

**Draft Zoning Regulations
MBTA Communities
August 17, 2023; edited September 6, 2023**

MOTION:

That the Zoning Bylaw of the Town of Arlington, Chapter 5. DISTRICT REGULATIONS be amended by adding Section 9 Multi-Family Residential Overlay Districts under MGL Chapter 40 Section 3(A), renumbering existing Section 9, and amending the Zoning Map as follows, and further that non-substantive changes to the numbering of this bylaw be permitted to comply with the numbering format of the Zoning Bylaw of the Town of Arlington:

- 1) In SECTION 2 DEFINITION/s, add a new definition as follows:

EXECUTIVE OFFICE OF HOUSING AND LIVABLE COMMUNITIES (EOHLC)

The Massachusetts Executive Office of Housing and Livable Communities.

- 2) Add Section 5.9 Multi-Family Residential Overlay Districts under MGL Chapter 40 Section 3(A) as follows:

The Multi-Family Residential Districts under MGL Chapter 40 Section 3(A) consist of two districts, the **Mass Ave/Broadway Multi-Family (MBMF) and Neighborhood Multi-Family (NMF) Overlay Districts**. The purposes of the Multi-Family Residential Districts are:

1. To respond to the local and regional need for housing by enabling development of a variety of housing types;
 2. To promote multi-family housing near retail services, offices, civic, and personal service uses;
 3. To reduce dependency on automobiles by providing opportunities for upper-story and multi-family housing near public transportation such as the Alewife rapid transit station, bus stops, the Minuteman Commuter Bikeway, and major transportation routes;
 4. To ensure pedestrian-friendly development by permitting higher density housing in areas that are walkable to public transportation, shopping, and local services;
 5. To respond to the local and regional need for affordable housing by allowing for a variety of housing types with affordable housing requirements;
 6. To encourage economic investment in the redevelopment of properties;
 7. To encourage residential uses to provide a customer base for local businesses; and
 8. To ensure compliance with MGL c. 40A § 3A.
- 3) Overlay District. The Mass Ave/Broadway Multi-Family (MBMF) and Neighborhood Multi Family (NMF) Overlay Districts shall not replace existing zoning districts but shall be superimposed over them. The provisions of this section apply to developments on lots located within the Mass Ave/Broadway Multi-Family and Neighborhood Multi Family Overlay Districts where the property owner has elected to comply with the requirements of the Mass Ave/Broadway Multi-Family or Neighborhood Multi Family Districts, rather than complying with those of the underlying zoning district. If a proposed project is located on parcels within both the Mass Ave/Broadway Multi-Family and the Neighborhood Multi-Family Districts, the provisions of the Mass Ave/Broadway Multi-Family District shall govern.

4) Procedures and Regulations. Development under this section requires Site Plan Review by the Arlington Redevelopment Board (ARB) acting in its role as the Planning Board and Special Permit Granting Authority (SPGA) as under section 3.3.1 of this ZBL and the Town Manager Act of the Town of Arlington, Massachusetts. The ARB shall provide site plan review administratively for projects via the existing Environmental Design Review (EDR) standard and the Residential Design Guidelines for site layout including lighting, landscaping and buffers, architectural style, outdoor amenities, and open spaces. All site plan review standards applicable to developments under this section shall be consistent with the purposes of this section and EOHLIC's current *Compliance Guidelines for Multi-family Zoning Districts Under Section 3A of the Zoning Act* as amended.

A. Site Plan Review

1. § 3.4.2 does not apply
2. § 3.4.3.D. and E. do not apply

B. Permitted Uses.

1. All developments under this section shall include multi-family housing.
2. Developments in MBMF District may also include nonresidential uses permitted in an underlying zoning district or in B2 districts, by right or by Special Permit. Non-residential uses are not permitted in the NMF District.
3. Accessory uses for residential uses are permitted to the same extent they would be permitted in the underlying district.

C. Dimensional controls. The dimensional controls are modified as follows for developments under this section:

1. § 5.3.1 Lot Area Per Dwelling Unit does not apply.
2. § 5.3.3 Spacing of Residential and Other Buildings on One Lot does not apply.
3. § 5.3.8 Corner Lots and Through Lots does not apply.
4. § 5.3.11 Dimensional Requirements for Courts does not apply.
5. § 5.3.12(A) Traffic Visibility Across Street Corners does not apply in the MBMF district.
6. § 5.3.14 Townhouse Structures does not apply
7. § 5.3.1.7 Upper-Story Building Step Backs are required on all street frontages. Step Backs shall be 7.5' from the property line, starting on the fifth floor.
8. §5.3.19 Height Buffer Area shall not apply.
9. There shall be no requirements for minimum lot size, lot area per dwelling unit, lot frontage, landscaped or usable open space, Floor Area Ratio, or lot coverage.
10. The minimum required front yard is 15 feet, except that in the MBMF district where the ground floor façade facing the public way is occupied by nonresidential uses, no front yard is required. Minimum required front yard areas shall be available for uses such as trees, landscaping, benches, tables, chairs, play areas, public art, or similar features. Parking spaces are not permitted in the minimum required front yard.
11. § 5.3.10, Average Setback Exception to Minimum Front Yard: All R Districts, may be applied in the NMF District.

12. Except as noted below, in *Section a. Bonuses*, the dimensional regulations are as follows:

District	MBMF – Mass. Ave	MBMF – Broadway	NMF
Max. Height in Stories	4	4	4
Max. Height in Feet	52'	52'	46'
Front Setback	15'	15'	15'
Side Setback	5'	5'	10'
Rear Setback	20'	20'	20'

- a. Bonuses: In the MBMF District, for properties abutting Massachusetts Avenue, where the ground floor at street level is at least 60% occupied by business uses, and the frontage is at least 80% occupied by business uses, the maximum height is 6 stories and 78 feet, and the front yard setback requirement is reduced to 0 feet. In the MBMF District, for properties abutting Broadway, where the ground floor at street level is at least 60% occupied by business uses, and the frontage is at least 80% occupied by business uses, the maximum height is 5 stories and 65 feet, and the front yard setback requirement is reduced to 0 feet.
 - i. In the MBMF District, one additional story may be added if the total percentage of affordable units exceeds the requirements in Section 8.2.3 Requirements by 7.5%, for a total of 22.5% of all units. In the MBMF District for properties facing Massachusetts Avenue, an additional story above that may be added if the development's total affordable housing units exceeds the required percentage by an additional 2.5%, for a total of 25%.
 - ii. In the MBMF District, one additional story is allowed for projects that are SITES certifiable, which encourages high quality design, construction, and maintenance of outdoor spaces.
 - iii. The height with all bonuses shall not exceed 6 stories, 78 feet in the MBMF District on Massachusetts Avenue, 5 stories, 65 feet in the MBMF District on Broadway, and 4 stories, 46 feet in the NMF District.

D. Off-Street Parking and Bicycle Parking.

1. The minimum parking requirement for dwelling and rooming units is 0 parking spaces per unit, and the maximum parking allowed is one parking space per dwelling or rooming unit. For business uses, no off-street parking is required for the non-residential space.
2. Up to 50% of parking spaces may be sized for compact cars (8 feet by 16 feet, per Section 6.1.11 Parking and Loading Space Standards).
3. Bicycle parking requirements as set forth in Section 6.1.12 shall apply.
4. Developments under this section may provide fewer parking spaces under the provisions of S.6.1.5 Parking Reduction in Business, Industrial, and Multi-Family Residential Zones.
5. All other parking provisions in Section 6.1 OFF STREET PARKING shall apply.

E. Affordable Housing.

1. In any development containing six (6) or more dwelling units, at least 15% of the dwelling units shall be Affordable Units as defined in Section 2. DEFINITIONS, and shall conform to all of the affordable housing requirements in Section 8.2.3 Requirements and Section 8.2.5 Administration, and must be eligible for inclusion on the EOHLC's Subsidized Housing Inventory. Where a fraction of a dwelling unit is required for this calculation, the amount of required dwelling units shall be rounded up. If EOHLC determines in writing that the Town has not shown this 15% requirement to be feasible, at least 10% of the dwelling units in any development containing ten (10) or more units shall be Affordable Units conforming with Section 8.2 of the Zoning Bylaw, and eligible for inclusion on the Subsidized Housing Inventory. Bonuses as described in Section 5.9.x.x shall be applicable over and above the allowed affordable housing percentage.
- 5) Amend the Zoning Map to add the following areas shown on maps on file with the Town Clerk to be known as MBMF and NMF Overlay Districts: [\[VIEW MAPS HERE\]](#).