

Citizen's Guide to Arlington Zoning Bylaw Recodification

January 9, 2018

Annotated after 1.12.18 ZRWG meeting, submitted by Wynelle Evans

Revised 1.14.18 to incorporate ZRWG comments

Notes in blue, at end of sections discussed

The attached document and this cover sheet are being submitted to the Arlington Redevelopment Board (ARB) by the undersigned individuals as formal written comments for the Public Hearing begun on January 8, 2019 on Article 2 of the 2018 Arlington Special Town Meeting: ZONING BYLAW AMENDMENT/RECODIFICATION. We respectfully request that they be made part of the public docket for the hearing.

The attached document is an annotated version of the "Guide to Arlington Zoning Bylaw Recodification" prepared by the Zoning Recodification Working Group, and dated December 14, 2017 with a revision date of December 18, 2017. The content of the original document has been maintained in its entirety without any intentional changes, with the exception of some highlighting of text. Where any of us have made comments on any row of the original tables, they appear to the far right in the same row, in the column with the heading "Citizen Review Comments."

The purpose of our review was to assess the changes made to the existing bylaw to prepare the Hearing Draft: PROPOSED REVISION OF THE ARLINGTON ZONING BYLAW dated December 14, 2017. Given the limited amount of time available for this review, we make no representations that all changes and additions have been identified, nor that our comments are complete.

Based on our detailed review, we are unanimous in our opinion that given the numerous errors, inconsistencies, and out-of-scope policy changes in the Hearing Draft, the document is not close to being ready for a Town Meeting vote, and insufficient time exists for the Hearing Draft to be corrected and publicly vetted before the February 12, 2018 Special Town Meeting. Thus, we request a No-Action recommendation by the ARB on Article 2. Once all of the issues we have identified have been addressed and undergone public review, the proposed bylaw revisions will be ready for a Town Meeting vote.

Wynelle Evans, Residential Study Group Member

Jon Gersh, Town Meeting Member, Precinct 18

Christopher Loreti, Former Member of the Arlington Redevelopment Board and Former Town Meeting Member, Precinct 7

Paul Parise, Resident, Precinct 15

Elizabeth Pyle, Residential Study Group Member, Town Meeting Member, Precinct 10

Guide to Arlington Zoning Bylaw Recodification

Prepared by the Zoning Recodification Working Group

December 14, 2017

Introduction: This guide is a companion to the “Hearing Draft, Proposed Revision of the Arlington Zoning Bylaw December 14, 2017” to describe in detail where and why sections on the existing Zoning Bylaw were moved or edited.

The scope of the revision is a recodification, reorganization, and updating of the bylaw. The goals of this recodification effort are to: (1) create a document that is easy for users to navigate; (2) simplify and update the language of the Bylaw wherever possible without losing meaning of the intent of the Bylaw; and (3) provide a structure that is both predictable and flexible enough to accommodate amendments over time. In addition, recodification ensures the Bylaw is consistent with internal and external laws and regulations, e.g. conformance with Massachusetts General Law Chapter 40A The Zoning Act.

This guide consists of a table organized to be reviewed by row; each row represents a section of the bylaw. Along each row there are five columns. The first two columns identify the section and title of provisions in the current zoning bylaw. The third column identifies the corresponding section in the revised zoning bylaw. The fourth column summarizes proposed changes. The fifth column explains the purpose for the amendment, such as to make the bylaw easier to understand and use, or to make it consistent with local or state laws or regulations. A detailed explanation of proposed amendments to the Definitions section begins on page 22.

The first Arlington Redevelopment Board Public Hearing on the Hearing Draft of the Zoning Bylaw will be on

Monday, January 8, 2018 at 8:00 p.m. Any questions may be directed to the Department of Planning and Community Development at 781-316-3090 or zoningrecod@town.arlington.ma.us.

Guide to Arlington Zoning Bylaw Revision					
Existing Zoning Bylaw Section	Existing Zoning Bylaw Title	Proposed Zoning Bylaw Section	Amendment Summary	Amendment Purpose	Citizen Review Comments
1.01	Short Title	1.1			No substantive change
1.02	Authority	1.3	The recodification removes language from 1.02 that did little more than state the obvious (e.g., a statement that mandatory amendments to 40A would supersede provisions in the Zoning Bylaw). This section now references authority granted by MGL Ch. 40A and Article 89 of the Amendments to the MA Constitution.	Usability	No substantive change
1.03	Purpose	1.2	No change from current purpose statement.	Usability	No substantive change

2.01	Definitions	2	See "Definitions" details at the end of this document.		
3.01	Establishment of districts	4.1, 4.1.1	Section 3.01 lists the zoning districts; the same list appears in Section 4.1.1 of the recodification.	Usability	Added section 4.1.2 Overlay Districts (reserved) Future use – no content

Existing Zoning Bylaw Section	Existing Zoning Bylaw Title	Proposed Zoning Bylaw Section	Amendment Summary	Amendment Purpose	Citizen Review Comments
3.02	Description of zoning districts	5.4.1	Section 3.02 provides a brief description of each district, along with the purpose for which that district was intended. The recodified ZBL presents this material in three sections, corresponding to residential districts, business districts, and other districts. Descriptions of residential districts appear in section 5.4.1 of the recodification.	Usability	Very minor change in R7, changed "same scale" to "similar scale" "similar" might leave some wiggle room
3.02	Description of zoning districts	5.5.1	Section 5.5.1 of the recodification contains descriptions of business districts, taken from Section 3.02. See also: preceding comments for section 3.02 of the current ZBL.	Usability	OK
3.02	Description of zoning districts	5.6.1	Section 5.5.1 of the recodification contains descriptions of multi-use, industrial, transportation, planned unit development, and open space districts; these definitions are taken from Section 3.02. See also: preceding comments for section 3.02 of the current ZBL.	Usability	Industrial District wording omitted "Mill Brook Valley" and added "by Special Permit" to last sentence. Mixed use development is allowed in this district without residential space

					"by Special Permit"
3.03	Zoning Map	4.2	Section 3.03 states that the zoning map and wetland and floodplain overlay are part of the zoning bylaw. These statements appear in Section 4.2 of the recodification. Section 4.2 also states that amendments to these maps are made in the same manner as any other amendments to the bylaw.	Usability	<p>Dates of Zoning Map and Overlay are not included in new document, but were included in current ZB</p> <p>Don't see highlighted statement (left) in the new document</p> <p>Second sentence in new draft should be reworded to: "The Zoning Map showing the district boundaries and including an overlay map entitled 'Wetland and Floodplain Overlay' are part of this bylaw."</p>

Existing Zoning Bylaw Section	Existing Zoning Bylaw Title	Proposed Zoning Bylaw Section	Amendment Summary	Amendment Purpose	Citizen Review Comments
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3.04	Changes to Map	1.5	Removed language regarding registration for nonresident property owners; the Town Clerk informs us that no one has ever registered under this provision.	Consolidation of Requirements	Don't Understand. Don't see the highlighted sentence in 3.04 Recodification section 1.5 refers to existing 12.01, not 3.4. To be corrected, per ZRWG.
3.05	Boundaries of Districts	4.2.1	Section 3.05 states how district boundaries are interpreted. List items a-g in Section 3.05 correspond to list items A-G in section 4.2.1 of the recodification.	Usability	In 4.2.1A add "rapid" in front of transit Language of 4.2.1G simplified
4.01	Interpretation				Not present in new document. Parts are included in Sec. 1. Substantive change?? There is a similar sentence in S. 1, but this one, which was dropped, is more protective: "Whenever the regulations made under the authority hereof differ from those prescribed by any statute, bylaw, other section of the Zoning Bylaw, or other regulation, that provision which imposes the greater restriction or the higher standard shall govern."

					To be modified to restore more-restrictive existing ZBL 1.4 language, per ZRWG
4.02	Application	1.4			Parts of 4.02 are picked up in 1.4. Does not include conforming/non-conforming statement. Substantive change?? Not a big issue as non-conformities are covered separately.
4.03	Existing Buildings and Land	8.1	Non-conforming Uses and Structures moved to “Special Regulations”	Usability	Sec. 8.1 is a large, complex section. Substantive change?? OK to drop this as a separate section and cover it as part of Section 8.
4.04	Multiple Business Uses		Removed. Mixed Use moved to Definitions.	Consolidation of Requirements	Definition of Multiple Business Uses is removed and its intent is not covered elsewhere i.e., “...the regulation for each use shall apply to the portion.....”
5.01	Applicability of Use Regulations	1.4, 5.1		Usability	OK
5.02	Permitted Uses	5.2	Government uses allowed in all districts added.	Usability and	No longer includes criteria where use is only

				Consistency with State Law	<p>permitted by special permit.</p> <p>No longer mentions criteria defining principal and accessory uses, and other issue where a commercial property may become a residential property.</p> <p>Substantive change??</p> <p>The additional text is OK, but not dropping the current 2 paragraphs of S 5.02 is not. Looks like they could now allow building on streets without adequate utilities, and dropped the explicit listing of where multiple uses are allowed (and by implication not allowed) on a single lot.</p> <p>Language is in 3rd draft, with specifications moved to tables; will flag in Definitions per ZRWG</p>
5.03	Uses Subject to Other Regulations		Removed. Unnecessary.	Usability	OK

5.04	Table of Use Regulations	5.2.1	Uses permitted in all districts	Usability	Don't understand how sec. 5.2.1 applies here to table of use regulations
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Existing Zoning Bylaw Section	Existing Zoning Bylaw Title	Proposed Zoning Bylaw Section	Amendment Summary	Amendment Purpose	Citizen Review Comments
5.04	Table of Use regulations	5.4.3	Use regulations for residential districts. Table has been rearranged and a few uses consolidated. Religious and educational uses have been removed, in conformance with case law ("Dover Amendment").	Usability and Consistency with State Law	<p>Original Table footnotes A and B appear to be missing.</p> <p>Single Room Occupancy Bldg added to R3 thru R7</p> <p>Group Home added to R0 thru R7</p> <p>Dormitory added to R2</p> <p>Conversion to apt. 18 units etc. listed twice, but this time in R3 R4 as opposed to R4 R5 in first listing</p> <p>Conversion of 1 or 2 family to B&B listed twice</p>

					<p>Rehabilitation Residence R3 to R5 not listed</p> <p>Need to add footnote C from current ZB to Nursing Home, Rest Home item</p> <p>Essential Services under Utility, Trans. & Comm. is new and needs definition</p> <p>New item under Wireless Communication re: bldgs. Exempt under G.L.40A</p> <p>Office with less than 50 ft. front right of way (item 6.22a current ZBL) is omitted. Was all SP in R4 to R7, so it's probably a moot point.</p> <p>"Enclosed entertainment and recreation facilities...." with SP required in R0 to R5 In the current ZBL is missing? New item?</p>
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					<p>Home Occupation – should reference sec. 5.9, not 5.8</p> <p>Assume family Child Care replaces 8.08, if so, SP required for all R categories</p> <p>Articles 2.05, 2.06, 2.07, 5.11c, and 8.02 have been omitted presumably due to “Dover Amendment”</p> <p>Item 8.07, Dr.’s / Clergy Home office, appears to be missing.</p> <p>Errors in table of uses to be corrected, per ZRWG.</p>
5.04	Table of use regulations	5.5.3	Use regulations for six business districts (B1, B2, B2A, B3, B4, B5). The allowed uses either by right or by Special Permit are grouped into major categories of similar types of land uses for ease of searching.	Usability and Consolidation of Requirements	<p>Item 1.07 Licensed Lodging House, B1, B5 SP appears to be missing. Could be the Single Room Occupancy item listed?</p> <p>Item 1.08, Rehabilitation Residence, B1 SP appears to be missing.</p> <p>Group Home, permitted</p>

					<p>in all districts, seems to be new addition</p> <p>Conversion of apartments up to 18 formerly allowed by SP in B1 only; now allowed by SP in B4 and B5 only.</p> <p>Dormitory, SP in all B districts, appears to be a new item</p> <p>Community center, etc. Formerly by SP in B1, B2, B3, and B5. Now by SP in B1, B2, B2A, and B4.</p> <p>Library, Museum, etc. Formerly SP everywhere except B4. Now SP in all districts.</p> <p>Conservation Land now Yes all B districts, appears to be a new item.</p> <p>Municipal Enclosed entertainment, etc. now SP in all districts. Formerly B1 excluded.</p>
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					<p>This matches use 4.12 in existing ZBL, per ZRWG.</p> <p>Item 4.06, US Post Office missing.</p> <p>Indoor Motion Picture Theater, formerly SP B2 thru B5, now SP B2a thru B5.</p> <p>Essential Services – needs definition</p> <p>Municipal radio or television studio, SP B2, appears to be new.</p> <p>Home Occupation should reference Sec. 5.9 not 5.8</p> <p>Errors in table of uses to be corrected, per ZRWG.</p>
5.04	Table of use regulations	5.6.3	Use Regulations for MU, PD, I, T, and OS Districts. The allowed uses either by right or special permit are grouped into major categories of similar types of land uses for ease of searching.	Usability and Consolidation of Requirements	<p>Single Family detached – SP added</p> <p>Two family duplex – SP added</p> <p>Three family dwelling – SP added</p>

					<p>See footnote A – six or more units on a contiguous lot: formerly was SP for both MU and PUD. Now the draft has SP for MU and Yes for PUD</p> <p>Substantive change??</p> <p>This is OK. One and two-families are by-right in PUD (no change), but as before if you have six or more on a lot, a SP is needed (so that affordable housing requirements are triggered).</p> <p>Conversion to apartments 18 units, etc., currently not addressed; new draft SP for PUD</p> <p>Item 1.07 Licensed Lodging House, PUD SP appears to be missing. Could be the Single Room Occupancy item listed?</p> <p>Item 1.08, Rehabilitation residence, MU and PUD</p>
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					<p>SP appears to be missing. The intent was to cover Rehabilitation residence under Group Home, which is permitted in all districts, per ZRWG.</p> <p>Group Home, permitted in MU and PUD seems to be new</p> <p>Conservation Land now Yes all districts, not just OS</p> <p>Item 4.06, US Post Office missing</p> <p>Essential Services now SP for all districts, not just MU, PUD, and I</p> <p>Bank < 2000 sq. ft. should be PUD Yes: Bank > 2000 sq. ft. should be PUD SP</p> <p>Consumer Service establishment – current ZBL indicates Yes, not SP, for more than 5</p>
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					<p>employees. Needs resolution.</p> <p>Current ZBL indicates Veterinary Care Yes in PUD, not yes in I</p> <p>Current ZBL indicates restaurant <2000 sq. ft. is Yes in I, not SP</p> <p>Retail <1000 sq. ft. should be Yes in PUD and I; >1000 sq. ft. should be SP in PUD and I</p> <p>Item 6.22a of current ZBL needs to be addressed in all Use Tables</p> <p>Mixed Use (under light industry) needs to add footnote D</p> <p>Accessory structure not used as part of business – SP for T district added Home occupation footnote C should reference Sec. 5.9, not 5.8</p>
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					<p>Footnote C says SP required if customers or pupils come to house. Current ZBL says Yes, not SP</p> <p>Missing item 8.16</p> <p>Errors in table of uses to be corrected, per ZRWG.</p>
5.05	Home Occupation	5.8.1	Moved from Use Regulations to District Regulations. Requirements are unchanged.	Usability	Moved to section 5.9, not 5.8.1
5.06	Joint Occupancy of Schools		Eliminated. Unnecessary for the bylaw to address authority of the school department	Consolidation of Requirements	OK
6	Table of Dimensional and Density Regulations	5.4.2	Regulations for residential districts are grouped together for ease of searching. Accessory structures are grouped with other residential structures by zone.	Usability and Consolidation of Requirements	<p>R2 should be 20' front setback, now 25', and has been combined w/R0, R1</p> <p>R3,4,5 add dimensions for "accessory structures"</p> <p>R0 Open Space/Lot Avg, combines dwelling w/permanent principle structure</p> <p>R0,1,2 Height/Floors/FAR</p>

					<p>adds “minor accessory structure” < and > than 80 sq. ft.</p> <p>R3 FAR combines dwelling, duplex, and townhouse; Adds “detached accessory structure” < and > than 80 sq. ft.</p> <p>R4 deletes FAR requirement for nursing home, dorm, lodging; Changes “other permitted structure: from 2.5 to “3 – 2.5” stories; Adds “detached accessory structure” < and > than 80 sq. ft.</p> <p>R5 FAR combines all residential structures; Adds “detached accessory structure” < and > than 80 sq ft</p> <p>R6 FAR added –Accessory Bldgs and Garage Structures with setbacks F20’, S10’, R10’</p>
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					<p>R7 FAR added –Accessory Bldgs and Garage Structures with setbacks F none, S20', R20'</p> <p>R6 FAR added –Accessory Bldgs (>80 sq. ft. and <80 sq. ft.) w/ Max ht of 20ft (2 stories) and 7ft (1 story) respectively</p> <p>R6, Townhouse FAR of 1.20 seems to be missing</p> <p>Errors in table of uses to be corrected, per ZRWG.</p>
6	Table of Dimensional and Density Regulations	5.5.2	Tables for dimensional and density requirements for principal and accessory uses and structures are presented for all six business districts (B1,B2, B2A, B3, B4 and B5)	Usability and Consolidation of Requirements	<p>B1 Mixed use, Min lot size per draft is blank; per current is 5000 sq. ft.</p> <p>B2 Mixed Use, >20,000 sq. ft. Frontage says 0 ft; per current is 50 ft; also Min Lot area per unit is blank; per current is 1450 sq. ft.</p> <p>B2 Any Other Permitted Use says Min lot size 5000 sq. ft.; current is blank.</p> <p>B2A Min Yard Setbacks –</p>

					<p>Row missing for >20,000 sq. ft. lot</p> <p>Usable Space – numerous entries reference Sec. 5.3.20 - this is Maximum Height Restrictions – makes no sense</p> <p>B1 Mixed Use Landscaped space is 10%, current is 20%</p> <p>B2, Open Space row for Mixed Use >20,000 sq. ft. is missing</p> <p>B2A Open Space Apartment w/ ROW <50ft is 20%. Per current is 25%</p> <p>B1 Mixed Use and Other Permitted Uses Height Max. is 2-1/2 stories. Per current it's 3 stories</p> <p>B2 Mixed Use Height Max. should reference 5.3.21C, not 5.3.20</p> <p>B2 Mixed Use Height Max</p>
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					<p>missing >20,000 sq. ft. row</p> <p>B2 Other Permitted Uses Height Max. is 2-1/2 stories. Per current it's 3 stories</p> <p>B2A Mixed Use Height Max. does not agree with current.</p> <p>B3, B4 dimensional requirements unchanged</p> <p>B3 mixed use useable open space was defined in footnote H, now supposedly in 5.3.20 but this only defines max. ht. exceptions?</p> <p>B4 Mixed Use Front, side, rear was 0, 10+(L/10), 5, now 0, 0, 10+(L/10)</p> <p>B5 Mixed Use rear was 10+(L/10), now (H+L)/6</p> <p>B5 single, 2-fam etc.</p>
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					<p>Landscaped & Usable Open Space Min was 10% and 30%, now 10% and 30%</p> <p>B5 Any Other Use Landscaped & Usable Open Space Min was 10% and 20%, now 20% and “as in 5.3.20,” but this only defines max. ht. exceptions?</p> <p>B5 Townhouse and Apt. FAR was 1.5, now 1.4</p> <p>Errors in table of uses to be corrected, per ZRWG.</p>
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Existing Zoning Bylaw Section	Existing Zoning Bylaw Title	Proposed Zoning Bylaw Section	Amendment Summary	Amendment Purpose	Citizen Review Comments
6	Table of Dimensional and Density Regulations	5.6.2	Tables for dimensional and density regulations for principal and accessory uses and structures are presented for MU, PUD, I, T and OS Districts	Usability and Consolidation of Requirements	<p>B5 MU Landscaped & Usable Open Space Min was 50% and 15%, now no value is shown</p> <p>B5 T Landscaped Open Space Min was 30%,</p>

					<p>now no value shown B5 I Stories and Ht. was 52/4 and 39/3, now 52/3 and 39/4</p> <p>Errors in table of uses to be corrected, per ZRWG.</p>
6.01	Reduction in lot area and separation of lots	5.3.2	No change in wording.	Usability and Consolid ation of Require ments	No significant change
6.02	Setback from Open Stream	5.7.4	Edited but unchanged. Also defined in the Floodplain regulations and in the Town Wetland Bylaw. In State law the setback is more restrictive. Zoning Board of Appeals cannot over-rule the State Wetlands Law nor Town Wetlands Bylaw.	Usability	No significant change
6.03	Spacing of a Residential building on the same lot with Another principal building	5.3.3	Minor editing.	Usability	Deleted 6.03 (c), dealing w/setbacks for side-by- side res and non-res bldgs. on same lot

6.04	Spacing of nonresidential buildings on the same lot	5.3.4(A)	No change in wording.	Usability	No significant change
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Existing Zoning Bylaw Section	Existing Zoning Bylaw Title	Proposed Zoning Bylaw Section	Amendment Summary	Amendment Purpose	Citizen Review Comments
6.05	Exceptions to Dimensional Requirements for Uses 2.05 and 2.07	5.3.4(B)	Slightly edited to name uses instead of giving their numbers. Otherwise unchanged.	Usability	No significant change
6.06	Exception to Minimum Lot Size, frontage, open space, and side yard requirements in the R0, R1, R2 districts	5.4.2(B)(1), 5.4.2(B)(2)	Edited but unchanged	Usability	Language changes. Substantive change? It deletes a related part of Section 9. Based on state law, grandfathering of lots between 5000 and 6000 sq. ft. is supposed to be only for vacant lots, of which there are very few in Arlington. They dropped the requirement that the grandfathering applies

					only to lots without a principal structure. They do say it applies "If a building permit for construction was not issued prior to August 28, 1975..." But I don't believe building permits were issued until after the 1920s. So you can now have an old house on an undersized lot of 5000 sq. ft. (with 50' of frontage), and under the revised bylaw, you could do a teardown, and the Building Inspector will treat that lot as buildable. Language restored in track-changedoc 5.4.2 B(1) ; intent was not to increase teardowns, per ZRWG (Klein referenced findings of Branford v Edgartown)
6.07	Buildings in floodplains	5.7	Conservation Commission rules are more restrictive. No structure, no activity is allowed within 50 feet of the 100 Ft. floodplain boundaries.	Consistency with local law.	Review of this item (Buildings in Floodplains) should be covered under review of Sec. 11.04 of current permit.
6.08	Large additions	5.4.2(B)(6)	Clarifying language regarding when floor area is measured. Substance is unchanged.	Usability	No substantive change, other than adding that floor area is measured and

					defined as of the date of permit application. Cross-reference for the Board "acting pursuant to Section 10.11" is missing.
6.09	Lot area per dwelling unit	5.3.1	Edited but unchanged.	Usability	No substantive change (as an aside – I do not know what the last sentence means)
6.10	Sale or lease of lots in a planned unit development	5.6.2(B)	No change in wording.	Usability	No substantive change Corresponding section in new draft is 5.6.2(C), not (B)

Existing Zoning Bylaw Section	Existing Zoning Bylaw Title	Proposed Zoning Bylaw Section	Amendment Summary	Amendment Purpose	Citizen Review Comments
6.11	Land area included in the calculation of floor area ratio	5.3.5	No change in wording.	Usability	No substantive change
6.12	Exceptions to Maximum Floor Area Ratio	5.3.6	Changes “Plans and Policies” to “Master Plan”. Uses simplified def. of affordable housing units.	Usability and Internal Consistency	5.3.6.A2 should read ‘5.3.6’ not ‘5.3.5’ 5.3.6C should read ‘5.3.6’

	Regulations			ncy	<p>not '5.3.5'</p> <p>5.3.6.C should read "except for buildings in section 5.3.6A3 above," not "except for buildings in Subsection C above"</p> <p>5.3.6D4 has not included mention of current Use 8.09, Location of Loading Docks.</p> <p>Substantive change? Yes. This entire sentence is deleted: "Any gross floor area to be used for offices, for any other nonresidential principal use, or for Use 8.09 shall not be included in calculating the average gross floor area per dwelling unit." The point is that the bonus only applies to residential unit area not non-residential areas.</p> <p>Deleted sentence now in 5.3.6.(D) (4); will restore "non-residential principal or certain non-accessory"</p>
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					to language, and then cite use tables which cover former 8.09; wording now in 5.20 needs reference, per ZRWG
6.13	Reduced Height Limits in Height Buffer Areas	5.3.19	No change in wording.	Usability	Existing a,b,c, text definitions replaced by chart
6.14	Exceptions to Maximum Height Regulations	5.3.20	Format change only.	Usability	B. deleted language re: CTV antennas
6.15	Height of Accessory Building and Other Structures in Residential € Districts	5.4.2	Regulations for accessory structures are incorporated into Tables of Dimensional and Density Regulations, by district.	Usability	Rolled into dimensional regs
6.16	Screening and Space Buffers – Industrial and Business Districts and Parking Lots	5.3.7	No change in wording.	Usability	For B3, B2a, B4 abutting R0 - 5, was 15', now changed to 25' Errors in table of uses to be corrected, per ZRWG.

Existing Zoning Bylaw Section	Existing Zoning Bylaw Title	Proposed Zoning Bylaw Section	Amendment Summary	Amendment Purpose	Citizen Review Comments
6.17	Corner lots and Thru lots	5.3.8	No change in wording.	Usability	No change
6.18	Setback of Accessory Buildings and Other Structures	5.4.2	Incorporated into Tables of Dimensional & Density Regulations.	Usability	<p>R0 – 2 was 6' side and rear setback, now 10'</p> <p>R7 was 20' front and 10' side and rear, now expressed as $15+(H/10)$ and $(H+L)/6 > 20'$</p> <p>Lost setback requirements for detached garages</p> <p>Lost definition of "accessory buildings"</p> <p>Lost regulations for above-ground pools</p> <p>The revised version is missing any mention of accessory building limits for R0 - R3, implying that all accessory buildings are subject to the same 10' and 20' side and rear setbacks of primary</p>

					structures. There is no exception for sheds/minor accessory buildings. Errors in table of uses to be corrected, per ZRWG.
6.19	Projections into minimum yards	5.3.9	No change in wording.	Usability	No change
6.20	Exception to Minimum Front Yard – Average Setback	5.3.10	Vacant lot [or lot proposed for reconstruction] added for clarification.	Usability	No change
6.20a	Minimum Lot Width in R0, R1 and R2 Districts	5.4.2(b)(4)	No change in wording. Typo to be corrected (“above” to “below”)	Usability	Deleted reference to R1 and R2 Deleted details of measurement calculation Substantive change? 6.20a was there to prevent someone from doing an hourglass shaped or greatly tapered front yard. (The whole front yard cannot be less than 50’ wide—this is not the same a frontage.) The new section is an old

					<p>section that provided exceptions to the R0 zoning district for older lots. 6.20a needs to be restored as written to prevent even goofier-shaped lots than are now allowed.</p> <p>There are significant changes in wording, and measurement specs have been deleted.</p> <p>Exceptions to Min Lot Size, etc., was 6.06</p> <p>Now 5.4.2 (b) (4) states that “The minimum lot width of 50 feet shall not apply to (i) any lot excepted under Section 5.4.2(B)(3) “</p> <p>But 5.4.2.(B)(3) is very different from 6.06 in wording, start dates of applicability, and minimum sq. ft. and frontage</p> <p>Has been restored in</p>
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					track-changes doc, per ZRWG
6.21a	Dimensional Requirements for Courts	5.3.11	No change in wording.	Usability	No change
6.21b	Dimensional Requirements for Courts	5.3.14	Townhouse requirements moved to 5.3.14	Usability	No change to 6.21b. Adds this language: (this is 6.25) 5.3.14. Yards for Townhouse Structures “One townhouse structure shall be separated from the end of another townhouse structure by a distance not less than two times the minimum side yard of the district in which the site is located. “
6.22	Traffic Visibility Across Corners	5.3.12(A)	No change in wording.	Usability	No change

Existing Zoning Bylaw Section	Existing Zoning Bylaw Title	Proposed Zoning Bylaw Section	Amendment Summary	Amendment Purpose	Citizen Review Comments
6.23	Traffic Visibility for Driveways	5.3.12(B)	No change in wording.	Usability	No change
6.24	Accessory Underground Structures	5.3.13	No change in wording.	Usability	No change
6.25	End Yards for Town House Structures	5.3.14	Edited but unchanged.	Usability	Adds this, in 5.3.14 B: (This is 6.21b) “When two townhouse structures are placed face to face or back to back and are parallel or within 45 degrees of parallel, they shall be separated by a distance not less than the sum of the minimum front and rear yards specified for the district in which they are located. “
6.26	Buildings of Uneven Height or Alignment	5.3.15	No change in wording.	Usability	No change

6.27	Yards or Setbacks for Lots Adjoining a Street or Public Open Space	5.3.16	No change in wording.	Usability	No change
6.28	Planned Unit Development Yards and Setbacks	5.6.2	In table footnote B	Usability	No change
6.285	Upper Story Building Step Backs	5.3.17	No change in wording.	Usability	No change

Existing Zoning Bylaw Section	Existing Zoning Bylaw Title	Proposed Zoning Bylaw Section	Amendment Summary	Amendment Purpose	Citizen Review Comments
6.29	Balconies and Roof as Portion of Usable Open Space	5.3.18	No change in wording.	Usability	Existing: “The ZBA, or in cases subject to Section 11.06, the ARB may authorize by special permit ...” New: “The Board of Appeals or Arlington Redevelopment Board, as applicable, may

					grant a special permit ...”
6.30	Open Space Regulations for Planned Unit Developments	5.6.2(A)	This describes the minimum open space requirements for planned unit developments by land use category	Usability and Consolidation of Requirements.	Actually in 5.6.2.(b), otherwise no change
7.01	Signs – Intent and Purpose	6.2.1	Minor rewording	Usability	6.2.1.E seems to be new: “Maintain public safety, consistent with constitutional requirements protecting freedom of speech.”
7.02	Signs – Applicability	6.2.2	Minor rewording	Usability	No substantive change
		6.2.3	Added new section on administration of sign bylaw	Usability	
7.03	Signs – General Regulations	6.2.4	Minor rewording	Usability	No substantive change
7.04	Prohibited signs	6.2.5	Minor rewording	Usability	No substantive change
7.05	Signs permitted in any R district	6.2.6	No change in wording	Usability	No substantive change
7.05a	Signs for Bed and Breakfasts	6.2.7	No change in wording	Usability	No substantive change

7.06	Signs permitted in any B, I, or PUD district	6.2.8	Minor rewording	Usability	No substantive change
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Existing Zoning Bylaw Section	Existing Zoning Bylaw Title	Proposed Zoning Bylaw Section	Amendment Summary	Amendment Purpose	Citizen Review Comments
7.07	Special controls by Zoning district	6.2.9	Minor rewording	Usability	No substantive change
7.071	Signs permitted in B1, R6, R7 districts	6.2.9(A) and (B)	No change in wording	Usability	No substantive change
7.072	Signs permitted in any B2 or T district	6.2.9(C)	No change in wording	Usability	No substantive change
7.073	Signs permitted in any B3, B5, or PUD district	6.2.9(D)	No change in wording	Usability	No substantive change
7.073a	Signs permitted in any B3 and B5 District	6.2.9(E)	Corrected typo. Otherwise, no change in wording.	Usability	No substantive change

7.074	Signs permitted in any B2A or B4 district	6.2.9(F)	No change in wording	Usability	No substantive change
7.075	Signs Permitted in MU Districts	6.2.9(G)	No change in wording	Usability	No substantive change
7.076	Signs Permitted in OS districts	6.2.9(H)	No change in wording	Usability	No substantive change
7.08	Sign Permits and Maintenance	6.2.10	Permit filing requirements to be moved to departmental regulations. Minor rewording.	Usability	No substantive change

Existing Zoning Bylaw Section	Existing Zoning Bylaw Title	Proposed Zoning Bylaw Section	Amendment Summary	Amendment Purpose	Citizen Review Comments
7.09	Signs – Special Permits	6.2.11	No change in wording	Usability	No substantive change
7.1	Nonconformance of Accessory Signs	6.2.12	Long sentences converted to numbered lists.	Usability	No substantive change
7.11	Nonaccessory Signs	6.2.13	Minor rewording	Usability	No substantive change

8.01	Off Street Parking Requirements	6.1.1€	Added purpose statement. Incorporates first two sentences of old 8.01.	Usability	Seemingly benign introductory clause(s)
		6.1.1(A)	Added new purpose statement.	Usability	Ditto
		6.1.1(B)	Added new purpose statement.	Usability	Ditto
		6.1.2	Added new explanation of the conditions under which the parking regulations apply.	Usability	Ditto
8.01	Off Street Parking Requirements	6.1.3(A)	Added new introduction to the administration of parking regulations.	Usability	Accrues some new powers to ARB in administration of parking regulations Existing language allows for either ZBA or ARB; now specifies which entity, per ZRWG
		6.1.3(B)	Added introduction to the administration of parking regulations. Incorporates last sentence of old 8.01	Usability	Now requires off-street parking to be made available with new/remodel job.
8.01	Off Street Parking Requirements	6.1.4	Organized Table of Off-Street Parking Regulations into labeled sections. Updated outdated uses and consolidated redundant uses. Clarified ambiguous or inconsistent terminology.	Usability	Removes this requirement for apartment houses: “two per three or more bedroom units,” Removes some parking requirements for Lodging, B&B, Theater, Restaurant, Gym, etc.

Existing Zoning Bylaw Section	Existing Zoning Bylaw Title	Proposed Zoning Bylaw Section	Amendment Summary	Amendment Purpose	Citizen Review Comments
8.01(a)	Parking reductions in Business, Industrial, and Multi-family residential zones	6.1.5	First sentence edited to clarify permitting authority, and to include all multi-family residential zones.	Usability and Internal Consistency	Added R7 to list of covered zoning areas—those where the ARB can reduce parking requirements by 75%.
8.01(a)(1)	Parking reductions in Business, Industrial, and Multi-family residential zones	6.1.5(A)	No change in wording.	Usability	No substantive change
8.01(a)(2)	Parking reductions in Business, Industrial, and Multi-family residential zones	6.1.5(B)	Deleted redundant provisions. Cross references updated.	Usability and Internal Consistency	No substantive change

8.01(a)(3)	Parking reductions in Business, Industrial, and Multi-family residential zones	6.1.5(C)	No change in wording.	Usability	No substantive change
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Existing Zoning Bylaw Section	Existing Zoning Bylaw Title	Proposed Zoning Bylaw Section	Amendment Summary	Amendment Purpose	Citizen Review Comments
8.02	Off street loading and unloading requirements	6.1.6	Title changed for consistency. Removed redundant use list from introductory paragraph (uses are enumerated in table). Edited to make permitting authority clear. Uses are now consistent with Section 6.1.4.	Usability	May accrue some new power to ARB re: parking. Existing language allows for either ZBA or ARB; now specifies which entity, per ZRWG
8.03	Existing Spaces	6.1.7	Grammatical edit for clarity in last clause, added section reference.	Usability	No substantive change
8.04	Computation of Spaces	6.1.8	No change in wording.	Usability	No substantive change

8.05	Combined facilities	6.1.9	Edited to make permitting authority clear. Added requirement for legally enforceable agreement for consistency with location section.	Consistency and Law	Requires legal agreement for shared parking arrangements
8.06	Location of Parking Spaces	6.1.10	Edited to make permitting authority clear. Added words “legally enforceable” to agreement requirement.	Consistency and Law	Accrues some new power to ARB (in addition to ZBA.) Existing language allows for either ZBA or ARB; now specifies which entity, per ZRWG
8.07	Parking in Residential Districts	6.1.10(A)	8.07 heading and subsections a and b combined into 6.1.10(a). Made dwelling definitions consistent.	Usability	No substantive change

Existing Zoning Bylaw Section	Existing Zoning Bylaw Title	Proposed Zoning Bylaw Section	Amendment Summary	Amendment Purpose	Citizen Review Comments
8.07(a)	Parking in Commercial Districts	6.1.10(B)	Removed unnecessary business district list. Edited to make permitting authority clear.	Usability	No substantive change
8.07(b)	(Not titled)	6.1.10(C)	Added section reference.	Usability	No substantive change
8.08	Parking of Commercial Vehicles	5.4, 5.5, 5.6	Deleted due to redundancy with Section 5, Use Tables.	Usability	

8.09	Location of Loading Spaces	6.1.10(E)	No change in wording.	Usability	No substantive change
8.1	Pavement of Parking Spaces	6.1.11(B)	Simplified description of pavement types.	Usability	Removed “Non-erosive” parking paving material restriction
8.11	Public Parking Lots	6.1.10(D)	Moved into Location section 6.1.10. Edited to make permitting authority clear. Added section reference.	Usability	
8.12	Parking and Loading Space Standards	6.1.11	Renumbered subsections. Grammatical edits in 6.1.11(C)(5) and (6). Edited to make permitting authority clear in 6.1.11(C)(10) and (11). Added “landscaping” to standards reference in 6.1.11€.	Usability	Minor changes to paving materials. 6.1.1.C(11) accrues power to ARB similar to ZBA Existing language allows for either ZBA or ARB; now specifies which entity, per ZRWG
8.13	Bicycle Parking	6.1.12	Removed “intent” statement as redundant with 6.1.1. Updated section cross references. Removed unnecessary cross references to use table.	Usability	Accrues some power to ARB which may have previously fell to ZBA Existing language allows for either ZBA or ARB; now specifies which entity, per ZRWG

Existing Zoning Bylaw	Existing Zoning Bylaw Title	Proposed Zoning Bylaw	Amendment Summary	Amendment Purpose	Citizen Review Comments
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Section		Section			
9.01	Nonconformity by Initial Enactment or Amendment	8.1.1	Expanded.		Consistency with State law
9.02	Extension and Alteration	8.1.2	Edited but not changed.	Usability	<p>POLICY CHANGES!!!</p> <p>Text kept: “A single or two-family residential structure may be altered and the conforming use extended throughout the altered portion provided that the resultant alteration does not increase the nonconforming nature of the structure.”</p> <p>Text REMOVED: An alteration that is completely within the existing foundation walls shall be deemed not to increase the nonconforming nature of the structure.</p> <p>Does this now leave the decision as to what increases the non-conforming nature of the structure up to the Building Inspector? Could building outside the footprint now be deemed not to increase the nonconforming nature?</p>

				<p>Text REMOVED:</p> <p>ART. 10, ATM 4/09</p> <p>The extension of an exterior wall of a single or two-family residential structure along a line at the same nonconforming distance within a required setback may be allowed providing that the extension creates no new nonconformities, nor increases any open space nonconformities, and that no such extension shall be permitted unless there is a finding by the special permit granting authority that the extension shall not be substantially more detrimental to the neighborhood than the existing nonconforming structure. In making such a finding, the special permit granting authority shall assess the dimensions and proposed setback of the alteration in relationship to abutting structures and uses.</p> <p>TM enacted this less than 10 years ago to address the concerns of the Planning Director that the Building Inspector was being overly generous in allowing non-conformities to be extended. This is a significant POLICY CHANGE.</p> <p>Language has been split up into</p>
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					<p>different places, and omitted language restored in track-change doc 8.1.3:</p> <p>9.02 (d) pp1 is now 8.1.4 (A)</p> <p>9.02 (d) pp 2 & 3 now 8.1.3 (A & C)</p> <p>9.02 (a – c) now 8.1.2. (A – C)</p> <p>9.02 (e) now 8.1.4 (C)</p> <p>per ZRWG</p>
9.03	Residential lot of Record		Removed.	Statutory	<p>Text REMOVED:</p> <p>ART. 74, ATM 3/85</p> <p>Any lot lawfully laid out by plan or deed duly recorded which complies (at the time of recording) with the minimum area, frontage, width, and depth requirements, if any, of the zoning bylaw then in effect, may be built upon for residential use provided it has a minimum area of five thousand (5,000) square feet, with a minimum front footage of fifty (50) feet, and is otherwise in accordance with the provisions of the fourth paragraph of Section 6 of the Zoning Act.</p> <p>Removal might be OK since the language refers back to and largely mimics the Zoning Act. Note, however, the related Section 6.06a (current bylaw) is relaxed in the new bylaw Section 5.4.2(B)(1), making it easier to do teardowns on lots of</p>

					5000-6000 square feet. Revised bylaw removes the requirement that non-conforming lot be vacant. Was removed because it restates MGL 40A; To be restored, per ZRWG
9.04	Reduction or Increase	8.1.6	More detail, better explanation	Usability	
9.05	Change	8.1.3			9.05 content is not in the new section 8.1.3 but looks to be incorporated elsewhere (e.g., 8.1.2)
9.06	Restoration	8.1.7(A)	Unchanged	Usability	
9.07	Abandonment	8.1.7(B)	Unchanged	Usability	<p>POLICY CHANGE!!!</p> <p>Current Text: Section 9.07 - Abandonment ART. 72, ATM 3/77 Any nonconforming use of a conforming structure and lot which has been abandoned for a continuous period of two (2) years or more shall not be used again except for a conforming use. For agriculture, horticulture or floriculture, the abandonment period shall be five (5) years.</p> <p>Revised Text in New Bylaw: Any nonconforming use or structure which has been abandoned, demolished without reconstruction, or not used for a period of two years, shall lose its protected status and be</p>

					<p>subject to all provisions of this Bylaw; however, the Board of Appeals may grant a special permit to authorize the reestablishment of a nonconforming use or structure where such reestablishment shall not result in substantial detriment to the neighborhood.</p> <p>Note expansion of scope to include structures and not just uses as in original. Also gives the ZBA significant, new powers to override the 2-year abandonment period thus allowing abandoned uses (and even abandoned or torn-down non-conforming structures) from years ago to be resurrected</p> <p>Has been restored to “non-conforming use of a conforming structure or lot” and “continuous” and agricultural language restored, per ZRWG</p>
9.08	Moving	8.1.4(D)	More detailed, meaning unchanged.	Usability	
9.09	Unsafe Structure	8.1.5(E)	Better explained.	Usability	Current Section 9.09 is now 8.1.4(E) (not 8.1.5(E)), and is repeated with the same language except for references to other sections as Section 8.1.5.

9.1	Special Permit Uses: Repair, Reconstruction, Extension, Addition	8.1.5	Unchanged.	Usability	<p>POLICY CHANGE!!!</p> <p>See note above. Current Section 9.10 is NOT new section 8.1.5. It appears the current Section 9.10 has been deleted.</p> <p>Text REMOVED:</p> <p>Section 9.10 - Special Permit Uses: Repair, Reconstruction, Extension, Addition.</p> <p>ART. 102, ATM 3/83</p> <p>Special permit uses are a special class of uses not existing as of right. Except as hereinafter provided, whenever a structure or lot is occupied by a use such as would require a special permit pursuant to Section 5.04, and Section 11.06 when applicable, if such activity were to commence as a new use thereon, then any reconstruction, alteration, addition or extension of such use or of an existing or destroyed structure shall be undertaken only pursuant to special permit(s) issued therefore, except when or for:</p> <p>1. A damaged or unsafe structure occupied by a use under previously granted special permit(s) may be repaired or reconstructed for such use in accordance with the same terms and conditions, if any, attached to such permit(s).</p> <p>2. A damaged or unsafe structure</p>
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				<p>occupied by a use not under previously granted special permit(s) may be repaired or reconstructed for such use without such permit(s) provided that the cost of such repair or construction does not exceed fifty (50%) percent of the physical replacement value of the previously existing structure(s).</p> <p>3. Interior renovations are done without any addition to the gross floor area of the existing structure(s). ART. 3, ATM 4/89</p> <p>4. Reconstruction, alteration, or additions to a structure occupied by a use under previously granted special permit(s) for such activity provided that the addition does not exceed the lesser of 500 square feet or twenty-five (25%) percent of the gross floor area in existing structure(s) and that no such activity violates any condition(s) attached to such permit(s).</p> <p>None of the foregoing exceptions shall exempt any construction undertaken thereunder from compliance with all dimensional, density, parking, landscaping or other provisions of this bylaw.</p> <p>Restored, per ZRWG</p>
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10.01	Administrative Official	3.1(A)	Added state law reference here and strengthened	Usability	No significant change
10.02	Permit Required	3.1(B)	Kept only first sentence – not sure where application procedure and submittals went	Usability, allows for changes easily	<p>POLICY CHANGE!!!</p> <p>Deleted change of “lot coverage” from that are prohibited without applying for a permit ;</p> <p>Deleted application procedures</p> <p><i>It is part of the project scope and contract to remove these from ZBL and move to each relevant board, per ZRWG</i></p>

Existing Zoning Bylaw Section	Existing Zoning Bylaw Title	Proposed Zoning Bylaw Section	Amendment Summary	Amendment Purpose	Citizen Review Comments
10.03	Previously Approved Permits	8.1.2(B)	In obscure place in bylaw under off-street parking and loading requirements. Makes better sense here.	Usability and Consolidation of Requirements.	Deleted “as determined by Zoning Act Sect. 6” and completely changed language
10.04	Certificate of Occupancy Required	3.1(C)	Simplified, clarified and reorganized	Usability	<p>Deleted “or any parcel of land” and “proposed use of <i>land</i> and building”;</p> <p>Deleted application procedures</p> <p><i>It is part of the project</i></p>

					scope and contract to remove these from ZBL and move to each relevant board, per ZRWG
10.05	Sign Permit Required		Moved to sign section	Usability	Where is sign section?
10.06	Permit and Certificate Fees		Removed.	Usability	It is part of the project scope and contract to remove these from ZBL and move to each relevant board, per ZRWG
10.07	Permit Time Limits		Defined by Building Code.	Consistency with State Law	Where is this spelled out?
10.08	Notice of Violation	3.1.2	While wording is amended, the intent of the existing bylaw's section remains intact.	Usability	POLICY CHANGE!!! Inspector of Buildings is no longer required to inspect the property where a violation is alleged within 14 days of receiving a written complaint. It is part of the project scope and contract to remove these from ZBL and move to each relevant board, per ZRWG

10.09	Prosecution of Violation	3.1.4	Take out any mention of cost; perhaps use same wording as 3.2.4	Usability	POLICY CHANGE!!! Deleted scheduled amounts of fines specified in the bylaw for non-criminal and criminal violations of the bylaw (after violator ignores warning to correct violations.) Restored in 3.1.4 (B), per ZRWG
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Existing Zoning Bylaw Section	Existing Zoning Bylaw Title	Proposed Zoning Bylaw Section	Amendment Summary	Amendment Purpose	Citizen Review Comments
10.1	Board of Appeals	3.2, 3.1.3	New clarification of procedure citing state law; under powers added comprehensive permits for low or moderate housing.	Usability	Deleted appeals procedures; Added conditions for re-filing, requiring additional votes It is part of the project scope and contract to remove these from ZBL and move to each relevant board, per ZRWG
10.11	Special Permits	3.3	Substantially the same – cited state law, easier to read	Usability	Deleted language for conversion of use; Deleted site plan requirements (or are they in MGL and

					<p>thus assumed?)</p> <p>For there really to be no change in meaning at all, the criteria from Section 3.3 should be referenced in new 5.4.2(B)(6), otherwise this appears to be a weakening of standards.</p> <p>Section 10.11.b of the existing Bylaw concerning Special Permits states that: "The ZBA or the ARB shall also impose such additional conditions as it finds reasonably appropriate to safeguard the neighborhood, or otherwise serve the purposes of this Bylaw, including but not limited to....." This "safeguard the neighborhood" phrase is stronger language than the proposed Section 3.3.4, which states that:</p> <p>"Special permits may be granted with such reasonable conditions, safeguards, or limitations on time and use ... as the</p>
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					<p>special permit granting authority may deem necessary to serve the purposes of this Bylaw." The new language seems watered down to me, and is an example of how summarized language, even with using similar words, can convey different meanings or emphases.</p> <p><i>It is part of the project scope and contract to remove these from ZBL and move to each relevant board, per ZRWG</i></p>
10.12	Variances	3.2.2(D)	Not a separate part of the of the section; clearer by being added to the powers of the board	Usability	No significant change
11.01	Special Regulations General	5.2.2	Use Regulations Applicable in All Districts	Usability	No significant change
11.02	Environmental Performance	5.2.2	Use Regulations Applicable in All Districts	Usability	Less specific language re: hazards
11.03	Removal of Sand, Gravel, Quarry or Other Earth	7.1	Unchanged.	N/A	No significant change

	Materials				
11.04	Floodplain District	5.7	Update references, to be consistent with local Wetlands Bylaw and State law.	Internal Consistency	Moved determination of floodplain district from Inspectional Services to Conservation Cmte; Deleted “mobile homes” from non-permitted uses; Deleted details about what is prohibited; Deleted submittal requirements, including site plans It is part of the project scope and contract to remove these from ZBL and move to each relevant board, per ZRWG
11.05	Inland Wetland District	5.8	Eliminates references to marsh.	Internal Consistency	Deleted 11.05 (f) submittal procedures for permitting; Deleted mention of private septic systems; Deleted 11.05 (h, i, j, k) covering ZBA appeals procedure, occ. Permit, areas and yards regulations, exemptions It is part of the project

					scope and contract to remove these from ZBL and move to each relevant board, per ZRWG
11.06	Environmental Design Review	3.4	Content unchanged.	Usability	Deleted “rehabilitation residence” from uses requiring environmental review; Added religious and educational structures on state land; Deleted submittal requirements It is part of the project scope and contract to remove these from ZBL and move to each relevant board, per ZRWG

Existing Zoning Bylaw Section	Existing Zoning Bylaw Title	Proposed Zoning Bylaw Section	Amendment Summary	Amendment Purpose	Citizen Review Comments
11.07	Filling of Any Water or Wet Area		Section eliminated. This is under the jurisdiction of the Conservation Commission.	Internal Consistency	
11.08	Affordable Housing Requirements	8.2	Very similar wording, some clarification/simplification.	Usability	No significant change

11.08(a)	Purpose	8.2.1	Essentially unchanged – changed “upgrading” town housing stock to “improvement of”	Usability	No significant change
11.08(b)	Application	8.2.2	Essentially unchanged – changed “projects” to “developments”. Removed term “phased or segmented developments” but includes its full definition.	Usability	No significant change
11.08(c)	Definitions	2	Definitions moved to a by-law definition section. There is no definition of “unit” or “residential unit” though both are used in this section.	Usability	No significant change
11.08(d)	Requirements	8.3.2	Removes “assisted living” from table of uses. Not subject to affordable housing requirements. Clarifies that the only applicable hardship is one that renders the development financially infeasible. Clarifies that the price of an Affordable Unit for this calculation is the maximum affordable price.	Internal consistency	No significant change
11.08(e)	Incentive		Removes dormitories from the single room occupancy definition and incentive. Clarifies the incentive language for parking reduction. Parking incentives apply only to affordable units.	Usability, consistency	No significant change
Existing Zoning Bylaw Section	Existing Zoning Bylaw Title	Proposed Zoning Bylaw Section	Amendment Summary	Amendment Purpose	Citizen Review Comments

11.08(f)	Administration		Clarification that rules are administrative. Removed specific reference to pro-rata formula. References the marketing plan. Removes affirmative requirement of legal review (though this may be to mirror actual practice).	Usability, consistency	No significant change
11.09	Medical Marijuana Bylaw				Not in 3 rd reading draft?
12.01	Amendment	1.5	Chapter 40A Section 5 specifies the manner in which municipalities may amend local zoning ordinances and bylaws. Since the procedures are already specified by state law, there's nothing for local bylaws to add.	Consolidation of Requirements	No significant change
12.02	Validity	1.6	This section is a severability clause. The recodified version attempts to be less wordy than the current bylaw; it simply states that "the invalidity of any section or provision shall not invalidate any other section or provision". The severability clause in the current ZBL appears to be trying to enumerate the types of sections and provisions.	Usability, Consolidation of Requirements	No significant change
12.03	Effective Date				

Continue to pg. 55 for Article 2, Definitions

ARTICLE 2: Existing Zoning Bylaw Definition	SECTION 2. Proposed Zoning Bylaw Definition	Amendment Summary
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<p>Intro paragraphs: For the purpose of this Bylaw and unless the context of usage clearly indicates another meaning, the following terms shall have the meanings indicated herein. Words used in the present tense include the future; the singular number includes the plural, and the plural the singular; the words "used" or "occupied" include the words "designed," "arranged," "intended," or "offered," to be used or occupied; the words "building," "structure," "lot," "land," or "premises" shall be construed as though followed by the words "or any portion thereof"; and the words "shall" is always mandatory and not merely directory. Terms and words not defined herein but defined in the Commonwealth of Massachusetts Building Code shall have meanings given therein unless a contrary intention clearly appears. Words not defined in either place shall have the meaning given in the most recent edition of Webster's Unabridged Dictionary. Uses listed in the Table of Use Regulations under the classes</p> <p>Retail and Service Trades and Wholesale Trade and Manufacturing shall be further defined by The Standard Industrial Classification Manual published by the U.S. Bureau of the Census.</p>	<p>Intro paragraphs: In this Bylaw and unless the context of usage clearly indicates another meaning, the following terms shall have the meanings indicated herein. Words used in the present tense include the future. The singular includes the plural and the plural includes the singular. The word "and" includes "or" unless the contrary is evident from the text. The word "includes" or "including" shall not limit a term to specified examples, but is intended to extend its meaning to all other instances, circumstances, or items of like character or kind. The words "used" or "occupied" include the words "designed," "arranged," "intended," or "offered," to be used or occupied; the words "building," "structure," "lot," "land," or "premises" shall be construed as though followed by the words "or any portion thereof"; and the word "shall" is always mandatory and not merely directory. Terms and words not defined herein but defined in the State Building Code shall have meanings given therein unless a contrary intention clearly appears. Words not defined in either place</p>	<p>Deleted explanation of uses in Table of Use Regulations</p>
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	shall have the meaning given in the most recent edition of Webster's Unabridged Dictionary.	
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ARTICLE 2: Existing Zoning Bylaw Definition	SECTION 2. Proposed Zoning Bylaw Definition	Amendment Summary	Review Comments
Abandonment: The cessation of a use as indicated by the visible or otherwise apparent intention of an owner to discontinue a use of a structure or lot; or the removal of the characteristic equipment or furnishing used in the performance of the use, without its replacement by similar equipment or furnishings; or the replacement of a nonconforming use or structure by a conforming use or structure.	Abandonment: The cessation of a use as indicated by the visible or otherwise apparent intention of an owner to discontinue a use of a structure or lot; or the removal of the characteristic equipment or furnishing used in the performance of the use, without its replacement by similar equipment or furnishings; or the replacement of a nonconforming use or structure by a conforming use or structure.	No Change	
	Accessory Use: A use that is incidental and subordinate to, and customarily associated with, that of the primary structure or use of land and that is located on the same lot and under the same ownership.	New Definition	Unclear why this definition is needed or how it relates to the very similar "Use, Accessory" definition which remains unchanged in the revised bylaw.
	Adult Day Care: A facility providing non-residential social, supportive, or health services, dementia services, or any combination thereof, to the elderly and people of any age with disabilities, licensed if applicable by the Massachusetts Department of Public Health.	New Definition	Odd that "Day Care" for children is not defined at all in the current bylaw or the proposed revision.

Adult Uses: All those uses as described and defined in Massachusetts General Laws Chapter 40A, Section 9A, as amended.	Adult Uses: All uses as described and defined in Massachusetts General Laws Chapter 40A, Section 9A, as amended.	"those" removed for conciseness	
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ARTICLE 2: Existing Zoning Bylaw Definition	SECTION 2. Proposed Zoning Bylaw Definition	Amendment Summary
Definition in Section 11.08 of Existing Bylaw: Affordable Units: Rental Units priced such that the rent (including utilities) shall not exceed 30% of the income of a household at 60% of median income; or, for homeownership units, priced such that the annual debt service on a mortgage plus taxes, insurance, and condominium fees (assuming a 5% down payment) shall not exceed 30% of the income of a household at 70% of median income.	Affordable Units: Rental Units priced such that the rent (including utilities) shall not exceed 30% of the income of a household at 60% of median income; or, for homeownership units, priced such that the annual debt service on a mortgage plus taxes, insurance, and condominium fees (assuming a 5% down payment) shall not exceed 30% of the income of a household at 70% of median income.	No Change
Definition in Section 11.08 of Existing Bylaw: Median Income: The income set forth in or calculated based on U.S. Department of Housing and Urban Development regulations, as amended.	Area Median Income: The median family income for the metropolitan statistical region that includes the Town of Arlington, as defined by the U.S. Department of Housing and Urban Development (HUD).	Definition revised for clarification

Definition in Section 11.08 of Existing Bylaw: Eligible Household: For ownership units, a household whose total income does not exceed 80% of the Median Income of households in the Boston metropolitan area as defined by the U.S. Department of Housing and Urban Development adjusted for household size. For rental units, a household whose total income does not exceed 70% of the Median Income of households in the Boston metropolitan area as defined by the U.S. Department of Housing and Urban Development, adjusted for household size.	Eligible Household: For ownership units, a household whose total income does not exceed 80% of Area Median Income, adjusted for household size. For rental units, a household whose total income does not exceed 70% of Area Median Income, adjusted for household size.	Inserted "Area Medium Income" to replace longer definition of such within the definition
Definition in Section 11.08 of Existing Bylaw: Fair Market Rent: An amount determined by the U.S. Department of Housing and Urban Development, and used by the Arlington Housing Authority to determine the maximum rental payment to be paid to an owner under the Section 8 program. Said amount is adjusted for unit size and an allowance for utility costs.	Fair Market Rent: An amount determined by the U.S. Department of Housing and Urban Development and used by the Arlington Housing Authority to determine the maximum rental payment to be paid to an owner under the Section 8 program, adjusted for unit size and with an allowance for utility costs.	Two sentences consolidated

ARTICLE 2: Existing Zoning Bylaw Definition	SECTION 2. Proposed Zoning Bylaw Definition	Amendment Summary
Alteration: Any construction, reconstruction or other similar action resulting in a change in the structural parts, height, number of stories, exits, size, use or location of a building or other structure.	Alteration: Any construction, reconstruction, or other similar action resulting in a change in the structural parts, height, number of stories, exits, size, use, or location of a building or other structure.	No Change

ARB: The Arlington Redevelopment Board which was vested with the rights and powers of a planning board by the Massachusetts General Court in Chapter 783 of the Acts of 1971.	Arlington Redevelopment Board: The Arlington Redevelopment Board ("ARB") which was vested with the rights and powers of a planning board by the Massachusetts General Court in Chapter 783 of the Acts of 1971.	Term changed, Definition unchanged
Artisanal Fabrication: Production of goods by the use of hand tools or small-scale, light mechanical equipment occurring solely within an enclosed building where such production requires no outdoor operations or storage. Typical uses have minimal negative impact on surrounding properties and include, but are not limited to, woodworking and cabinet shops, ceramic studios, jewelry manufacturing and similar types of arts and crafts, production of alcohol, or food processing.	Artisanal Fabrication: Production of goods using hand tools or small-scale, light mechanical equipment occurring solely within an enclosed building where such production requires no outdoor operations or storage. Typical uses have minimal negative impact on surrounding properties and include, but are not limited to, woodworking and cabinet shops, ceramic studios, jewelry manufacturing and similar types of arts and crafts, production of alcohol, or food processing.	"by the use of" changed to "using"
Artistic/Creative Production: Creation, production, manufacture, distribution, publishing, rehearsal, performance, broadcast, selling, or teaching of the visual arts, performing arts, applied arts, literature, heritage, media, music, information technology, communications media, or digital content & applications; or the invention, design, prototyping, or fabrication, assembly, and packaging of parts for further assembly or consumer goods for sale.	Artistic/Creative Production: Creation, production, manufacture, distribution, publishing, rehearsal, performance, broadcast, selling, or teaching of the visual arts, performing arts, applied arts, literature, heritage, media, music, information technology, communications media, or digital content and applications; or the invention, design, prototyping, or fabrication, assembly, and packaging of parts for further assembly or consumer goods for sale.	"&" changed to "and"

ARTICLE 2: Existing Zoning Bylaw Definition	SECTION 2. Proposed Zoning Bylaw Definition	Amendment Summary	Review Comments
Assisted Living: A residential development subject to certification under G.L. Chapter 19D, which provides room and board; provides assistance with activities of daily living for three or more adult residents who are not related by consanguinity or affinity to their care provider; and collects payments or third party reimbursement from or on behalf of residents to pay for the provision of assistance.	Assisted Living Residence: A residential development subject to certification under G.L. Chapter 19D, which provides room and board; provides assistance with activities of daily living for three or more adult residents who are not related by consanguinity or affinity to their care provider; and collects payments or third-party reimbursement from or on behalf of residents to pay for the provision of assistance.	Term changed, Definition unchanged	
	Athletic Facility, Indoor: A facility comprised of one or more buildings or structures, with or without seating for spectators, providing accommodations for a variety of individual, organized, or franchised sports, such as but not limited to basketball, ice hockey, wrestling, soccer, tennis, volleyball, racquetball, or handball. The facility may also provide health and fitness club facilities, swimming pool, snack bar, retail sales of related sports, health or fitness items, and other support facilities.	New Definition	
	Attic: An unfinished, non-habitable space immediately below the roof of a building, typically used for storage or mechanical equipment.	New Definition	"Attic" is currently used only in the definition of GFA and story. This definition makes

			the GFA definition more ambiguous and contradicts the story definition, which considers habitable attics. Restored, per ZRWG
	Auto Body Shop: A facility providing major automobile repair services such as repair, rebuilding, and reconditioning of engines or automobiles, or collision services for automobiles, such as body, frame, or fender straightening and repair, or overall painting of automobiles.	New Definition	“repair, rebuilding, and reconditioning of engines” doesn’t belong in the definition of an auto body shop, especially when most of it is in the “Garage, Auto Repair” definition.

ARTICLE 2: Existing Zoning Bylaw Definition	SECTION 2. Proposed Zoning Bylaw Definition	Amendment Summary	Citizen Review Comments
Garage, Auto Repair: Any building used for the keeping of motor vehicles and in which a business or industry dealing with the repair or servicing of such vehicles is maintained, but not including body work or painting.	Auto Repair Shop: A facility for the general repair of automobiles, motorcycles or noncommercial trucks, including rebuilding, or reconditioning of engines, and the sale, installation, and servicing of equipment and parts.	Definition revised for clarification	

Service Station: A building or part thereof with no more than three service bays whose chief activity is the selling of gasoline, oil and related products for motor vehicles or the provision of lubricating service, car washing services or auto repair limited to: tire servicing and repair, but not recapping or regrooving, replacement of miscellaneous parts and minor adjustments to parts or motor not involving removal of head, crankcase or racing motor.	Auto Service Station: A building, structure or land use primarily for the dispensing or sale of automotive fuels, oils or accessories, including lubrication or automobiles and replacement or installation of parts and accessories.	Definition revised for clarification	The new definition places no limits on the number of service bays, makes no mention of car washing.
Awning: A rooflike covering, as of canvas, stretched upon a frame that is affixed to a building and used above or before any place as a shelter from rain or sun.	Awning: A roof-like covering stretched upon a frame that is affixed to a building and used above or before any place as a shelter from rain or sun.	"as of canvas" removed for conciseness	Unclear what the implications are for signage, as "awning" is used in the bylaw almost exclusively in the sign section. Does this mean more awnings and thus more signs?

Basement: A portion of a building, partly below grade, which has more than one-half of its height, measured from finished floor to finished ceiling, above the average finished grade of the ground adjoining the building. A basement is not considered a story unless its ceiling is four (4) feet six (6) inches or more above the average finished grade.	Basement: A portion of a building, partly below grade, which has more than one-half of its height, measured from finished floor to finished ceiling, above the average finished grade of the ground adjoining the building.	Definition of "Story" removed from this definition, remains as a separate definition	
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ARTICLE 2: Existing Zoning Bylaw Definition	SECTION 2. Proposed Zoning Bylaw Definition	Amendment Summary	Citizen Review Comments
<p>Bed and Breakfast: A dwelling in which lodging units are rented and breakfast is served to the people occupying the lodging units, and which has a resident owner or manager.</p> <p>Bed and Breakfast Home: A bed and breakfast occupied and operated by the owner and in which no more than three lodging units are available for rent.</p>	<p>Bed and Breakfast: A dwelling with a resident owner or manager in which lodging units are rented and breakfast is served to the people occupying the lodging units.</p>	Two similar definitions consolidated	

Building: A combination of any materials, whether portable or fixed, having a roof, enclosed within exterior walls or fire walls, built to form a structure for the shelter of persons, animals or property. For purposes of this definition, "roof" shall include an awning or any similar covering, whether or not permanent in nature.	Building: A combination of any materials, whether portable or fixed, having a roof, enclosed within exterior walls or fire walls, built to form a structure for the shelter of persons, animals or property. For purposes of this definition, "roof" shall include an awning or any similar covering, whether or not permanent in nature.	No Change	
Building, Accessory: A building, the use of which is customarily incidental and subordinate to that of the principal building, and which is located on the same lot as that occupied by the principal building, or on an adjacent lot in the same ownership.	Building, Accessory: A building, the use of which is customarily incidental and subordinate to that of the principal building, and which is located on the same lot as that occupied by the principal building or an adjacent lot in the same ownership.	No Change	
Building Area: The aggregate of the maximum horizontal cross sectional area of all buildings on a lot exclusive of cornices, eaves, gutters, chimneys, steps, unenclosed porches, bay windows, balconies, and terraces.	Building Area: The aggregate of the maximum horizontal cross-sectional area of all buildings on a lot exclusive of cornices, eaves, gutters, chimneys, steps, unenclosed porches, bay windows, balconies, and terraces.	No Change	
Building, Attached: A building having any portion of one or more walls in common with adjoining buildings.	Building, Attached: A building having any portion of one or more walls in common with adjoining buildings.	No Change	
Building Coverage: The building area expressed as a percent of the total lot area.	Building Coverage: The building area expressed as a percentage of the total lot area.	"percent" changed to "percentage"	Definition of "lot coverage" is needed. It is far more important than building coverage.

			Policy change, to be addressed in phase II, per ZRWG
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ARTICLE 2: Existing Zoning Bylaw Definition	SECTION 2. Proposed Zoning Bylaw Definition	Amendment Summary	Citizen Review Comments
Building, Detached: A building having open space on all sides.	Building, Detached: A building with no structural connection to another building.	Definition changed to align with definition of "Building, Attached"	It is still not aligned. Should be "...building having no portion of any wall in common..." without reference to "structural". Will be changed to "no physical connection" per ZRWG
	Building, Front Building Line: A line drawn parallel to the front boundary of a lot along the front face of a building or through the point on a building closest to the front boundary.	New Definition	Ambiguous. What constitutes the "front face"? Porch, wall, bay window? Added by RKG to help define where parking is allowed, may be omitted as not necessary, per ZRWG

Height of Building: The vertical distance of the highest point of the roof above the average grade of the curb line abutting the property. In the R0, R1 and R2 zoning districts where the lot has a slope in excess of five (5) percent, the height is the vertical distance of the highest point of the roof above the average finished grade of the ground adjoining the building as computed before the building is actually erected. This definition excludes penthouses, bulkheads, and other allowable superstructures above the roof line.	Building Height: The vertical distance of the highest point of the roof above the average grade of the curb line abutting the property. Refer to Sections 5.3.19 and 5.4.2.B(5) for detailed exceptions.	Exceptions to basic definition relocated to regulatory section of bylaw	Exceptions are really just the last sentence. R0-R2 sloped lots have a different definition, which belongs with the rest of the definition. Measurements have been moved out of Definitions, now 5.4.2. (B) (5), Per ZRWG
Building, Setback Line: The line established by this Bylaw, beyond which a building shall not extend, except as specifically provided by this Bylaw.	Building, Setback Line: The line beyond which a building shall not extend, except as specifically provided by this Bylaw.	"established by this Bylaw" removed as redundant, appears later in same definition	
Building Step Back: Upper story building setback provided along all building elevations with street frontage, excluding alleys.	Building Step Back: Upper story building setback provided along all building elevations with street frontage, excluding alleys.	No Change	
Building, Principal: A building in which is conducted the principal use of the lot on which it is located.	Building, Principal: A building in which is conducted the principal use of the lot on which it is located.	No Change	

ARTICLE 2: Existing Zoning Bylaw Definition	SECTION 2. Proposed Zoning Bylaw Definition	Amendment Summary	Citizen Review Comments
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Building, Nonconforming: A building, lawfully existing at the time of adoption of this Bylaw, or any subsequent amendment thereto, which does not conform to one or more of the applicable dimensional and density regulations for the district in which the building is located.	Building, Nonconforming: A building, lawfully existing at the time of adoption of this Bylaw, or any subsequent amendment thereto, which does not conform to one or more of the applicable dimensional and density regulations for the district in which the building is located. (See also, Nonconformance.)	Added reference to definition for "Nonconformance"	
	Business or Professional Office: A building or portion of a building used to provide direct services to customers or clientele, such as an insurance agency or a real estate office, or a service that involves some specialized skill or knowledge typically obtained through advanced education and training, such as an attorney or architect. The term "business or professional office" shall not include medical office for a physician, dentist, or other health care professionals. (See "Medical Office".)	New Definition	This term is in the index, but nowhere else in the revised bylaw. It is not in the definitions.
Carport: A roofed structure, unenclosed on two or more sides, which may serve as a shelter for motor vehicles.	Carport: A roofed structure, unenclosed on two or more sides, which may serve as a shelter for motor vehicles.	No Change	

Catering Service: Food preparation at an establishment whose principal use is restaurant or fast-order food establishment, in quantities in excess of individual meal offerings, intended for consumption at an off-premises site. Catering: Provision of prepared food, and sometimes food presentation, service staff and equipment to an off-premises location.	Catering Service: Facility for the provision of prepared food for delivery and presentation to an off-premises location. Services may include provision of associated service staff and equipment.	Two similar definitions consolidated	This doesn't make any sense. The original terms define different uses, which are listed as separate lines in the table of use regulations. Now there is one definition, but still two lines in the table of use regulations, which conflict with each other.
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ARTICLE 2: Existing Zoning Bylaw Definition	SECTION 2. Proposed Zoning Bylaw Definition	Amendment Summary	Citizen Review Comments
Cellar: A portion of a building, partly or entirely below grade, which has more than one-half of its height, measured from finished floor to finished ceiling, below the average finished grade of the ground adjoining the building. A cellar is not deemed a story.	Cellar: A portion of a building, partly or entirely below grade, which has more than one-half of its height, measured from finished floor to finished ceiling, below the average finished grade of the ground adjoining the building.	Definition of "Story" removed from this definition, remains as a separate definition	
Certificate of Occupancy: A statement signed by the Inspector of Buildings, setting forth either that a building or structure complies with the Zoning Bylaw or that a building, structure or parcel of land may lawfully be employed for	Certificate of Occupancy: A statement under the State Building Code signed by the Inspector of Buildings, setting forth either that a building or structure complies with the Zoning Bylaw or that a building, structure or parcel of land may	"under the State Building Code" added to reference relevant code	

specified uses, or both.	lawfully be employed for specified uses, or both.		
	<p>Child Care Center: A facility operated on a regular basis by an entity licensed by the Massachusetts Department of Early Education and Care under G.L.c. 15D, § 1A, which may be known as a child nursery, nursery school, kindergarten, child play school, progressive school, child development center, preschool, or known under any other similar name, which receives children not of common parentage under seven years of age, or under 16 years of age if they are children with special needs, for nonresidential custody and care during part or all of the day, separate from their parent(s).</p>	New Definition	Unclear why this definition is added when the term is not used anywhere in the revised bylaw.

ARTICLE 2: Existing Zoning Bylaw Definition**SECTION 2. Proposed Zoning Bylaw Definition****Amendment Summary**

Commercial Vehicle: Any truck, including but not limited to stepvans and cube vans, or bus, or a registered motor vehicle including but not limited to passenger car, pickup truck, or passenger van on which is affixed any writing or logo to designate the business or professional affiliation of said vehicle, or where tools of said business or professional affiliation are visibly stored on the exterior of the vehicle, or a recreational vehicle used in conjunction with a business. A pickup truck not used for commercial purposes and on which there is no writing or logo to designate a business or professional affiliation and which does not have tools visible on the outside shall not be considered a commercial vehicle for purposes of the bylaw.	Commercial Vehicle: Any truck, including but not limited to step vans and cube vans, or bus, or a registered motor vehicle including but not limited to passenger car, pickup truck, or passenger van on which is affixed any writing or logo to designate the business or professional affiliation of said vehicle, or where tools of said business or professional affiliation are visibly stored on the exterior of the vehicle, or a recreational vehicle used in conjunction with a business. A pickup truck not used for commercial purposes and on which there is no writing or logo to designate a business or professional affiliation and which does not have tools visible on the outside shall not be considered a commercial vehicle for purposes of the bylaw.	No Change
Common Land: A parcel or parcels of open space within the site designated for a planned unit development, maintained and preserved for open uses, and designed and intended for the use or enjoyment of residents of the planned unit development, but not including parking areas or ways, public or private. Common land may contain such complementary structures and improvements as are necessary and appropriate for the benefit and enjoyment of residents of the planned unit development including walks, patios, benches, playground facilities, and terraced areas.	Common Land: A parcel or parcels of outdoor space in a Planned Unit Development, maintained and preserved for outdoor uses, and designed and intended for the use or enjoyment of residents of the planned unit development, but not including parking areas or ways, public or private. Common land may contain such complementary structures and improvements as are necessary and appropriate for the benefit and enjoyment of residents of the planned unit development including walks, patios, benches, playground facilities, and terraced areas.	"within the site designated for" replaced by "in" for conciseness; "open" changed to "outdoor" for clarification

Conservation Land: A tract or patch of land reserved for the protection, development and promotion of natural resources and for the protection of watershed resources, as well as for use as open space or for passive outdoor recreation.	Conservation Land: A tract or patch of land reserved for the protection, development and promotion of natural resources and for the protection of watershed resources, as well as for use as open space or for passive outdoor recreation.	No Change
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ARTICLE 2: Existing Zoning Bylaw Definition	SECTION 2. Proposed Zoning Bylaw Definition	Amendment Summary	Citizen Review Comments
	Consumer Service Establishment: Business such as lawnmower or bicycle repair, upholsterer, small tool and equipment rental, or small appliance repair.	New Definition	OK, but note POLICY CHANGES in Table 5.5.3 related to such establishments in B1 and B2. Will correct, per ZRWG
Court: An open, uncovered unoccupied space partially or wholly surrounded by the walls of a structure.	Court: An open, uncovered unoccupied space partially or wholly surrounded by the walls of a structure.	No Change	
Court, Inner: A court surrounded on all sides by the exterior walls of a structure.	Court, Inner: A court surrounded on all sides by the exterior walls of a structure.	No Change	
Court, Outer: A court having at least one side thereof opening onto a street, alley or yard or other permanent open space.	Court, Outer: A court having at least one side thereof opening onto a street, alley or yard or other permanent open space.	No Change	
	Deck: A roofless outdoor space built as an aboveground platform projecting from the wall of a building and connected by structural supports at grade or adjacent to the building structure.	New Definition	Unclear why this is needed, as it only appears in the definition of "Open Space" which alone

			is not used for anything.
District: A zoning district as established by Article 3 of this Bylaw.	District: A zoning district as established by Section 4 of this Bylaw.	Revised section reference	
Driveway: An open space, which may be paved located on a lot, which is not more than twenty (20) feet in width built for access to a garage, or off-street parking or loading space.	Driveway: An area on a lot, not more than 20 feet wide, built for access to a garage or an off-street parking or loading space.	"An open space, which may be paved located on a lot, which is" replaced with "An area on a lot" for conciseness	Would this allow a covered driveway? Changed to read "which is open to the sky and which may be paved" in track-change doc, per ZRWG
Dwelling: A privately or publicly owned permanent structure, whether owned by one or more persons or in condominium, or any other legal form which is occupied in whole or part as the home residence or sleeping place of one or more persons. The terms "one-family," "two-family," or "multi-family" dwelling shall not include hotel, lodging house, bed and breakfasts, bed and breakfast homes, hospital, membership club, mobile home, or dormitory.	Dwelling: A privately or publicly owned permanent structure, whether owned by one or more persons or in condominium, or any other legal form which is occupied in whole or part as the home residence or sleeping place of one or more persons. The terms "single-family," "two-family," "duplex", "three-family" or "multi-family" dwelling, or single-room occupancy building, shall not include hotel/motel, bed and breakfast, hospital, membership club, or mobile home.	Individual terms changed to comport with similar terms in revised document, including replacing onefamily with single-family and addition of duplex and motel	

ARTICLE 2: Existing Zoning Bylaw Definition	SECTION 2. Proposed Zoning Bylaw Definition	Amendment Summary	Citizen Review Comments
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Dwelling Unit: One or more living and sleeping rooms providing complete living facilities for the use of one or more individuals constituting a single housekeeping unit, with permanent provisions for living, sleeping, eating, cooking, and sanitation.	Dwelling Unit: A separated portion of a building containing living, sleeping, housekeeping accommodations, and sanitary facilities for occupancy by one household.	Definition edited for conciseness	Unclear what "separated portion" has to do with a single family home and why "cooking" (i.e., kitchen) is dropped. "Housekeeping accommodations" intended to include kitchens, per ZRWG
Apartment House: A building designed or intended or used as the home or residence of four or more families, each in a separate dwelling unit, living independently of each other and who may have a common right in halls and stairways.	Apartment Building: A multi-family building designed or intended or used as the home or residence of four or more households, each in a separate dwelling unit, living independently of each other and who may have a common right in halls and stairways.	"building" changed to "multi-family building" and "families" changed to "households" for conciseness	OK, but the tables and index still refer to "apartment house" which now is not defined. Fixed, per ZRWG
Dormitory: A dwelling, under the ownership or control of an educational, charitable or philanthropic organization which provides separate rooms or suites for the semipermanent occupancy of individuals or groups of up to four individuals per room, with common bath and toilet facilities and without individual cooking facilities.	Dormitory : A dwelling under the ownership or control of an educational, charitable or philanthropic organization which provides separate rooms or suites for the semi-permanent occupancy of individuals or groups of up to four individuals per room, with common bath and toilet facilities and without individual cooking facilities.	"semi-permanent" hyphenated	

Duplex House: A building containing two dwelling units joined side by side, sharing a common wall for all or substantially all of its height and depth; that is, in which no part of one dwelling unit is over any part of the other dwelling unit. A duplex shall be considered as one (1) principal building occupying one (1) lot for the purpose of determining yard requirements.	Duplex Dwelling: A building containing two dwelling units joined side by side or front to back, sharing a common wall for all or substantially all of its height and depth; that is, in which no part of one dwelling unit is over any part of the other dwelling unit. A duplex shall be considered as one principal building occupying one lot for the purposes of determining yard requirements.	Term changed to align with similar definitions, "or front to back" added for consistency, numbers reformatted	Makes no sense to change "duplex house" to "duplex dwelling" when "duplex house" continues to be used throughout the bylaw—and it is the house that is duplexed not the dwelling. Fixed, per ZRWG
	Multi-Family Dwelling: A building containing four or more dwelling units.	New Definition	Not needed; leave as is—multi-family house or home.
	Single-Family Dwelling: A building containing only one dwelling unit.	New Definition	Not needed; leave as is—single-family house or home.

ARTICLE 2: Existing Zoning Bylaw Definition	SECTION 2. Proposed Zoning Bylaw Definition	Amendment Summary	Citizen Review Comments
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<p>Boarding House; Boarding Home: A house in which a regular service of meals is furnished for persons for remuneration. Rooming or Lodging House: A building containing four or more lodging units. Lodging Unit: One or more rooms for the semipermanent use of one, two or three individuals not living as a single housekeeping unit and not having cooking facilities. A "Lodging Unit" shall include rooms in boarding houses, bed and breakfasts, bed and breakfast homes, lodging houses, tourist homes or rooming houses. It shall not include convalescent, nursing or rest homes; dormitories of charitable, educational or philanthropic institutions; or apartments or hotels.</p>	<p>Single-Room Occupancy Building: A building with four or more rooms for occupancy by individuals not living as a single housekeeping unit, with shared cooking and living facilities and which may have individual or shared sanitation facilities. The term "single-room occupancy building" shall not include apartment buildings, hotels/motels, nursing homes, dormitories, or assisted living residences</p>	<p>Three similar definitions consolidated</p>	
<p>Three-Family Dwelling: A house containing three (3) dwelling units.</p>	<p>Three-Family Dwelling: A building containing three dwelling units.</p>	<p>"house" changed to "building" for consistency, numbers reformatted</p>	<p>No. A mixed use building of retail plus 3 dwelling units is not the same as a house with three dwelling units. Fixed by adding "mixed use" to exceptions in definition of "dwelling," per ZRWG</p>

Town House Structure: A row of at least three (3) onefamily attached dwelling units whose sidewalls are separated from other dwelling units by a fire wall or walls. Each unit in the row, or town house, may be owned by a separate owner and shall have its own at grade access.	Townhouse Structure: A row of at least three singlefamily attached dwelling units whose sidewalls are separated from other dwelling units by a fire separation wall or walls, and where each unit has its own at-grade access.	Definition edited for conciseness	
Two-Family Dwelling: A house containing two (2) dwelling units, in which part of one dwelling unit is over part of the other dwelling unit. (See Duplex House.)	Two-Family Dwelling: A building containing two dwelling units, in which part of one dwelling unit is over part of the other dwelling unit.	"house" changed to "building" for consistency, numbers reformatted	No. A mixed use building of retail plus 2 dwelling units is not the same as a house with two dwelling units. Fixed by adding "mixed use" to exceptions in definition of "dwelling," per ZRWG
	Enclosed Entrance (or Vestibule): Anteroom, mudroom, or small foyer or lobby leading into a dwelling unit or leading into a larger space in a nonresidential building such as an entrance hall or interior common area.	New Definition	Unclear why this includes rooms often thought of as interior (maybe not even with a door to outside).

ARTICLE 2: Existing Zoning Bylaw Definition**SECTION 2. Proposed Zoning Bylaw Definition****Amendment Summary**

Erected: The word erected shall include the words attached, built, constructed, reconstructed, altered, enlarged and moved.	Erected: The word erected shall include the words attached, built, constructed, reconstructed, altered, enlarged, and moved.	No Change
Essential Services: Services provided by public utility or governmental agencies through erection, construction, alteration, or maintenance of gas, electrical, steam, or water transmission or distribution systems and collection, communication, supply, or disposal systems whether underground or overhead. Facilities necessary for the provision of essential services include poles, wires, drains, sewers, pipes, conduits, cables, fire alarm boxes, police call boxes, traffic signals, hydrants and other similar equipment and accessories in connection therewith. Specifically excluded from this definition are buildings necessary for the furnishing of adequate service by such public utility or governmental agencies for the public health, safety, or general welfare.	Essential Services: Services provided by a public utility or governmental agency through erection, construction, alteration, or maintenance of gas, electrical, steam, or water transmission or distribution systems and collection, communication, supply, or disposal systems, whether underground or overhead. Facilities necessary for providing essential services include poles, wires, drains, sewers, pipes, conduits, cables, fire alarm boxes, police call boxes, traffic signals, hydrants, and other similar equipment and accessories, but excluding buildings necessary for the furnishing of adequate service by the public utility or governmental agency for the public health, safety, or general welfare.	Plural corrected, two sentences consolidated
Family: An individual or two or more persons related within the second degree of kinship, or by marriage or adoption living together as a single housekeeping unit and including necessary domestic help such as nurses or servants and further including not more than three (3) lodgers or roomers taken for hire. A group of individuals not related by blood or marriage, but living together as a single housekeeping unit, may constitute a family. For purposes of controlling	Family or Household: An individual or two or more persons related within the second degree of kinship, or by marriage or adoption living together as a single housekeeping unit and including necessary domestic help such as nurses or servants and further including not more than three lodgers or roomers taken for hire. A group of individuals not related by blood or marriage, but living together as a single housekeeping unit, may constitute a household.	"Household" added, numbers reformatted, two sentences consolidated, added reference to new "Group Home" definition. Compliance with Fair Housing laws.

residential density, each such group of four (4) individuals shall constitute a single family.		
	Farm (or Agriculture): As defined in G.L. c. 128, § 1A.	New Definition

ARTICLE 2: Existing Zoning Bylaw Definition	SECTION 2. Proposed Zoning Bylaw Definition	Amendment Summary	Citizen Review Comments
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<p>Definition in Section 11.04 of Existing Bylaw: The Floodplain District is superimposed over any other district established by this Bylaw. The 100-year floodplain is defined as the relatively flat lowland which adjoins a watercourse or other body of water and which is subject to seasonal or periodic flooding by the watercourse or water body at a storm frequency of 100 years. Specifically, the Floodplain District includes those areas along the Mill Brook, Alewife Brook, Mystic River, Spy Pond, Arlington Reservoir, and Mystic Lakes which are in the 100-year floodplain as established on the Middlesex County Flood Insurance Rate Maps (FIRMs) issued by the Federal Emergency Management Agency (FEMA) for the administration of the National Flood Insurance Program. The exact boundaries of the District may be defined by the 100-year floodplain shown on the Middlesex County FIRMs (panel numbers 25017C0412E, 25017C0416E, 25017C0417E, 25017C0418E, and 25017C0419E), dated June 4, 2010, and further defined by the Middlesex County Flood Insurance Report (FIS), dated June 4, 2010. The FIRMs and FIS Report are incorporated herein by reference and are on file with the Town Clerk, Arlington Redevelopment Board,</p>	<p>Flood Map: A map prepared by the Federal Emergency Management Administration (FEMA) designating approximate flood hazard areas. Flood hazard areas are designated as unnumbered A-Zones and do not contain floodway lines or regional flood elevations. This map forms the basis for both the regulatory and insurance components of the National Flood Insurance Program.</p>	<p>Definition extracted from the definition of floodplain district, updated for current practice</p>	<p>Unclear why this definition was added when the term is not used anywhere in the revised bylaw.</p>
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Director of Inspections, and Conservation Commission.			
Floodline: The limits of flooding from a particular body of water caused by a storm whose frequency or occurrence is once in a given number of years, as determined and certified by a registered professional engineer, qualified in drainage.	Floodline: The limits of flooding from a particular body of water caused by a storm whose frequency or occurrence is once in a given number of years, as determined and certified by a registered professional engineer qualified in drainage.	Comma removed	

Floor Area Ratio: The ratio of the gross floor area to the total area of the lot.	Floor Area Ratio: The ratio of the gross floor area to the total area of the lot.	No Change	
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ARTICLE 2: Existing Zoning Bylaw Definition	SECTION 2. Proposed Zoning Bylaw Definition	Amendment Summary	Citizen Review Comments
Frontage: The front part of a building or lot abutting on a public or private way approved by the Town. Frontage shall be measured in a continuous line along the front lot line between the points at the intersections of the side lot lines with the front lot line.	Frontage: The front part of a building or lot abutting on a public or private way approved by the Town. Frontage shall be measured in a continuous line along the front lot line between the points at the intersections of the side lot lines with the front lot line.	No Change	
	Funeral Home: A building used for preparing the deceased for burial and arranging and managing funerals. A funeral home may include a funeral chapel.	New Definition	Unclear what implications, if any, the inclusion of "chapel" has.
Garage, Private: Any building or portion of a building, accessory to and located upon the same lot as a residential building or upon a lot in the same ownership and adjacent to the lot on which the served residential building is located, which is used for the keeping of a motor vehicle or motor vehicles and in which no business or industry dealing with sales, servicing, or repair of such vehicles is carried on.	Garage, Private: Any building or portion of a building, accessory to and located upon the same lot as a residential building or upon a lot in the same ownership and adjacent to the lot on which the served residential building is located, which is used for the keeping of a motor vehicle or motor vehicles and in which no business or industry dealing with sales, servicing, or repair of such vehicles is carried on.	No Change	

Garage, Public: Any building used for the keeping of motor vehicles in which a business dealing with the storage of such vehicles is maintained either for profit or public service. Such business shall not involve the repair or servicing of any motor vehicles.	Garage, Public: Any building used for the keeping of motor vehicles in which a business dealing with the storage of such vehicles is maintained either for profit or public service. Such business shall not involve the repair or servicing of any motor vehicles.	No Change	
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ARTICLE 2: Existing Zoning Bylaw Definition	SECTION 2. Proposed Zoning Bylaw Definition	Amendment Summary	Citizen Review Comments
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<p>Gross Floor Area: The sum of the gross horizontal areas of all the floors of a principal building and its accessory building or buildings on the same lot, including basements, as measured from the exterior faces of the exterior walls, or centerlines of walls separating two (2) buildings, including:</p> <ol style="list-style-type: none"> elevator shafts and stairwells on each floor; that part of attic space with headroom, measured from subfloor to the bottom of the roof joists, of seven feet three inches or more, except as excluded in (4), below; interior mezzanines, and penthouses; basements except as excluded in (2), below; and cellars in residential use; all weather habitable porches and balconies; and parking garages except as excluded in (1), below; but excluding: <ol style="list-style-type: none"> areas used for accessory parking garages, or offstreet loading purposes; that part of basements devoted exclusively to mechanical uses accessory to the operation of the building; open or lattice enclosed exterior fire escapes; attic space and other areas for elevator machinery or mechanical 	<p>Gross Floor Area: The sum of the horizontal areas of the several stories of a building or buildings on a lot, measured from the exterior faces of exterior walls, or in the case of a common wall separating two buildings, from the centerline of such common wall.</p> <p>Refer to Section 5.3 for formula.</p>	<p>Formula for computing Gross Floor Area moved to regulatory section of Bylaw</p>	<p>Not clear why “all the floors” changed to “the several stories”.</p> <p>More importantly, the list of what is and is not to be counted in gross floor area (as listed in the original definition) does not seem to be in Section 5.3 or anywhere else in the revised bylaw.</p> <p>Does this mean the entire floor area of each story is to be counted?</p> <p>Formula now in 5.3.22; language restored, per ZRWG</p>
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equipment accessory to the operation of the building; and 5. porches and balconies.			
Ground-Mounted Solar Photovoltaic Installation: A solar photovoltaic system that is structurally mounted on the ground and is not roof-mounted, and does not exceed twenty feet in height.	Ground-Mounted Solar Photovoltaic Installation: A solar photovoltaic system that is structurally mounted on the ground and is not roof-mounted, and does not exceed 20 feet in height.	Number reformatted	

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ARTICLE 2: Existing Zoning Bylaw Definition	SECTION 2. Proposed Zoning Bylaw Definition	Amendment Summary	Citizen Review Comments
Rehabilitation Residence: For the purposes of this Bylaw, a building licensed or operated by the Commonwealth of Massachusetts as a Group Residence to provide residential care of alcoholic, drug or mental patients.	Group Home: A dwelling, owned or leased by a state agency or a non-profit organization on behalf of a state agency, operated as a supervised residence for adults with severe disabilities, which may include educational, social, health care, and other supportive services.	Definition updated to align with current state law	
Health Club: An establishment, operated for profit, providing space or facilities for physical exercise or for participating in sports activity.	Health Club: An establishment, operated for profit, providing space or facilities for physical exercise or for participating in sports activity.	No Change	

<p>Home Occupation: An accessory use which is carried on entirely within a dwelling unit, and is incidental and subordinate to the dwelling use. In connection with such use, there is to be no retail sale of merchandise on the premises. Such use shall be carried on by the occupants of the dwelling unit in compliance with the provisions of Section 5.05 and shall not in any manner change the residential character of the building.</p> <p>Home occupations do not include such uses as barber shops, beauty parlors, commercial stables or kennels, real estate or insurance offices, teaching of more than three pupils simultaneously, and in the case of musical instruction, more than one pupil at a time.</p>	<p>Home Occupation: An accessory use which is carried on entirely within a dwelling unit, and is incidental and subordinate to the dwelling use which does not include retail sale of merchandise on the premises nor alter the residential character of the lot or building.</p>	<p>Definition edited for conciseness</p>	<p>POLICY CHANGE!!!</p> <p>Currently prohibited uses, such as barber shops, beauty parlors, commercial stables or kennels, real estate or insurance offices, teaching of more than three pupils simultaneously, and in the case of musical instruction, more than one pupil at a time, could now be considered to be home occupations.</p> <p>Restored, per ZRWG</p>
<p>Hospital: An institution certified by the American Hospital Association as an accredited hospital providing health services for in-patient and/or outpatient medical or surgical care of the sick or injured and including related facilities such as, but not limited to, laboratories, out-patient departments, central staff service facilities, and staff offices which are an integral part of the institution.</p>	<p>Hospital: An institution licensed by the Commonwealth of Massachusetts and certified by the American Hospital Association as an accredited hospital providing health services for in-patient and/or out-patient medical or surgical care of the sick or injured and including related facilities such as, but not limited to, laboratories, out-patient departments, central staff service facilities, and staff offices which are an</p>	<p>Definition updated to align with current state law</p>	

	integral part of the institution.		
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ARTICLE 2: Existing Zoning Bylaw Definition	SECTION 2. Proposed Zoning Bylaw Definition	Amendment Summary	Citizen Review Comments
Hospital, Veterinary: A building providing for the diagnosis and treatment of ailments of animals other than human, including facilities for overnight care.	Hospital, Veterinary: A building providing for the diagnosis and treatment of ailments of animals other than human, including facilities for overnight care.	No Change	
Hotel: A building or any part of a building containing rooming units without individual cooking facilities except for coffee makers, cook plates, and microwave ovens for transient occupancy and having a common entrance or entrances; and including an inn, motel, motor inn and tourist court, but not including a boarding house, lodging house or rooming house.	Hotel/ Motel: A building in which lodging is offered for compensation, with or without associated amenities.	Definition edited for conciseness, added word: motel	Temporary nature of hotel lodging has been lost in the new definition as have been the exclusions.
Inspector of Buildings: Inspector of Buildings, Arlington, Massachusetts.	Inspector of Buildings: Inspector of Buildings, ("Building Inspector") Arlington,	Added correct title	

	Massachusetts.		
Junk: Any worn out, castoff, or discarded articles or material which is ready for destruction or has been collected or stored for salvage or conversion to some use.	Junk: Any worn out, castoff, or discarded articles or material which is ready for destruction or has been collected or stored for salvage or conversion to some use.	No Change	
Junk Yard: The use of more than two hundred (200) square feet of the area of any lot, whether inside or outside a building, or the use of any portion of any lot that joins any street, for the storage, keeping or abandonment of junk.	Junk Yard: The use of more than 200 square feet of the area of any lot, whether inside or outside a building, or the use of any portion of any lot that joins any street, for the storage, keeping or abandonment of junk.	Number reformatted	
Loading Space: An off-street space at least twelve (12) feet in width, fifty (50) feet in length and with a vertical clearance of at least fourteen (14) feet, having an area of not less than one thousand three hundred (1,300) square feet which includes access and maneuvering space used exclusively for loading and unloading of goods and materials from one vehicle. The dimensions of the loading space may be reduced by the Inspector of Buildings to not less than three hundred (300) square feet which includes access and maneuvering space, when it is clearly evident that service vehicles utilizing said space will not require the area listed above.	Loading Space: An off-street space used exclusively for loading and unloading of goods and materials from one vehicle.	Regulatory part of definition moved to regulatory section of Bylaw	

ARTICLE 2: Existing Zoning Bylaw Definition	SECTION 2. Proposed Zoning Bylaw Definition	Amendment Summary
<p>Lot: An area or parcel of land or any part thereof, not including water area, in common ownership; designated on a plan filed with the Inspector of Buildings by its owner or owners as a separate lot and having boundaries identical with those recorded in the Middlesex County Registry of Deeds. A series of two or more attached and/or semi-detached dwellings may under certain conditions be considered to occupy a single lot regardless of ownership.</p>	<p>Lot: An area or parcel of land or any part thereof, not including water area, in common ownership; designated on a plan filed with the Inspector of Buildings by its owner or owners as a separate lot and having boundaries identical with those recorded in the Middlesex County Registry of Deeds.</p>	<p>Definition edited for conciseness</p>
<p>Lot, Corner: A lot at the junction of and abutting on two or more intersecting streets or ways, the interior angle or intersection of street lot lines or, in the case of a curved street, extended lot lines, being not more than one hundred thirty-five (135) degrees.</p>	<p>Lot, Corner: A lot at the junction of and abutting on two or more intersecting streets or ways, the interior angle or intersection of street lot lines or, in the case of a curved street, extended lot lines, being not more than 135 degrees.</p>	<p>Number reformatted</p>
<p>Lot, Interior: A lot, the side lines of which do not abut on a street.</p>	<p>Lot, Interior: A lot, the side lines of which do not abut on a street.</p>	<p>No Change</p>
<p>Lot Line, Front: The property line dividing a lot from a street right-of-way. For purposes of this definition, neither the Minuteman Bikeway nor any railroad right-of-way shall be deemed to be a street right-of-way.</p>	<p>Lot Line, Front: The property line dividing a lot from a street right-of-way. For purposes of this definition, neither the Minuteman Bikeway nor any railroad right-of-way shall be deemed to be a street right-ofway.</p>	<p>No Change</p>

Lot Line, Rear: Any lot line which is parallel to or within 45 degrees of being parallel to a front lot line, except for a lot line that is itself a front lot line, and except that in the case of a corner lot the owner shall have the option of choosing which of the two lot lines that are not front lot lines is to be considered a rear lot line. In the case of a lot having no street frontage or a lot of odd shape, only the one lot line furthest from any street shall be considered a rear lot line.	Lot Line, Rear: Any lot line which is parallel to or within 45 degrees of being parallel to a front lot line, except for a lot line that is itself a front lot line, and except that in the case of a corner lot the owner shall have the option of choosing which of the two lot lines that are not front lot lines is to be considered a rear lot line. In the case of a lot having no street frontage or a lot of odd shape, only the one lot line furthest from any street shall be considered a rear lot line.	No Change
Lot Line, Side: Any lot line not a front or rear lot line.	Lot Line, Side: Any lot line not a front or rear lot line.	No Change

ARTICLE 2: Existing Zoning Bylaw Definition	SECTION 2. Proposed Zoning Bylaw Definition	Amendment Summary	Citizen Review Comments
Lot, Nonconforming: A lot lawfully existing at the effective date of this Bylaw, or any subsequent amendment thereto, which is not in accordance with all provisions of this Bylaw.	Lot, Nonconforming: A lot lawfully existing at the effective date of this Bylaw, or any subsequent amendment thereto, which is not in accordance with all provisions of this Bylaw. (See also Nonconformance)	Added reference to definition for "Nonconformance"	
Lot, Through: A lot, the front and rear lot lines of which abut streets; or a corner lot, two opposite lines of which abut streets.	Lot, Through: A lot, the front and rear lot lines of which abut streets; or a corner lot, two opposite lines of which abut streets.	No Change	

	Manufacturing, Light: The manufacture, predominantly from previously prepared materials, of finished products or parts, including processing, fabrication, assembly, treatment, and packaging products, and incidental storage, sales, and distribution of the same, but excluding basic industrial processing, custom manufacturing, or artisanal fabrication.	New Definition	POLICY CHANGE!!! Current table of use regulations has a “light non- nuisance manufacturing” use (7.09) with “non-nuisance” explicitly described. New bylaw replaces it with this definition. “non-nuisance” language added to tables in 5.5.3 and 5.6.3, per ZRWG
Marquee: A rigid surface canopy structure projecting from a building over an exterior entrance thereto and used as a shelter from rain or sun.	Marquee: A rigid surface canopy structure projecting from a building over an exterior entrance thereto and used as a shelter from rain or sun.	No Change	
	Medical Office or Clinic: A building or portion of a building containing offices and facilities for providing medical, dental, psychiatric, and related health care services for outpatients only. “Medical office or clinic” shall not include a hospital.	New Definition	

Medical Marijuana Treatment Center: A not-for-profit establishment registered with the Commonwealth, also known as a “registered marijuana dispensary” (RMD) that acquires, cultivates, possesses, processes (including development of related products such as food, tinctures, aerosols, oils, or ointments), transfers, transports, sells, offers for sale, distributes, dispenses, or administers marijuana, products containing marijuana, related supplies, or educational materials to registered qualifying patients or their personal caregivers for medical purposes”	Medical Marijuana Treatment Center: A not-for-profit establishment registered with the Commonwealth, also known as a “registered marijuana dispensary” (RMD) that acquires, cultivates, possesses, processes (including development of related products such as food, tinctures, aerosols, oils, or ointments), transfers, transports, sells, offers for sale, distributes, dispenses, or administers marijuana, products containing marijuana, related supplies, or educational materials to registered qualifying patients or their personal caregivers for medical purposes.	No Change	
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ARTICLE 2: Existing Zoning Bylaw Definition	SECTION 2. Proposed Zoning Bylaw Definition	Amendment Summary	Citizen Review Comments
Membership Club: A social, sports, or fraternal association or organization which is used exclusively by members and their guests.	Membership Club: A social, sports, or fraternal association or organization which is used exclusively by members and their guests.	No Change	
Mixed Use: A combination of two or more distinct land uses, such as commercial, lodging, research, cultural, artistic/creative production, artisanal fabrication, residential in a single multi-story structure to maximize space usage and promote a vibrant, pedestrian-oriented live-work environment.	Mixed Use: A combination of two or more distinct land uses, such as commercial, lodging, research, cultural, artistic/creative production, artisanal fabrication, residential in a single multi-story structure to maximize space usage and promote a vibrant, pedestrian-oriented live-work environment.	No Change	

	Nonconformance: A condition that occurs when a lot, structure, building, sign, development, or land use that legally existed before the effective date of this Bylaw or any amendments to it does not conform to one or more of the regulations that currently applies to the district in which the lot, structure, building, sign, development, or use is located.	New Definition	
Office: A place in which functions such as directing, consulting, record keeping, clerical work, and sales (without the presence of merchandise) of a firm are carried on; also, a place in which a professional person conducts his professional business.	Office: A place in which functions such as directing, consulting, record keeping, clerical work, and sales (without the presence of merchandise) of a firm are carried on; also, a place in which a professional person conducts a professional business.	No Change	
Open Space: A yard including sidewalks, swimming pools, terraced areas, patios, playcourts, and playground facilities; and not devoted to streets, driveways, off-street parking or loading spaces, or other paved areas.	Open Space: A yard including sidewalks, swimming pools, terraced areas, decks, patios, play courts, and playground facilities; and not devoted to streets, driveways, off-street parking or loading spaces, or other paved areas.	"decks" added, patios removed	Unclear why patios removed and decks added. Since the bylaw regulates "usable" and "landscaped" open space, but not "open space" as such, it is not clear whether this change means anything. Patio restored;

			deck intended to remain non-covered and porch covered, Per ZRWG
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ARTICLE 2: Existing Zoning Bylaw Definition	SECTION 2. Proposed Zoning Bylaw Definition	Amendment Summary
Open Space, Landscaped: Open space designed and developed for pleasant appearance in trees, shrubs, ground covers and grass, including other landscaped elements such as natural features of the site, walks and terraces, and also including open areas accessible to and developed for the use of the occupants of the building located upon a roof not more than 10 feet above the level of the lowest story used for dwelling purposes.	Open Space, Landscaped: Open space designed and developed for pleasant appearance in trees, shrubs, ground covers and grass, including other landscaped elements such as natural features of the site, walks and terraces, and also including open areas accessible to and developed for the use of the occupants of the building located upon a roof not more than 10 feet above the level of the lowest story used for dwelling purposes.	No Change

Open Space, Usable: The part or parts of a lot designed and developed for outdoor use by the occupants of the lot for recreation including swimming pools, tennis courts or similar facilities, for garden or for household service activities such as clothes drying; which space is at least 75 percent open to the sky, free of automotive traffic and parking, and readily accessible by all those for whom it is required. Such space may include open area accessible to and developed for the use of the occupants of the building, and located upon a roof not more than 10 feet above the level of the lowest story used for dwelling purposes. Open space shall be deemed usable only if: (1) at least 75 percent of the area has a grade of less than eight (8) percent and (2) no horizontal dimension is less than 25 feet. For newly constructed single-, two-family, and duplex dwellings where parking is at the surface level, no horizontal dimension shall be less than 20 feet.	Open Space, Usable: The part or parts of a lot designed and developed for outdoor use by the occupants of the lot for recreation, including swimming pools, tennis courts, or similar facilities, or for garden or for household service activities such as clothes drying; which space is at least 75% open to the sky, free of automotive traffic and parking, and readily accessible by all those for whom it is required. Such space may include open area accessible to and developed for the use of the occupants of the building, and located upon a roof not more than 10 feet above the level of the lowest story used for dwelling purposes. Open space shall be deemed usable only if: (1) at least 75% of the area has a grade of less than 8%, and (2) no horizontal dimension is less than 25 feet. For newly constructed single-, twofamily, and duplex dwellings where parking is at the surface level, no horizontal dimension shall be less than 20 feet.	Number reformatted
Outdoor Storage Area: A space outside of a building which is used to keep merchandise for use, goods to be processed, or machinery for use.	Outdoor Storage Area: A space outside of a building which is used to keep merchandise for use, goods to be processed, or machinery for use.	No Change
Owner: The duly authorized agent, attorney, purchaser, devisee, trustee, lessee, or any person having vested or equitable interest in the use, structure or lot in question.	Owner: The duly authorized agent, attorney, purchaser, devisee, trustee, lessee, or any person having vested or equitable interest in the use, structure or lot in question.	No Change

ARTICLE 2: Existing Zoning Bylaw Definition	SECTION 2. Proposed Zoning Bylaw Definition	Amendment Summary	Citizen Review Comments
Parking, Accessory: Parking developed to serve the residents, occupants, employees, patrons, or other users of a building or use, or developed to meet requirements specified in Article 8.	Parking, Accessory: Parking developed to serve the residents, occupants, employees, patrons, or other users of a building or use, or developed to meet requirements specified in Section 6.	Section reference updated	
Penthouse: An enclosed structure above the roof of a building, other than a roof structure, extending not more than twelve (12) feet above the roof and occupying not more than thirty-three and one-third (33-1/3)percent of the roof area.	Penthouse: An enclosed structure above the roof of a building, other than a roof structure, extending not more than 12 feet above the roof and occupying not more than 33 1/3% of the roof area.	Number reformatted	
	Personal Service Establishment: Retail establishments primarily engaged in providing individual services generally related to personal needs such as but not limited to a barber shop, hair salon, nail salon, dropoff/pick-up dry cleaning business or self-serve laundry, tailor, or shoe repair shop.	New Definition	
	Phased Development: A development on one lot, or two or more adjoining lots in common ownership or common control for which special permits or building permits are sought within a period of two years from the first date of application for any special or building permits for the development.	Term shortened, no change in definition	

Planned Development: A development involving the construction of two or more principal buildings on the same lot for any permitted use.	Planned Unit Development: A development under unified control designed and planned to be constructed in a single operation or by a series of scheduled construction phases according to a special permit and an approved site development plan to accommodate one or more land uses.	Definition expanded to clarify intent	
	Porch: A covered area projecting from and structurally connected to a building.	New Definition	Unclear why this was added. Also ambiguous since in the 3 other places “porch” is used in the revised bylaw it is always qualified as “unroofed” or “unenclosed.”

ARTICLE 2: Existing Zoning Bylaw Definition**SECTION 2. Proposed Zoning Bylaw Definition****Amendment Summary**

<p>Recreational Trailer or Vehicle: A vehicular, portable unit designed for travel, camping, or recreational use, including but not limited to the following:</p> <p>a. Travel Trailer: A vehicular, portable dwelling unit built on a chassis, being of any length provided its gross weight does not exceed forty-five hundred (4,500) pounds, or being of any weight provided its overall length does not exceed twenty-eight (28) feet.</p> <p>b. Pick-Up Camper: A portable dwelling unit designed to be mounted on a pick-up truck or chassis, whether or not so mounted.</p> <p>c. Motorized Camper: A portable dwelling designed and constructed as an integral part of a self-propelled vehicle.</p> <p>d. Tent Trailer: A folding structure, constructed of canvas, plastic or similar water repellant material, designed to be mounted on wheels to be used as a temporary dwelling.</p> <p>e. Boat Trailer: A vehicle without motive power, designed to be drawn by a motor vehicle and designed for the hauling or storage of a boat, aircraft, snowmobile or other recreational vehicle.</p>	<p>Recreational Trailer or Vehicle: A vehicular, portable unit designed for travel, camping, or recreational use, including but not limited to the following:</p> <p>a. Travel Trailer: A vehicular, portable dwelling unit built on a chassis, being of any length provided its gross weight does not exceed 4,500 pounds, or being of any weight provided its overall length does not exceed 28 feet.</p> <p>b. Pick-Up Camper: A portable dwelling unit designed to be mounted on a pick-up truck or chassis, whether or not so mounted.</p> <p>c. Motorized Camper: A portable dwelling designed and constructed as an integral part of a self-propelled vehicle.</p> <p>d. Tent Trailer: A folding structure, constructed of canvas, plastic or similar water repellant material, designed to be mounted on wheels to be used as a temporary dwelling.</p> <p>e. Boat Trailer: A vehicle without motive power, designed to be drawn by a motor vehicle and designed for the hauling or storage of a boat, aircraft, snowmobile or other recreational vehicle.</p>	<p>Number reformatted</p>
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Repair: With respect to a building or structure, any construction which replaces materials and does not change the height, number of stories, size, use or location of a structure.	Repair: With respect to a building or structure, any construction which replaces materials and does not change the height, number of stories, size, use, or location of a structure.	No Change
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ARTICLE 2: Existing Zoning Bylaw Definition	SECTION 2. Proposed Zoning Bylaw Definition	Amendment Summary	Citizen Review Comments
Research and Development Activities: Establishments used primarily for research, development and/or testing of innovative information, concepts, methods, processes, materials, or products. This can include but not be limited to renewable or alternative energy research and development activities including the design, development, and testing of biological, chemical, electrical, magnetic, mechanical, and/or optical components in advance of product manufacturing. The accessory development, fabrication, and light manufacturing of prototypes, or	Research and Development: An establishment used primarily for research, development, or testing of innovative information, concepts, methods, processes, materials, or products. This can include but not be limited to renewable or alternative energy research and development activities including the design, development, and testing of biological, chemical, electrical, magnetic, mechanical, and/or optical components in advance of product manufacturing. The accessory development, fabrication,	Term shortened, made singular for consistency	

specialized machinery and devices integral to research or testing may be associated with these uses.	and light manufacturing of prototypes, or specialized machinery and devices integral to research or testing may be associated with these uses.		
Restaurant: An establishment where the principal activity is the service or sale of food or drink for onpremises consumption.	Restaurant: An establishment where the principal activity is the service or sale of food or drink for onpremises consumption.	No Change	
Drive-In Food Service Establishment: A fast-order food establishment which provides convenient vehicular access and may provide service to customers while in their vehicles and any fast-order food establishment which provides a greater number of parking spaces than is required by the Zoning Bylaw.	Restaurant, Drive-In Food Service: A fast-order food service establishment that provides convenient vehicular access and may provide service to customers while in their vehicles, and any fast-order food establishment which provides a greater number of parking spaces than is required by this Bylaw.	Term changed, Definition unchanged	
Fast-Order Food Establishment: An establishment whose primary business is the sale of food for consumption on or off the premises which is (a) primarily intended for immediate consumption rather than for use as an ingredient or component of meals; (b) available upon a	Restaurant, Fast-Order Food: An establishment whose primary business is the sale of food for consumption on or off the premises which is (a) primarily intended for immediate consumption rather than for use as an ingredient or component of meals; (b) available upon a	Term changed, Definition unchanged	

short waiting time; and (c) packaged or presented in such a manner that it can be readily eaten outside the premises where it is sold.	short waiting time; and (c) packaged or presented in such a manner that it can be readily eaten outside the premises where it is sold.		
	Right-of-Way: The line determining the public limit or ownership on a street or highway.	New Definition	Unclear what implications this definition may have for private ways (it seems to apply only to public land) and associated dimensional requirements set in relation to the right-of-way. Request to address lack of Private Way info in phase II, per Wynelle Evans

ARTICLE 2: Existing Zoning Bylaw Definition	SECTION 2. Proposed Zoning Bylaw Definition	Amendment Summary	Citizen Review Comments
Setback: The shortest horizontal distance from the front lot line to the nearest building wall or building part not specifically excluded by Section 6.19.	Setback: The shortest horizontal distance from the front lot line to the nearest building wall or building part not specifically excluded in Section 5.	Section reference updated	

Shared Vehicle: A passenger vehicle, not to exceed 5,000 pounds gross vehicle weight rating, owned by a membership based entity which makes the vehicles available for rent by the hour or day to its members. Shared vehicles are parked at locations remote from the owner entity. Shared vehicles shall not display advertising other than accessory signage which shall not exceed four square feet in total.	Shared Vehicle: A passenger vehicle, not to exceed 5,000 pounds gross vehicle weight rating, owned by a membership based entity which makes the vehicles available for rent by the hour or day to its members. Shared vehicles are parked at locations remote from the owner entity. Shared vehicles shall not display advertising other than accessory signage which shall not exceed four square feet in total.	No Change	
	Shed: A small accessory structure used for the storage of tools or equipment.		New definition, doesn't seem to be used anywhere. Also, references to dimensional requirements for doghouses, toolsheds, etc. <80 sq. ft. do not appear to be in the revised bylaw. To be addressed, per ZRWG

<p>Sign: Any permanent structure, device, letter, word, model, insignia, trade flag, streamer, display, emblem, or representation used as, or which is in the nature of, an advertisement, announcement, or direction. This definition shall include signs located within a window when illuminated. Marquees, canopies, clocks, thermometers and calendars shall be subject to the provisions when used in conjunction with signs as defined above. A sign shall be painted, posted or otherwise securely affixed to a substantial intermediate removable surface and, except for freestanding signs, such surface shall be securely affixed to the face of the building front, which can be street or parking lot frontage, but shall be in a single, unbroken plane. The foregoing shall not prevent installation of a sign by individual letters or devices cut into or securely affixed to the exterior wall of a building, provided that such letters or devices have a minimum depth or projection of one-fourth of an inch. The material of the sign and intermediate surface and the manner of affixation of the sign to the intermediate surface and of the intermediate surface to the wall of the</p>	<p>Sign: Any structure, device, letter, word, model, insignia, trade flag, streamer, display, emblem, or representation used as, or which is in the nature of, an advertisement, announcement, or direction, including illuminated signs within a window. Awnings, marquees, canopies, clocks, thermometers, and calendars shall be subject to the provisions of Section 6.2.</p>	<p>Regulatory part of definition moved to regulatory section of Bylaw</p>	<p>Section 6.2 does not appear to include the detail at the end of the definition that was cut out.</p> <p>Confirm by reviewing the sign section of the revised bylaw.</p>
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building shall be subject to the approval of the Building			
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Inspector for the purpose of protecting the safety of the public.		
ARTICLE 2: Existing Zoning Bylaw Definition	SECTION 2. Proposed Zoning Bylaw Definition	Amendment Summary
Sign, Accessory: Any sign that, with respect to the premises on which it is erected, advertises or indicates one or more of the following: the person occupying the premises, the business transacted on the premises, and directional or parking instructions, or the sale or letting of the premises or any part thereof.	Sign, Accessory: Any sign that, with respect to the premises on which it is erected, advertises or indicates one or more of the following: the person occupying the premises, the business transacted on the premises, and directional or parking instructions, or the sale or letting of the premises or any part thereof.	No Change

Sign Area, Area of a Sign, Signage: The entire area within a single continuous perimeter, and a single plane, composed of a square, circle or rectangle which encloses the extreme limits of the advertising message or announcement or wording together with any frame, background, trim or other integral part of the display excluding the necessary supports or uprights on which such sign is placed. Sign area of a standing or pole sign is the entire area of one side of such sign such that two faces which are back to back are counted only once for the purposes of standing or pole sign area.	Sign Area, Area of a Sign, Signage: The entire area within a single continuous perimeter, and a single plane, composed of a square, circle or rectangle which encloses the extreme limits of the advertising message or announcement or wording together with any frame, background, trim or other integral part of the display excluding the necessary supports or uprights on which such sign is placed. Sign area of a standing or pole sign is the entire area of one side of such sign such that two faces which are back to back are counted only once for the purposes of standing or pole sign area.	No Change
Sign, Awning: A sign applied directly to or incorporated as part of an awning.	Sign, Awning: A sign applied directly to or incorporated as part of an awning.	No Change
Sign, Brackett: A sign mounted perpendicular to the building by means of a bracket, the design of which is meant to be decorative and integral to the sign's design, below which hangs the sign in a manner to withstand public or property damage from wind.	Sign, Bracket: A sign mounted perpendicular to the building by means of a bracket, the design of which is meant to be decorative and integral to the sign's design, below which hangs the sign in a manner to withstand public or property damage from wind.	Spelling corrected
Sign Canopy: Rooflike covering, as a canvas, on a frame that is affixed to a building projecting over a sidewalk portion of a way, and carried by a frame supported upon the ground or sidewalk.	Sign Canopy: Roof-like covering, as a canvas, on a frame that is affixed to a building projecting over a sidewalk portion of a way, and carried by a frame supported upon the ground or sidewalk.	No Change
Sign, Facing or Face: The surface of a sign board, background area, and structural trim upon, against or through which a message is displayed or illustrated on the sign.	Sign, Facing or Face: The surface of a sign board, background area, and structural trim upon, against or through which a message is displayed or illustrated on the sign.	No Change

ARTICLE 2: Existing Zoning Bylaw Definition	SECTION 2. Proposed Zoning Bylaw Definition	Amendment Summary
Sign, Freestanding: A sign not a part of or attached to any building but generally located elsewhere on a lot.	Sign, Freestanding: A sign not a part of or attached to any building but generally located elsewhere on a lot.	No Change
Sign, Ground: A free-standing sign located on or close to the ground, the top of which shall not be higher than four (4) feet above the ground.	Sign, Ground: A free-standing sign located on or close to the ground, the top of which shall not be higher than 4 feet above the ground.	Number reformatted
Sign, Permanent: Any sign as defined above, intended to be erected and maintained for more than sixty (60) days.	Sign, Permanent: Any sign as defined above, intended to be erected and maintained for more than 60 days.	Number reformatted
Sign, Portable: A free-standing sign not permanently affixed, anchored, or secured to the ground or a structure on the lot it occupies, including trailered signs but excluding signs affixed to or painted on a vehicle.	Sign, Portable: A free-standing sign not permanently affixed, anchored, or secured to the ground or a structure on the lot it occupies, including trailered signs but excluding signs affixed to or painted on a vehicle.	No Change
Sign, Projecting: Any sign which is attached to a building or other structure and any part of which projects more than twelve (12) inches from the wall surface of that portion of the building or structure in front of which the sign is positioned	Sign, Projecting: Any sign which is attached to a building or other structure and any part of which projects more than 12 inches from the wall surface of that portion of the building or structure in front of which the sign is positioned	Number reformatted
Sign, Roof: Any sign erected, constructed and maintained upon or over the roof of any building.	Sign, Roof: Any sign erected, constructed and maintained upon or over the roof of any building.	No Change
Sign, Standing or Pole: A free-standing sign not exceeding fifteen (15) feet in height with eight (8) feet of clearance under the sign area and erected upon supporting devices or stands.	Sign, Standing or Pole: A free-standing sign not exceeding 15 feet in height with 8 feet of clearance under the sign area and erected upon supporting devices or stands.	Number reformatted

Sign, Temporary: Any sign, including its supporting structure intended to be maintained for a continuous period not to exceed sixty (60) days.	Sign, Temporary: Any sign, including its supporting structure intended to be maintained for a continuous period not to exceed 60 days.	Number reformatted
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ARTICLE 2: Existing Zoning Bylaw Definition	SECTION 2. Proposed Zoning Bylaw Definition	Amendment Summary
Sign, Wall: A sign not exceeding four (4) feet in height securely affixed to a wall projecting no more than twelve (12) inches from and parallel to the face of such wall, not projecting beyond the building face fronting on a street or parking lot nor above the highest line of the building to which it is attached. A wall sign shall be no higher than the lowest of the following: (a) twenty-five (25) feet above grade; (b) the bottom of the sills of the first level of windows above the first story; or (c) the cornice line of the building at the building line. If attached to a parapet, a sign shall not exceed the height of the parapet.	Sign, Wall: A sign not exceeding 4 feet in height securely affixed to a wall projecting no more than 12 inches from and parallel to the face of such wall, not projecting beyond the building face fronting on a street or parking lot nor above the highest line of the building to which it is attached. A wall sign shall be no higher than the lowest of the following: 25 feet above grade; (b) the bottom of the sills of the first level of windows above the first story; or (c) the cornice line of the building at the building line. If attached to a parapet, a sign shall not exceed the height of the parapet.	Number reformatted
Sign, Primary Wall: A sign on the building face fronting on a street or parking lot frontage.	Sign, Primary Wall: A sign on the building face fronting on a street or parking lot frontage.	No Change

Sign, Secondary Wall: A sign located on any building face fronting on a street or parking lot frontage other than that of the primary wall sign. The cumulative area of all secondary wall signs shall not exceed fifty (50) percent of the maximum possible area of the primary wall sign.	Sign, Secondary Wall: A sign located on any building face fronting on a street or parking lot frontage other than that of the primary wall sign. The cumulative area of all secondary wall signs shall not exceed 50% of the maximum possible area of the primary wall sign.	Number reformatted
Signs, Window: Signs intended to be viewed from the exterior that are painted or posted on an interior transparent or translucent surface including windows and doors, or interior to and within 12 inches of such a surface. The area of a window sign shall not exceed 25 % of the area visible from the exterior of the building.	Signs, Window: Signs intended to be viewed from the exterior that are painted or posted on an interior transparent or translucent surface including windows and doors, or interior to and within 12 inches of such a surface. The area of a window sign shall not exceed 25% of the area visible from the exterior of the building.	Number reformatted
Notice: Temporary signs erected by a person, a town committee, student organization or non-profit organization for the purpose of advertising an individual yard sale, non-commercial public event, or lost pet.	Notice: Temporary signs erected by a person, a town committee, student organization or non-profit organization for the purpose of advertising an individual yard sale, non-commercial public event, or lost pet.	No Change

ARTICLE 2: Existing Zoning Bylaw Definition	SECTION 2. Proposed Zoning Bylaw Definition	Amendment Summary	Citizen Review Comments
Special Permit: A use of a structure or lot or any action upon a premises which may be permitted under this Bylaw only upon application to and the approval of the Board and in accordance with provisions of Article 10.	Special Permit: A use of a structure or lot or any action upon a premises which may be permitted under this Bylaw only upon application to and the approval of the Zoning Board of Appeals or Arlington Redevelopment Board, as applicable, and in accordance with provisions of Section	SPGA corrected, section reference updated	

	3 of this Bylaw.		
Special Permit Granting Authority: The Zoning Board of Appeals, or in the case of a special permit which qualifies for Environmental Design Review under Section 11.06 of the Zoning Bylaw, the Arlington Redevelopment Board.	Special Permit Granting Authority: The Zoning Board of Appeals, or in the case of a special permit which qualifies for Environmental Design Review under Section 3 of this Bylaw, the Arlington Redevelopment Board.	Section reference updated	
Story: The portion of a building which is between one floor level and the next higher floor level or the roof. If a mezzanine floor area exceeds one-third of the area of the floor immediately below, it shall be deemed to be a story. A basement shall be deemed to be a story when its ceiling is four (4) feet six (6) inches or more above the finished grade. A cellar shall not be deemed to be a story. An attic shall not be deemed to be a story if unfinished and not used for human occupancy.	Story: The portion of a building which is between one floor level and the next higher floor level or the roof. If a mezzanine floor area exceeds one-third of the area of the floor immediately below, it shall be deemed to be a story. A basement shall be deemed a story when its ceiling is 4 feet 6 inches or more above the finished grade. A cellar shall not be deemed a story. An attic shall not be deemed a story if unfinished and not used for human occupancy.	No Change	
Story, Half: A story which is under a gable, hipped, or gambrel roof, where less than one half the floor area has a clear height of seven feet three inches or more.	Story, Half: A story which is under a gable, hipped, or gambrel roof, where less than one half the floor area measured from the underside of the roof framing to the finished floor below has a clear height of 7 feet 3 inches or more.	Method of measurement clarified	Height measurement point is changed from finished ceiling to roof rafters. Explanation needed as to why.

			Changed to match GFA definition, per ZRWG
Street: A public or private way which is 27 or more feet in right-of-way width which is accepted or devoted to public use by legal mapping or by any other lawful procedure. It shall be synonymous with the word road, avenue, highway, and parkway, and other similar designations.	Street: A public or private way which is 27 feet or more in right-of-way width, accepted or devoted to public use by legal mapping or by any other lawful procedure. It shall be synonymous with the word road, avenue, highway, and parkway, and other similar designations.	Word order changed	

ARTICLE 2: Existing Zoning Bylaw Definition	SECTION 2. Proposed Zoning Bylaw Definition	Amendment Summary
Structure: A combination of materials for permanent or temporary occupancy or use, such as a building, bridge, trestle, wireless communications facility, tower, framework, retaining wall, tank, tunnel, tent, stadium, reviewing stand, platform, swimming pool, shelters, piers, wharves, bin, fence, sign, or the like.	Structure: A combination of materials for permanent or temporary occupancy or use, such as a building, bridge, trestle, wireless communications facility, tower, framework, retaining wall, tank, tunnel, tent, stadium, reviewing stand, platform, swimming pool, shelter, pier, bin, fence, sign, shed, or the like.	Items in list corrected to all be singular, wharf deleted
	Tract: A unit or contiguous units of land under single ownership or control.	New Definition

Trailer: Any vehicle which is immediately portable, and is arranged, intended, designed, or used for sleeping, eating, or business, or is a place in which persons may congregate, including a mobile home, house trailer or camper. A trailer, whether immediately portable or no longer immediately portable by virtue of having its wheels removed or skirts attached, shall not be considered a building for the purposes of this Bylaw.	Trailer: Any vehicle which is immediately portable, and is arranged, intended, designed, or used for sleeping, eating, or business, or is a place in which persons may congregate, including a mobile home, house trailer or camper. A trailer, whether immediately portable or no longer immediately portable because its wheels have been removed or skirts have been attached, shall not be considered a building in this Bylaw.	Definition edited for conciseness
Use: The purpose for which a structure or lot is arranged, designed, or intended to be used, occupied or maintained.	Use: The purpose for which a structure or lot is arranged, designed, or intended to be used, occupied, or maintained.	No Change
Use, Accessory: A use incidental and subordinate to the principal use of a structure or lot, or a use, not the principal use, which is located on the same lot as the principal structure.	Use, Accessory: A use incidental and subordinate to the principal use of a structure or lot, or a use, not the principal use, which is located on the same lot as the principal structure.	No Change
Use, Nonconforming: A use lawfully existing at the time of adoption of this Bylaw or any subsequent amendment thereto which does not conform to one or more provisions of this Bylaw.	Use, Nonconforming: A use lawfully existing at the time of adoption of this Bylaw or any subsequent amendment thereto which does not conform to one or more provisions of this Bylaw. (See also, Nonconformance.)	Added reference to definition for "Nonconformance"
Use, Principal: The main or primary purpose for which a structure or lot is designed, arranged or intended, or for which it may be used, occupied or maintained under this Bylaw.	Use, Principal: The main or primary purpose for which a structure or lot is designed, arranged or intended, or for which it may be used, occupied, or maintained under this Bylaw.	No Change

ARTICLE 2: Existing Zoning Bylaw Definition	SECTION 2. Proposed Zoning Bylaw Definition	Amendment Summary
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Use, Substantially Different: A use which by reason of its normal operation would cause readily observable differences in patronage, service, appearance, noise, employment or similar characteristics from the use to which it is being compared.	Use, Substantially Different: A use which because of its normal operation would cause readily observable differences in patronage, service, appearance, noise, employment, or similar characteristics from the use to which it is being compared.	Definition edited for conciseness
Variance: Such departure from the terms of this Bylaw as the ZBA, upon appeal in specific cases, is empowered to authorize under the terms of Article 10.	Variance: A departure from the terms of this Bylaw as the Board of Appeals may authorize under this Bylaw and G.L. c. 40A, § 10.	Definition edited for conciseness
Wireless Communications Facility: An assemblage of equipment intended to receive and/or transmit radio waves for the purpose of providing wireless communications consisting of, but not limited to, antennas and mounting brackets, antenna support structures, electrical equipment in cabinets or enclosed shelters or in other enclosed space, co-axial cables and back-up power equipment or generators.	Wireless Communications Facility: An assemblage of equipment intended to receive and/or transmit radio waves for providing wireless communications consisting of, but not limited to, antennas and mounting brackets, antenna support structures, electrical equipment in cabinets or enclosed shelters or in other enclosed space, co-axial cables and backup power equipment or generators.	Definition edited for conciseness
Yard: An open space unobstructed from the ground up, on the same lot with a principal building, extending along a lot line or front lot line and inward to the principal building. The size of a required yard shall be measured as the shortest distance between the line of the building wall or building part not specifically excluded by Section 6.19 and a lot line. Structures which are below the finished lot grade, including shelters for nuclear fallout shall not be deemed to occupy required yards.	Yard: An open space unobstructed from the ground up, on the same lot with a principal building, extending along a lot line or front lot line and inward to the principal building. The size of a required yard shall be measured as the shortest distance between the line of the building wall (or building part not specifically excluded under this Bylaw) and a lot line. Structures that are below the finished lot grade shall not be deemed to occupy required yards.	Definition edited for conciseness

Yard, Front: A yard extending for the full width of the lot between the front line of the nearest building wall and the front lot line.	Yard , Front: A yard extending for the full width of the lot between the front line of the nearest building wall and the front lot line.	No Change
Yard, Rear: A yard, unoccupied except by an accessory structure or accessory use as herein permitted, extending for the full width of the lot between the rear line of the nearest building wall and the rear lot line.	Yard, Rear: A yard, unoccupied except by an accessory structure or accessory use as herein permitted, extending for the full width of the lot between the rear line of the nearest building wall and the rear lot line.	No Change
ARTICLE 2: Existing Zoning Bylaw Definition	SECTION 2. Proposed Zoning Bylaw Definition	Amendment Summary
Yard, Side: A yard unoccupied, except by an accessory structure or use as herein permitted, between the line of the building wall and a side lot line extending from the front yard to the rear yard. In the case of a lot having no street frontage or a lot of odd shape, any yard that is not a front yard or a rear yard shall be considered a side yard.	Yard, Side: A yard unoccupied, except by an accessory structure or use as herein permitted, between the line of the building wall and a side lot line extending from the front yard to the rear yard. In the case of a lot having no street frontage or a lot of odd shape, any yard that is not a front yard or a rear yard shall be considered a side yard.	No Change
ZBA: The Zoning Board of Appeals of the Town of Arlington, Massachusetts.	Zoning Board of Appeals: The Zoning Board of Appeals of the Town of Arlington, Massachusetts ("Board of Appeals" or "ZBA").	Term changed, alternate terms added