



**TOWN OF ARLINGTON**  
DEPARTMENT OF PLANNING and  
COMMUNITY DEVELOPMENT

TOWN HALL, 730 MASSACHUSETTS AVENUE  
ARLINGTON, MASSACHUSETTS 02476  
TELEPHONE 781-316-3090

**MEMORANDUM**

To: Arlington Redevelopment Board  
From: Jennifer Raitt, Director, Dept. of Planning and Community Development/ kl/ ez  
Date: October 22, 2020  
RE: Review of Warrant Articles 18 and 19 for 2020 Special Town Meeting

---

Staff reviewed the following Warrant Articles to provide the Board with information for further consideration as part of the public hearing and review process. There are two articles with public hearings for the evening of October 26<sup>th</sup>. This memo provides information about each article being reviewed, including any additional information provided by the petitioner, and additional factors for the Board's consideration.

A Warrant Article to amend the Zoning Bylaw has been submitted by Benjamin Rudick and 10 registered voters:

**Article 18      ZONING BYLAW AMENDMENT/ IMPROVING RESIDENTIAL INCLUSIVENESS,  
SUSTAINABILITY, AND AFFORDABILITY BY ENDING SINGLE FAMILY ZONING**

To see if the Town will vote to or take any action related thereto: To amend the Zoning Bylaw for the Town of Arlington by expanding the set of allowed residential uses in the R0 and R1 Zoning Districts with the goal of expanding and diversifying the housing stock by altering the district definitions for the R0 and R1 Zoning Districts.

(Inserted at the request of the Benjamin Rudick and 10 registered voters)

Mr. Rudick provided commentary regarding the warrant article, which is attached.

The staff provides the following additional considerations relevant to this article:

- **Affects Land Use in Low Density Residential Districts (R0 and R1)**

The petitioner notes that the majority of land in Arlington is zoned for residential use, with 60% of total land area falling within the R0 and R1 Zoning Districts. Of Arlington's land zoned for residential use, 80% is restricted to single-family homes. Arlington has very little undeveloped land within its residential districts: within R0 and R1 districts, 31 parcels are classified by the land use code "Developable" or "Potentially Developable."

The proposed amendment would expand the ability of property owners to create additional housing within these two districts by allowing existing structures to be converted to two-family structures by right. It would also permit structures in R0 and R1 districts to be redeveloped from single-family to two-family homes by right so long as the new development complies with the dimensional requirements of the Zoning Bylaw. Special permits could be granted for the

creation of six or more units in a two-family structure or the development of contiguous duplexes on one more lots. Note that the dimensional requirements for each zoning district would remain the same, requiring any additions or new construction to comply with the allowable dimensional requirements for their respective zoning district.

- **Relevant to broader regional and national conversations around zoning and housing**

In recent years, communities in the Greater Boston region and around the United States have initiated discussions around single-family zoning and its relationship to residential segregation (racial and economic), structural racism, climate change, housing shortages, affordability, equity, and inequality. Proposals to eliminate or reduce single-family zoning have been passed into law in Minneapolis<sup>1</sup>, Seattle<sup>2</sup> (LINK), and the State of Oregon<sup>3</sup> (LINK). Similar proposals were considered in California,<sup>4</sup> Virginia,<sup>5</sup> and are being considered in Nebraska.<sup>6</sup>

Legalizing moderate-density housing differs from eliminating single-family homes. Proponents of these proposals note that the goal of such zoning amendments is not to eliminate single-family homes—property owners can keep their homes as-is—but rather to expand the ability of communities to allow for a greater diversity of housing typologies in low-density residential zoning districts. Their argument is that by allowing for a diversity of housing types and sizes, communities would also see a broader range of housing costs as units in two or more family structures tend to cost significantly less than single-family homes. In a recent study by Boston Indicators, the estimated cost savings provided by a townhouse or condominium over new single-family detached homes in Arlington’s peer communities of Melrose and Needham ranges from \$560,340 to \$867,459.<sup>7</sup>

- **Properties and Parcels Subject to Review within the R0 and R1 Zoning Districts**

Single-family homes occupy 93% (505) of the 541 parcels in the R0 district and 93% (6,793) of the 7,306 parcels in the R1 district. Department of Planning and Community Development (DPCD) staff worked with the Town’s Director of GIS/ Systems Analyst to assess which properties would be subject to additional review by the Zoning Board of Appeals (ZBA), the Conservation Commission, or the Historic Districts Commission (AHDC).<sup>8</sup> Table 1 provides data on the number of properties in the R0 and R1 districts that under the proposed amendment that could be converted to or redeveloped as two-family structures by right.

---

<sup>1</sup> New York Times, *Minneapolis, Tackling Housing Crisis and Inequality, Votes to End Single-Family Zoning*, 12/13/2018: <https://www.nytimes.com/2018/12/13/us/minneapolis-single-family-zoning.html>

<sup>2</sup> Seattle.gov, *Ordinance relating to Mandatory Housing Affordability*, <https://seattle.legistar.com/LegislationDetail.aspx?ID=3840745&GUID=7E5F305E-10DA-41F3-AE5D-66E3CAEB81B1&Options=Advanced&Search=>

<sup>3</sup> Bloomberg CityLab, *Oregon’s Single-Family Zoning Ban Was a ‘Long Time Coming’*, 7/2/2019: <https://www.bloomberg.com/news/articles/2019-07-02/upzoning-rising-oregon-bans-single-family-zoning>

<sup>4</sup> California Senate Bill 50

<sup>5</sup> Virginia House Bill 152

<sup>6</sup> Nebraska’s Legislative Bills 794 and 866

<sup>7</sup> Boston Indicators, *Zoned Out*, <https://www.bostonindicators.org/reports/report-website-pages/zoned-out>

<sup>8</sup> Properties on the *Inventory of Historically or Architecturally Significant Properties in the Town of Arlington* are not included in this analysis, as although major additions or demolition may be subject to demolition delay, such project can ultimately completed after twelve months with or without Arlington Historical Commission approval.

<b>Table 1: Properties in R0 and R1 Zoning Districts</b>				
	Total single-family structures	Properties meeting min. lot size and frontage reqs <sup>9</sup>	Properties requiring Conservation Commission review	Properties within a local historic district
R0 Zoning District	505	400	58	0
R1 Zoning District	6,793	3,386	686	195

Of the 505 properties in the R0 district, 353 (70%) single-family structures could be redeveloped by right without requiring additional review by a separate board or commission. In the R1 district, 2,903 (43%) single-family structures could be redeveloped by right.

The attached map highlights the location of these parcels. While there remain a substantial number of parcels that could be converted to two-family structures by right, an existing conditions memo for the ongoing Residential Design Guidelines project notes that Poets Corner, Arlington Heights near Route 2, Mount Gilboa/Turkey Hill, Kelwyn Manor, and sections of Morningside have seen a higher level of redevelopment in the last ten years.<sup>10</sup> (pg 10).

- **Potential for Replacement or Redevelopment of Single-Family Structures**

In the *Report on Demolitions and Replacement Homes*,<sup>11</sup> DPCD identified two conditions that have led to the demolition and replacement of homes in the last decade: structures located on lots large enough to be subdivided, and older, smaller properties that often do not meet modern owners' lifestyle preferences.

***Subdividable Parcels***

Of the parcels in the R0 and R1 zoning districts, 409 (5.2% of all parcels in those districts) meet minimum lot sizes to be subdivided. The majority of these parcels (364) are in the R1 zoning district. However, as in the analysis of parcels above, a considerable portion of these parcels cannot be developed by right because they are located in an historic district or subject to review by the Conservation Commission, or in some cases, both. Of the parcels that do not fall within these two circumstances, another subset of parcels do not have adequate frontage to be subdivided. After subtracting parcels that carry any of these three conditions from the analysis, 81 parcels are shown to be subdividable by right. A breakdown of these parcels is below.

---

<sup>9</sup> These numbers may be higher than actual and are intended to provide a blunt picture of the number of pre-existing nonconformities in Arlington's residential zoning districts. Due to time limitations and information available in the Town's GIS database, additional conformance with the Zoning Bylaw's height, setbacks, and open space dimensional requirements could not be calculated for this analysis.

<sup>10</sup> Harriman, *Existing Conditions Analysis*, pg. 10: <https://www.arlingtonma.gov/home/showdocument?id=51968>

<sup>11</sup> [DPCD Report on Demolitions and Replacement Homes](#), pg. 24.

Table 2: Subdividable Parcels							
Total Parcels		Large Parcels	Parcels in Historic Districts	Conservation Review Required	Inadequate Frontage	Potentially Subdividable by Right	
Zoning	Total <sup>12</sup>					Total	% of Total
R0	541	45	0	18	30	13	2.4%
R1	7,306	364	66	90	269	68	0.93%
<b>Total</b>	<b>7,847</b>	<b>409</b>	<b>66</b>	<b>108</b>	<b>299</b>	<b>81</b>	<b>1.03%</b>

This analysis was based on GIS parcel data only. It did not take into account the slope of individual properties, access to utilities or a public right of way, or similar factors that may limit the ability to subdivide a parcel.

#### ***Older, Smaller Properties***

A separate measure of whether a property is more likely to be replaced is to identify smaller, older single-family homes where there is an incentive for an owner to tear down a small home and replace it with one that maximizes the available square footage within the zoning restriction.

Using 1980 as a threshold for structure age, 1,500 square feet finished area as a threshold size,<sup>13</sup> and the minimum required lot sizes and frontages for each zoning district, DPCD identified 578 homes that meet these thresholds. Of these homes, eight are located in a local or national historic district, and 67 are subject to review by the Conservation Commission; subtracting those homes from the analysis yields a final count of 505 single-family homes that could be considered desirable for replacement. A breakdown of relevant datapoints for those homes is included in table 3 below.

<sup>12</sup> These totals reflect all land uses within the R0 and R1 districts, unlike those in Table 1 which reflect only parcels with a Land Use Code of 101.

<sup>13</sup> 1,500 square feet was selected as a threshold as it is roughly half of the average square footage of newly constructed homes in the R1 zoning district.

**Table 3: Older, Smaller Single-Family Homes in R0 and R1 Districts**

	All Homes		Older, smaller homes not subject to additional review	
	R0	R1	R0 district	R1 district
Total	505	6,793	10	495
Median year built	1954	1940	1953	1951
Median square footage	2,616	1,836	1,444	1,343
Median assessed value	\$969,600	\$766,600	\$733,750	\$671,800
Median land value	\$526,400	\$445,800	\$521,600	\$442,100
Land value as a proportion of total value	54%	58%	71%	66%

These homes represent a small portion of properties in the R0 district (2%), and a slightly larger proportion of properties in the R1 district (7.3%%). There is potential for smaller, older homes to be replaced with new two-family structures under the proposed amendment, particularly in the R1 district. However, the factors that lead to these homes being considered desirable for replacement is not a new consideration that would be introduced by the proposed amendment; such properties can and sometimes are redeveloped as single-family structures under Arlington's current zoning.

- **Current Rates of Demolition and Large Additions**

Between 2010 and 2020, 255 permits were issued in Arlington for substantial residential construction projects in Arlington's low-density zoning district: 203 for demolitions and 52 for major renovations. On average, 27 permit applications were filed each year. During the same ten-year period, 60 permit applications were processed for demolition permits to replace a single-family home with a two-family home in the R2 district, a rate of six converted properties a year.

- **Real Estate Turnover in Arlington**

The ability to demolish and replace single-family structures with new single or two-family structures is limited by several factors. First, as outlined above, existing nonconformities and review processes serve as barriers to simple, by right, redevelopment, either lengthening the process or deterring redevelopment of those properties entirely. Second, turnover of homes in Arlington's real estate market is low. According to MLS data, a median of 277 single-family homes are sold in Arlington each year.<sup>14</sup> Third, Arlington property owners tend to stay in their homes for many years. Data from an analysis of assessor's records for properties that were demolished or substantially renovated between 2010 and 2020 reveals that the median tenure of the resident who owned a home prior to the purchaser who ultimately demolished or renovated it was 23 years. The middle 50% of sellers lived in their home between 12 to 40 years.

<sup>14</sup> MLS Total Sold Market Statistics reports for years 2000, 2005, 2010, 2015, and 2018 run by Steve McKenna of The Home Advantage Team on 1/10/2019 and reported in the *Report on Demolition and Replacement Homes*.

A Warrant Article to amend the Zoning Bylaw has been submitted by Barbara Thornton and 10 registered voters:

**Article 19      ZONING BYLAW AMENDMENT/ ACCESSORY DWELLING UNITS**

To see if the town will vote to allow Accessory Dwelling Units (ADUs) in single and two-family dwellings in residential districts, or take any action related thereto by amending the Zoning Bylaw as follows:

**Section 1.2 Purposes** to add “to encourage housing for persons at all income levels and stages of life”:  
and

**Section 2 5 Definitions Associated with Dwelling:** to add *An ACCESSORY DWELLING UNIT, OR ACCESSORY APARTMENT, “Accessory dwelling unit”, four or more rooms constituting a self-contained accessory housing unit, inclusive of sleeping, cooking and sanitary facilities on the same premises as the principal dwelling, subject to otherwise applicable dimensional and parking requirements, that: (i) maintains a separate entrance, either directly from the outside or through an entry hall or corridor shared with the principal dwelling sufficient to meet the requirements of the state building code and state fire safety code; (ii) is not larger in floor area than 1/2 the floor area of the principal dwelling.* and

**Section 3.3.3 Special Permits** to add “in the case of requests for special permits for Accessory Dwelling Units, the use will add to the need for a range of affordable housing opportunities for the Town.” and

**Section 5.2.3 Districts and Uses:** to add “to allow for the creation of accessory dwelling units in all zoning districts which allow residential use. (Include in Section 5.4 Residential Districts);

or take any action related thereto.

(Inserted at the request of Barbara Thornton and 10 registered voters)

The staff provides the following additional considerations relevant to this article:

- **Substantially different than previous proposals**  
This amendment is substantially different than the previous accessory dwelling unit proposals considered by Town Meeting. In particular, the amendment considered by the 2019 Town Meeting required a special permit for the use and was limited to the R0 and R1 Zoning Districts; this amendment allows Accessory Dwelling Units (ADUs) by right in single- and two-family dwellings in any residential district.
- **Why allow Accessory Dwelling Units?**  
ADUs provide a number of benefits to property owners: allow additional flexibility on using space within the home; allow for options that may create supplementary income; allow aging in place or multigenerational families on the property; and increase long-term rental housing opportunities while balancing potential impacts to existing neighborhoods. These benefits are consistent with the goals of the Housing Production Plan, and are encouraged to facilitate a range of housing types to help meet the needs of specific demographics, such as seniors, multi-generational households, individuals with disabilities, low-to-middle income family households, and singles (p. 60).

- **Scope of Article**

While the warrant article is somewhat unclear, the main motion clarifies that the petitioner is allowing accessory dwelling units in single- and two-family dwellings only in any residential district by right. The ADU must be attached to the primary dwelling (i.e., a garage could not be converted to an ADU under this article) and cannot be larger than 50% of the floor area of the primary dwelling. Additionally, the unit must be compliant with the State Building Code and Fire Safety Code. Finally, all density and dimensional requirements will apply and do not change.

- **How many Accessory Dwelling Units will be created?**

*The State of Zoning for Accessory Dwelling Units*<sup>15</sup> provides an excellent overview of how Massachusetts municipalities choose to allow or not allow ADUs. This study highlights the fact that even when municipalities allow ADUs by right with some limitations as is the case in this amendment, the actual number of units that are created is still quite low. The report states that, "...2.5 units on average are permitted annually per municipality that allows ADUs (including those that are restricted to relatives)." There is also a high cost of constructing the space that meets the requirements of building and safety codes, which may limit to who would actually take on the construction. These facts coupled with the number of units generated from similar zoning bylaws in other municipalities demonstrate that there would be likely minimal impact on the residential zoning districts.

- **Preservation of existing housing**

Accessory Dwelling Units provide financial and social incentives for owners to preserve the façade of existing housing, thereby maintaining the appearance of the streetscape while increasing the number and range of housing options.

- **Supports Arlington Families**

ADUs have the potential to support families in Arlington throughout life stages. By developing an ADU on a property, middle-age homeowners have the ability to provide independent housing to their adult children, who then have the ability to live in Arlington at lower or more affordable rental rates. They also provide middle-age homeowners with the flexibility to invite aging parents to move in and provide them material, physical, and emotional support. As homeowners grow older, ADUs permit seniors to live in intergenerational housing while remaining in their home, access a new income stream, or live independently while inviting their adult children to move into the home.

- **Consistency with the Housing Production Plan (HPP)**

The Housing Production Plan adopted by the Select Board and Redevelopment Board and approved by the Massachusetts Department of Housing and Community Development in 2016 identifies various regulatory and zoning amendments in order to create and preserve affordable housing in Arlington. The plan identifies zoning amendments to allow for ADUs as a method to facilitate development of a range of housing types to help meet the needs of specific demographics, such as seniors, multi-generational households, individuals with disabilities, low-to-middle income family households, and singles (p. 60).

---

<sup>15</sup> <https://ma-smartgrowth.org/wp-content/uploads/2019/01/ADU-MSGA-Pioneer-paper-2018.pdf>

