

MBTA COMMUNITIES

ZONING FOR MULTIFAMILY HOUSING IN ARLINGTON



Frequently Asked Questions

What is zoning? What is a zoning overlay?

Arlington has rules about what you can build where. These rules make up our zoning laws. Our zoning law has two basic parts: zoning that governs possible building uses and zoning that governs the size and shape of buildings in the zone. An overlay zone or district is a zoning district that "lies" on top of the existing zoning. It identifies special provisions in addition to those in the underlying zone. Zoning overlays can be an effective way of tailoring zoning regulations to a specific neighborhood.

How does Arlington's MBTA Communities / Section 3A plan relate to other Arlington housing production plans?

By allowing multi-family housing near transit or services, we can accomplish several goals laid out in the Master Plan, Housing Production Plan, Net Zero Action Plan, Connect Arlington, Fair Housing Action Plan Affordable Housing Action Plan, including:

- Better access to work, services, and other destinations
- More housing closer to the places that we go every day
- Increased demand for retail in walkable neighborhoods
- Reducing reliance on single occupancy vehicles
- Housing choice for empty nesters, adult children, first-time homeowners, etc.

What does "by right" mean?

The MBTA Communities / Section 3A law requires Arlington to have at least one zoning district of reasonable size in which multifamily housing (any residential property containing three or more housing units) is permitted as of right (without a special permit). Individual property owners will have the option to decide if they want to redevelop their property under the new zoning. No property owner is required to change their property or develop new housing. Construction of any new development will still require applying for a building permit, submitting plans, and completing inspections. It is expected that any new potential development would occur over years or even decades.

What does "capacity" mean?

The scenarios modeled by our consultant Utile include a calculation of "capacity" based on the compliance model published by the state. ***It is important to note that zoning capacity is not a calculation of how much new housing will be built.*** Zoning capacity is a calculation of how many units could be built if every parcel started as a blank slate and was built to a theoretical maximum capacity. The actual number of new units built by a property owner will be less than the theoretical maximum due to the practical limitations of design, livability, and marketability.

How does new housing get built?

Almost all new housing in this country is developed, bought, and sold. If developers can't make a profit, they do not build new housing, which Arlington and the Boston region greatly need. Housing in Arlington wasn't always so expensive. The phenomenon of expensive, top dollar housing is in large part due to a housing shortage. There's not enough housing in the Boston region to go around, and prices are bid up as a result. In contrast, local non-profit developers like the Housing Corporation of Arlington are mission-driven rather than profit-driven, so they can take a lower or zero return on investment in order to produce housing accessible to those with very low incomes.

Will there be an impact on our public schools? Do our schools have the capacity for more students?

School enrollment is peaking and is expected to decline in coming years. In conversation with the Working Group, members of the School Department have also recommended spreading the MBTA Communities districts out over a wide area of town. This will give school officials more flexibility to utilize or adjust the buffer zones thereby increasing their ability to respond to enrollment fluctuations over time.

What percent of new housing will be affordable?

Arlington's current zoning requires that 15% of dwellings be affordable (i.e., income-restricted) in new multi-family buildings with six dwellings or more. There has been significant public support for allowing multi-family housing at that scale in the MBTA Communities districts to trigger affordability requirements. Under Section 3A's guidance, municipalities must provide justification for affordability requirements greater than a rate of 10%. The MBTA Communities Working Group and Department of Planning and Community Development plan to submit evidence showing that our current 15% rate is economically viable, and we expect that our 15% inclusionary zone will be acceptable to the State. The Working Group has also voted to incentivize a higher percentage of affordable dwellings.

Can our existing sewer system handle more residents?

Arlington's current population is several thousand less than its peak in the 1970s. The Town's Engineering Department has confirmed that the Town's infrastructure can support the additional residents that could result from the creation of the MBTA Communities districts. Furthermore, because the districts will likely be on land that is already developed, additional housing will only be created if/when property owners choose to redevelop – a slow process of change that will take place incrementally over the coming decades.

What about traffic and parking?

One of the primary goals of encouraging development near transit and along or near commercial corridors is to reduce reliance on cars, and to make cycling and walking more convenient. By building more housing with convenient access to public transportation and commercial and civic opportunities, we give people more choice in how they get to work, school, shopping, and leisure opportunities, reducing the need to drive for every trip.

What about trees, private green space, and open space?

One of the general principles of the MBTA Communities Law is to “minimize impacts to sensitive land.” The MBTA Communities Law does not override state or local environmental regulations. New development that may occur within the multi-family district still needs to comply with all applicable state and local provisions. More specifically, there is no plan to allow Arlington's public open spaces to be used for new housing. The Working Group is working with the Open Space Committee to identify opportunities to encourage public open spaces and increase the tree canopy.

We need businesses and an increased commercial tax base.

While Section 3A is a requirement to add the capacity for future housing development, there is significant community support for having multi-family housing in locations that could promote the vitality of our commercial districts. Greater density near our Town business districts will support existing Town businesses and service providers and create opportunities for new and diverse businesses by providing more foot traffic and more customers. The Working Group has voted for a height bonus in the Mass Ave multi-family district to incentivize ground floor commercial.