

Warrant Article 33:  
ZONING BYLAW AMENDMENT/  
REAR YARD SETBACKS IN  
BUSINESS DISTRICTS

May 2024

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Presentation to Town Meeting

# Warrant Article

To see if the Town will vote to amend the Zoning Bylaw Section 5.5.2. DIMENSIONAL AND DENSITY REGULATIONS to adjust the rear yard setback requirement for uses of four or more stories in the Business Districts; or take any action related thereto.

# Proposed Motion Language

That the Zoning Bylaw be and hereby is amended as follows:

Amend SECTION 5.5.2:

Section 5.5.2: Dimensional and Density Regulations

A. Tables of Dimensional and Density Regulations

B District Yard and Open Space Requirements

Note: L is the length of a wall parallel (or within 45 degrees of parallel) to lot line, measured parallel to lot line, subject to the provisions of Section 5.3.15 for buildings of uneven alignment or height. H is the height of that part of the building for which the setback or yard is to be calculated.

\* 0 feet when abutting an alley or rear right-of-way of at least 10 feet of width

\* 10 feet when abutting a non-residential district

\* 20 feet for three or fewer stories when abutting a residential district

\* For buildings of four or more stories: 20 feet for the first three stories and 30 feet for the fourth and higher stories when abutting a residential district ~~30 feet for four and more stories when abutting a residential district~~

\* If the rear yard abuts both a residential and non-residential district, the minimum requirement for the residential district shall apply.

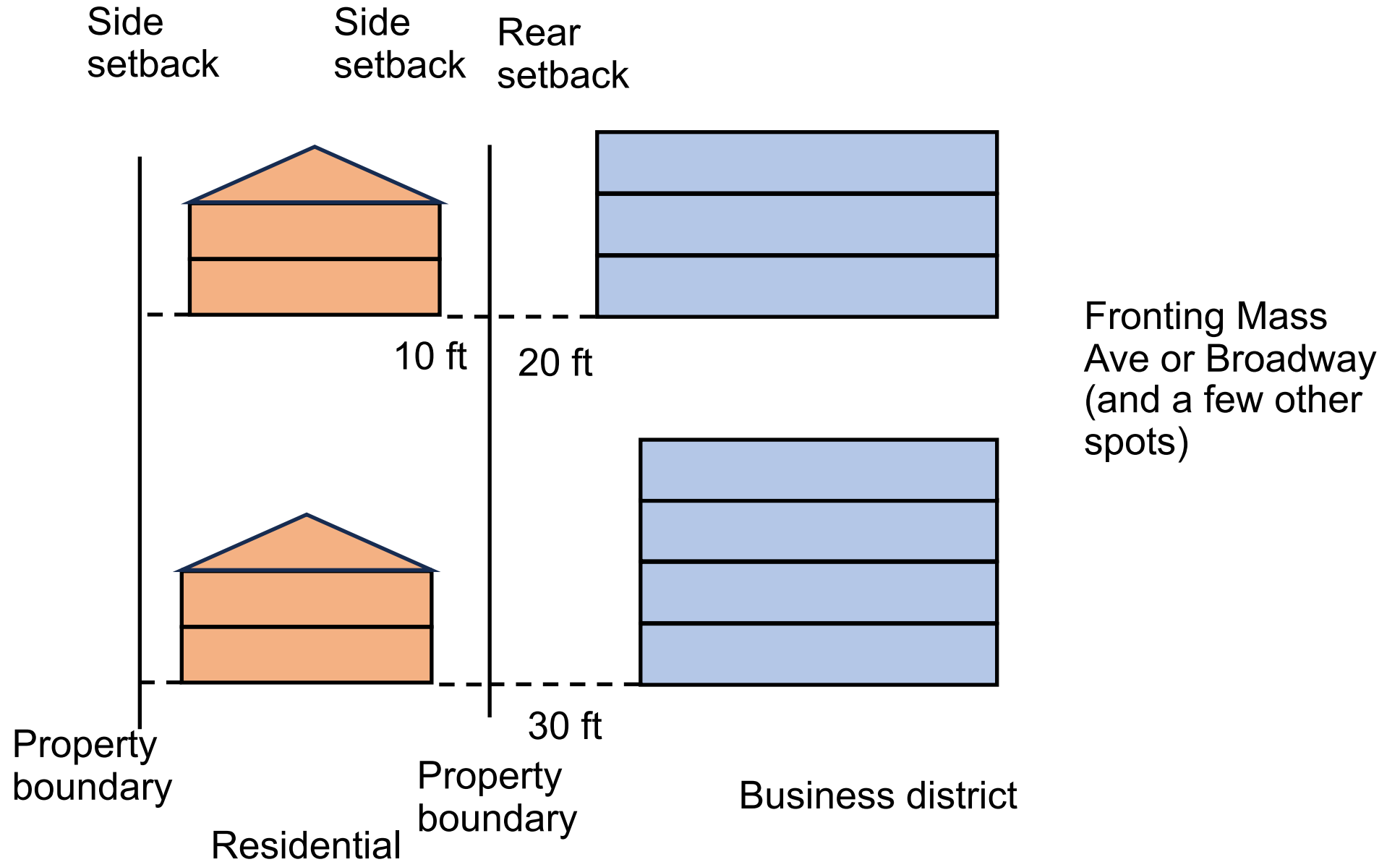
# Proposed Motion Language - highlight

Amend SECTION 5.5.2:

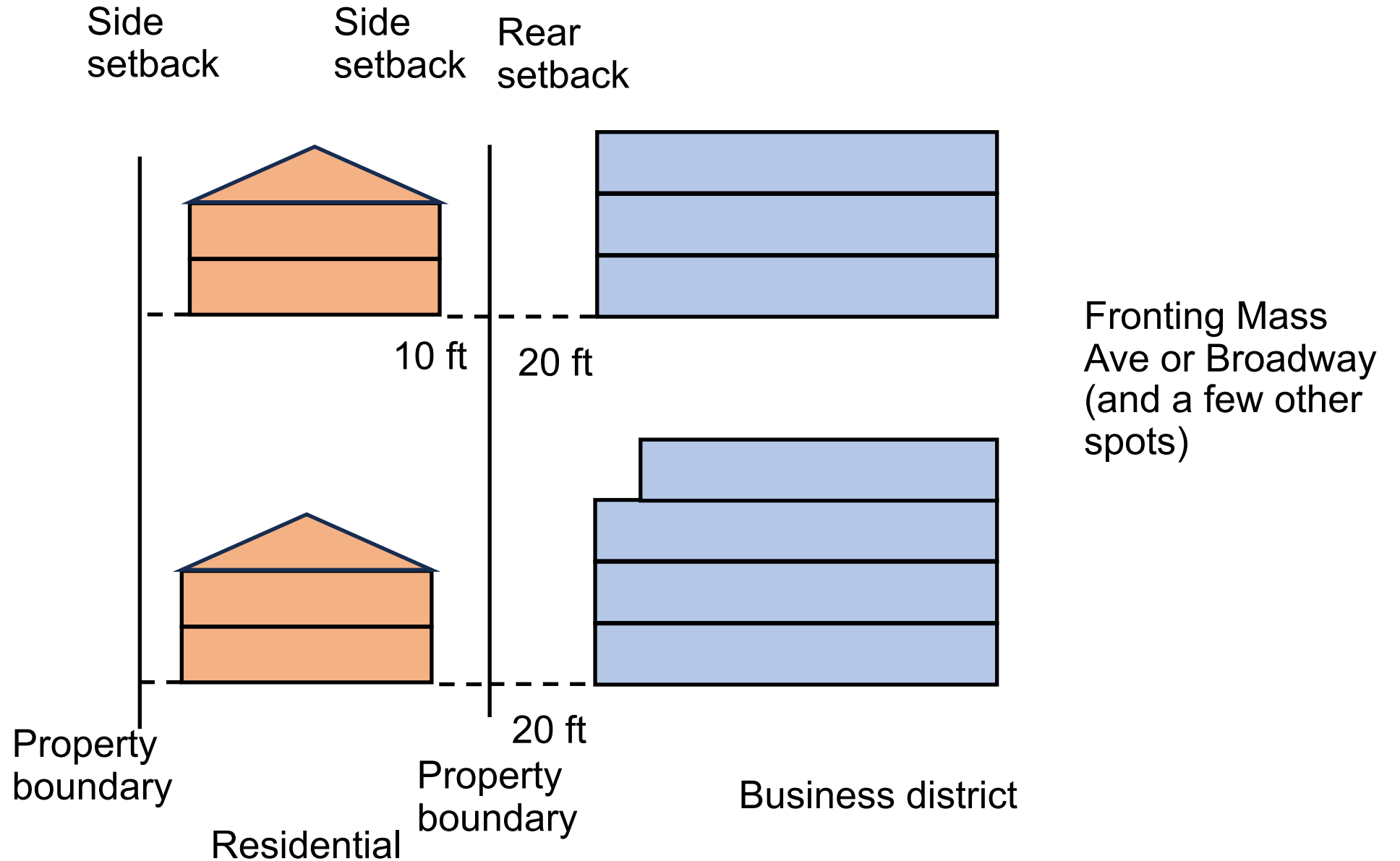
Section 5.5.2: Dimensional and Density Regulations  
B District Yard and Open Space Requirements

\* For buildings of four or more stories: 20 feet for the first three stories and 30 feet for the fourth and higher stories when abutting a residential district ~~30 feet for four and more stories when abutting a residential district~~

# Current rules under zoning



# Rules under proposed zoning amendment



# Example effect of amendment - 1

## **Example:**

Business district building that abuts residential property in rear.

## **Up to three stories:**

- Width = 60 feet. Depth = 80 feet.
  - 4,800 sq ft per floor\*3 = **14,400** sq ft total.

# Example effect of amendment - 2

## Example:

Business district building that abuts residential property in rear.

To make a **fourth floor**, need to decrease depth of entire building for 10-foot larger rear setback:

- Width = 60 feet. Depth = 70 feet.
  - 4,200 sq ft per floor\*4 = **16,800** sq ft total.
  - Only a net increase of **2,200 sq ft** for all the construction costs of building 4 stories instead of 3.



# Example effect of amendment - 3

## Example:

Business district building that abuts residential property in rear.

With proposed amendment, for fourth story only:

- Width = 60 feet. Depth = 70 feet.,
  - **4,200 sq ft** added on existing 14,400 sq ft = 18,600 sq ft total.

Almost **doubling additional** sq ft for one extra story relative to status quo.

# Reasoning for proposed amendment - 1

- Requiring a 20-foot setback to become a 30-foot setback for all stories of a building that goes from 3 to 4 stories decreases economic feasibility of construction.
- A larger first floor footprint would be more attractive to commercial space users, encouraging developers to build such spaces.
- Increased commercial tax base.

## Reasoning for proposed amendment - 2

- Separate zoning language caps story and height limits in different business districts.
- Current rear-yard setback rule may effectively cap certain parcels at 3 stories, despite a higher story limit.

## Reasoning for proposed amendment - 3

- This change should not impact shadows on the rear adjacent parcel due to the 4<sup>th</sup> and higher stories.
- 4th and higher floor setback remains the same in the existing and proposed zoning.

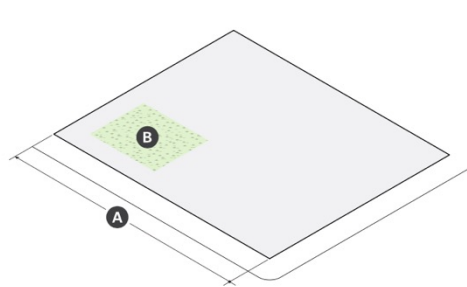
# Adjacent Community - Somerville Zoning Code

## 4. MID-RISE DISTRICTS

Mid-Rise 6 (MR6)

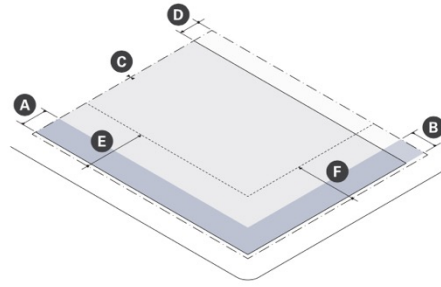
### 4.4.10 Lab Building (continued)

a. Lot Standards



Lot Dimensions	
<b>A</b> Lot Width (min)	30 ft
Lot Development	
Lot Coverage (max)	100%
GREEN SCORE	--
Minimum	0.20
Ideal	0.25
<b>B</b> OPEN SPACE (min)	15%

b. BUILDING Placement



Building Setbacks	
Curb Setback (min)	12 ft
<b>A</b> Primary Front SETBACK (min/max)	2 ft 15 ft
<b>B</b> Secondary Front SETBACK (min/max)	2 ft 15 ft
<b>C</b> Side SETBACK (min)	0 ft
Abutting an Alley or R-ROW	0 ft
Abutting any non-NR or -LHD	0 ft
1st - 3rd Story abutting NR or LHD	10 ft
4th - 6th Story abutting NR or LHD	30 ft
<b>D</b> Rear Setback (min)	--
Abutting an Alley or R-ROW	0 ft
Abutting any non-NR or -LHD	10 ft
1st - 3rd Story abutting NR or LHD	20 ft
4th - 6th Story abutting NR or LHD	30 ft

- Mid-Rise 4, 5, 6 have the same rear setback rules as this proposal.
- Mid-Rise can be an entire commercial parcel or commercial on first floor, residential on upper floors.
- NR = neighborhood residential = similar to R0, R1, R2 in Arlington

<b>D</b> Rear Setback (min)	
	--
Abutting an Alley or R-ROW	0 ft
Abutting any non-NR or -LHD	10 ft
1st - 3rd Story abutting NR or LHD	20 ft
4th - 6th Story abutting NR or LHD	30 ft

# Questions?

Thank you for your time.

# Zoning map reference

## Zoning

of the  
Town of Arlington, MA

### LEGEND

- B1: Neighborhood Office
- B2: Neighborhood Business
- B2A: Major Business
- B3: Village Business
- B4: Vehicular Oriented Business
- B5: Central Business
- I: Industrial
- MU: Multi-Use
- OS: Open Space
- PUD: Planned Unit Development
- R0: Large Lot Single Family
- R1: Single Family
- R2: Two Family
- R3: Three Family
- R4: Town House
- R5: Apartments Low Density

Business districts primarily along Mass Ave and Broadway, with a couple other small areas (e.g. Warrant St, Summer St)

