

Articles 6-14: Guide to Zoning Amendments related to Multi-family Uses and Mixed-use

Prepared by the Department of Planning and Community Development
February 14, 2019

This guide is a companion to Town Meeting [Articles 6 through 14](#) which propose zoning amendments related to multi-family and mixed-uses. To develop the zoning amendments, the Town hired a consultant, the Metropolitan Area Planning Council (MAPC), utilizing funds received from the Massachusetts Executive Office of Energy and Environmental Affairs. MAPC conducted an analysis of the current Zoning Bylaw, including a zoning audit, a parcel analysis examining lot size and density, and a buildout analysis of select parcels. A project working group, consisting of Town staff, a local realtor, and representatives from the Arlington Redevelopment Board (ARB) and the Housing Plan Implementation Committee, met three times throughout the fall of 2018 to review these deliverables and provide guidance regarding zoning recommendations.

The zoning audit identified barriers to the creation of multi-family housing in the mid- to high-density residential districts and through mixed-use in the B Districts. Generally, the Bylaw's dimensional requirements are appropriate for Arlington's lower-density districts but restrict or discourage multi-family development that would be appropriate in the higher-intensity districts along main corridors. Specific dimensional constraints were identified for further study, including lot size, density, yards, open space, building height, height buffer, floor area ratio, and parking.

MAPC subsequently conducted a town-wide mapping parcel analysis to determine the extent to which parcels with an existing multi-family use meet current lot size and density requirements, or in other words, whether Arlington's historic development patterns could occur under current zoning. The analysis showed that parcels in the Business Districts are largely compliant with existing lot size and density requirements, primarily due to the mixed-use zoning bylaw amendments adopted by Annual Town Meeting in 2016. However, residential-zoned parcels are far more likely to be nonconforming; only one-third meet lot size requirements and less than half meet density requirements. The analysis then considered how various zoning changes might increase the number of compliant parcels. The mapping analysis was supported by photos of existing buildings in town to illustrate various lot sizes and densities.

Finally, MAPC conducted a buildout analysis of four sample sites to understand development potential under the existing Bylaw. The buildout analysis for each site was structured as a series of step-by-step illustrations to demonstrate how each of the major dimensional pieces of the Bylaw impacts what can be built on the site. While constraints varied by site and district, the most prohibitive requirements were typically front and side yards, usable open space, height buffer, floor area ratio, parking, and density. The analysis also looked at the ways in which various changes to the dimensional requirements might encourage multifamily development by increasing each site's capacity for housing.

Articles 6 through 14 are the following:

1. Density and dimensional adjustments (Articles 6 and 7) to make these requirements consistent with existing development and at a scale appropriate for major roadways;

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2. Open space adjustments (Article 8) to eliminate the requirement for usable open space and increase the requirement for landscaped open space, as well as offering flexibility in what is considered open space;
3. Adjust the definition of townhouse structures (Article 9) to better distribute individual townhouses within a single structure;
4. Require the upper-story building step back (Article 10) at the fourth story consistent with increases in the maximum height allowed;
5. Reduce the height buffer distances (Article 11) to retain reasonable relief for adjacent low-density districts without effectively lowering the maximum height allowed;
6. Adjust how street yards are calculated on corner lots (Article 12); and
7. Reduce the number of parking spaces per unit for multi-family uses to one space per unit (Article 13) and allow the R7 District to be considered for transportation demand management (Article 14).

A companion build-out analysis, visualizations, and shadow studies are being prepared and will be available by early March.

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| Article Number | Proposal | Existing Bylaw | Proposed Amendment | Notes |
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| Article 6 | Update descriptions of R5, R6, and R7 Districts | In Section 5.4.1, there are descriptions of each district and its purpose. References to maximum stories are made as are densities in the descriptions of R5, R6, and R7. | Revisions will be made to the descriptions of R5 and R6 to be consistent with the zoning amendments described. | This change is included to ensure that the Zoning Bylaw is internally consistent. |
| Article 6 | Reduce the minimum lot area, minimum lot area per unit, and minimum lot frontage for three-family dwellings, townhouse structures, and apartment conversions in the R4 District, for townhouse and apartment buildings in the R5 District, for townhouse structure and apartment building in the R6 District, and for any permitted structure in the R7 District | In the Table of Density and Dimensional Requirements in Section 5.4.2, the following requirements apply to multi-family uses: 1. R4 District: a. A three-family dwelling requires 7,500 square feet in minimum lot area, has no minimum for lot area per unit, and requires 70 feet of lot frontage; b. Townhouse structures require 30,000 square feet in minimum lot area, 2,500 square feet in minimum lot area per unit, and requires 100 feet of frontage; and c. Apartment conversions require 12,500 square feet in minimum lot area, 2,500 square feet in minimum lot area per unit, and require 80 feet of frontage. 2. R5 District: a. Townhouse structures and apartment buildings require 20,000 square feet in minimum lot area, 1,450 square feet in minimum lot area per unit, and 100 feet of frontage. 3. R6 District: a. Townhouse structures, apartment buildings, and office structures require 20,000 square feet in minimum lot area, 700 square feet in minimum lot area per unit, and 100 feet of frontage. 4. R7 District: a. Any permitted structure requires 20,000 square feet in minimum lot area, 550 square feet in minimum lot area per unit, and 100 feet of frontage. | The proposed amendment would make the following adjustments for multi-family uses: 1. R4 District: a. A three-family dwelling would require 5,000 square feet in minimum lot area, has no minimum for lot area per unit, and requires 50 feet of lot frontage; b. Townhouse structures would require 5,000 square feet in minimum lot area, 1,500 square feet in minimum lot area per unit, and requires 50 feet of frontage; and c. Apartment conversions would require no minimum lot area, 1,000 square feet in minimum lot area per unit, and no minimum frontage. 2. R5 District: a. Townhouse structures and apartment buildings would require 5,000 square feet in minimum lot area, 1,000 square feet in minimum lot area per unit, and 50 feet of frontage. 3. R6 District: a. Townhouse structures, apartment buildings, and office structures would require 5,000 square feet in minimum lot area, 700 square feet in minimum lot area per unit, and 50 feet of frontage. 4. R7 District: a. Any permitted structure would require 5,000 square feet in minimum lot area, 550 square feet in minimum lot area per unit, and 50 feet of frontage. | Per the parcel analysis prepared as part of the zoning work, there are a substantial number of lots above 5,000 square feet on Arlington’s main corridors, a size appropriate for multi-family buildings. The parcel analysis found that the proposed adjustments to minimum lot area and minimum lot area per unit would make 95% of the existing parcels in the R4 through R7 districts compliant with the zoning requirements. Additionally, the allowance of no minimums for apartment conversions is due to the use being a conversion of an existing structure, often non-conforming already. Density and other dimensional requirements still apply, so lowering the minimum lot size would not result in disproportionately large buildings being constructed on small lots. |
| Article 6 | Adjust the front yard, side yard, and rear yard for three-family dwellings, townhouse structures, and apartment conversions in the R4 District, for townhouse and apartment buildings in the R5 District, for townhouse structure and apartment building in the R6 District, and for any permitted structure in the R7 District | In the Table of Density and Dimensional Requirements in Section 5.4.2, the following requirements apply to multi-family uses: 1. R4 District: a. A three-family dwelling requires a front yard setback of 25 feet, a side yard setback of 10 feet, and a rear yard setback of 20 feet; b. Townhouse structures require a front yard setback of 25 feet, a side yard setback of 15 feet, and a rear yard setback of 25 feet; and c. Apartment conversions require a front yard setback of 25 feet, a side yard setback of 10 feet, and a rear yard setback of 20 feet. 2. R5 District: a. Townhouse structures and apartment buildings require a front yard setback of 25 feet and a rear yard | The proposed amendment would make the following adjustments for multi-family uses: 1. R4 District: a. A three-family dwelling would require a front yard setback of 15 feet, a side yard setback of 10 feet, and a rear yard setback of 20 feet; b. Townhouse structures would require a front yard setback of 10 feet, a side yard setback of 10 feet, and a rear yard setback of 20 feet; and c. Apartment conversions would require no minimum front yard, side yard, or rear yard requirements. 2. R5 District: a. Townhouse structures and apartment buildings would require a front yard setback of 10 feet, a side yard setback of 15 feet, and a rear yard setback of 20 feet. | Decreased front and side yards are more consistent with traditional main street building patterns and create a stronger and more consistent streetscape, which enhances the pedestrian experience. The front yard setbacks proposed are still sufficient to allow room for a bench, landscaping, or other pedestrian amenity. The side yard setbacks allow for a continuous streetscape where the high-density residential district abuts a business district, but allows for relief where high-density residential districts abut lower density residential districts. Additionally, the allowance of no minimums for apartment conversions is due to the use being a conversion of an existing structure, often non-conforming already. Finally, the amendments eliminate hard to understand calculations for required setbacks. |

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| | | <p>setback of 25 feet. The side yard setback is a calculation based on length of the wall parallel to the side lot line.</p> <p>3. R6 District: a. Townhouse structures, apartment buildings, and office structures require front yard, side yards, and rear yards based on a calculation of the building's height.</p> <p>4. R7 District: a. Any permitted structure requires front yard, side yards, and rear yards based on a calculation of the building's height and length, but in no cases can the side yard and rear yards be less than 20 feet.</p> | <p>3. R6 District: a. Townhouse structures, apartment buildings, and office structures would require a front yard setback of 10 feet, a side yard setback of 10 feet, and a rear yard setback of 20 feet.</p> <p>4. R7 District: a. Any permitted structure would require a front yard setback of 10 feet, a side yard setback of 10 feet, and a rear yard setback of 20 feet.</p> <p>Additionally, Section 5.4.2(E) would be added to indicate that townhouse structures, apartment buildings, or office structures in the R6 district and for any permitted principal structure in the R7 district, no side yard is required at side lot lines that abut a Business district.</p> | |
| Article 6 | Increase the maximum height in feet, maximum stories, and maximum floor area ratio (FAR) for townhouse structures and apartment conversions in the R4 District, for townhouse and apartment buildings in the R5 District, for townhouse structure and apartment building in the R6 District, and for any permitted structure in the R7 District | In the Table of Density and Dimensional Requirements in Section 5.4.2, the following requirements apply to multi-family uses: 1. R4 District: a. Townhouse structures require a maximum height of 35 feet, a maximum of 3 stories, and a FAR of 0.70; and b. Apartment conversions require a maximum height of 40 feet, a maximum of 4 stories, and has no maximum FAR. 2. R5 District: a. Any residential or other principal structure, including townhouses and apartment buildings, requires a maximum height of 35 feet, a maximum of 3 stories, and a FAR of 0.80. 3. R6 District: a. Any townhouse structure, apartment building, or office on more than 20,000 square feet requires a maximum height of 40 or 35 feet, a maximum of 4 or 3 stories, and a FAR of 1.20 depending on the application of the reduced height buffer area (see Article 11). 4. R7 District: a. Any permitted structure requires a maximum height of 40 or 60 feet, a maximum of 5 stories, and a FAR of 1.50 depending on the application of the reduced height buffer area (see Article 11). | The proposed amendment would make the following adjustments for multi-family uses: 1. R4 District: a. Townhouse structures would a maximum height of 35 feet, a maximum of 3 stories, and a FAR of 1.50; and b. Apartment conversions would require no minimum height, minimum number of stories, or minimum FAR. 2. R5 District: a. A townhouse structure and apartment building would require a maximum height of 45 feet, a maximum of 3 stories, and a FAR of 1.50. Other residential and other principal structures would remain unchanged. 3. R6 District: a. Any townhouse structure, apartment building, or office on more than 20,000 square feet would require a maximum height of 55 or 45 feet, a maximum of 5 or 4 stories, and a FAR of 1.80 depending on the application of the reduced height buffer area (see Article 11). 4. R7 District: a. Any permitted structure would require a maximum height of 45 or 60 feet, a maximum of 5 stories, and a FAR of 2.00 depending on the application of the reduced height buffer area (see Article 11). | Given that the higher-density residential districts are located almost exclusively along major corridors; greater heights could be accommodated in contextually appropriate ways. Indeed, a key finding of the Master Plan was that Massachusetts Avenue and other predominantly commercial corridors have the capacity for growth and recommends increased density and building heights along the corridor. Floor Area Ratio (FAR) is the ratio of gross floor area to the total area of the lot. In conjunction with increase the building heights, increasing the allowable FAR will enable more flexibility in locating parking and open space on a site without constraining the size of a building. Additionally, the allowance of no minimums for apartment conversions is due to the use being a conversion of an existing structure, often non-conforming already. |
| Article 7 | Reduce the minimum lot area per unit for mixed-use on lots greater than 20,000 square feet in the B2 District | In the Table of Density and Dimensional Requirements in Section 5.5.2, in the B2 District, the minimum lot area per unit for mixed-use on lots greater than 20,000 square feet is 1,450 square feet. The minimum number of units could be 13 for a property that meets the minimum square footage required of greater than 20,000 square feet. | The proposed amendment would reduce the minimum lot area per unit in the B2 District to 1,000 square feet for mixed-use on lots greater than 20,000 square feet. The minimum number of units could be 20 for a property that meets the minimum square footage required of greater than 20,000 square feet. | The proposed reduction in the minimum lot area per unit for mixed-use on lots greater than 20,000 square feet is consistent with existing development along major roadways. A parcel analysis that was completed to study this reduction found that 98% of the parcels where a reduction is proposed for the minimum lot area per unit would become compliant |

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| | | | | with the Zoning Bylaw. |
| Article 7 | Reduce the front yard and side yard requirements for mixed-use in the B1 District | In the Table of Density and Dimensional Requirements in Section 5.5.2, mixed-use in the B1 District requires a 20-foot front yard setback and a 10-foot side yard setback. | The proposed amendment would reduce the front yard setback to 10 feet and the side yard setback to zero feet for mixed-uses in the B1 District | The proposed reduction in the front yard and side yard setbacks in the B1 District is more consistent with mixed-use requirements in other Business Districts including the B2 District, which is similarly situated along major corridors. |
| Article 7 | Increase the maximum height and maximum stories for mixed-use in the B1, B3, and B5 Districts | In the Table of Density and Dimensional Requirements in Section 5.5.2, the following requirements apply to mixed-use: <ol style="list-style-type: none"> 1. B1 District: the maximum height and stories for mixed-use is 35 feet and 3 stories; 2. B3 District: the maximum height and stories for mixed-use on a lot greater than 20,000 square feet is 50 feet and 5 stories or 40 feet and 3 stories depending on application of the reduced height buffer area (see Article 11); and 3. B5 District: the maximum height and stories for mixed-use on a lot greater than 20,000 square feet is 60 feet and 5 stories or 40 feet and 3 stories depending on application of the reduced height buffer area (see Article 11). | The proposed amendment would allow the following increases to maximum height and maximum stories in the B1, B3, and B5 Districts for mixed-use: <ol style="list-style-type: none"> 1. B1 District: the maximum height and stories for mixed-use is 45 feet and 4 stories; 2. B3 District: the maximum height and stories for mixed-use on a lot greater than 20,000 square feet is 60 feet and 5 stories or 50 feet and 4 stories depending on application of the reduced height buffer area (see Article 11); and 3. B5 District: the maximum height and stories for mixed-use on a lot greater than 20,000 square feet is 60 feet and 5 stories or 50 feet and 4 stories depending on application of the reduced height buffer area (see Article 11). | The proposed increases in the maximum height allowed and the maximum number of stories allowed is more consistent with existing development along major corridors. The changes to the B1 District are in line with what is allowed in the similarly situated B2 District. Adding consistency between the B3 and B5 Districts is important as these two districts are situated along major corridors often in the same areas of Arlington Heights, Arlington Center, and East Arlington where the streetscape would benefit from consistency in adjacent structures. |
| Article 7 | Increase the Floor Area Ratio (FAR) in all of the Business Districts | In the Table of Density and Dimensional Requirements in Section 5.5.2, the following FAR requirements apply to mixed-use: <ol style="list-style-type: none"> 1. B1 District: 0.75 on any lot; 2. B2 District: 1.50 on a lot equal to or less than 20,000 square feet or 1.00 on a lot greater than 20,000 square feet; 3. B2A District: 1.50 on a lot equal to or less than 20,000 square feet or 1.00 on a lot greater than 20,000 square feet; 4. B3 District: 1.50 on a lot equal to or less than 20,000 square feet or 1.40 on a lot greater than 20,000 square feet; 5. B4 District: 1.50 on a lot equal to or less than 20,000 square feet or 1.00 on a lot greater than 20,000 square feet; and 6. B5 District: 1.80 on a lot equal to or less than 20,000 square feet or 1.40 on a lot greater than 20,000 square feet. | The proposed amendment would increase the FAR requirements applicable to mixed-use: <ol style="list-style-type: none"> 1. B1 District: 1.50 on any lot; 2. B2 District: 1.80 on a lot equal to or less than 20,000 square feet or 1.50 on a lot greater than 20,000 square feet; 3. B2A District: 1.80 on a lot equal to or less than 20,000 square feet or 1.50 on a lot greater than 20,000 square feet; 4. B3 District: 1.80 on a lot equal to or less than 20,000 square feet or 1.50 on a lot greater than 20,000 square feet; 5. B4 District: 2.00 on a lot equal to or less than 20,000 square feet or 1.80 on a lot greater than 20,000 square feet; and 6. B5 District: 2.20 on a lot equal to or less than 20,000 square feet or 1.80 on a lot greater than 20,000 square feet. | Floor Area Ratio (FAR) is the ratio of gross floor area to the total area of the lot. In conjunction with increase the building heights, increasing the allowable FAR will enable more flexibility in locating parking and open space on a site without constraining building size. |
| Article 8 | Adjust the open space requirements to eliminate usable open space requirement and increase landscaped open space requirement | The existing bylaw defines the two types of open space as follows: <u>Landscaped Open Space:</u> Open space designed and developed for pleasant appearance in trees, shrubs, ground covers and grass, including other landscaped elements such as natural features of the site, walks and terraces, and also including open areas accessible to and developed for the use of the occupants of the building upon a roof not more than | The proposal includes three pieces: altering the definition for landscaped open space, adjusting the tables of density and dimensional requirements in Section 5.4.2 and Section 5.5.2, and amending Section 5.3.21 to reflect the changes to the Section 5.5.2. The definition for landscaped open space will be altered to allow up to 25% of the requirement to be satisfied on roofs | The proposal is designed to offer more flexibility on how open space is provided on a property when multi-family uses and mixed-uses are proposed. Shifting the open space requirement to landscaped open space requirement eliminates confusion resulting from different kinds of open spaces, offers more flexibility in how the space is distributed across the site (landscaped open space does not require the 25x25' minimum dimensions), and reduces the overall open |

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| | | <p>10 feet above the level of the lowest story used for dwelling purposes.</p> <p><u>Usable Open Space:</u> The part or parts of a lot designed and developed for outdoor use by the occupants of the lot for recreation, including swimming pools, tennis courts, or similar facilities, or for garden or for household service activities such as clothes drying; which space is at least 70% open to the sky, free of automotive traffic and parking, and readily accessible to and developed for the use of the occupants of the building, and located upon a roof not more than 10 feet above the level of the lowest story used for dwelling purposes. Open space shall be deemed usable only if at least 70% of the area has a grade of less than 8%, and no horizontal dimension is less than 25 feet. For newly constructed single-, two-family, and duplex dwellings with surface parking, no horizontal dimension shall be less than 20 feet.</p> <p>Per the Zoning Bylaw in Section 5.4.2 and Section 5.5.2, the requirements for the R4 through R7 residential districts are 10% landscaped open space and a range of 15% to 30% usable open space for certain uses such as multi-family buildings and townhouse structures. For mixed-use in the Business Districts, the requirements are 10% landscaped open space and a range of 15% to 20% usable open space.</p> | <p>and balconies anywhere on the building:</p> <p><u>Landscaped Open Space:</u> Open space designed and developed for pleasant appearance in trees, shrubs, ground covers and grass, including other landscaped elements such as natural features of the site, walks and terraces. Up to 25% of the landscaped open space may include open areas accessible to and developed for the use of the occupants of the building upon a roof or a balcony at least 5 feet by 8 feet in size.</p> <p>The requirements for the R4 through R7 residential districts will be adjusted to require 20% landscaped open space and no usable open space for certain uses such as multi-family buildings and townhouse structures. For mixed-use in the Business Districts, the requirements will be adjusted to require 20% landscaped open space and no usable open space.</p> <p>Finally, Section 5.3.21 will be updated to reflect the adjustments to the minimum open space requirements.</p> | <p>space requirement (from 30% total to 20% total) while still maintaining sufficient green space and continuing to provide access to neighborhood parks and community green, open spaces and related amenities.</p> |
| Article 9 | Increase the size of a townhouse structure | Section 5.3.14 indicates that a townhouse structure (a row of at least 3 single-family attached homes) cannot exceed 150 feet or 6 townhouses in length for a single-story structure nor 120 feet for the part of the structure more than one-story in height. | For townhouse structures, the proposal changes the requirement to not more than 200 feet or 8 townhouses regardless of the number of stories. The proposal also corrects references in the tables of density and dimensional requirements by referring to townhouse structures not individual townhouse units. | The proposal increases the number of townhouse units that could be located within one townhouse structure. The proposal does not change the ratio of townhouse units to the length of the entire structure. |
| Article 10 | Adjust where an upper-story building step backs is applicable | Section 5.3.17 requires that buildings that are more than 3 stories in height, a 7.5-foot step back is required beginning at the third story level or 30 feet above grade, whichever is less. | The proposal would adjust this requirement to be applicable to buildings more than 4 stories in height and the step back would be required at the fourth story level or 40 feet above grade. | Consistent with the increase in the maximum height allowed, the upper-story building step back would be increased by one story. |
| Article 11 | Reduce the distance within which the height buffer applies | Section 5.3.19 reduces the maximum height allowed for a building when the property is located within a certain distance and orientation from the R0, R1, and R2 Residential Districts and the Open Space District. When these zoning districts are: <ol style="list-style-type: none"> 1. Located between northwest and northwest, the lower height applies within 200 feet; 2. Located easterly, between northeast and southeast, or westerly between northwest and southwest, the lower height applies within 150 feet; and 3. Located southerly, between southeast and southwest, the lower height applies within 100 feet. | The proposal would adjust this requirement as follows: <ol style="list-style-type: none"> 1. Located between northwest and northwest, the lower height applies within 50 feet; 2. Located easterly, between northeast and southeast, or westerly between northwest and southwest, the lower height applies within 35 feet; and 3. Located southerly, between southeast and southwest, the lower height applies within 25 feet. <p>Additionally, the proposal includes precise language for the special permit granting authority to make a determination that the lower height does not need to apply.</p> | The proposal reduces the distance within which a reduced maximum height applies. The proposal provides reasonable relief to the adjacent lower-density districts without being overly restrictive. Shadow studies will be available in March to illustrative this proposed amendment. |

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| Article 12 | Adjust how the front yard setback is determined for corner lots by making it consistent with the requirement for the applicable zoning district | For corner lots, Section 5.3.8 requires that the sides of the property that front on a street have a setback that is the same as the requirement of the adjoining parcel. | The proposal would adjust this requirement for properties within the R4 through R7 Residential Districts and the Business Districts. For corner lots in those districts, the setback requirement along streets would be that of the zoning district the lot is located in. | The existing bylaw provision can be unduly restrictive for corner lots when the lot is immediately adjacent to a zoning district that has more restrictive setback requirements than the zoning district the lot is actually located in. The adjustment is only applicable to the R4 through R7 Residential Districts and the Business Districts. |
| Article 13 | Reduce the number of required parking spaces for multi-family uses to 1 space per unit | Section 6.1.4 requires buildings containing four or more units to provide parking spaces based on the number of bedrooms in each unit: 1 space per studio unit; 1.15 space per 1-bedroom unit; 1.5 spaces per 2-bedroom unit; and, 2.0 spaces per 3 or more bedroom unit. | The proposal would eliminate the tiered approach based on number of bedrooms and replace it with a per unit requirement at a minimum of 1 space per unit. | This amendment brings the parking requirement in line with other types of residential uses as identified in the Zoning Bylaw, and is appropriate for the higher-density residential districts located on major roadways where public transit is available. The requirement is only a minimum; and based on market decisions, a higher number of parking spaces may be required and provided. |
| Article 14 | Inclusion of the R7 District in the Parking Reduction Provisions for Business, Industrial, and Multi-Family Uses | Section 6.1.5 allows the ZBA or the ARB, as applicable, to reduce the parking space requirements in the R5, R6, Business, and Industrial Zones to 25 percent of that required if the proposed parking is deemed adequate and where Transportation Demand Management practices are incorporated. | The proposal would include the R7 District in this provision. | When this provision was adopted in 2016, the R7 District was inadvertently left out. The R7 District is a high-density residential district, and should be included with the other districts represented in this provision. |