



OFFICE OF THE TOWN CLERK  
TOWN OF ARLINGTON  
730 MASSACHUSETTS AVENUE  
ARLINGTON, MA 02476

TOWN HALL  
OFFICE HOURS  
MONDAY, TUESDAY & WEDNESDAY  
8 A.M. TO 4 P.M.  
THURSDAY - 8 A.M. TO 7 P.M.  
FRIDAY - 8 A.M. TO 12:00 P.M.

STEPHANIE L. LUCARELLI  
TOWN CLERK

TELEPHONE

(781) 316-3070

ARTICLE 6                      ZONING BYLAW AMENDMENT/MIXED USE IN BUSINESS  
BUSINESS AND INDUSTRIAL ZONES  
  
VOTED:                      DECLARED 2/3<sup>RD</sup>, (QUORUM PRESENT - MORE THAN  
85 TMM PRESENT AND VOTING)

(ELECTRONIC TALLY, YES - 187, NO - 35)

That the Zoning Bylaw be and hereby is amended by:

**Amending Article 2, Definitions, Section 2.01 General with the following text changes:**

Following the definition of "ARB":

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, and where the production, operations, and storage of materials related to production occupy no more than 5,000 square feet of gross floor area. 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.

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.

...

Following the definition of "Building, Setback Line":

Building Step Back:

Upper story building setback provided along all building elevations with street frontage, excluding alleys.

...

Following the definition of "Membership Club":

I hereby certify the foregoing to be a TRUE  
COPY from the records of the Town Clerk's  
Office, Arlington Massachusetts.

ATTEST Stephanie L. Lucarelli  
TOWN CLERK

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.

...

**Amending Article 3, Establishment of Districts, Section 3.02 Description of Zoning Districts, by adding the following underlined sentences or phrases.**

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**B1 - Neighborhood Office District**

The Neighborhood Office District is composed of all those areas so designated on the official zoning map. Predominant uses include one- and two-family residences, houses with offices on the ground floor, or office structures which are in keeping with the scale of adjacent houses. With most locations on or adjacent to Massachusetts Avenue, the district is intended to encourage preservation of small-scale structures to provide contrast and set off the higher density, more active areas along the Avenue. Uses which would detract from the desired low level of activity, consume large amounts of land, or otherwise interfere with the intent of this bylaw, are discouraged. Mixed-use structures without retail space are allowed in this district.

**B2 - Neighborhood Business District**

The Neighborhood Business District is composed of all those areas so designated on the official zoning map. Predominant uses include small retail and service establishments serving the needs of adjacent neighborhoods and oriented to pedestrian traffic. Locations are almost all along Massachusetts Avenue or Broadway. Uses which would detract from this small-scale business character, or otherwise interfere with the intent of this bylaw are discouraged. Mixed-use structures are allowed in this district.

**B2A - Major Business District**

The major Business District is composed of all those areas so designated on the official zoning map. Located along Massachusetts Avenue, Mill Street, Summer Street and Broadway, these areas generally contain uses that are retail and service to serve the needs of a large neighborhood area. Customers generally arrive by car so there is ample parking to serve the retailer. Housing is also permitted at a medium density due to the proximity of the zone to residential uses. Mixed-use structures are allowed in this district. Automotive uses; some office uses, wholesale business and storage uses are prohibited.

**B3 - Village Business District**

The Village Business District is composed of all those areas so designated on the official zoning map. Predominant uses include retail, service and office establishments catering to both convenience and comparison-goods shoppers and oriented to pedestrian traffic. Mixed-use structures are allowed and encouraged in this district. The three locations include portions of the principal business areas of Arlington: Lake Street, Arlington Center, and Arlington Heights. Businesses which consume large amounts of land and activities

which interrupt pedestrian circulation and shopping patterns or otherwise interfere with the intent of this bylaw are discouraged.

#### **B4 - Vehicular Oriented Business District**

The Vehicular Oriented Business District is composed of all those areas so designated on the official zoning map. Uses include establishments primarily oriented to automotive traffic which require large amounts of land in proportion to building coverage; or establishments devoted to the sale or servicing of motor vehicles, the sale of vehicular parts and accessories, and service stations. Arlington has an overabundance of automotive and automotive accessory sales and service establishments; thus when one of these businesses closes, the conversion of the property to other retail, service, office or residential use is encouraged, particularly as part of mixed-use development, which is allowed in this district.

#### **B5 - Central Business District**

The Central Business District is composed of all those areas so designated on the official zoning map in Arlington Center. It includes retail, service, and office uses, and provides for large-scale development. The scale is intended to reinforce the Center's role as the focus of activity in Arlington. Mixed-use development is encouraged, such as the combining of residential and business uses. Activities shall be oriented to pedestrian traffic and to centralized parking. Businesses which consume large amounts of land and interrupt pedestrian circulation and shopping patterns or otherwise interfere with the intent of this bylaw are discouraged.

#### **I - Industrial District**

The Industrial District is composed of all those areas so designated on the official zoning map. These areas in the Mill Brook Valley allow uses requiring the manufacture, assembly, processing or handling of materials which because of their traffic, noise, appearance, odor, or hazards would be disruptive to residential and other business uses. Residential uses, retail business uses, or uses which would otherwise interfere with the intent of this bylaw are discouraged. Mixed-use development is allowed in this district, without residential space.

...

#### **Amending Section 4.04 – Mixed-use Multiple Business Uses**

Other than mixed-use in cases of multiple business uses on a single lot, the regulation for each use shall apply to the portion of the building or land so used.

...

#### **Amending Section 5.04 Table of Use Regulations**

**Blank - not permitted**

## SECTION 5.04 - TABLE OF USE REGULATIONS

## SECTION 5.04 - TABLE OF USE REGULATIONS (continued)

	District
	R0 R1 R2 R3 R4 R5 R6 R7 B1 B2 B2A B3 B4 B5 MU PUD I T OS
Principal Use	
6.23 Technical Offices including offices with: extensive data processing facilities; laboratories and testing facilities; or offices with minor assembly or fabrication activities provided that the activities occupy no more than 25 percent of the floor area. For uses in this category any noise, gas, odor, bright light, dust, vibration or electro-magnetic radiation shall be confined within a building	
ART. 6, ATM 4/14	
7.10 Medical Marijuana Treatment Center Permitted as such by the Arlington Board of Health	
7.11 Artisanal Fabrication	
7.12 Artistic/Creative Production	
7.13 Mixed-use	

(d) **Mixed-use in Industrial Zones shall not include residential uses.**

# Amending ARTICLE 6 Section 6, Table of Dimensional and Density Regulations

## SECTION 6.00 - TABLE OF DIMENSIONAL AND DENSITY REGULATIONS (Continued)

Intensity of Development												
ART. 8, STM 3/85; ART. 11,ATM 4/98												
Minimum												
Lot												
Minimum												
Open Space												
Minimum												
Percent of Gross												
Floor Area												
Minimum												
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ART. 6, ATM 5/04

B2 Single-family detached

dwelling, two-family dwelling,

duplex house, three-family

dwelling<sup>CR</sup>

6,000

60

0.75

NA

2,500

20

10

20

2-1/2 35

10%

30%

ART. 81, ATM 4/80

Building with a principal

use of townhouse structure

or apt. house

5,000

50

1.00

NA

1,450

20

10

20

3

35

10%

20%

Mixed-use

-

50

1.50

NA

1,450

-

-

10+(L/10)

4'

50

10%

10'

3

40

>20,000

50

1.00

NA

1,450

0

0

10+(L/10)

4'

50

10%

10'

3

40

Any other permitted

use

-

50

1.00

NA

1,450

0

0

10+(L/10)

3

35

10%

10'



Apartment house

fronting on a street

wider than 50 feet 20,000 100 1.20' NA 700 15+(H/10) (H+L)/6 (H+L)/6 4 40 10% 20%

at least 25

least

30 ft.

Mixed-use

- 50 1.50 NA 700 0 0 10+(L/10) 5' 60

4' 50

>20,000 50 1.00 NA 700 0 0 10+(L/10) 4' 50 10% H

3 40

Any other permitted

use - 50 1.00 NA NA - - 10+(L/10) 3 35 10% H

SECTION 6.00 - TABLE OF DIMENSIONAL AND DENSITY REGULATIONS (Continued)

	<u>Intensity of Development</u>									
	Minimum					Open Space				
	Lot Requirements,		Lot	Area per		Minimum	Height	Percent of Gross		
	<u>Minimum</u> <sup>M</sup>	Fl. Area	Coverage	Dwelling	<u>Minimum Yard, Ft.</u> <sup>P</sup>	<u>Maximum</u>	<u>Floor Area</u>			
Dis-	Size,	Frontage,	Ratio	Maximum	Unit,					
trict	Use	Sq. Ft.	Ft.	Maximum	Percent	Sq. Ft.	Front <sup>E</sup>	Side <sup>E</sup> Rear <sup>E</sup>	Stories	Feet <sup>G</sup> Landscaped Usable
ART. 6, ATM 5/04										
B3 Single-family detached										
dwelling, two-family dwelling,										
duplex house, three-family										
dwelling <sup>QR</sup>										
	6,000	60	0.75	NA	2,500	20	10	20	2-1/2 35	10% 30%
ART. 81, ATM 4/80										
Building with a principal use of a town house structure or										
apartment house										
20,000	100	1.40	NA	600	15+(H/10) (H+L)/6	(H+L)/6 5	60	10%	20%	
					3		40			

Mixed-use	-	50	1.50	NA	600	0	0	0	(H+L)/6	5'	60
									4 <sup>T</sup>		50
	>20,000	50	1.40	NA	600	0	0	0	(H+L)/6	5	60 10% H
									3		40
Any other permitted use	-	50	1.00	NA	600	-	-	(H+L)/6	5	60 20%	-
									3		40
	20,000	100	1.40	NA	600	-	-	(H+L)/6	5	60 10%	H
									3		40

[illegible]

Apartment house fronting on street wider than 50 ft.	20,000	100	1.20 <sup>F</sup>	NA	700	15+(H/10)(H+L)/6	4	40	10%	20%	at least 30 ft.	
Mixed-use	-	50	1.50	NA	700	0	0	10+(L/10)	5 <sup>T</sup>	60		
									4 <sup>T</sup>	50		
	>20,000	50	1.00	NA	700	0	0	10+(L/10)	4 <sup>T</sup>	50	10%	H
									3	40		
Any other permitted use	-	50	1.00	NA	NA	-	-	10+(L/10)	3	35	10%	H

SECTION 6.00 - TABLE OF DIMENSIONAL AND DENSITY REGULATIONS (Continued)

		<u>Intensity of Development</u>									
		<u>Minimum</u>					<u>Open Space</u>				
		Lot					<u>Minimum</u>				
		Lot					Percent of Gross				
		Area per Dwelling					Floor Area				
		<u>Minimum</u>					<u>Maximum</u>				
		Height					Landscaped Usable				
		Stories					Feet <sup>9</sup>				
		Front <sup>E</sup>					Side <sup>E</sup> Rear <sup>E</sup>				
		Sq. Ft.					Maximum				
		Ratio					Unit				
		Frontage, Ratio					Maximum				
		Maximum					Percent				
		Sq. Ft.					Front <sup>E</sup>				
		Ft.					Side <sup>E</sup> Rear <sup>E</sup>				
		Maximum					Stories				
		Sq. Ft.					Feet <sup>9</sup>				
		Front <sup>E</sup>					Side <sup>E</sup> Rear <sup>E</sup>				
		Ft.					Stories				
		Maximum					Feet <sup>9</sup>				
		Sq. Ft.					Feet <sup>9</sup>				
		Front <sup>E</sup>					Side <sup>E</sup> Rear <sup>E</sup>				
		Ft.					Stories				
		Maximum					Feet <sup>9</sup>				
		Sq. Ft.					Feet <sup>9</sup>				
		Front <sup>E</sup>					Side <sup>E</sup> Rear <sup>E</sup>				
		Ft.					Stories				
		Maximum					Feet <sup>9</sup>				
		Sq. Ft.					Feet <sup>9</sup>				
		Front <sup>E</sup>					Side <sup>E</sup> Rear <sup>E</sup>				
		Ft.					Stories				
		Maximum					Feet <sup>9</sup>				
		Sq. Ft.					Feet <sup>9</sup>				
		Front <sup>E</sup>					Side <sup>E</sup> Rear <sup>E</sup>				
		Ft.					Stories				
		Maximum					Feet <sup>9</sup>				
		Sq. Ft.					Feet <sup>9</sup>				
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		Ft.					Stories				
		Maximum					Feet <sup>9</sup>				
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		Ft.					Stories				
		Maximum					Feet <sup>9</sup>				
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		Ft.					Stories				
		Maximum					Feet <sup>9</sup>				
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		Front <sup>E</sup>					Side <sup>E</sup> Rear <sup>E</sup>				
		Ft.					Stories				
		Maximum					Feet <sup>9</sup>				
		Sq. Ft.					Feet <sup>9</sup>				
		Front <sup>E</sup>					Side <sup>E</sup> Rear <sup>E</sup>				
		Ft.					Stories				
		Maximum					Feet <sup>9</sup>				
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		Front <sup>E</sup>					Side <sup>E</sup> Rear <sup>E</sup>				
		Ft.					Stories				
		Maximum					Feet <sup>9</sup>				
		Sq. Ft.					Feet <sup>9</sup>				
		Front <sup>E</sup>					Side <sup>E</sup> Rear <sup>E</sup>				
		Ft.					Stories				
		Maximum					Feet <sup>9</sup>				
		Sq. Ft.					Feet <sup>9</sup>				
		Front <sup>E</sup>					Side <sup>E</sup> Rear <sup>E</sup>				
		Ft.					Stories				
		Maximum					Feet <sup>9</sup>				
		Sq. Ft.					Feet <sup>9</sup>				
		Front <sup>E</sup>					Side <sup>E</sup> Rear <sup>E</sup>				
		Ft.					Stories				
		Maximum					Feet <sup>9</sup>				
		Sq. Ft.					Feet <sup>9</sup>				
		Front <sup>E</sup>					Side <sup>E</sup> Rear <sup>E</sup>				
		Ft.					Stories				
		Maximum					Feet <sup>9</sup>				
		Sq. Ft.					Feet <sup>9</sup>				
		Front <sup>E</sup>					Side <sup>E</sup> Rear <sup>E</sup>				
		Ft.					Stories				
		Maximum					Feet <sup>9</sup>				
		Sq. Ft.					Feet <sup>9</sup>				
		Front <sup>E</sup>					Side <sup>E</sup> Rear <sup>E</sup>				
		Ft.					Stories				
		Maximum					Feet <sup>9</sup>				
		Sq. Ft.					Feet <sup>9</sup>				
		Front <sup>E</sup>					Side <sup>E</sup> Rear <sup>E</sup>				
		Ft.					Stories				
		Maximum					Feet <sup>9</sup>				
		Sq. Ft.					Feet <sup>9</sup>				
		Front <sup>E</sup>					Side <sup>E</sup> Rear <sup>E</sup>				
		Ft.					Stories				
		Maximum					Feet <sup>9</sup>				
		Sq. Ft.					Feet <sup>9</sup>				
		Front <sup>E</sup>					Side <sup>E</sup> Rear <sup>E</sup>				
		Ft.					Stories				
		Maximum					Feet <sup>9</sup>				
		Sq. Ft.					Feet <sup>9</sup>				
		Front <sup>E</sup>					Side <sup>E</sup> Rear <sup>E</sup>				
		Ft.					Stories				
		Maximum					Feet <sup>9</sup>				
		Sq. Ft.					Feet <sup>9</sup>				
		Front <sup>E</sup>					Side <sup>E</sup> Rear <sup>E</sup>				
		Ft.					Stories				
		Maximum					Feet <sup>9</sup>				
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		Front <sup>E</sup>					Side <sup>E</sup> Rear <sup>E</sup>				
		Ft.					Stories				
		Maximum					Feet <sup>9</sup>				
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		Front <sup>E</sup>					Side <sup>E</sup> Rear <sup>E</sup>				
		Ft.					Stories				
		Maximum					Feet <sup>9</sup>				
		Sq. Ft.					Feet <sup>9</sup>				
		Front <sup>E</sup>					Side <sup>E</sup> Rear <sup>E</sup>				
		Ft.					Stories				
		Maximum					Feet <sup>9</sup>				
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		Front <sup>E</sup>					Side <sup>E</sup> Rear <sup>E</sup>				
		Ft.					Stories				
		Maximum					Feet <sup>9</sup>				
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		Front <sup>E</sup>					Side <sup>E</sup> Rear <sup>E</sup>				
		Ft.					Stories				
		Maximum					Feet <sup>9</sup>				
		Sq. Ft.					Feet <sup>9</sup>				
		Front <sup>E</sup>					Side <sup>E</sup> Rear <sup>E</sup>				
		Ft.					Stories				
		Maximum					Feet <sup>9</sup>				
		Sq. Ft.					Feet <sup>9</sup>				
		Front <sup>E</sup>					Side <sup>E</sup> Rear <sup>E</sup>				
		Ft.					Stories				
		Maximum					Feet <sup>9</sup>				
		Sq. Ft.					Feet <sup>9</sup>				
		Front <sup>E</sup>					Side <sup>E</sup> Rear <sup>E</sup>				
		Ft.					Stories				
		Maximum					Feet <sup>9</sup>				
		Sq. Ft.					Feet <sup>9</sup>				
		Front <sup>E</sup>					Side <sup>E</sup> Rear <sup>E</sup>				
		Ft.					Stories				
		Maximum					Feet <sup>9</sup>				
		Sq. Ft.					Feet <sup>9</sup>				
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		Ft.					Stories				
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		Sq. Ft.					Feet <sup>9</sup>				
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		Ft.					Stories				
		Maximum					Feet <sup>9</sup>				
		Sq. Ft.					Feet <sup>9</sup>				
		Front <sup>E</sup>					Side <sup>E</sup> Rear <sup>E</sup>				
		Ft.					Stories				
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		Ft.					Stories				
		Maximum					Feet <sup>9</sup>				
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		Front <sup>E</sup>					Side <sup>E</sup> Rear <sup>E</sup>				
		Ft.					Stories				
		Maximum					Feet <sup>9</sup>				
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		Ft.					Stories				
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		Ft.					Stories				
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		Front <sup>E</sup>					Side <sup>E</sup> Rear <sup>E</sup>				
		Ft.					Stories				
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		Ft.					Stories				
		Maximum					Feet <sup>9</sup>				
		Sq. Ft.					Feet <sup>9</sup>				
		Front <sup>E</sup>					Side <sup>E</sup> Rear <sup>E</sup>				
		Ft.					Stories				
		Maximum					Feet<				

least	least
20 ft.	20 ft.

Mixed-use	-	50	1.80	NA	700	0	0	10+(L/10)	5 <sup>T</sup>	60	
								4 <sup>T</sup>		50	
	>20,000	50	1.40	NA	700	0	0	10+(L/10)	5 <sup>T</sup>	60	10%
								3		40	

## ART.5, STM 3/81

Any other permitted

use	50	1.40 <sup>1</sup>	NA	600	-	-	(H+L)/6	5	60	10%	-
							3		40		(20%

for  
residen-  
tial use)

ART. 16, STM 3/87

						H
40,000	100	1.50'	NA	550	-	(H+L)/6
					-	75%
						10%
						40%

## ART. 16, STM 3/87

[illegible]

SECTION 6.00 - TABLE OF DIMENSIONAL AND DENSITY REGULATIONS (Continued)

Intensity of Development													
Minimum													
Lot													
Lot Requirements,													
Minimum <sup>M</sup>													
Ft. Area													
Coverage													
Dwelling													
Minimum Yard, Ft <sup>P</sup>													
Maximum													
Floor Area													
Height													
Percent of Gross													
Minimum													
Open Space													
Minimum													
Floor Area													
Height													
Percent of Gross													
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<b>Mixed-use</b>	<b>200,000<sup>K</sup></b>	<b>-</b>	<b>0.80</b>	<b>NA</b>	<b>NA</b>	<b>(See Section 6.28)</b>	<b>NA</b>	<b>85</b>	<b>-</b>	<b>-</b>
										<b>40</b>

ART. 6, ATM 5/04

<sup>J</sup> Not required where abutting railroad track or railroad right-of-way if railroad is to be utilized for loading or unloading.

<sup>R</sup> These dimensional requirements shall not apply to any special permit issued before the first advertisement of this bylaw change in February, 2004.

ART. 2, STM 9/04

<sup>S</sup> Where a lot has slope in excess of 5%, and the development is subject to Environmental Design Review, the height of a building shall be measured from the ground immediately adjacent to a portion of the building with the same height throughout its length. The ARB may adjust the height provided there is a positive finding by the ARB that the building meets the standard of Section 11.06, f, 2., except that in no case may the height exceed the height limitation in the district by more than 20 feet.

<sup>T</sup> Upper Story Building Step Backs are required for structural floors over three stories, as required in Section 6.285.

## **Adding Section 6.285 – Upper Story Building Step Backs**

For buildings in excess of three (3) stories in height, an additional seven and one half (7.5) foot step back (upper story building setback) shall be provided beginning at the fourth (4<sup>th</sup>) story. The upper story setback shall be provided along all building elevations with street frontage, excluding alleys.

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## **Amending Section 11.06 - Environmental Design Review**

### **b. APPLICATION.**

1. In any instance where a new structure, or a new outdoor use, or an exterior addition or a change in use a) requires a building permit, b) is subject to a special permit in accordance with Section 5.04, Table of Use Regulations, or alters the facade in a manner that affects the architectural integrity of the structure, and c) is one of the uses included in subparagraphs (a), (b), (c), (d), (e), (f), (g), ~~or (h)~~ (h), or (i) below, the aforementioned special permit shall be acted upon by the Arlington Redevelopment Board in accordance with the environmental design review procedures and standards hereinafter specified.

(a) Construction or reconstruction on a site abutting

Massachusetts Avenue

Pleasant Street

Mystic & Medford Streets between Massachusetts Avenue and Chestnut Street

Broadway

Minuteman Bikeway

- (b) Six or more dwelling units on the premises, whether contained in one or more structures or on one or more contiguous lots, constructed within a two year period.
- (c) Gasoline service stations.
- (d) Lodging house, bed and breakfast, bed and breakfast home or a rehabilitation residence with more than 5,000 square feet of gross floor area or with 10 or more parking spaces.
- (e) Nonresidential uses and hotels or motels in a nonresidential district with more than 10,000 square feet of gross floor area or with 20 or more parking spaces.
- (f) Nonresidential uses in a residential district with more than 5,000 square feet of gross floor area or with 10 or more parking spaces.
- (g) Outdoor uses.

(h) Temporary, seasonal signage in accordance with an overall signage plan at a fenced athletic field with one or more permanent structures to seat more than 300 persons, which signage may be in effect between March 15 and December 15 of any calendar year.

(i) Mixed-use

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A true copy of the vote under  
Article 6 of the Warrant for the  
Annual Town Meeting of the  
Town of Arlington at the session  
held April 25, 2016.

ATTEST:

*Stephanie L. Lucarelli*

Town Clerk