focused along commercial corridors (primarily Mass. Ave. and Broadway), to foster vibrancy and fiscal health in our commercial areas and on Town revenues. A mixed-use building may have retail or another commercial use on the first floor and office or residential on the upper floors. The Article will also allow and encourage new kinds of businesses, (anything from food processing to artist spaces) in Arlington's commercial and industrial zones.

Arlington's current Zoning Bylaw makes developing mixed-use very difficult due to conflicting requirements regarding setbacks and parking. For instance, an apartment house in the Village Business District or Central Business District is required to be set back a minimum of 15 feet from the sidewalk, while a retail building can be built up to the sidewalk. Under current zoning, mixed-use development must meet all requirements for both uses. The result is that property owners tend to convert business uses to residential uses, with no commercial use on the first floor. Conversion to residential use is allowed by special permit. With the incentives provided in this zoning bylaw amendment, and the elimination of the disincentives, it may prove less attractive to convert uses from commercial to residential; the end result would be maintaining our commercial spaces and uses.

Communities throughout Massachusetts are embracing mixed-use as a way to foster growth and support their downtowns with minimal disruption to their residential neighborhoods. Mixed-use development offers several advantages. It promotes new development where there is already infrastructure, rather than in open and undeveloped areas. It revitalizes commercial districts by providing customers for local businesses, restaurants, and theaters and by tapping into unrealized development potential. It adds to social interaction and helps create and sustain cultural opportunities and vibrancy. Residential units in downtowns create housing opportunities near transit and amenities. Such units may be smaller, and therefore more affordable, and may serve smaller households. This reduces congestion, pollution, and the amount of land needed for parking.

ARB vote: The Redevelopment Board voted unanimously (4-0) to recommend the following Article, to encourage development and growth along commercial corridors, making commercial areas more inviting for owners, and being mindful of height and massing, for an improved streetscape. The Board noted that the amendment will encourage street life and activity in commercial areas, and encourage a mix of businesses and residences as part of the new economy. The Board noted that the special permit requirement allow the ARB to ensure development is in keeping with the intent of the zoning.

VOTED: That the Zoning Bylaw be and hereby is amended by:

**Amending Article 2, Definitions, Section 2.01 General with the following text changes:**

Following the definition of "ARB":

Artisanal Fabrication:

Production of goods by the use of hand tools or small-scale, light mechanical equipment occurring solely within an enclosed building where such production requires no outdoor operations or storage, and where the production, operations, and storage of materials related to production occupy no more than 5,000 square feet of gross floor area. Typical uses have minimal negative impact on surrounding properties and include, but are not limited to, woodworking and cabinet shops, ceramic studios, jewelry manufacturing and similar types of arts and crafts, production of alcohol, or food processing.

Artistic/Creative Production:

Creation, production, manufacture, distribution, publishing, rehearsal, performance, broadcast, selling, or teaching of the visual arts, performing arts, applied arts, literature, heritage, media, music, information technology, communications media, or digital content & applications; or the invention, design, prototyping, or fabrication, assembly, and packaging of parts for further assembly or consumer goods for sale.

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Following the definition of "Building, Setback Line":

Building Step Back:

Upper story building setback provided along all building elevations with street frontage, excluding alleys.

...

Following the definition of "Membership Club":

Mixed-use:

A Combination of two or more distinct land uses, such as commercial, lodging, research, cultural, artistic/creative production, artisanal fabrication, residential in a single multi-story structure to maximize space usage and promote a vibrant, pedestrian-oriented live-work environment.

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**Amending Article 3, Establishment of Districts, Section 3.02 Description of Zoning Districts, by adding the following underlined sentences or phrases.**

**B1 - Neighborhood Office District**

The Neighborhood Office District is composed of all those areas so designated on the official zoning map. Predominant uses include one- and two-family residences, houses with offices on the ground floor, or office structures which are in keeping with the scale of adjacent houses. With most locations on or adjacent to Massachusetts Avenue, the district is intended to encourage preservation of small-scale structures to provide contrast and set off the higher density, more active areas along the Avenue. Uses which would detract from the desired low level of activity, consume large amounts of land, or otherwise interfere with the

intent of this bylaw, are discouraged. Mixed-use structures without retail space are allowed in this district.

#### B2 - Neighborhood Business District

The Neighborhood Business District is composed of all those areas so designated on the official zoning map. Predominant uses include small retail and service establishments serving the needs of adjacent neighborhoods and oriented to pedestrian traffic. Locations are almost all along Massachusetts Avenue or Broadway. Uses which would detract from this small-scale business character, or otherwise interfere with the intent of this bylaw are discouraged. Mixed-use structures are allowed in this district.

#### B2A - Major Business District

The major Business District is composed of all those areas so designated on the official zoning map. Located along Massachusetts Avenue, Mill Street, Summer Street and Broadway, these areas generally contain uses that are retail and service to serve the needs of a large neighborhood area. Customers generally arrive by car so there is ample parking to serve the retailer. Housing is also permitted at a medium density due to the proximity of the zone to residential uses. Mixed-use structures are allowed in this district. Automotive uses; some office uses, wholesale business and storage uses are prohibited.

#### B3 - Village Business District

The Village Business District is composed of all those areas so designated on the official zoning map. Predominant uses include retail, service and office establishments catering to both convenience and comparison-goods shoppers and oriented to pedestrian traffic. ~~Multi-use development is encouraged, such as retail with office or business and residential.~~ Mixed-use structures are allowed and encouraged in this district. The three locations include portions of the principal business areas of Arlington: Lake Street, Arlington Center, and Arlington Heights. Businesses which consume large amounts of land and activities which interrupt pedestrian circulation and shopping patterns or otherwise interfere with the intent of this bylaw are discouraged.

#### B4 - Vehicular Oriented Business District

The Vehicular Oriented Business District is composed of all those areas so designated on the official zoning map. Uses include establishments primarily oriented to automotive traffic which require large amounts of land in proportion to building coverage; or establishments devoted to the sale or servicing of motor vehicles, the sale of vehicular parts and accessories, and service stations. Arlington has an overabundance of automotive and automotive accessory sales and service establishments; thus when one of these businesses closes, the conversion of the property to other retail, service, office or residential use is encouraged, particularly as part of mixed-use development, which is allowed in this district.

#### B5 - Central Business District

The Central Business District is composed of all those areas so designated on the official zoning map in Arlington Center. It includes retail, service, and office uses, and provides for large-scale development. The scale is intended to reinforce the Center's role as the focus of activity in Arlington. ~~Multi-use~~ Mixed-use development is encouraged, such as the combining of residential and business uses. Activities shall be oriented to pedestrian traffic and to centralized parking. Businesses which consume large amounts of land and interrupt pedestrian circulation and shopping patterns or otherwise interfere with the intent of this bylaw are discouraged.

#### I - Industrial District

The Industrial District is composed of all those areas so designated on the official zoning map. These areas in the Mill Brook Valley allow uses requiring the manufacture, assembly, processing or handling of materials which because of their traffic, noise, appearance, odor, or hazards would be disruptive to residential and other business uses. Residential uses, retail business uses, or uses which would otherwise interfere with the intent of this bylaw are discouraged. Mixed-use development is allowed in this district, without residential space.

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#### **Amending Section 4.04 – Mixed-use Multiple Business Uses**

Other than mixed-use, ~~in~~ in cases of ~~mixed-occupancy~~ multiple business uses on a single lot, the regulation for each use shall apply to the portion of the building or land so used.

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#### **Amending Section 5.04 Table of Use Regulations**

Note: Yes - permitted as a right      SP - special permit      Blank - not permitted

SECTION 5.04 - TABLE OF USE REGULATIONS

SECTION 5.04 - TABLE OF USE REGULATIONS (Continued)

District

Principal Use		R0	R1	R2	R3	R4	R5	R6	R7	B1	B2	B2A	B3	B4	B5	MU	PUD	I	T	OS	
6.23	Technical Offices including offices with: extensive data processing facilities; laboratories and testing facilities; or offices with minor assembly or fabrication activities provided that the activities occupy no more than 25 percent of the floor area. For uses in this category any noise, gas, odor, bright light, dust, vibration or electro-magnetic radiation shall be confined within a building							SP	SP	SP			SP	SP	SP						
ART. 6, ATM 4/14																					
7.10	Medical Marijuana Treatment Center Permitted as such by the Arlington Board of Health												SP		SP						
<b>7.11</b>	<b>Artisanal Fabrication</b>									<b>SP</b>	<b>SP</b>	<b>SP</b>	<b>SP</b>	<b>SP</b>	<b>SP</b>			<b>SP</b>	<b>SP</b>	<b>Yes</b>	
<b>7.12</b>	<b>Artistic/Creative Production</b>									<b>SP</b>	<b>Yes</b>	<b>Yes</b>	<b>Yes</b>	<b>Yes</b>	<b>Yes</b>			<b>SP</b>	<b>SP</b>	<b>Yes</b>	
<b>7.13</b>	<b>Mixed-use</b>									<b>SP</b>	<b>SP</b>	<b>SP</b>	<b>SP</b>	<b>SP</b>	<b>SP</b>			<b>SP</b>	<b>SP</b>	<b>SP</b>	<b>(d)</b>

<sup>(d)</sup> Mixed-use in Industrial Zones shall not include residential uses.

**Amending ARTICLE 6 Section 6, Table of Dimensional and Density Regulations**

**SECTION 6.00 - TABLE OF DIMENSIONAL AND DENSITY REGULATIONS (Continued)**

Dis- trict	Use	Intensity of Development				Minimum Lot Area per Dwelling Unit, Sq. Ft.	Minimum Yard, Ft. <sup>P</sup>			Height Maximum		Open Space Minimum Percent of Gross Floor Area	
		Lot Requirements, Minimum <sup>M</sup> Size, Sq. Ft.	Frontage, Ft.	Fl. Area Ratio Maximum	Lot Coverage Maximum Percent		Front <sup>E</sup>	Side <sup>E</sup>	Rear <sup>E</sup>	Stories	Feet <sup>G</sup>	Landscaped	Usable
ART. 8, STM 3/85; ART. 11, ATM 4/98													
B1	Single-family detached dwelling, two-family dwelling, duplex house, three-family dwelling <sup>QR</sup>	6,000	60	0.75	NA	2,500	20	10	20	2-1/2	35	10%	30%
	<b>Mixed-use</b>	<b>-</b>	<b>50</b>	<b>0.75</b>	<b>NA</b>	<b>2,500</b>	<b>20</b>	<b>10</b>	<b>20</b>	<b>3</b>	<b>35</b>	<b>10%</b>	<b>-</b>
	Any other permitted uses	5000	50	0.75	NA	2,500	20	10	20	3	35	10%	-
ART. 6, ATM 5/04													
B2	Single-family detached dwelling, two-family dwelling, duplex house, three-family dwelling <sup>QR</sup>	6,000	60	0.75	NA	2,500	20	10	20	2-1/2	35	10%	30%
ART. 81, ATM 4/80													
	Building with a principal use of townhouse structure or apt. house	5,000	50	1.00	NA	1,450	20	10	20	3	35	10%	20%
	<b>Mixed-use</b>	<b>-</b>	<b>50</b>	<b>1.50</b>	<b>NA</b>	<b>1,450</b>	<b>-</b>	<b>-</b>	<b>10+(L/10)</b>	<b>4<sup>T</sup></b>	<b>50</b>	<b>10%</b>	<b>-<sup>H</sup></b>
									<b>3</b>		<b>40</b>		
		<b>&gt;20,000</b>	<b>50</b>	<b>1.00</b>	<b>NA</b>	<b>1,450</b>	<b>0</b>	<b>0</b>	<b>10+(L/10)</b>	<b>4<sup>T</sup></b>	<b>50</b>	<b>10%</b>	<b>-<sup>H</sup></b>
									<b>3</b>		<b>40</b>		
	Any other permitted use	-	50	1.00	NA	1,450	0	0	10+(L/10)	3	35	10%	- <sup>H</sup>



**SECTION 6.00 - TABLE OF DIMENSIONAL AND DENSITY REGULATIONS (Continued)**

Dis- trict	Use	Lot Requirements, Minimum <sup>M</sup>		Intensity of Development			Minimum Yard, Ft. <sup>P</sup>			Height Maximum		Open Space Minimum Percent of Gross Floor Area	
		Size, Sq. Ft.	Frontage, Ft.	Fl. Area Ratio Maximum	Lot Coverage Maximum Percent	Area per Dwelling Unit, Sq. Ft.	Front <sup>E</sup>	Side <sup>E</sup>	Rear <sup>E</sup>	Stories	Feet <sup>G</sup>	Landscaped	Usable
ART. 8, STM 3/85; ART. 11, ATM 4/98													
ART.6, ATM 5/04													
B2A	Single-family detached dwelling, two-family dwelling, duplex house, three-family dwelling <sup>QR</sup>	6,000	60	0.75	NA	2,500	20	10	20	2-1/2	35	10%	30%
ART. 4, ATM 4/97													
	Apartment house fronting on a street with a right-of-way width of 50 feet or less	20,000	100	0.80	NA	1,450	15	10+(L/10)	30	3	35	10%	25%
	Apartment house fronting on a street wider than 50 feet	20,000	100	1.20 <sup>F</sup>	NA	700	15+(H/10)	(H+L)/6 at least 30 ft.	(H+L)/6	4	40 25	10%	20%
<b>Mixed-use</b>		-	50	1.50	NA	700	0	0	10+(L/10)	5 <sup>T</sup>	60		
									4 <sup>T</sup>		50		
		>20,000	50	1.00	NA	700	0	0	10+(L/10)	4 <sup>T</sup>	50	10%	- <sup>H</sup>
									3		40		
	Any other permitted use	-	50	1.00	NA	NA	-	-	10+(L/10)	3	35	10%	- <sup>H</sup>

**SECTION 6.00 - TABLE OF DIMENSIONAL AND DENSITY REGULATIONS (Continued)**

Dis- trict	Use	Lot Requirements, Minimum <sup>M</sup>			Intensity of Development			Minimum Yard, Ft. <sup>P</sup>			Height Maximum		Open Space Minimum Percent of Gross Floor Area	
		Size, Sq. Ft.	Frontage, Ft.	Fl. Area Ratio Maximum	Lot Coverage Maximum Percent	Minimum Lot Area per Dwelling Unit, Sq. Ft.	Front <sup>E</sup>	Side <sup>E</sup>	Rear <sup>E</sup>	Stories	Feet <sup>G</sup>	Landscaped	Usable	
ART. 8, STM 3/85; ART. 11, ATM 4/98														
ART.6, ATM 5/04														
B3	Single-family detached dwelling, two-family dwelling, duplex house, three-family dwelling <sup>QR</sup>	6,000	60	0.75	NA	2,500	20	10	20	2-1/2	35	10%	30%	
ART.81, ATM 4/80														
	Building with a principal use of a town house structure or apartment house	20,000	100	1.40	NA	600	15+(H/10)	(H+L)/6	(H+L)/6 3	5	60 40	10%	20%	
<b>Mixed-use</b>		<b>-</b>	<b>50</b>	<b>1.50</b>	<b>NA</b>	<b>600</b>	<b>0</b>	<b>0</b>	<b>(H+L)/6</b>	<b>5<sup>T</sup></b>	<b>60</b>			
									<b>4<sup>T</sup></b>		<b>50</b>			
		<b>&gt;20,000</b>	<b>50</b>	<b>1.40</b>	<b>NA</b>	<b>600</b>	<b>0</b>	<b>0</b>	<b>(H+L)/6</b>	<b>5</b>	<b>60</b>	<b>10%</b>	<b>-<sup>H</sup></b>	
									<b>3</b>		<b>40</b>			
Any other permitted use														
		-	50	1.00	NA	600	-	-	(H+L)/6 3	5	60 40	20%	-	
		20,000	100	1.40	NA	600	-	-	(H+L)/6 3	5	60 40	10%	- <sup>H</sup>	

**SECTION 6.00 - TABLE OF DIMENSIONAL AND DENSITY REGULATIONS (Continued)**

Dis- trict	Use	Lot Requirements, Minimum <sup>M</sup>		Intensity of Development			Minimum Yard, Ft. <sup>P</sup>			Height Maximum		Open Space Minimum Percent of Gross Floor Area	
		Size, Sq. Ft.	Frontage, Ft.	Fl. Area Ratio Maximum	Lot Coverage Maximum Percent	Area per Dwelling Unit, Sq. Ft.	Front <sup>E</sup>	Side <sup>E</sup>	Rear <sup>E</sup>	Stories	Feet <sup>G</sup>	Landscaped	Usable
ART. 8, STM 3/85; ART. 11, ATM 4/98													
ART.6, ATM 5/04													
B4	Single-family detached dwelling, two-family dwelling, duplex house, three-family dwelling <sup>QR</sup>	6,000	60	0.75	NA	2,500	20	10	20	2-1/2	35	10%	30%
	Apartment house fronting on street with a right-of-way width of 50 ft. or less	20,000	100	0.80	NA	1,450	15	10+(L/10)30		3	35	10%	25%
ART. 92, ATM 3/79													
	Apartment house fronting on street wider than 50 ft.	20,000	100	1.20 <sup>F</sup>	NA	700	15+(H/10)(H+L)/6(H+L)/6 at least 30 ft.			4	40 25	10%	20%
<b>Mixed-use</b>		-	<b>50</b>	<b>1.50</b>	<b>NA</b>	<b>700</b>	<b>0</b>	<b>0</b>	<b>10+(L/10)</b>	<b>5<sup>T</sup></b>	<b>60</b>		
									<b>4<sup>I</sup></b>		<b>50</b>		
		<b>&gt;20,000</b>	<b>50</b>	<b>1.00</b>	<b>NA</b>	<b>700</b>	<b>0</b>	<b>0</b>	<b>10+(L/10)</b>	<b>4<sup>T</sup></b>	<b>50</b>	<b>10%</b>	<b>-<sup>H</sup></b>
									<b>3</b>		<b>40</b>		
	Any other permitted use	-	50	1.00	NA	NA	-	-	10+(L/10)	3	35	10%	- <sup>H</sup>

**SECTION 6.00 - TABLE OF DIMENSIONAL AND DENSITY REGULATIONS (Continued)**

Dis- trict	Use	Lot Requirements, Minimum <sup>M</sup>		Fl. Area Ratio Maximum	Lot Coverage Maximum Percent	Intensity of Development		Minimum Yard, Ft. <sup>P</sup>			Height Maximum		Open Space Minimum Percent of Gross Floor Area	
		Size, Sq. Ft.	Frontage, Ft.			Area per Dwelling Unit, Sq. Ft.	Front <sup>E</sup>	Side <sup>E</sup>	Rear <sup>E</sup>	Stories	Feet <sup>G</sup>	Landscaped	Usable	
ART. 8, STM 3/85; ART. 11, ATM 4/98														
B5	Single-family detached dwelling, two-family dwelling, duplex house, three-family dwelling <sup>QR</sup>	6,000	60	0.75	NA	2,500	20	10	20	2-1/2	35	10%	30%	
ART. 92, ATM 3/79; ART. 81, ATM 4/80; ART. 16, STM 3/87														
	Building with a principal use of a town house structure or apartment house	20,000	100	1.50	NA	550	15+(H/10)	(H+L)/6 at least 20 ft.	(H+L)/6 at least 20 ft.	NA	75 <sup>N</sup> 40	10%	15%	
	<b>Mixed-use</b>	-	<b>50</b>	<b>1.80</b>	<b>NA</b>	<b>700</b>	<b>0</b>	<b>0</b>	<b>10+(L/10)</b>	<b>5<sup>T</sup></b>	<b>60</b>			
									<b>4<sup>T</sup></b>		<b>50</b>			
		<b>&gt;20,000</b>	<b>50</b>	<b>1.40</b>	<b>NA</b>	<b>700</b>	<b>0</b>	<b>0</b>	<b>10+(L/10)</b>	<b>5<sup>T</sup></b>	<b>60</b>	<b>10%</b>	<b>-</b>	
									<b>3</b>		<b>40</b>			
ART. 5, STM 3/81														
	Any other permitted use	-	50	1.40 <sup>I</sup>	NA	600	-	-	(H+L)/6 3	5	60 40	10%	- (20% for residen- tial use)	
ART. 16, STM 3/87														
		40,000	100	1.50 <sup>I</sup>	NA	550	-	-	(H+L)/6	NA	75 <sup>N</sup> 40	10%	- <sup>H</sup>	
ART. 16, STM 3/87														
		80,000	150	1.80 <sup>I</sup>	NA	550	-	-	(H+L)/6	NA	75 <sup>N</sup> 40	10%	- <sup>H</sup>	

**SECTION 6.00 - TABLE OF DIMENSIONAL AND DENSITY REGULATIONS (Continued)**

Dis- trict	Use	Lot Requirements, Minimum <sup>M</sup>		Fl. Area Ratio Maximum	Lot Coverage Maximum Percent	Intensity of Development			Height Maximum		Open Space Minimum Percent of Gross Floor Area		
		Size, Sq. Ft.	Frontage, Ft.			Area per Dwelling Unit, Sq. Ft.	Minimum Yard, Ft. <sup>P</sup>	Side <sup>E</sup>	Rear <sup>E</sup>	Stories	Feet <sup>G</sup>	Landscaped	Usable
ART. 8, STM 3/85; ART. 11, ATM 4/98													
I	All permitted uses	-	-	1.50	NA	NA	10 <sup>J</sup>	10 <sup>J</sup>	10 <sup>J</sup>	4 3	52 39	-	-
<b>Mixed-use</b>		<b>-</b>	<b>-</b>	<b>1.50</b>	<b>NA</b>	<b>NA</b>	<b>10<sup>J</sup></b>	<b>10<sup>J</sup></b>	<b>10<sup>J</sup></b>	<b>4<sup>T</sup></b> <b>3</b>	<b>52</b> <b>39</b>	<b>-</b>	<b>-</b>
ART. 5, ATM 4/00													
T	Uses 4.01, 5.01, 5.05 5.09, 8.17	6,000	60	0.35	NA	NA	25	10	20	2-1/2	35	30%	-
ART. 92, ATM 3/79, ART. 43, STM3/82													
PUD	All permitted uses	200,000 <sup>K</sup>	-	0.80	NA	NA	(See Section 6.28)			NA <sup>L</sup>	85 40	(See Sect. 6.30)	
<b>Mixed-use</b>		<b>200,000<sup>K</sup></b>	<b>-</b>	<b>0.80</b>	<b>NA</b>	<b>NA</b>	<b>(See Section 6.28)</b>			<b>NA</b>	<b>85</b> <b>40</b>	<b>-</b>	<b>-</b>

ART. 6, ATM 5/04

<sup>J</sup> Not required where abutting railroad track or railroad right-of-way if railroad is to be utilized for loading or unloading.

<sup>R</sup> These dimensional requirements shall not apply to any special permit issued before the first advertisement of this bylaw change in February, 2004.

ART. 2, STM 9/04

<sup>S</sup> Where a lot has slope in excess of 5%, and the development is subject to Environmental Design Review, the height of a building shall be measured from the ground immediately adjacent to a portion of the building with the same height throughout its length. The ARB may adjust the height provided there is a positive finding by the ARB that the building meets the standard of Section 11.06, f, 2., except that in no case may the height exceed the height limitation in the district by more than 20 feet.

<sup>T</sup> Upper Story Building Step Backs are required for structural floors over three stories, as required in Section 6.285.

### **Adding Section 6.285 – Upper Story Building Step Backs**

For buildings in excess of three (3) stories in height, an additional seven and one half (7.5) foot step back (upper story building setback) shall be provided beginning at the fourth (4<sup>th</sup>) story. The upper story setback shall be provided along all building elevations with street frontage, excluding alleys.

### **Amending Section 11.06 - Environmental Design Review**

#### **b. APPLICATION.**

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, Table of Use Regulations, or alters the facade in a manner that affects the architectural integrity of the structure, and c) is one of the uses included in subparagraphs (a), (b), (c), (d), (e), (f), (g), ~~or (h)~~ (h), or (i) 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) Construction or reconstruction on a site abutting

Massachusetts Avenue

Pleasant Street

Mystic & Medford Streets between Massachusetts Avenue and Chestnut Street

Broadway

Minuteman Bikeway

(b) Six or more dwelling units on the premises, whether contained in one or more structures or on one or more contiguous lots, constructed within a two year period.

(c) Gasoline service stations.

(d) Lodging house, bed and breakfast, bed and breakfast home or a rehabilitation residence with more than 5,000 square feet of gross floor area or with 10 or more parking spaces.

(e) Nonresidential uses and hotels or motels in a nonresidential district with more than 10,000 square feet of gross floor area or with 20 or more parking spaces.

(f) Nonresidential uses in a residential district with more than 5,000 square feet of gross floor area or with 10 or more parking spaces.

(g) Outdoor uses.

- (h) Temporary, seasonal signage in accordance with an overall signage plan at a fenced athletic field with one or more permanent structures to seat more than 300 persons, which signage may be in effect between March 15 and December 15 of any calendar year.
- (i) Mixed-use

## **Article 7 PARKING IN BUSINESS, INDUSTRIAL AND MULTI-FAMILY RESIDENTIAL ZONES**

*To see if the Town will vote to amend the Zoning Bylaw in Article 8, OFF STREET PARKING AND LOADING REGULATIONS, to facilitate development in R5, R6, Business and Industrial zones by allowing a reduction of the parking requirements by special permit when accompanied by an accepted plan to manage transportation demand (to be defined in the bylaws as “Transportation Demand Management”); or take any action related thereto.*

The Master Plan recommends that the Town examine its parking policies and establish parking ratios that reflect actual need. Parking occupies valuable land, is expensive to produce, and reduces the productivity of any given parcel. Recent trends show a reduction in car ownership in certain populations, and a preference for alternative transportation such as biking and public transit. The Town commissioned a Residential Parking Analysis to collect data to reflect actual parking usage in multi-family housing near transit. The analysis resulted in a recommendation that one parking space per unit is sufficient in commercial areas near transit, including bus transit. This proposal will allow for a reduction in the parking requirement by special permit for commercial and multi-family residential properties, in commercial and multi-family zones, where incentives are provided to own fewer cars.

ARB vote: The Redevelopment Board voted unanimously (4-0) to recommend the following vote, which will complement the changes promoted in Warrant Article 6. The Board noted that transportation demand management practices will encourage business owners to encourage their employees to walk, bike and take transit to work. The special permit requirement allows the ARB to review projects on their merits.

VOTED: That the Zoning Bylaw be and hereby is amended by:

**Adding in Article 8, “Off Street Parking and Loading Regulations”, following Section 8.01, a new Section 8.01(a), as follows:**

### **TEXT**

**Section 8.01(a)—Parking Reduction in Business, Industrial, and Multi-Family Residential Zones.** The ZBA, or in cases subject to Section 11.06, the ARB may grant a special permit to allow the reduction of the parking space requirements in the R5, R6, and Business and Industrial zones to 25% of that required in the Table of Off Street Parking Regulations where parking is found to be adequate, and where Transportation Demand Management practices are incorporated, as evidenced by a Transportation Demand Management Plan approved by the Special Permit Granting Authority. Methods to reduce parking on site may include but are not limited to:

1. Shared Parking: To implement shared on-site parking, the applicant shall demonstrate that proposed uses are non-competing. In mixed-use developments, applicants may propose a reduction in parking



requirements based on an analysis of peak demand for non-competing uses. In such cases the parking requirement for the largest of the uses (in terms of parking spaces required) shall be sufficient.

2. Off-site Parking. An applicant may use off-site parking to satisfy their parking requirements, where alternative parking is within 600 feet of the subject property, as provided in Section 8.06. Off-site parking may be provided in public lots located within 1,000 feet of the building, as provided in Section 8.11. Applicant shall document efforts to promote use of off-site parking by customers, residents or employees.
3. Transportation Demand Management (TDM): Any request for parking reduction must include a plan to reduce demand for parking. Transportation Demand Management provides incentives to reduce the use of Single Occupant Vehicles, and encourages the use of public transit, bicycling, walking and ridesharing. All projects requesting a parking reduction must employ at least three (3) TDM methods described below:
  - a. Charge for parking on-site;
  - b. Pay a stipend to workers or residents without cars;
  - c. Provide preferential parking for carpooling vehicles;
  - d. Provide a guaranteed emergency ride home;
  - e. Provide transit pass subsidies;
  - f. Provide covered bicycle parking and storage;
  - g. Provide bicycle or car sharing on site;
  - h. Provide showers, for business or industrial uses;
  - i. Other means acceptable to the permit granting authority

**And by adding, following Section 8.07(a)—Parking in Commercial Districts, a new Section 8.07(b), as follows:**

**8.07(b)** For Mixed-Use, the first 3,000 square feet of non-residential space is exempt from parking requirements.

**And by adding the following text to Section 8.12—Parking and Loading Space Standards:**

- (a) (10) In R0, R1, R2, R3, and R4 zones, tThe ZBA, or in cases subject to Section 11.06, the ARB may grant a special permit to allow the reduction of the parking space requirements to eighty (80) percent of that required in the Table of Off-Street Parking Regulations where conditions unique to the use will reasonably justify such a reduction.

## ARTICLE 8

## ZONING BYLAW AMENDMENT/RESIDENTIAL ZONING CHANGES—DEFINITIONS

*To see if the Town will vote to amend the zoning bylaw, ARTICLE 2 DEFINITIONS, to encourage responsible new residential development by amending “Basement”, “Cellar”, “Attic”, “Story” and “Half Story” and “Gross Floor Area (GFA)”;* or take any action related thereto. (Inserted at the request of the Redevelopment Board)

Some of the Town’s Zoning Bylaw definitions exceed the requirements of the State Building Code. By amending these definitions, Arlington will be in conformance with State Building Code. A side effect of this change will result in a decrease in building height, an increase in the area of habitable attic space and decrease the amount of exposed foundation, thereby decreasing the massing of some structures, particularly new homes.

ARB vote: The Redevelopment Board voted unanimously (4-0) to recommend the following vote, to ensure the Town’s Zoning Bylaw aligns with State Building Code and help limit out of scale development in residential zones.

VOTED: That the Zoning Bylaw be and hereby is amended by:

### **Amending Article 2, Definitions, Section 2.01 General, with the following text changes:**

Following the Definition of “Awning”:

Basement:

A portion of a building, partly below grade, which has more than one-half of its height, measured from finished floor to finished ceiling, above the average finished grade of the ground adjoining the building. A basement is not considered a story unless its ceiling is ~~four (4)~~ three (3) feet (6) inches or more above the average finished grade.

Following the Definition of “Catering Service”:

Cellar:

A portion of a building, partly or entirely below grade, which has more than one-half of its height, measured from finished floor to finished ceiling, below the average finished grade of the ground adjoining the building. A cellar is not deemed a story unless its ceiling is three feet six inches (3 feet 6 inches) or more above the average finished grade.

Following the Definition of “Garage, Public”:

Gross Floor Area:

The sum of the gross horizontal areas of all the floors of a principal building and its accessory building or buildings on the same lot, including basements, as measured from the exterior faces of the exterior walls, or centerlines of walls separating two (2) buildings, including:

- a. elevator shafts and stairwells on each floor,
- b. that part of attic space with headroom, measured from subfloor to the bottom of the roof joists, of seven feet ~~three-inches~~ or more, except as excluded in (4), below;
- c. interior mezzanines, and penthouses;
- d. basements except as excluded in (2), below; and cellars in residential use;
- e. all weather habitable porches and balconies; and
- f. parking garages except as excluded in (1), below; but excluding:
  - 1. areas used for accessory parking garages, or off-street loading purposes;
  - 2. that part of basements devoted exclusively to mechanical uses accessory to the operation of the building;
  - 3. open or lattice enclosed exterior fire escapes;
  - 4. attic space and other areas for elevator machinery or mechanical equipment accessory to the operation of the building; and
  - 5. porches and balconies.

Following the Definition of “Special Permit Granting Authority”:

Story:

The portion of a building which is between one floor level and the next higher floor level or the roof. If a mezzanine floor area exceeds one-third of the area of the floor immediately below, it shall be deemed to be a story. A basement shall be deemed to be a story when its ceiling is ~~four (4)-three (3) feet~~ six (6) inches or more above the finished grade. An attic shall not be deemed to be a story if unfinished and not used for human occupancy and its height is less than seven (7) feet ~~three inches or more~~ as measured from subfloor to the bottom of the roof joists.

Story, Half:

A story which is under a gable, hipped, or gambrel roof, where less than one half the floor area has a clear height of seven (7) feet ~~three inches~~ or more.

## **ARTICLE 9            ZONING BYLAW AMENDMENT/ RESIDENTIAL ZONING CHANGES - DIMENSIONS**

*To see if the Town will vote to amend the zoning bylaw, ARTICLE SIX SECTION 6.00 TABLE OF DENSITY AND DIMENSIONAL REGULATIONS, to encourage responsible new residential development with changes including, but not limited to, open space requirements in R0, R1 and R2 zones; or take any action related thereto.*

*(Inserted at the request of the Redevelopment Board)*

The Master Plan notes that “Arlington’s rising home values make it more difficult to preserve the social mix that many people characterize as one of its strengths”

(p.87). “High residential real estate values have led to demolition of smaller scale houses and their replacement with large homes out of scale with the existing neighborhood” (p.88). In response to these comments in the Master Plan, this Article proposes a change in the open space requirement on lots, which will reduce the maximum size of new homes and existing homes with large additions by 5-17%, depending on whether it is a single family or duplex, with underground vs. side yard parking.

ARB vote: The Redevelopment Board voted unanimously (4-0) to recommend action on the following Article, to limit the bulk and massing of new development and additions, increasing the green space requirement from 30% to 35%.

VOTED: That the Zoning Bylaw be and hereby is amended by:

**Amending Section 6.00, TABLE OF DIMENSIONAL AND DENSITY REGULATIONS, as follows:**

## SECTION 6.00 - TABLE OF DIMENSIONAL AND DENSITY REGULATIONS

Dis-trict	Use	Intensity of Development										Open Space	
		Lot Requirements, Minimum <sup>M</sup> Size, Frontage, Sq. Ft. Ft.		Fl. Area Ratio Maximum	Lot Coverage Maximum Percent	Minimum Lot Area per Dwelling Unit, Sq. Ft.	Minimum Yard, Ft. <sup>P</sup> Front <sup>E</sup> Side <sup>E</sup> Rear <sup>E</sup>			Height Maximum Stories Feet <sup>G</sup>		Minimum Percent of Gross Floor Area	Landscaped Usable
ART. 8, STM 3/85; ART. 11, ATM 4/98													
R0	Single-family detached dwelling	9,000 <sup>O</sup>	75 <sup>O</sup>	NA	35%	NA	25	10 <sup>A</sup>	20 <sup>B</sup>	2-1/2	35	10% <sup>A</sup>	<del>30%<sup>A</sup></del> <b>35%<sup>A</sup></b>
	Any other permitted principal structure	9,000	75	0.35	NA	NA	25	10 <sup>A</sup>	20 <sup>B</sup>	2-1/2	35	10% <sup>A</sup>	-
R1	Single-family detached dwelling	6,000 <sup>A</sup>	60 <sup>A</sup>	NA	35%	NA	25	10 <sup>A</sup>	20 <sup>B</sup>	2-1/2	35	10% <sup>A</sup>	<del>30%<sup>A</sup></del> <b>35%<sup>A</sup></b>
	Any other permitted principal structure	6,000	60	0.35	NA	NA	25	10	20	2-1/2	35	30%	-
R2	Single-family detached dwelling, two-family dwelling or duplex house	6,000 <sup>A</sup>	60 <sup>A</sup>	NA	35%	NA	20	10 <sup>A</sup>	20 <sup>B</sup>	2-1/2	35	10% <sup>A</sup>	<del>30%<sup>A</sup></del> <b>35%<sup>A</sup></b>
	Any other permitted principal structure	6,000	60	0.35	NA	NA	20	10	20	2-1/2	35	30%	-

(A) See Section 6.06 for exceptions.

## **Article 10 RESIDENTIAL ZONING CHANGES—PARKING**

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*To see if the Town will vote to amend the Zoning Bylaw, ARTICLE 8 OFF STREET PARKING AND LOADING REGULATIONS, to offer an alternative to subsurface garages with single driveways up to 20 feet wide, by allowing two driveways up to 10 feet wide each within side yards; and to allow no more than 15% grade for driveways except by special permit in R0, R1, R2, R3 and R4 zones; or take any action related thereto.*

Many new residential structures include a wide driveway leading to parking underneath one- and two-family homes. This amendment will control the grade of driveways, and result in a longer setback for garages from the sidewalk. The Master Plan discussed issues relative to neighborhood streetscapes, and driveways are one component of that issue.

ARB vote: The Redevelopment Board voted unanimously (4-0) to recommend the following vote, to limit the bulk and massing of new development.

VOTED: That the Zoning Bylaw be and hereby is amended by:

**Amending ARTICLE 8 OFF STREET PARKING AND LOADING REGULATIONS, with the following text changes:**

### **Section 8.07 - Parking in Residential Districts**

ART. 70, ATM 3/77

- a. For single, two-family or duplex, and three-family dwellings, off-street parking shall not be permitted in the area between the front lot line and the minimum front yard setback except on a driveway not exceeding twenty (20) feet in width leading to the required parking space(s). Off-street parking is permitted in (1) the side yard and rear yard on a paved driveway, or in the case of a corner lot of less than six thousand (6,000) square feet in the longer of the two front yards up to a maximum of 24 feet in width, or (2) in an attached or detached garage, or (3) within the foundation of a dwelling provided the garaging is specifically designed for that purpose. Any driveway leading to off-street parking on a lot cannot exceed a 15% slope, except by Special Permit. A space designed for parking within an existing garage is determined to meet the requirements of an off-street parking space.



By adding the words “and cellars” after the word “basements” in the first paragraph, and

By deleting in subparagraph b. the words “three inches” and the words “except as excluded in 4. below”; and

By deleting subparagraph d.; and

By re-lettering subparagraph e. as d. and striking out therein the words “all weather habitable” and inserting in place thereof the word “enclosed”; and

By re-lettering subparagraph f. as e., and changing (1) to (3);

By striking out the balance of said definition and inserting in place thereof the following:

*The following exceptions apply to one, two, and three-family houses and duplexes:*

- 1. open or lattice-enclosed fire escapes.*
- 2. open porches and balconies.*

*In addition to the foregoing exceptions 1 and 2, the following exceptions apply to all other structures:*

- 3. areas used for or off-street loading purposes;*
- 4. that part of basements and cellars devoted exclusively to mechanical uses accessory to the operation of the building;*
- 5. attic space and other areas for elevator machinery or mechanical equipment accessory to the operation of the building.*

So that said section shall read as follows:

**Gross Floor Area:**

The sum of the gross horizontal areas of all the floors of a principal building and its accessory building or buildings on the same lot, including basements and cellars, as measured from the exterior faces of the exterior walls, or centerlines of walls separating two (2) buildings, including:

- a. elevator shafts and stairwells on each floor,
- b. that part of attic space with headroom, measured from subfloor to the bottom of the roof joists, of seven feet or more;
- c. interior mezzanines, and penthouses;
- d. enclosed porches and balconies; and
- e. parking garages;





**ARTICLE 15                    ZONING BYLAW AMENDMENT/LARGE ADDITIONS PROVISIONS**

To see if the Town will vote to amend the Zoning Bylaw, Section 6.08, by adding in the first sentence after the word “addition” the words:

*to, or reconstruction or replacement (hereinafter and for the purposes of this section collectively referred to as “alteration”) of an existing house,*

and by striking out the words “such addition is constructed within the existing foundation or” and by inserting the words “and scale” after “setbacks” and by changing the word “abutting” to “nearby” and by inserting after the word “uses” the words: “and the potential effects of shadows and on sunlight upon the same”

so that said section will read as follows:

**Section 6.08 – Large Additions in Residential Districts**

No alteration or addition to, or reconstruction or replacement (hereinafter and for the purposes of this section collectively referred to as “alteration”) of an existing house, permitted as of right or by special permit in an R0, R1, or R2 District which increases the size of a building by 750 square feet or by 50% or more of the original building’s gross floor area shall be allowed unless there is a finding by the Special Permit Granting Authority, acting pursuant to Section 10.11, that the alteration is in harmony with other structures and uses in the vicinity. In making its determination, the Special Permit Granting Authority shall assess, among other relevant facts, the dimensions, setbacks, and scale of the proposed alteration in relation to nearby structures and uses and the potential effects of shadows and on sunlight upon the same and determine its conformity to the purposes set forth in Article 1, Section 1.03, of the Zoning Bylaw. Requests for building permits for additions or alterations which when combined with an alteration or addition within the previous five years which would require a special permit finding shall be deemed to require such a finding.

or take any action related thereto.

(Inserted at the request of John L. Worden III and ten registered voters)

ARB vote: The Redevelopment Board voted unanimously (4-0) to recommend a vote of no action on this Article. This Article would require a special permit process for a new structure that is more than the currently allowed 750 square feet larger than the building it replaces. The Board expressed that new buildings should continue to be controlled by existing zoning requirements rather than by what previously existed on the lot.

**ARTICLE 16**

**ZONING BYLAW AMENDMENT/REVISION OF  
HEIGHT CALCULATIONS**

To see if the Town will vote to amend the Zoning Bylaw, in Article 2, by changing the definition of *Height of Building*, by inserting after the first sentence the following:

In the case of a sub-surface garage, the distance between the floor of the garage and the average grade of the curb line abutting the property shall be added to the building height for the purpose of determining compliance with the height limitation.

and in the present second sentence, deleting the words

the height is the vertical distance of the highest point of the roof above the average finished grade of the ground adjoining the building as computed before the building is actually erected.

and inserting in place thereof the following:

height shall be computed from the highest point of the roof to the lowest part of exposed wall at the finished grade, regardless of where such elements are located with respect to each other.

and by deleting the words

This definition excludes penthouses, bulkheads, and other allowable superstructures above the roof line.

and inserting in place thereof the following:

In computing the highest point of the roof in either case, elevator shafts, bulkheads for access to the roof, chimneys, antennae, ventilators, and the like shall not be included.

so that said definition will now read as follows:

**Height of Building:**

The vertical distance of the highest point of the roof above the average grade of the curb line abutting the property. In the case of a sub-surface garage, the distance between the floor of the garage and the average grade of the curb line abutting the property shall be added to the building height for the purpose of determining compliance with the height limitation. In the R0, R1, and R2 zoning districts, where the lot has a slope in excess of five (5) per cent, height shall be computed from the highest point of the roof to the lowest part of exposed wall at the finished grade, regardless of

where such elements are located with respect to each other. In computing the highest point of the roof in either case, elevator shafts, bulkheads for access to the roof, chimneys, antennae, ventilators, and the like shall not be included.

or take any action related thereto.

(Inserted at the request of John L. Worden III and ten registered voters)

ARB vote: The Redevelopment Board voted unanimously (4-0) to recommend a vote of no action on this Article. Although the current method of calculating height is complicated, the Board felt that the proposed method of height calculation would adversely impact, and not adequately address, the range of properties being built in town on a range of topographical conditions.

## **ARTICLE 17**

### **ZONING BYLAW AMENDMENT/REVISING DEFINITION OF HALF-STORY**

To see if the Town will vote to amend the Zoning Bylaw, in Article 2, by changing the definition of *Story, Half*, by striking out the words “where less than one half the floor area has a clear height of seven feet three inches or more” and by adding thereto the following:

*where less than half of the floor area, including dormers, stairwells, closets, and areas dedicated exclusively to mechanical uses necessary to the operation of the building, has a clear height of seven (7) feet or more.*

so that said the same will now read as follows:

#### **Story, Half:**

A story which is under a gable, hipped, or gambrel roof, where less than half of the floor area, including dormers, stairwells, closets, and areas dedicated exclusively to mechanical uses necessary to the operation of the building, has a clear height of seven (7) feet or more.

or take any action related thereto.

(Inserted at the request of John L. Worden III and ten registered voters)

ARB vote: The Redevelopment Board voted unanimously (4-0) to recommend a vote of no action on this Article. The Board expressed that the ARB’s Article 8 will partially address these issues.