

Creation of a Process Allowing Permanently Affordable Housing to be Built on Privately Owned Parcels of “Non-Conforming” Size

ARB Hearing: March 15, 2021

Presented by Barbara Thornton, TMM, Precinct 16, 223 Park Ave., Arlington

I am here this evening to ask you to support this legislation designed to use the regulatory powers of municipal government to increase the number of permanently Affordable (according to HUD guidelines) housing in the Town of Arlington. There may be 500 or more such qualifying parcels in the Town. If only half of those were developed by owners, it would yield a hugely significant increase in the amount of permanently Affordable housing in Arlington, a highly desirable goal.

In the Main Motion section below, you will find a draft example of how this regulation may be incorporated into current zoning requirements.

Article:

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To see if the Town will vote, to allow the development of new sources of permanently affordable housing (affordable in perpetuity with “affordability” as defined in Arlington Zoning By-Laws) by modifying the requirements for constructing housing units to enable construction on smaller lots as long as those housing units are permanently committed, via deed restriction, to be available for rental or ownership according to official regional guidelines (see (Zoning Bylaw Section 2, Basic Provisions, Definitions Associated with Affordable Housing) of affordability, or take any action related thereto.

Such construction would be permissible in all zoning districts allowing residential use, providing the tracts were laid out prior to July 1, 2020, and provided the proposed construction receives a special permit from the ZBA.

Ownership, sale, repurchase and rentals of each property by the owner would be overseen to ensure compliance with affordability requirements, by the Arlington Housing Trust Fund or a comparable entity that would have the authority to enforce the affordability guidelines in perpetuity.

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Non Conforming Parcels – Main Motion

Amend Section 5.4.2:

E. Exceptions for affordable housing. In the R0, R1, and R2 districts, a lot may be built upon with a single- or two-family use provided that the Board of Appeals, acting pursuant to Section 3.3, issues a special permit and the dwelling(s) complies with Section 8.2, and provided that the following use, density and dimensional requirements are met:

(1) R0

- Only single-family structures are allowed.
- Lot area and frontage. The minimum lot size is 4,000 square feet and the minimum frontage is 50 feet.
- Yards. The following minimum yards shall apply: the front yard shall be 25 feet, the side yard shall be 10 feet, and the rear yard shall be 20 feet.
- Floor area ratio. The floor area ratio shall be 0.45.
- Open space. The minimum open space shall be 20 percent with a minimum horizontal dimension in any one direction of 20 feet.
- Maximum lot coverage. The maximum lot coverage shall be 35 percent.
- Maximum building height. The maximum building height shall be 35 feet and the maximum stories shall be 2 and one-half stories.

(2) R1

- Only single-family structures are allowed.
- Lot area and frontage. The minimum lot size is 3,000 square feet and the minimum frontage is 40 feet.
- Yards. The following minimum yards shall apply: the front yard shall be 15 feet, the side yard shall be 5 feet on one side and 10 feet on the second side, and the rear yard shall be 20 feet.
- Floor area ratio. The floor area ratio shall be 0.50.
- Open space. The minimum open space shall be 20 percent with a minimum horizontal dimension in any one direction of 20 feet.
- Maximum lot coverage. The maximum lot coverage shall be 35 percent.
- The maximum building height. The maximum building height shall be 35 feet and the maximum stories shall be 2 and one-half stories.

(3) R2

- Single or two-family structures are allowed.
- Lot area and frontage. The minimum lot size is 4,000 square feet and the minimum frontage is 40 feet.
- Yards. The following minimum yards shall apply: the front yard shall be 15 feet, the side yard shall be 5 feet on one side and 10 feet on the second side, and the rear yard shall be 20 feet.
- Floor area ratio. The floor area ratio shall be 0.85 for a two-family dwelling. The floor area ratio shall be 0.45 for a single-family dwelling.

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- Open space. The minimum open space shall be 20 percent with a minimum horizontal dimension in any one direction of 20 feet.
- Maximum lot coverage. The maximum lot coverage shall be 35 percent.
- The maximum building height. The maximum building height shall be 35 feet and the maximum stories shall be 2 and one-half stories.

Further, a lot may be subdivided that meets the requirements as outlined above. However, the existing lot must meet all conforming lot requirements in accordance with Section 5.