



Town of Arlington, MA Redevelopment Board

Agenda & Meeting Notice February 25, 2019

The Arlington Redevelopment Board will meet Monday, February 25, 2019 at 7:30 PM in the **Town Hall Annex, 2nd Floor Conference Room, 730 Massachusetts Avenue, Arlington, MA 02476**

1. Environmental Design Review Special Permit – Public Hearing

- 7:30 p.m. - 8:30 p.m. Board will review application by Chris Cormier for 10 Sunnyside Ave, LLC, at 10 Sunnyside Avenue, Arlington, MA, 02474, to open Special Permit Docket #3586 in accordance with the provisions of MGL Chapter 40A § 11, and the Town of Arlington Zoning Bylaw Section 3.4 Environmental Design Review. The applicant proposes a mixed-use building in the B4 Vehicular Business District per Section 5.5.3 and a parking reduction per Section 6.1.5.
- Applicant will be provided 10 minutes for an introductory presentation.
 - DPCD staff will be provided 5 minutes for an overview of their Public Hearing Memorandum.
 - Members of the public will be provided time to comment.
 - Board members will discuss docket and vote.

2. Board discussion about proposed 2019 Annual Town Meeting Zoning Bylaw amendments as submitted by the ARB

- 8:30 p.m. – 9:30 p.m. Staff presentation and board discussion

3. Organizational meeting – ARB Rules and Regulations Rule 2 - Board Officers

- 9:30 p.m. – 9:40 p.m. Board will elect a Chairperson and a Vice Chairperson

4. Meeting Minutes to be distributed prior to meeting

- 9:40 p.m. – 9:50 p.m. Board members will review and approve meeting minutes

5. Adjourn

- 9:50 p.m. - Adjourn

6. Correspondence received:

- Public Hearing Comments for 10 Sunnyside Ave. from Chris Loreti via email 01-07-19
Housing Rental Assistance from Patricia Worden via email 02-11-19
The Cost of Multifamily Housing from Stephen Revilak via email 02-21-19



Town of Arlington, Massachusetts

Environmental Design Review Special Permit – Public Hearing

Summary:

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ATTACHMENTS:

Type	File Name	Description
▢ Reference Material	Agenda_Item_1_-_EDR_Public_Hearing_Memo_10_Sunnyside_Ave_1-2-19.pdf	EDR Public Hearing Memo 10 Sunnyside Ave. 1-2-2019
▢ Reference Material	Agenda_Item_1_-_EDR_Special_Permit_Application_10_Sunnyside_Ave_-_Updated_(2).pdf	EDR Special Permit Application 10 Sunnyside Ave. - updated



Town of Arlington, Massachusetts
Department of Planning & Community Development
730 Massachusetts Avenue, Arlington, Massachusetts 02476

Public Hearing Memorandum

The purpose of this memorandum is to provide the Arlington Redevelopment Board and public with technical information and a planning analysis to assist with the regulatory decision-making process.

To: Arlington Redevelopment Board

From: Jennifer Raitt, Secretary Ex Officio

Subject: Environmental Design Review, 10 Sunnyside Ave, Arlington, MA
Docket #3586

Date: January 2, 2019

I. Docket Summary

This is an application by Chris Cormier for 10 Sunnyside Ave, LLC to construct a mixed-use, condominium building at 10 Sunnyside Avenue. The proposed building is located in the B4 Vehicular Business District per Section 5.5. The Board will review and approve the proposed construction under Section 3.4, Environmental Design Review, because the building is mixed-use. The proposed uses include 2,124 square feet of commercial space, and twenty-six residential units comprised of 7 one-bedroom units and 19 two-bedroom units. The proposed project also triggers the inclusionary zoning bylaw; therefore, 4 units of the 26 total units must be made affordable per Section 8.2 of the Zoning Bylaw.

Materials submitted for consideration of this application:
Application for EDR Special Permit dated October 23, 2018
Updated Narrative Proposal, Site Plan, Floor Plans, Elevations, and LEED checklist dated December 17, 2018.

II. Application of Special Permit Criteria (Arlington Zoning Bylaw, Section 3.3)

1. Section 3.3.3.A.

The use requested is listed as a Special Permit in the use regulations for the applicable district or is so designated elsewhere in this Bylaw.

Mixed-use is allowed by Special Permit in the B4 Vehicular Business District. The Zoning Bylaw, in Section 5.5.1, indicates that as the automotive-oriented businesses have closed, the Town encourages the conversion of property to other retail, service, office, or residential use, particularly as part of a mixed-use development. The Board can find that these conditions exist for the proposed project site and the mixed-use development should be encouraged.

2. Section 3.3.3.B.

The requested use is essential or desirable to the public convenience or welfare.

The Master Plan promotes mixed-use as a means to revitalize business districts, by bringing customers and street life to commercial areas. This project will add one commercial space and add 26 residential units, of which 4 units will be affordable to eligible households earning at or below 80% of the area median income. There is a clear need for additional market-rate and affordable housing units in the community; this project helps address that demand. The affordable units are dispersed throughout the building and are comparable to market-rate units in terms of location, quality and character, room size, number of rooms, number of bedrooms, and external appearance. This proposal does not include any three-bedroom housing units. The Housing Production Plan and this board have noted the importance of larger units.

Additionally, the commercial space could be a great convenience for the surrounding residential neighborhood or as a complement to the Lahey Health complex, fitness studios, and other commercial uses in the immediate area. Furthermore, there is a supermarket approximately 800 feet from the property and additional neighborhood businesses within an approximately half-mile walk. For additional convenience, a Route 87 bus stop is located at the corner of Broadway and Sunnyside, and travels between Arlington Center and Lechmere Station in Cambridge.

The Board can find that this condition is met.

3. Section 3.3.3.C.

The requested use will not create undue traffic congestion or unduly impair pedestrian safety.

The proposed project includes 33 underground parking spaces for the residential and commercial uses. This condition is an improvement over the existing conditions along Sunnyside Avenue where vehicles are often parked on the street or straddling the sidewalk and street while waiting for service at one of the automotive-oriented businesses along this stretch of Sunnyside. While there is no formal sidewalk along the subject property's frontage, moving vehicles off the street by creating off-street parking spaces is an improvement for pedestrian safety.

4. **Section 3.3.3.D.**

The requested use will not overload any public water, drainage or sewer system or any other municipal system to such an extent that the requested use or any developed use in the immediate area or in any other area of the Town will be unduly subjected to hazards affecting health, safety, or the general welfare.

While the proposed mixed-use building will have a different demand on public utilities than the existing automotive-oriented business, the proposed project will not overload the necessary public utilities. The Board can find that this condition is met.

5. **Section 3.3.3.E.**

Any special regulations for the use as may be provided in the Bylaw are fulfilled.

As a condition of any decision for the proposed mixed-use building, the applicant will need to fulfill the requirements of the Affordable Housing bylaw, including making 4 units that are representative of the mix of units in the building available to eligible households making up to 80% of the area median income. There are no other special regulations for the use that must be fulfilled. The Board can find that this condition is met.

6. **Section 3.3.3.F.**

The requested use will not impair the integrity or character of the district or adjoining districts, nor be detrimental to the health or welfare.

The use does not impair the integrity or character of the neighborhood. The proposed structure will improve the streetscape and is consistent with the Design Standards for the Town of Arlington. The proposed design of the structure is consistent with the standards for building setbacks, building height, the public realm interface, parking and access, façade and materials, and signage and wayfinding. In particular, the building includes step back above the second story in order to minimize the mass of the building and the building is set back from the sidewalk and street furniture is proposed to allow any ground floor activities to extend outside. Bicycle parking is available at the sidewalk, and vehicular parking is located behind the building and underground. There is variation in the front façade, allowing the wall to be articulated by varying bays and materials. There is differentiation between the first and second story allowing for a clear sign band. The Board can find that this condition is met.

7. **Section 3.3.3.G.**

The requested use will not, by its addition to a neighborhood, cause an excess of the use that could be detrimental to the character of said neighborhood.

The use will not be in excess or detrimental to the character of the neighborhood. The Board can find that this condition is met.

III. Environmental Design Review Standards (Arlington Zoning Bylaw, Section 3.4)

1. EDR-1 Preservation of Landscape

The landscape shall be preserved in its natural state, insofar as practicable, by minimizing tree and soil removal, and any grade changes shall be in keeping with the general appearance of neighboring developed areas.

The property is almost entirely impervious and there is no natural landscape to preserve. As part of the project, landscaping beds and grassed areas will be added along the subject property's frontage and along the side and rear yards of the property. The new landscaping will improve the condition of the property and provide substantial buffers around the proposed structure. The Board can find that this condition is met.

2. EDR-2 Relation of the Building to the Environment

Proposed development shall be related harmoniously to the terrain and to the use, scale, and architecture of the existing buildings in the vicinity that have functional or visible relationship to the proposed buildings. The Arlington Redevelopment Board may require a modification in massing so as to reduce the effect of shadows on the abutting property in an R0, R1 or R2 district or on public open space.

There are multiple zoning districts in the neighborhood: B4, B2A, R1, R2, R3, and R5. 10 Sunnyside Avenue is in the B4 district and not abutting property in a R1 or R2 district or near public open space. The B4 Vehicular Oriented Business Districts are often in transition as automotive-oriented businesses close and properties are redeveloped. The proposed redevelopment of 10 Sunnyside Avenue is of similar scale as other buildings along Broadway in the adjacent B2A district and will incorporate elements that improve the building design. The Board can find that this condition is met.

3. EDR-3 Open Space

All open space (landscaped and usable) shall be so designed as to add to the visual amenities of the vicinity by maximizing its visibility for persons passing by the site or overlooking it from nearby properties. The location and configuration of usable open space shall be so designed as to encourage social interaction, maximize its utility and facilitate maintenance.

As noted above, the proposed project will add areas of landscaping to an existing impervious site. Approximately 6,125 square feet of usable open space will be added to the property at the front of the building and at the rear of the building. This open space will provide areas for people to sit and relax outside of the building. Additionally, approximately 7,062 square feet of landscaped open space will be added to the project site, which will be a visual amenity. The proposed project meets the

requirements for landscaped open space and usable open space. The Board can find that this condition is met.

4. EDR-4 Circulation

With respect to vehicular and pedestrian and bicycle circulation, including entrances, ramps, walkways, drives, and parking, special attention shall be given to location and number of access points to the public streets (especially in relation to existing traffic controls and mass transit facilities), width of interior drives and access points, general interior circulation, separation of pedestrian and vehicular traffic, access to community facilities, and arrangement of vehicle parking and bicycle parking areas, including bicycle parking spaces required by Section 6.1.12 that are safe and convenient and, insofar as practicable, do not detract from the use and enjoyment of proposed buildings and structures and the neighboring properties.

The proposed project will improve circulation. The existing automotive-oriented business has multiple curb cuts to support the maneuvering of vehicles in and out of auto repair bays. By focusing vehicular traffic to the east side of the property, the proposed project will consolidate vehicular traffic to a single curb cut. This consolidation will help improve pedestrian access across the site as well as the creation of a sidewalk, particularly to access the bus stop at the corner of Broadway and Sunnyside Avenue.

The proposed project contains 33 parking spaces located at-grade at the rear of the property and underground. The parking requirement for the residential uses totals 37 parking spaces, and while the commercial space would typically require 8 parking spaces, the first 3,000 square feet of non-residential space in mixed-use projects is exempt from the parking requirements per Section 6.1.10.C. Additionally, with the incentive reduction for complying with the affordable housing requirements, the parking requirement can be reduced by 10 percent (Section 8.2.4.A). Therefore, the proposed project is required to provide 33 parking spaces and the project is in compliance with the parking requirement.

10 Sunnyside Ave Parking Requirement			
	<u>Number of Units</u>	<u>Zoning Requirement</u>	<u>Total Parking Required</u>
1 bedroom	7	1.15	8.05
2 bedroom	19	1.5	28.5
Retail	2,461 sf	1/300 sf*	0.00
Total Parking			37
10% Reduction for Affordable Housing			4
Total Parking Required			33
* First 3,000 sf of non-residential space in mixed-use projects is exempt.			

Interior bicycle storage is provided with each parking space as is a bike storage room on the first floor. Additionally, two bicycle racks will be installed at the front of the building.

5. EDR-5 Surface Water Drainage

Special attention shall be given to proper site surface drainage so that removal of surface waters will not adversely affect neighboring properties or the public storm drainage system. Available Best Management Practices for the site should be employed, and include site planning to minimize impervious surface and reduce clearing and re-grading. Best Management Practices may include erosion control and stormwater treatment by means of swales, filters, plantings, roof gardens, native vegetation, and leaching catch basins. Stormwater should be treated at least minimally on the development site; that which cannot be handled on site shall be removed from all roofs, canopies, paved and pooling areas and carried away in an underground drainage system. Surface water in all paved areas shall be collected in intervals so that it will not obstruct the flow of vehicular or pedestrian traffic and will not create puddles in the paved areas.

In accordance with Section 3.3.4., the Board may require from any applicant, after consultation with the Director of Public Works, security satisfactory to the Board to insure the maintenance of all stormwater facilities such as catch basins, leaching catch basins, detention basins, swales, etc. within the site. The Board may use funds provided by such security to conduct maintenance that the applicant fails to do.

The Board may adjust in its sole discretion the amount and type of financial security such that it is satisfied that the amount is sufficient to provide for any future maintenance needs.

The application materials note that onsite drainage will be incorporated. This is an improvement over the existing conditions. However, there is no indication of how this will be accomplished onsite. Additional material must be submitted for review and approval by the Town Engineer. While not required, the Department consulted with the Conservation Administrator regarding the Conservation Commission's jurisdiction and any related requirements for nearby resource protection. Further review by the administrator or Conservation Commission is not required.

6. EDR-6 Utilities Service

Electric, telephone, cable TV, and other such lines of equipment shall be underground. The proposed method of sanitary sewage disposal and solid waste disposal from all buildings shall be indicated.

All new utilities will be underground. This will be a site improvement. The Board can find that this condition is met.

7. EDR-7 Advertising Features

The size, location, design, color, texture, lighting and materials of all permanent signs and outdoor advertising structures or features shall not detract from the use and enjoyment of proposed buildings and structures and the surrounding properties.

The proposed building will have signage above the residential entrance and the commercial space, and directional signage above the garage door. The signage for the future tenant of the commercial space would be designed and submitted for review at a future date, but should be consistent with the look and feel of the signage for the residential entrance.

The residential entrance signage appears to be in compliance with the requirements of the Zoning Bylaw. The residential signage is shown as "Ten Sunnyside." The signage accomplishes the goal of identifying the street address of the building as well as dictating where the residential entrance is located, especially if the commercial tenant has its own signage, and is attractive.

No dimensional information is provided for the sign above the lower garage entrance. However, while it provides useful information regarding the entrance to the lower garage, it may not be necessary, or should be minimized further to not detract from the façade of the building.

8. EDR-8 Special Features

Exposed storage areas, exposed machinery installations, service areas, truck loading areas, utility buildings and structures, and similar accessory areas and structures shall be subject to such setbacks, screen plantings or other screening methods as shall reasonably be required to prevent their being incongruous with the existing or contemplated environment and the surrounding properties.

None are proposed. The Board can find that this condition is met.

9. EDR-9 Safety

With respect to personal safety, all open and enclosed spaces shall be designed to facilitate building evacuation and maximize accessibility by fire, police and other emergency personnel and equipment. Insofar as practicable, all exterior spaces and interior public and semi-public spaces shall be so designed to minimize the fear and probability of personal harm or injury by increasing the potential surveillance by neighboring residents and passersby of any accident or attempted criminal act.

Lighting is provided around the building to support safety. The building has multiple means of egress from the building. The single driveway will improve pedestrian safety. The Board can find that this condition is met.

10. EDR-10 Heritage

With respect to Arlington's heritage, removal or disruption of historic, traditional or significant uses, structures or architectural elements shall be minimized insofar as practical whether these exist on the site or on adjacent properties.

The existing structure is not listed nor is it under the jurisdiction of the Arlington Historical Commission. There are no other significant uses relative to Arlington's heritage in the vicinity. The Board can find that this condition is met.

11. EDR-11 Microclimate

With respect to the localized climatic characteristics of a given area, any development which proposes new structures, new hard surface, ground coverage or the installation of machinery which emits heat, vapor or fumes shall endeavor to minimize insofar as practicable, any adverse impacts on light, air and water resources or on noise and temperature levels of the immediate environment.

There will be no adverse impacts on light, air and water resources, or on noise and temperature levels. HVAC units will be properly located to not create noise impacts on the adjacent uses. The Board can find that this condition is met.

12. EDR-12 Sustainable Building and Site Design

Projects are encouraged to incorporate best practices related to sustainable sites, water efficiency, energy and atmosphere, materials and resources, and indoor environmental quality. Applicants must submit a current Green Building Council Leadership in Energy and Environmental Design (LEED) checklist, appropriate to the type of development, annotated with narrative description that indicates how the LEED performance objectives will be incorporated into the project.

The building has been designed to meet multiple LEED performance standards. The LEED checklist indicates that the building may achieve Gold designation through LEED for high performance and energy efficiency. The Board can find that this condition is met.

IV. Conditions

A. General

1. The final design, sign, exterior material, landscaping, and lighting plans shall be subject to the approval of the Arlington Redevelopment Board or administratively approved by the Department of Planning and Community Development. Any substantial or material deviation during construction from the approved plans and specifications is subject to the written approval of the Arlington Redevelopment Board

2. Any substantial or material deviation during construction from the approved plans and specifications is subject to the written approval of the Arlington Redevelopment Board.
3. The Board maintains continuing jurisdiction over this permit and may, after a duly advertised public hearing, attach other conditions or modify these conditions as it deems appropriate in order to protect the public interest and welfare.
4. Snow removal from all parts of the site, as well as from any abutting public sidewalks, shall be the responsibility of the owner and shall be accomplished in accordance with Town Bylaws.
5. Trash shall be picked up only on Monday through Friday between the hours of 7:00 am and 6:00 pm. All exterior trash and storage areas on the property, if any, shall be properly screened and maintained in accordance with Article 30 of Town Bylaws.
6. The Applicant shall provide a statement from the Town Engineer that all proposed utility services have adequate capacity to serve the development. The applicant shall provide evidence that a final plan for drainage and surface water removal has been reviewed and approved by the Town Engineer.
7. Upon installation of landscaping materials and other site improvements, the Applicant shall remain responsible for such materials and improvement and shall replace and repair as necessary to remain in compliance with the approved site plan.
8. All utilities serving or traversing the site (including electric, telephone, cable, and other such lines and equipment) shall be underground.
9. Upon the issuance of the building permit the Applicant shall file with the Building Inspector and the Department of Community Safety the names and telephone numbers of contact personnel who may be reached 24 hours each day during the construction period.
10. Building signage will be filed with and reviewed and approved by the Department of Planning and Community Development and Inspectional Services.

B. Special Conditions

1. The owner will work with the Department of Planning and Community Development to comply with all requirements of Section 8.2, Affordable Housing Requirements.

2. An Affordable Housing Deed Restriction shall be executed with the Town prior to issuance of an Occupancy Permit for the four affordable units.
3. A Local Initiative Program application and Affirmative Fair Housing Marketing and Resident Selection Plan shall be provided to the Town prior to issuance of an Occupancy Permit for the four affordable units.

TOWN OF ARLINGTON
REDEVELOPMENT BOARD

Petition for Special Permit under Environmental Design Review (see Section 3.4 of the Arlington Zoning Bylaw for Applicability)

For projects subject to Environmental Design Review, (see section 3.4), please submit a statement that completely describes your proposal, and addresses each of the following standards.

1. **Preservation of Landscape.** The landscape shall be preserved in its natural state, insofar as practicable, by minimizing tree and soil removal, and any grade changes shall be in keeping with the general appearance of neighboring developed areas.

Currently the existing site is a one story structure surrounded by old pavement for parking along with a chain-link fence securing the property. There is currently very little to no landscaping or plantings. The new proposal will incorporate new plantings, trees and green open space to the site.

2. **Relation of Buildings to Environment.** Proposed development shall be related harmoniously to the terrain and to the use, scale, and architecture of existing buildings in the vicinity that have functional or visual relationship to the proposed buildings. The Arlington Redevelopment Board may require a modification in massing so as to reduce the effect of shadows on abutting property in an RU, RI or R2 district or on public open space.

The building which abuts the site on the left side of the property is a 3 story brick commercial building. On the right side, the abutting structure is a two story masonry commercial garage. Further down Sunnyside Avenue are a mixture of single and multifamily dwellings.

3. **Open Space.** All open space (landscaped and usable) shall be so designed as to add to the visual amenities of the vicinity by maximizing its visibility for persons passing the site or overlooking it from nearby properties. The location and configuration of usable open space shall be so designed as to encourage social interaction, maximize its utility, and facilitate maintenance.

The current building on the existing site sits approximately 4 feet from the edge of the street so the pavement goes to the edge of the building which does not allow for any landscaping. The new proposal pushes the new building back 15 feet from the sidewalk to allow for green open space at the front of the building as well as side yard setbacks for additional open space on the side of the building.

4. **Circulation.** With respect to vehicular, pedestrian and bicycle circulation, including entrances, ramps, walkways, drives, and parking, special attention shall be given to location and number of access points to the public streets (especially in relation to existing traffic controls and mass transit facilities), width of interior drives and access points, general interior circulation, separation of pedestrian and vehicular traffic, access to community facilities, and arrangement of vehicle parking and bicycle parking areas, including bicycle parking spaces required by Section 8.13 that are safe and convenient and, insofar as practicable, do not detract from the use and enjoyment of proposed buildings and structures and the neighboring properties.

Circulation within the site has been designed in a way to have the pedestrian / bike traffic at the left side of the site and the vehicular traffic entering and exiting the site on the far right side of the site. Having the pedestrian / bike traffic at the left side of the site keeps the circulation closer to the Broadway intersection as well as the Alewife Greenway Bike Path.

5. **Surface Water Drainage.** Special attention shall be given to proper site surface drainage so that removal of surface waters will not adversely affect neighboring properties or the public storm drainage system. Available Best Management Practices for the site should be employed, and include site planning to minimize impervious surface and reduce clearing and re-grading. Best Management Practices may include erosion control and storm water treatment by means of swales, filters, plantings, roof gardens, native vegetation, and leaching catch basins. Storm water should be treated at least minimally on the development site; that which cannot be handled on site shall be removed from all roofs, canopies, paved and pooling areas and carried away in an underground drainage system. Surface water in all paved areas shall be collected at intervals so that it will not obstruct the flow of vehicular or pedestrian traffic, and will not create puddles in the paved areas.

In accordance with Section 3.3.4, the Board may require from any applicant, after consultation with the Director of Public Works, security satisfactory to the Board to insure the maintenance of all storm water facilities such as catch basins, leaching catch basins, detention basins, swales, etc. within the site. The Board may use funds provided by such security to conduct maintenance that the applicant fails to do. The Board may adjust in its sole discretion the amount and type of financial security such that it is satisfied that the amount is sufficient to provide for the future maintenance needs.

The new proposal brings the new green open space onto the site which will help with natural drainage within the site. The civil engineer will also incorporate additional onsite drainage that will allow the site to manage all the rain runoff with the site itself.

6. **Utility Service.** Electric, telephone, cable TV and other such lines and equipment shall be underground. The proposed method of sanitary sewage disposal and solid waste disposal from all buildings shall be indicated.

All the new utility service will be underground.

7. **Advertising Features.** The size, location, design, color, texture, lighting and materials of all permanent signs and outdoor advertising structures or features shall not detract from the use and enjoyment of proposed buildings and structures and the surrounding properties. Advertising features are subject to the provisions of Section 6.2 of the Zoning Bylaw.

The proposed signage for the residential entry is detailed on drawing A7. The retail signage will be designed at a later date when a future tenant leases the space. All the signage will be done in accordance with the Arlington Bylaws and regulations.

8. **Special Features.** Exposed storage areas, exposed machinery installations, service areas, truck loading areas, utility buildings and structures, and similar accessory areas and structures shall be subject to such setbacks, screen plantings or other screening methods as shall reasonably be required to prevent their being incongruous with the existing or contemplated environment and the surrounding properties.

At this time, there are no special features designed for the project. If one is needed and designed, it would be designed in accordance with the Arlington Bylaws as well as having the proper setbacks and screening required by the Bylaw.

9. **Safety.** With respect to personal safety, all open and enclosed spaces shall be designed to facilitate building evacuation and maximize accessibility by fire, police, and other emergency personnel and equipment. Insofar as practicable, all exterior spaces and interior public and semi-public spaces shall be so designed as to minimize the fear and probability of personal harm or injury by increasing the potential surveillance by neighboring residents and passersby of any accident or attempted criminal act.

The new building design has large setbacks from the property lines giving the site more areas for landscaping, lighting as well as additional security features that will not negatively impact on the abutting neighborhood.

10. **Heritage.** With respect to Arlington's heritage, removal or disruption of historic, traditional or significant uses, structures, or architectural elements shall be minimized insofar as practicable, whether these exist on the site or on adjacent properties.

The existing one story masonry building was built approximately around 1920. The site and building does not appear to be historic or significant to Arlington's Heritage.

11. **Microclimate.** With respect to the localized climatic characteristics of a given area, any development which proposes new structures, new hard-surface ground coverage, or the installation of machinery which emits heat, vapor, or fumes, shall endeavor to minimize, insofar as practicable, any adverse impact on light, air, and water resources, or on noise and temperature levels of the immediate environment.

The Applicant's plans have been prepared to deal with minimizing any noise emanating from any air-conditioning or heating system servicing the property and there will be no vapor or fumes generated by the property construction and use.

In addition the building will be constructed in accordance with the plans submitted which comply with the height requirement's contained in the Zoning Bylaws with no significant massing effect which could impact abutting properties.

12. **Sustainable Building and Site Design.** Projects are encouraged to incorporate best practices related to sustainable sites, water efficiency, energy and atmosphere, materials and resources, and indoor environmental quality. Applicants must submit a current Green Building Council Leadership in Energy and Environmental Design (LEED) checklist, appropriate to the type of development, annotated with narrative description that indicates how the LEED performance objectives will be incorporated into the project. [LEED checklists can be found at <http://www.usgbc.org/DisplayPage.aspx?CMSPageID=220b>]

The building will be designed to meet a number of the LEED performance objectives.

The building will be designed to comply with the Green Building Certification System standards prepared for the U.S. General Services Administration with respect to the guiding principles for new construction and major renovation as follows:

1. Robustness-Integrated Principals

The Building has been sited on the lot in such a manner as to add to the open space on the lot. There will be no generation of greenhouse gas emanating from the site whether during the construction phase or thereafter.

2. Energy

The Building has also been designed with energy efficiency in mind with respect to the physical characteristics of the building itself and with respect to the interior property and equipment such as stoves, sinks, refrigerators, etc. at the property.

3. Water

A storm water management plan is being worked on and generated with the engineering department and the Building Inspection and Department for the Town.

4. Resources/Materials

Proper waste disposal is being provided for with respect to the Applicant's plans and no ozone depleting compound will be used at the property.

5. Indoor Environment

Adequate lighting controls are also provided for with respect to the Applicant's plans so that there is no adverse impact with regard to neighboring properties as a result of any lighting emanating from the property.

Adequate steps will also be taken to protect indoor air quality during the construction phase and only low emitting materials will be used during the construction phase at the property.

All as shown on exhibit A affixed to this response and incorporated into its terms by reference

In addition, projects subject to Environmental Design Review must address and meet the following Special Permit Criteria (see Section 3.3.3 of the Zoning Bylaw)

1. The use requested is listed in the Table of Use Regulations as a special permit in the district for which application is made or is so designated elsewhere in this Bylaw.

The use is so listed.

2. The requested use is essential or desirable to the public convenience or welfare.

It has been apparent for many years that the Town and its inhabitants and potential inhabitants would benefit from mixed use development in the Town.

The Applicant's plans provide for a mixed use development and also provide additional residential living space in the Town and at the same time provides four (4) affordable housing residential units for families and individuals of lower economic means to have an opportunity to live in the Town.

3. The requested use will not create undue traffic congestion, or unduly impair pedestrian safety.

While the existing use of the property is an automobile garage and repair shop the new use will generate less traffic to and from the property and adequate steps have been taken to provide for pedestrian safety in accordance with Applicant's plan.

4. The requested use will not overload any public water, drainage or sewer system or any other municipal system to such an extent that the requested use or any developed use in the immediate area or in any other area of the Town will be unduly subjected to hazards affecting health, safety or the general welfare.}

There will be no overload of any public water, drainage or sewer system or any other municipal system to such an extent that the requested use or any developed use in the immediate area or in any other area of the Town will be unduly subjected to hazards affecting health, safety or general welfare.

5. Any special regulations for the use, set forth in Article 11, are fulfilled.

This requirement is satisfied with respect to the Applicant's plans.

6. The requested use will not impair the integrity or character of the district or adjoining districts, nor be detrimental to the health, morals, or welfare.

Far from impairing the integrity and character of the district or adjoining districts, the Applicant's plans will decidedly improve the integrity or character of the district or adjoining district as a result of the building to be constructed at the site replacing the existing garage building.

The Applicant's plans will not be detrimental to the health, morals or welfare.

7. The requested use will not, by its addition to a neighborhood, cause an excess of that particular use that could be detrimental to the character of said neighborhood.

The requested use will not, by its addition to a neighborhood, cause an excess of the particular use that could be detrimental to the character of said neighborhood. As stated previously, the requested use will be an improvement to the neighborhood generating less traffic in an area in the Town which has historically been used for automotive repair purposes. The residential use will be by far a decidedly less intensive use the neighborhood.

PLANNING & COMMUNITY
DEVELOPMENT

2019 DEC 21 A 10:51

TOWN OF ARLINGTON

Dimensional and Parking Information
for Application to
The Arlington Redevelopment Board

Docket No. 35810

Property Location 10 Sunnyside Ave

Zoning District B-4

Owner: _____

Address: 10 Sunnyside Ave

Present Use/Occupancy: No. of Dwelling Units:

Auto Garage

Uses and their gross square feet:

5,389 G.S.F

Proposed Use/Occupancy: No. of Dwelling Units:

20 Residential Units

Uses and their gross square feet:

30,525 G.S.F

	Present Conditions	Proposed Conditions	Min. or Max. Required by Zoning for Proposed Use
Lot Size	16,500	16,500	min. 0
Frontage	150'	150'	min. 50'
Floor Area Ratio	.33	1.85	max. 1.875
Lot Coverage (%), where applicable	.94	.20	max. .40
Lot Area per Dwelling Unit (square feet)	N/A	635	min. 0
Front Yard Depth (feet)	4.3'	3'-6"/5'-6"	min. 0
Side Yard Width (feet) right side	70.9	15' / 19'	min. 0
left side	1.0'	21' / 25'	min. 0
Rear Yard Depth (feet)	0	21' / 25'	min. 16'
Height	—	—	min. —
Stories	1	4	stories 4
Feet	16' / 20'	50'	feet 50'
Open Space (% of G.F.A.)	.018	.80	min.
Landscaped (square feet)	978	7062	(s.f.) 3,052.5 (10%)
Usable (square feet)	11,111	6,125	(s.f.) 6,105 (20%)
Parking Spaces (No.)	40	33	min. 33
Parking Area Setbacks (feet), where applicable	3'	3'	min. 3'
Loading Spaces (No.)	0	0	min. 0
Type of Construction			
Distance to Nearest Building	24' / 93'	30.6' / 71'	min. 10'

▪ **Proposal:**

To erect a new 4 story mixed use building with 26 residential units (mixture of 1 & 2 bedroom units). The project will include 1 retail space at grade along Sunnyside Avenue. In addition an upper & lower garage with a total of 33 parking spaces will be provided on site with bike hooks at each parking space. A dedicated Bike Storage Room will be located off of the main residential entry. The overall design of the building has taken many helpful queues from the Arlington Design Standards, such as breaking the massing of the buildings elevations by adding bays, stepping the building back in places, making the residential entry very prominent by anchoring it's heavy features at the front of the building. The project itself does not directly abut the Alewife Greenway Bike Path, but it is in close proximity to the bike path and we felt it was important to take into account our exterior design so we added bike racks in front of the retail space so anyone visiting or going to the retail space would be encouraged to use their bikes and not need a vehicle to get to and from the site. The project will create homeownership including (4) Affordable Units and (2) Group 2 Units, with the remaining units being Group 1 Adaptable. The project has been designed As-of-Right and will not need any zoning variances.

▪ **Zoning District:**

Section 5.5 / B-4

▪ **Lot Size:**

16,500 square feet

▪ **Proposed Gross Square Footage:**

30,525 square feet / FAR: 1.85

▪ **Building Height:**

50'-0"

Proposed Affordable Units

26 Units x 15% = 3.9 Units (4 – Affordable Units Proposed)

<u>Unit #</u>	<u>Unit Type</u>	<u>Floor</u>	<u>Square Footage</u>
2	2 Bedroom	2 Floor	801 sq. ft.
9	2 Bedroom	2 Floor	890 sq. ft.
17	1 Bedroom	3 Floor	814 sq. ft.
26	1 Bedroom	4 Floor	482 sq. ft.

4 Affordable Units

Group 2 Units

26 Units x 5% = 1.3 Units (2 – Group 2 Units Proposed)

<u>Unit #</u>	<u>Unit Type</u>	<u>Floor</u>	<u>Square Footage</u>
2	2 Bedroom	2 Floor	801 sq. ft.
17	1 Bedroom	3 Floor	814 sq. ft.

2 Group 2 Units



LEED v4 for Building Design and Construction: Homes and Multifamily Lowrise
Project Checklist

Project Name: 10 Sunnyside Ave. Arlington, MA
Date: 12/28/18

Y ? N

Y	?	N	2	Credit	Integrative Process	2
13 0.5 1.5 Location and Transportation 15						
Y				Prereq	Floodplain Avoidance	Required
PERFORMANCE PATH						
				Credit	LEED for Neighborhood Development Location	15
PRESCRIPTIVE PATH						
8				Credit	Site Selection	8
2		1		Credit	Compact Development	3
2				Credit	Community Resources	2
1	0.5	0.5		Credit	Access to Transit	2
1 0 6 Sustainable Sites 7						
Y				Prereq	Construction Activity Pollution Prevention	Required
Y				Prereq	No Invasive Plants	Required
		2		Credit	Heat Island Reduction	2
		3		Credit	Rainwater Management	3
1		1		Credit	Non-Toxic Pest Control	2
8 0 4 Water Efficiency 12						
Y				Prereq	Water Metering	Required
PERFORMANCE PATH						
		2		Credit	Total Water Use	12
PRESCRIPTIVE PATH						
6				Credit	Indoor Water Use	6
2		2		Credit	Outdoor Water Use	4
4 0 34 Energy and Atmosphere 38						
Y				Prereq	Minimum Energy Performance	Required
Y				Prereq	Energy Metering	Required
Y				Prereq	Education of the Homeowner, Tenant or Building Manager	Required
PERFORMANCE PATH						
		29		Credit	Annual Energy Use	29
BOTH PATHS						
2		3		Credit	Efficient Hot Water Distribution System	5
1		1		Credit	Advanced Utility Tracking	2
		1		Credit	Active Solar Ready Design	1
1				Credit	HVAC Start-Up Credentialing	1
PRESCRIPTIVE PATH						
Y				Prereq	Home Size	Required
				Credit	Building Orientation for Passive Solar	3
				Credit	Air Infiltration	2
				Credit	Envelope Insulation	2
				Credit	Windows	3
				Credit	Space Heating & Cooling Equipment	4

EA PRESCRIPTIVE PATH (continued)						
				Credit	Heating & Cooling Distribution Systems	3
				Credit	Efficient Domestic Hot Water Equipment	3
				Credit	Lighting	2
				Credit	High Efficiency Appliances	2
				Credit	Renewable Energy	4

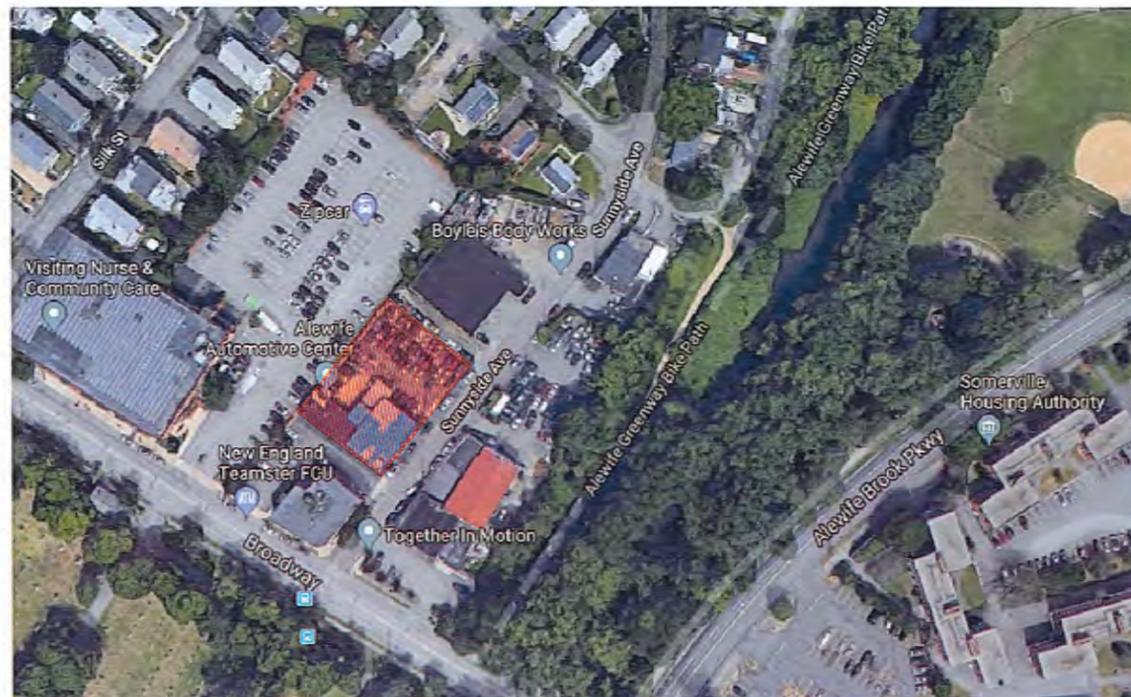
2 2 6 Materials and Resources 10						
Y				Prereq	Certified Tropical Wood	Required
Y				Prereq	Durability Management	Required
		1		Credit	Durability Management Verification	1
1	1	2		Credit	Environmentally Preferable Products	4
1	1	1		Credit	Construction Waste Management	3
		2		Credit	Material Efficient Framing	2

7 1 8 Indoor Environmental Quality 16						
Y				Prereq	Ventilation	Required
Y				Prereq	Combustion Venting	Required
Y				Prereq	Garage Pollutant Protection	Required
Y				Prereq	Radon-Resistant Construction	Required
Y				Prereq	Air Filtering	Required
Y				Prereq	Environmental Tobacco Smoke	Required
Y				Prereq	Compartmentalization	Required
		3		Credit	Enhanced Ventilation	3
1		1		Credit	Contaminant Control	2
		3		Credit	Balancing of Heating and Cooling Distribution Systems	3
1				Credit	Enhanced Compartmentalization	1
2				Credit	Enhanced Combustion Venting	2
2				Credit	Enhanced Garage Pollutant Protection	2
1	1	1		Credit	Low Emitting Products	3

4 2 0 Innovation 6						
Y				Prereq	Preliminary Rating	Required
3	2			Credit	Innovation	5
1				Credit	LEED AP Homes	1

1 0 3 Regional Priority 4						
1				Credit	WE Indoor Water Use; threshold = 6 points	1
		1		Credit	Regional Priority: Specific Credit	1
		1		Credit	Regional Priority: Specific Credit	1
		1		Credit	Regional Priority: Specific Credit	1

40	5.5	62.5	TOTALS		Possible Points:	110
Certified: 40 to 49 points, Silver: 50 to 59 points, Gold: 60 to 79 points, Platinum: 80 to 110						



REV.	DATE	DESCRIPTION
A	X-XX-XX	PLANNING & COMMUNITY DEVELOPMENT

2018 DEC 21 A 10:51

10 SUNNYSIDE AVENUE
ARLINGTON, MA
ZONING REVIEW

ITEM	
ZONING DISTRICT	SECTION 5.5 / B-4
EXISTING USE	AUTOMOTIVE GARAGE
PROPOSED USE	26 RESIDENTIAL UNITS & 1 RETAIL SPACE
LOT SIZE	16,500 S.F.

DIMENSIONAL REGULATIONS
SECTION 5.5

ITEM	REQUIRED	PROPOSED
MIN. LOT SIZE	NONE	16,500 S.F.
MIN. LOT FRONTAGE	50'	150'
MAX. FLOOR AREA RATIO	1.5 + 25% = 1.875	1.85 (30,525 S.F. ²)
MAX. ALLOWABLE STORIES	4	4
MAX. ALLOWABLE BUILDING HEIGHT	50'-0"	50'-0"
MIN. FRONT YARD	0'	3'-6" / 5'-6" ±
MIN. SIDE YARD	0'	15" / 19" / 21" / 25" ±
MIN. REAR YARD	16'	21" / 25" ±
MIN. LANDSCAPE AREA	10% (3,052.5 S.F.)	7,062 S.F. ²
OPEN SPACE (20%)	3' BUFFER / 6,105 ± S.F.	3' BUFFER / 6,125 ± S.F.

UNIT BEDROOM BREAKDOWN		
1 BEDROOM	7 UNITS	(482 SQ. FT. - 854 SQ. FT.)
2 BEDROOM	19 UNITS	(801 SQ. FT. - 1,173 SQ. FT.)
TOTAL:	26 UNITS	

RETAIL SPACE	1 UNIT	(2,124 SQ. FT.)
--------------	--------	-----------------

PARKING REQUIREMENT			
TYPE	# OF UNITS	ZONING REQUIREMENT	REQUIRED SPACES
1 BEDROOM	7 UNIT	1.15	8.05 SPACES
2 BEDROOM	19 UNITS	1.5	28.5 SPACES
RETAIL	1 UNIT	(2,124 S.F.) 1/300 SF*	0 SPACES
TOTAL PARKING			37 SPACES
10% REDUCTION FOR AFFORDABLE HOUSING			4 SPACES
TOTAL REQUIRED PARKING			33 SPACES

*FIRST 3,000 S.F. OF NON-RESIDENTIAL SPACE IN MIXED USE IS EXEMPT

PARKING
GROUND LEVEL GARAGE: 13 PARKING SPACES
BASEMENT GARAGE: 20 PARKING SPACES
TOTAL: 33 PARKING SPACES

** 2 ACCESSIBLE PARKING SPACES PROVIDED

5.5 BUSINESS DISTRICTS:

5.5.1 (E) B4: VEHICULAR ORIENTED BUSINESS DISTRICT. THE VEHICULAR ORIENTED BUSINESS DISTRICT PROVIDES FOR ESTABLISHMENTS THAT ARE PRIMARILY ORIENTED TO AUTOMOTIVE TRAFFIC, WHICH MEANS THEY REQUIRE LARGE AMOUNTS OF LAND IN PROPORTION TO BUILDING COVERAGE. THIS DISTRICT ALSO CONSISTS OF ESTABLISHMENTS DEVOTED TO THE SALE OR SERVICING OF MOTOR VEHICLES, THE SALE OF VEHICULAR PARTS AND ACCESSORIES, AND SERVICE STATIONS. ARLINGTON HAS AN ABUNDANCE OF AUTOMOTIVE AND AUTOMOTIVE ACCESSORY SALES AND SERVICE ESTABLISHMENTS. AS THESE BUSINESSES GRADUALLY CLOSE, THE TOWN HAS ENCOURAGED CONVERSION OF THE PROPERTY TO OTHER RETAIL, SERVICE, OFFICE OR RESIDENTIAL USE, PARTICULARLY AS PART OF MIXED-USE DEVELOPMENT.

GENERAL NOTE:
VERIFY AND CONFIRM ALL CONDITIONS AND/OR DIMENSIONS SHOWN PRIOR TO COMMENCING CONSTRUCTION OR ORDERING MATERIALS. NOTIFY ARCHITECT OF ANY INCONSISTENCIES FOR REVIEW AND APPROVAL BEFORE PROCEEDING WITH CONSTRUCTION.

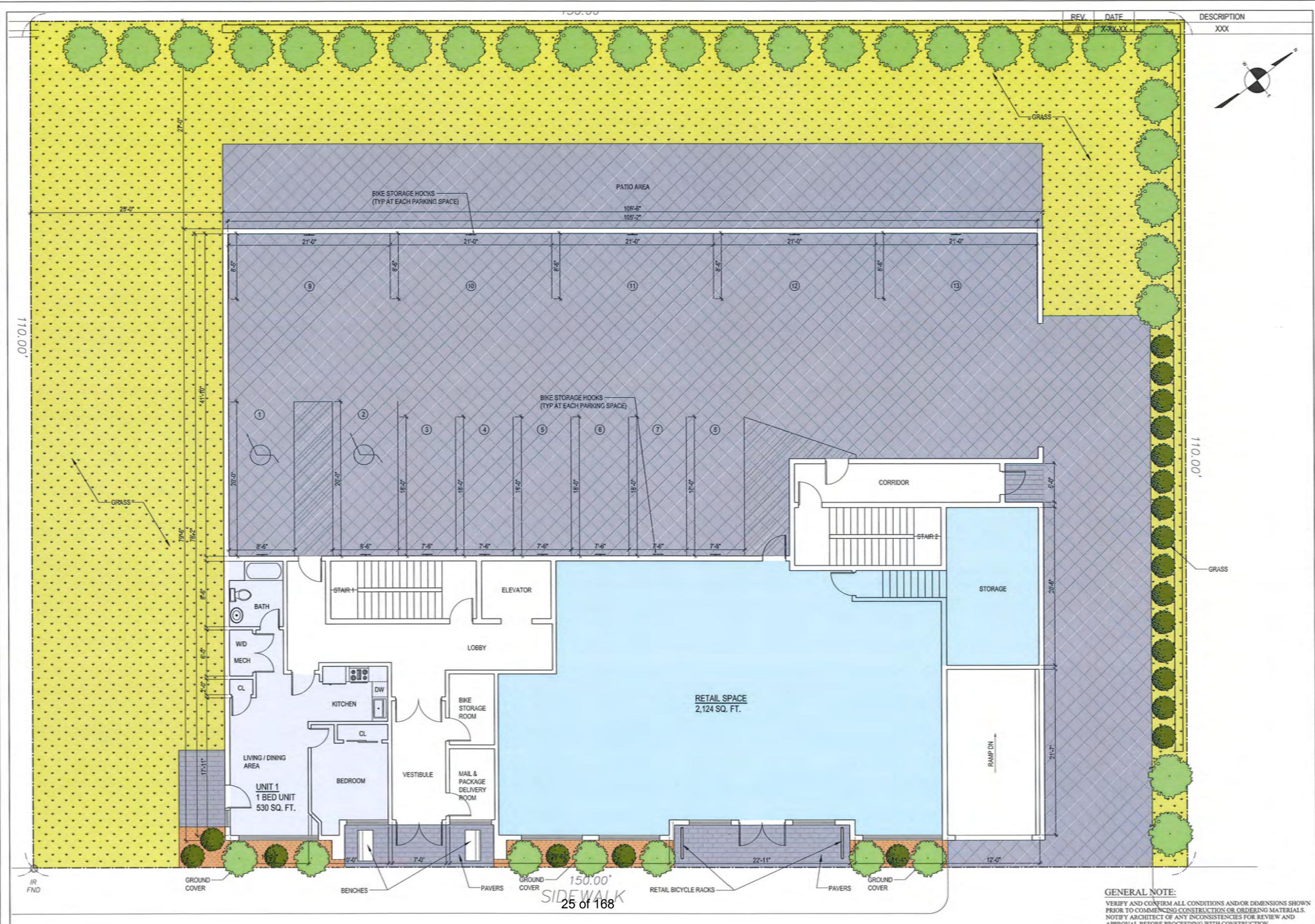
RCA, LLC
415 Highland Ave.
Dorchester, Massachusetts 02122
Telephone: 617-282-1088
Fax: 617-282-1088

10 Sunnyside Avenue
Arlington, MA 02474

PROJECT #
18-084
DATE: 12-17-18
REV:
SCALE:
NONE
DRAWN BY:
C.D.
CHECKED BY:
R.P.B.

AERIAL PHOTO & ZONING
INFORMATION

1



REV.	DATE	DESCRIPTION
XXX	X.XX.XX	XXX



RCA, LLC
 Telephone: 617-282-0000
 415 Newport Ave. www.rca-distribution.com
 Dorchester, Massachusetts 02122
 Fax: 617-282-1080

10 Sunnyside Avenue
 Arlington, MA 02474

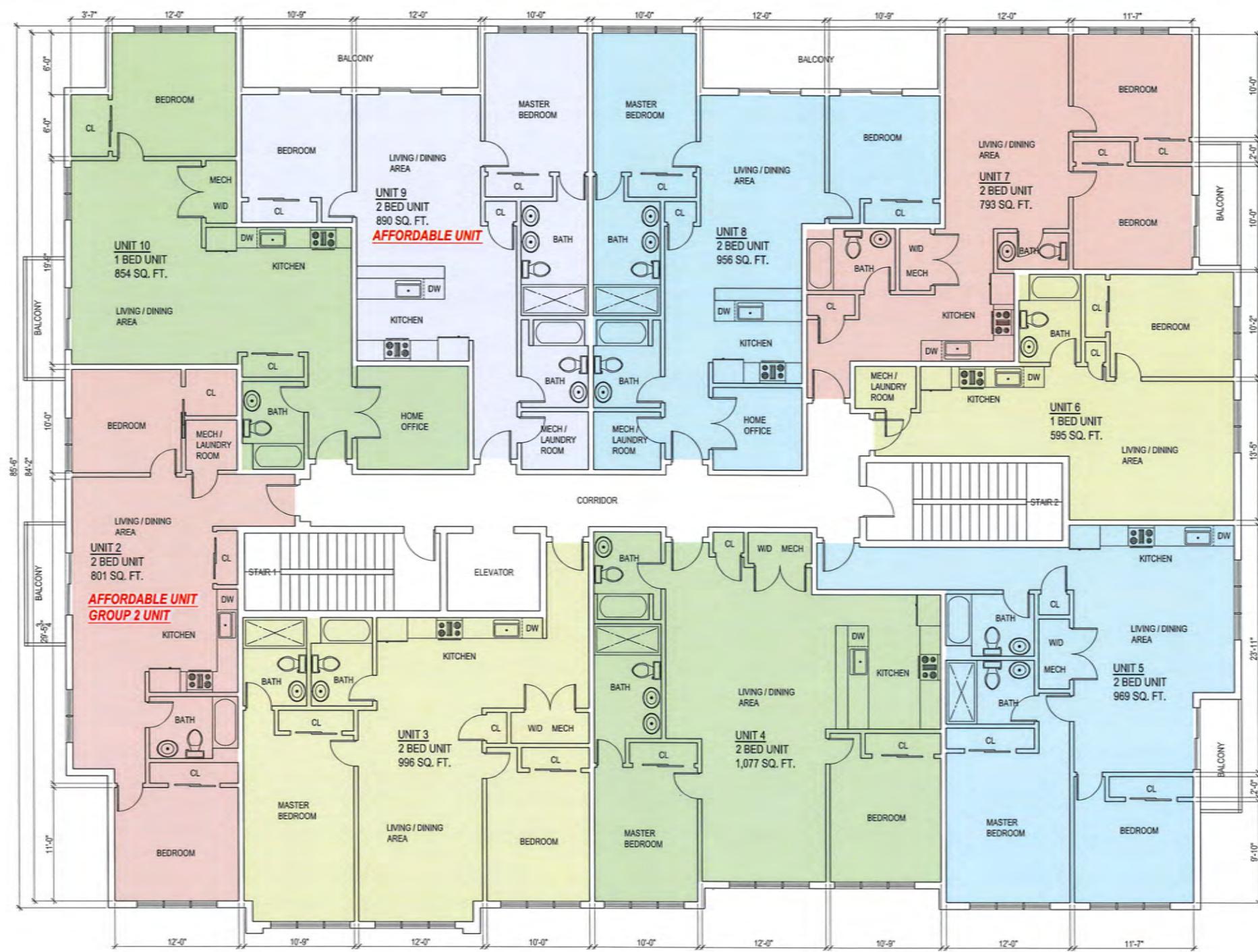
PROJECT #
18-084
 DATE: 12-17-18
 REV:
 SCALE:
3/16" = 1'-0"
 DRAWN BY:
C.D.
 CHECKED BY:
R.P.B.

PROPOSED FLOOR PLAN

A1

GENERAL NOTE:
 VERIFY AND CONFIRM ALL CONDITIONS AND/OR DIMENSIONS SHOWN
 PRIOR TO COMMENCING CONSTRUCTION OR ORDERING MATERIALS.
 NOTIFY ARCHITECT OF ANY INCONSISTENCIES FOR REVIEW AND
 APPROVAL BEFORE PROCEEDING WITH CONSTRUCTION.

REV.	DATE	DESCRIPTION
1	X-XX-XX	XXX



SECOND FLOOR PLAN

UNIT BEDROOM BREAKDOWN		
1 BEDROOM	7 UNITS	(482 SQ. FT. - 854 SQ. FT.)
2 BEDROOM	19 UNITS	(801 SQ. FT. - 1,173 SQ. FT.)
TOTAL:	26 UNITS	

RETAIL SPACE	1 UNIT	(2,124 SQ. FT.)
--------------	--------	-----------------

GENERAL NOTE:
 VERIFY AND CONFIRM ALL CONDITIONS AND/OR DIMENSIONS SHOWN PRIOR TO COMMENCING CONSTRUCTION OR ORDERING MATERIALS. NOTIFY ARCHITECT OF ANY INCONSISTENCIES FOR REVIEW AND APPROVAL BEFORE PROCEEDING WITH CONSTRUCTION.

RCA, LLC
 415 Higgins Ave.
 Dorchester, Massachusetts 02122
 Telephone: 617-282-0019
 Fax: 617-282-1080

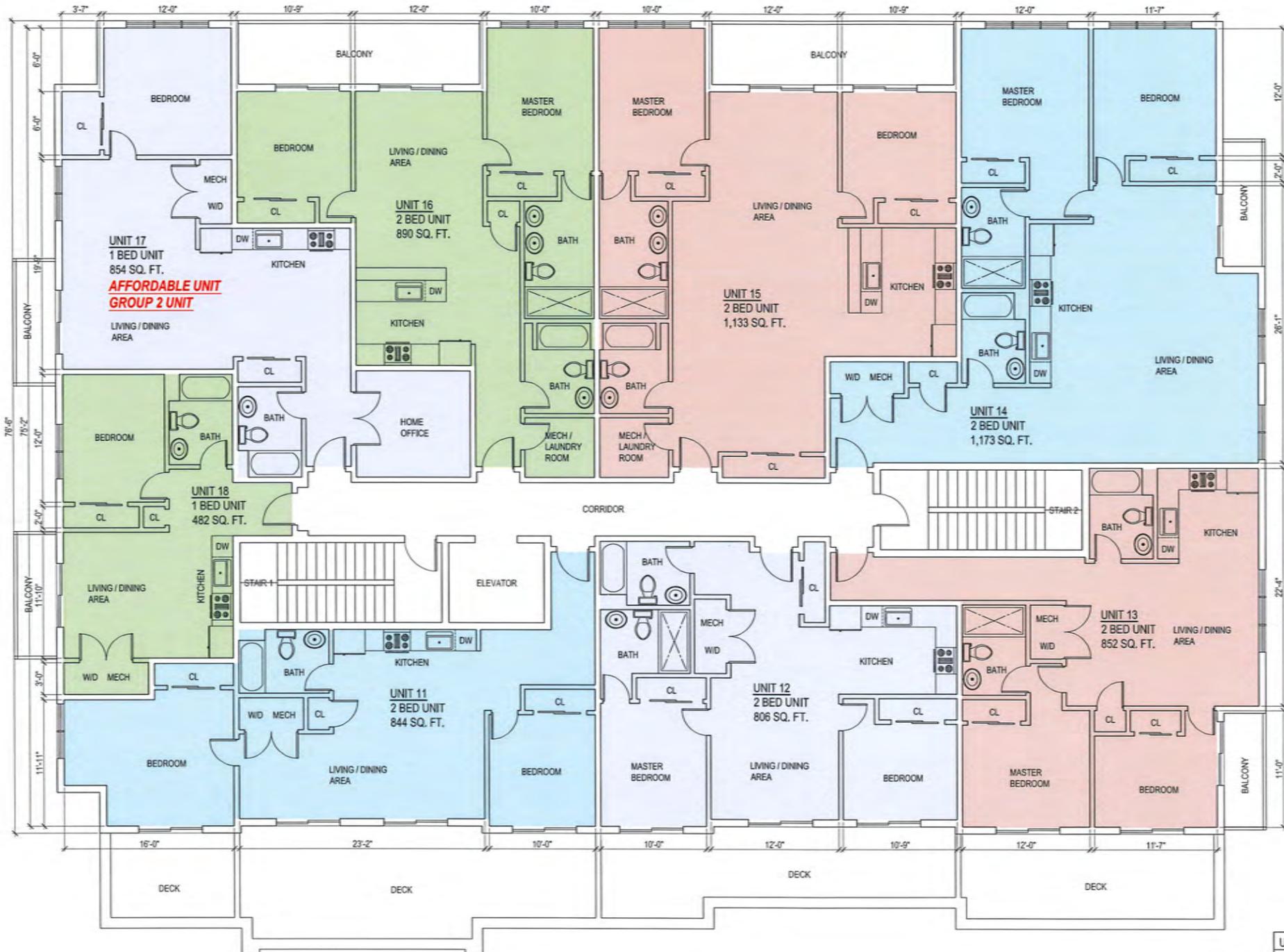
10 Sunnyside Avenue
 Arlington, MA 02474

PROJECT # 18-084
 DATE: 12-17-18
 REV:
 SCALE: 3/16" = 1'-0"
 DRAWN BY: C.D.
 CHECKED BY: R.P.B.

PROPOSED FLOOR PLAN

A3

REV.	DATE	DESCRIPTION
A	X-XX-XX	XXX



THIRD FLOOR PLAN

UNIT BEDROOM BREAKDOWN		
1 BEDROOM	7 UNITS	(482 SQ. FT. - 854 SQ. FT.)
2 BEDROOM	19 UNITS	(801 SQ. FT. - 1,173 SQ. FT.)
TOTAL:	26 UNITS	

RETAIL SPACE	1 UNIT	(2,124 SQ. FT.)
--------------	--------	-----------------

GENERAL NOTE:
 VERIFY AND CONFIRM ALL CONDITIONS AND/OR DIMENSIONS SHOWN PRIOR TO COMMENCING CONSTRUCTION OR ORDERING MATERIALS. NOTIFY ARCHITECT OF ANY INCONSISTENCIES FOR REVIEW AND APPROVAL BEFORE PROCEEDING WITH CONSTRUCTION.

RCA, LLC
 415 Nippon Ave.
 Dorchester, Massachusetts 02122
 Telephone: 617-292-0090
 Fax: 617-292-1080

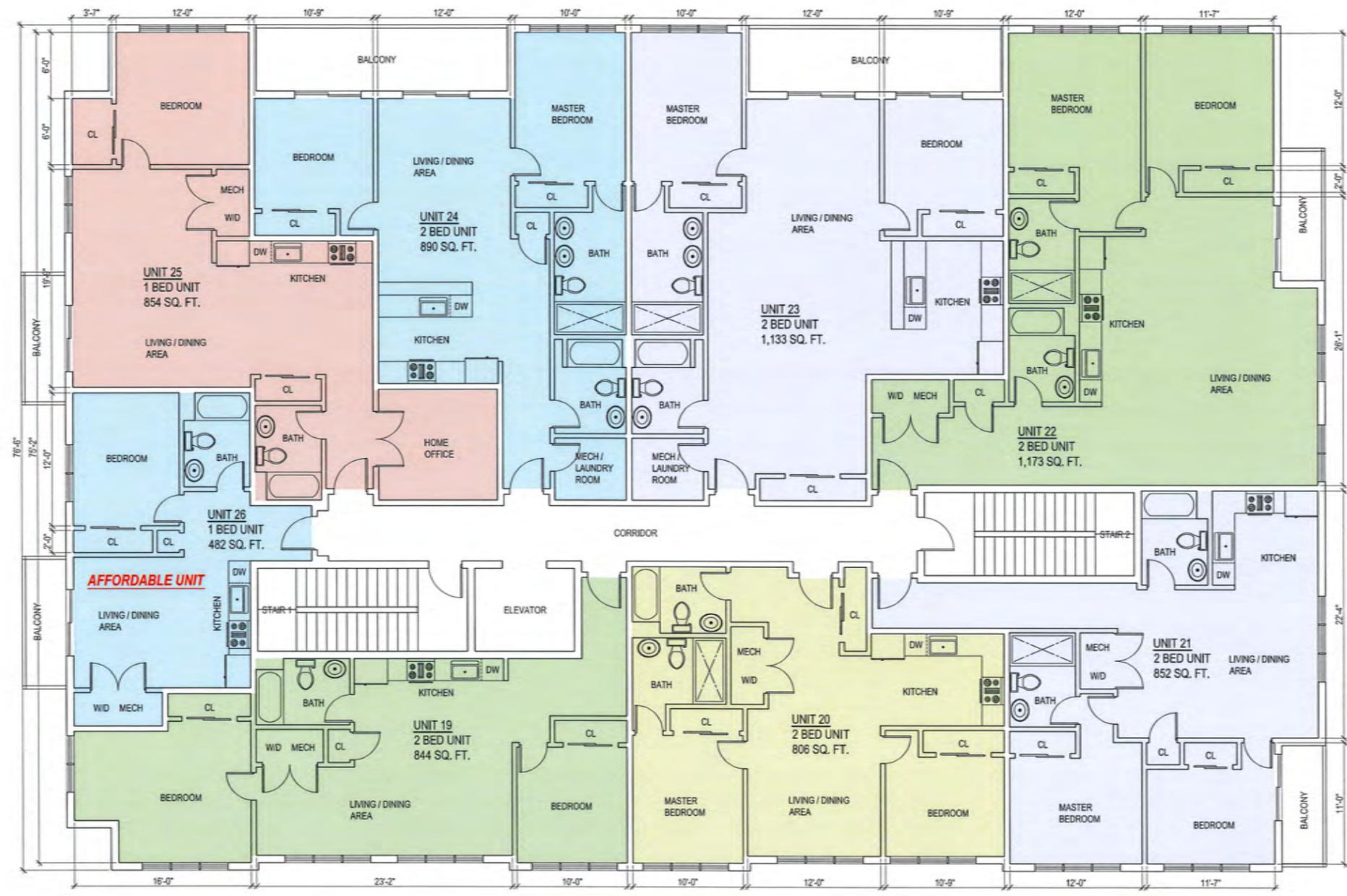
10 Sunnyside Avenue
 Arlington, MA 02474

PROJECT # 18-084
 DATE: 12-17-18
 REV:
 SCALE: 3/16" = 1'-0"
 DRAWN BY: C.D.
 CHECKED BY: R.P.B.

PROPOSED FLOOR PLAN

A4

REV.	DATE	DESCRIPTION
1	X-XX-XX	XXX



FOURTH FLOOR PLAN

UNIT BEDROOM BREAKDOWN		
1 BEDROOM	7 UNITS	(482 SQ. FT. - 854 SQ. FT.)
2 BEDROOM	19 UNITS	(801 SQ. FT. - 1,173 SQ. FT.)
TOTAL:	26 UNITS	

RETAIL SPACE	1 UNIT	(2,124 SQ. FT.)
--------------	--------	-----------------

GENERAL NOTE:
 VERIFY AND CONFIRM ALL CONDITIONS AND/OR DIMENSIONS SHOWN PRIOR TO COMMENCING CONSTRUCTION OR ORDERING MATERIALS. NOTIFY ARCHITECT OF ANY INCONSISTENCIES FOR REVIEW AND APPROVAL BEFORE PROCEEDING WITH CONSTRUCTION.

RCA, LLC
 415 Squared Ave.
 Duxbury, Massachusetts 01922
 Telephone: 617-282-0009
 Fax: 617-282-1080
 www.rcacontractors.com

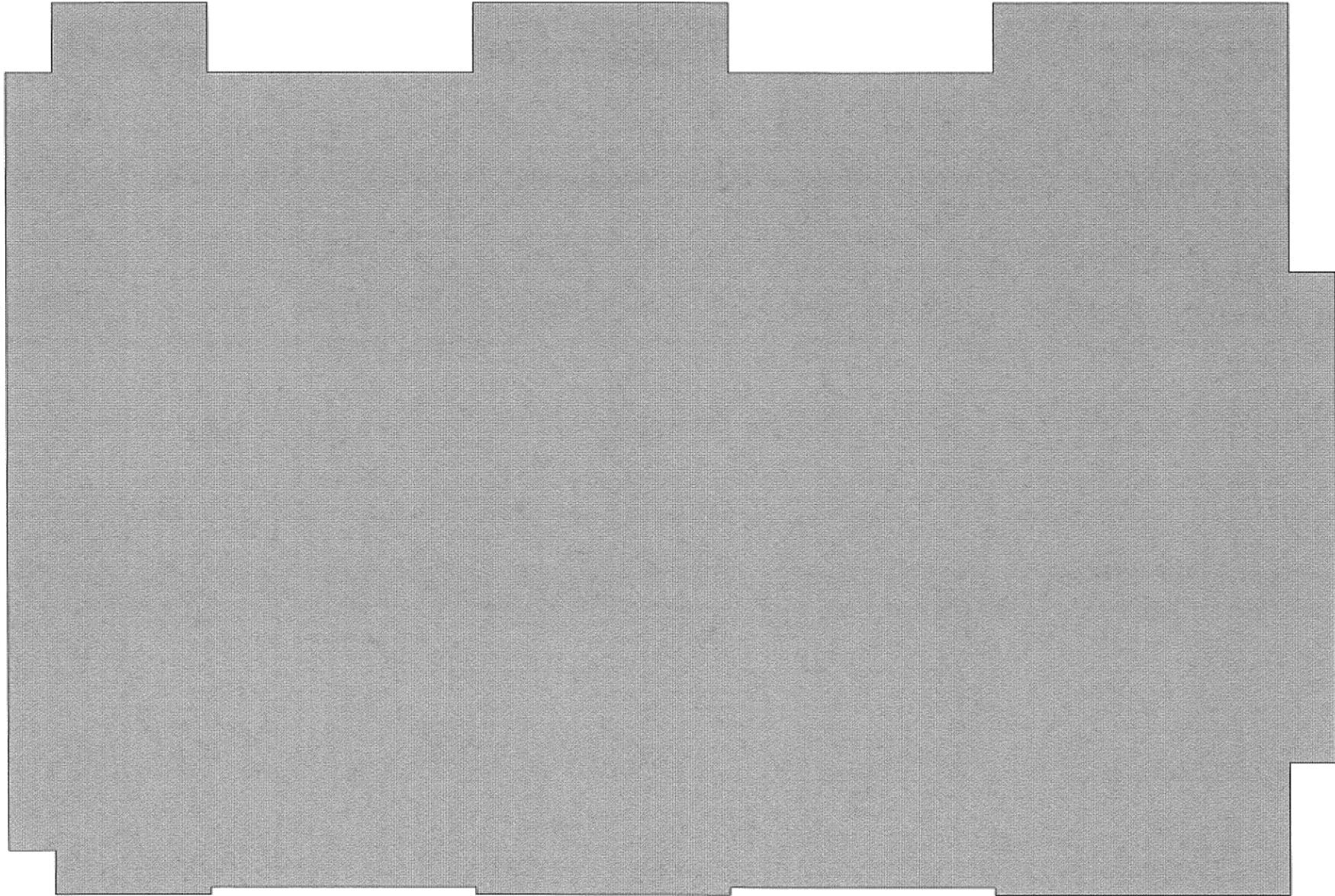
10 Sunnyside Avenue
 Arlington, MA 02474

PROJECT # 18-084
 DATE: 12-17-18
 REV:
 SCALE: 3/16" = 1'-0"
 DRAWN BY: C.D.
 CHECKED BY: R.P.B.

PROPOSED FLOOR PLAN

A5

REV.	DATE	DESCRIPTION
△	X-XX-XX	XXX



RCA, LLC

415 Noyes Ave.
Dorchester, Massachusetts 02122
www.rca-llc.com
Telephone: 617-282-4039
Fax: 617-282-1080

10 Sunnyside Avenue
Arlington, MA 02474

PROJECT #	18-084
DATE:	12-17-18
REV:	
SCALE:	3/16" = 1'-0"
DRAWN BY:	C.D.
CHECKED BY:	R.P.B.

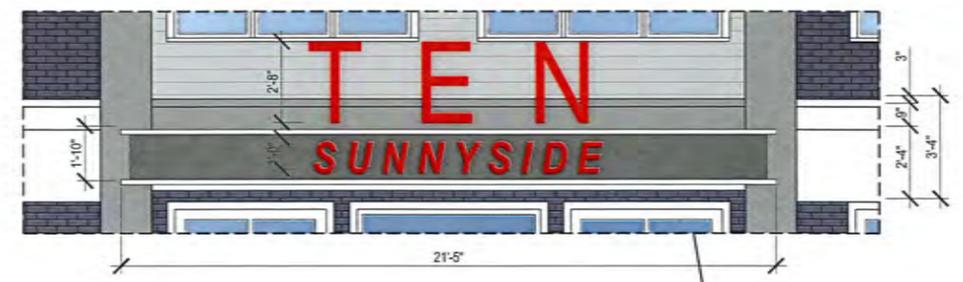
PROPOSED ROOF PLAN

UNIT BEDROOM BREAKDOWN		
1 BEDROOM	7 UNITS	(482 SQ. FT. - 854 SQ. FT.)
2 BEDROOM	19 UNITS	(801 SQ. FT. - 1,173 SQ. FT.)
TOTAL:	26 UNITS	

RETAIL SPACE	1 UNIT	(2,124 SQ. FT.)
--------------	--------	-----------------

GENERAL NOTE:
VERIFY AND CONFIRM ALL CONDITIONS AND/OR DIMENSIONS SHOWN PRIOR TO COMMENCING CONSTRUCTION OR ORDERING MATERIALS. NOTIFY ARCHITECT OF ANY INCONSISTENCIES FOR REVIEW AND APPROVAL BEFORE PROCEEDING WITH CONSTRUCTION.

REV.	DATE	DESCRIPTION
1	X-XX-XX	XXX



ELEVATION 1

RCA, LLC
 415 Napanes Ave.
 Dorchester, Massachusetts 02122
 Telephone: 617-282-0099
 Fax: 617-282-1080
 www.rcaconstruction.com

10 Sunnyside Avenue
 Arlington, MA 02474

PROJECT # 18-084
 DATE: 12-17-18
 REV:
 SCALE: 3/16" = 1'-0"
 DRAWN BY: C.D.
 CHECKED BY: R.P.B.

PROPOSED ELEVATION

A7

GENERAL NOTE:
 VERIFY AND CONFIRM ALL CONDITIONS AND/OR DIMENSIONS SHOWN PRIOR TO COMMENCING CONSTRUCTION OR ORDERING MATERIALS. NOTIFY ARCHITECT OF ANY INCONSISTENCIES FOR REVIEW AND APPROVAL BEFORE PROCEEDING WITH CONSTRUCTION.

REV.	DATE	DESCRIPTION
1	X-XX-XX	XXX



ELEVATION 2

RCA, LLC
 415 Napanese Ave.
 Dorchester, Massachusetts 02122
 www.rcacontractors.com
 Telephone: 617-282-1000
 Fax: 617-282-1060

10 Sunnyside Avenue
 Arlington, MA 02474

PROJECT #
18-084
 DATE: 12-17-18
 REV:
 SCALE:
3/16" = 1'-0"
 DRAWN BY:
C.D.
 CHECKED BY:
R.P.B.

PROPOSED ELEVATION

A8

GENERAL NOTE:
 VERIFY AND CONFIRM ALL CONDITIONS AND/OR DIMENSIONS SHOWN
 PRIOR TO COMMENCING CONSTRUCTION OR ORDERING MATERIALS.
 NOTIFY ARCHITECT OF ANY INCONSISTENCIES FOR REVIEW AND
 APPROVAL BEFORE PROCEEDING WITH CONSTRUCTION.

REV.	DATE	DESCRIPTION
1	X-XX-XX	XXX



ELEVATION 3

RCA, LLC
 415 Squam Ave.
 Dorchester, Massachusetts 02122
 Telephone: 617-282-0090
 Fax: 617-282-1080
 www.rcacontractors.com

10 Sunnyside Avenue
 Arlington, MA 02474

PROJECT #
 18-084
 DATE: 12-17-18
 REV:
 SCALE:
 3/16" = 1'-0"
 DRAWN BY:
 C.D.
 CHECKED BY:
 R.P.B.

PROPOSED ELEVATION

A9

GENERAL NOTE:
 VERIFY AND CONFIRM ALL CONDITIONS AND/OR DIMENSIONS SHOWN PRIOR TO COMMENCING CONSTRUCTION OR ORDERING MATERIALS. NOTIFY ARCHITECT OF ANY INCONSISTENCIES FOR REVIEW AND APPROVAL BEFORE PROCEEDING WITH CONSTRUCTION.

REV.	DATE	DESCRIPTION
1	X-XX-XX	XXX



RCA, LLC
 415 Sunnyside Ave.
 Dordchester, Massachusetts 02122
 Telephone: 617-282-0009
 Fax: 617-282-1089

10 Sunnyside Avenue
 Arlington, MA 02474

PROJECT #
18-084
 DATE: 12-17-18
 REV:
 SCALE:
3/16" = 1'-0"
 DRAWN BY:
C.D.
 CHECKED BY:
R.P.B.

PROPOSED ELEVATION

A10

GENERAL NOTE:
 VERIFY AND CONFIRM ALL CONDITIONS AND/OR DIMENSIONS SHOWN PRIOR TO COMMENCING CONSTRUCTION OR ORDERING MATERIALS. NOTIFY ARCHITECT OF ANY INCONSISTENCIES FOR REVIEW AND APPROVAL BEFORE PROCEEDING WITH CONSTRUCTION.



Town of Arlington, Massachusetts

Board discussion about proposed 2019 Annual Town Meeting Zoning Bylaw amendments as submitted by the ARB

Summary:

8:30 p.m. – 9:30 p.m. Staff presentation and board discussion

ATTACHMENTS:

Type	File Name	Description
▢ Reference Material	Agenda_Item_2_-_ATM_2019_Zoning_Bylaw_Amendments_2-14-19.pdf	ATM 2019 Zoning Bylaw Amendments 2-14-19
▢ Reference Material	Agenda_Item_2_-_Combined_FAQ.pdf	Combined FAQ
▢ Reference Material	Agenda_Item_2_-_Guide_to_Arlington_Sign_Regulations_Update_Combined_2-14-19.pdf	Guide to Arlington Sign Regulations Update Combined 2-14-19
▢ Reference Material	Agenda_Item_2_-_Guide_to_Multi-family_and_Mixed-use_Amendments_2-14-19.pdf	Guide to Multi-family and Mixed-use Amendments 2-14-19
▢ Reference Material	Agenda_Item_2_-_LWC_Arlington_SignCodePRD_02-14-19.pdf	LWC Arlington Sign Code PRD 2-14-19



Town of Arlington

ARLINGTON REDEVELOPMENT BOARD

2019 Annual Town Meeting Draft Zoning Bylaw Amendments

February 14, 2019

Introduction and Overview

The Arlington Redevelopment Board (ARB) is the Town's Planning Board, under M.G.L. Chapter 41 § 81. There are five members of the Board. Four are appointed by the Town Manager and the fifth is a gubernatorial designee appointed by the Massachusetts Department of Housing and Community Development. The Board serves as the Town's special permit granting authority for projects which require an Environmental Design Review (EDR) as identified in the Zoning Bylaw. The ARB is also the Town's Urban Renewal Authority under M.G.L. Chapter 121; with Town Meeting approval, the Board may hold property to improve and rehabilitate them to meet community development goals.

The members of the ARB are as follows:

Andrew Bunnell, Chair, (Term through 1/31/2020)
Andrew West, Vice Chair, (Term through 6/30/2020)
Eugene Benson (Term through 1/31/2020)
Kin Lau (Term through 1/31/2022)
David Watson (Term through 9/22/2023)

Jennifer Raitt, Director of the Department of Planning and Community Development, serves as Secretary Ex-Officio to the ARB.

In accordance with the provisions of the Town of Arlington, Massachusetts Zoning Bylaw and Massachusetts General Laws Chapter 40A, a public hearing will be held by the Arlington Redevelopment Board (ARB) on **Monday, March 4, 2019, Monday, March 11, 2019, Monday, March 18, 2019, and Monday, March 25, 2019, all beginning at 7:30 P.M.** in the **Central School, 27 Maple Street, Main Room, Arlington, Massachusetts**. The ARB will hear public comments on the proposed amendments to the Zoning Bylaw. After receiving public comments, the ARB will make recommendations on the proposed amendments for Annual Town Meeting, which will begin on Monday, April 22, 2019.

In addition, informal office hours will be held on Thursdays, March 14 and March 21, 5 PM-7 PM, in the Town Hall Annex First Floor Conference Room. Finally, the Department of Planning and Community Development (DPCD) will also hold neighborhood meetings tentatively scheduled for March 28 at Peirce School, April 3 at Thompson School, April 4 at Hardy School, and April 10 at Brackett School, all beginning at 7 PM. These dates are still pending confirmation from the School Department.

The draft language of the proposed amendments to the Zoning Bylaw is available on Thursday, February 14, 2019 through Tuesday, March 26, 2019 in the Department of Planning and Community Development on the first floor of the Town Hall Annex, Monday through Wednesday, 8:00 a.m. to 4:00 p.m.; Thursday, 8:00 a.m. to 7:00 p.m.; and Friday, 8:00 a.m. to 12:00 p.m., the Town Clerk's Office, the Robbins Library Reference Desk, or viewed and downloaded from the Redevelopment Board webpage of the Town's website at www.arlingtonma.gov.

Contact Erin Zwirko, Assistant Director of Planning and Community Development, at 781-316-3091 or ezwirko@town.arlington.ma.us with any questions or comments.

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ARTICLE 7 DENSITY AND DIMENSIONAL REQUIREMENTS FOR MIXED-USE6

ARTICLE 8 OPEN SPACE REQUIREMENTS FOR MULTI-FAMILY USES AND MIXED-USE8

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ARTICLE 10 UPPER-STORY BUILDING STEP BACKS15

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**Zoning Bylaw Amendments for Multi-family Uses and Mixed-Use
Additions to the Zoning Bylaw shown in underline format. Deletions shown in ~~strikeout format~~.**

ARTICLE 6

**ZONING BYLAW AMENDMENT/DENSITY AND DIMENSIONAL
REQUIREMENTS FOR MULTI-FAMILY USES**

To see if the Town will vote to amend the Zoning Bylaw to change the density and dimensional requirements for multi-family uses in the R4, R5, R6, and R7 Districts by:

1. Amending SECTION 5.4.1. DISTRICTS AND PURPOSES to revise descriptions of the R5, R6, and R7 Districts;
2. Amending SECTION 5.4.2. DIMENSIONAL AND DENSITY REQUIREMENTS to reduce the minimum lot area, minimum lot area per unit, and minimum lot frontage for three-family dwellings, townhouse structures, and apartment conversions in the R4 District, for townhouse and apartment buildings in the R5 District, for townhouse structure and apartment building in the R6 District, and for any permitted structure in the R7 District;
3. Amending SECTION 5.4.2. DIMENSIONAL AND DENSITY REQUIREMENTS to adjust the front yard, side yard, and rear yard for three-family dwellings, townhouse structures, and apartment conversions in the R4 District, for townhouse and apartment buildings in the R5 District, for townhouse structure and apartment building in the R6 District, and for any permitted structure in the R7 District; and
4. Amending SECTION 5.4.2. DIMENSIONAL AND DENSITY REQUIREMENTS to increase the maximum height in feet, maximum stories, and maximum floor area ratio for townhouse structures and apartment conversions in the R4 District, for townhouse and apartment buildings in the R5 District, for townhouse structure and apartment building in the R6 District, and for any permitted structure in the R7 District.

or take any action related thereto.

(Inserted at the request of the Redevelopment Board)

Amend SECTION 5.4.1. DISTRICTS AND PURPOSES to revise descriptions of the R5, R6, and R7 Districts:

Section 5.4.1 Districts and Purposes

- C. (1) R5: Apartment District/Low Density. The predominant use is two- to ~~three~~ four-story garden apartments located along or near principal arteries. The Town allows small-scale offices on principal arteries only. The Town discourages uses which would detract from the desired residential character, consume large amounts of land, or otherwise interfere with the intent of this Bylaw.
- (2) R6: Apartment District/Medium Density. The predominant land uses in the Medium-Density Apartment District consist of a mix of apartments up to ~~four~~ five stories high and offices at a smaller scale. The Town discourages uses which would detract from the desired residential and office character or otherwise interfere with the intent of this Bylaw.

Zoning Bylaw Amendments for Multi-family Uses and Mixed-Use Additions to the Zoning Bylaw shown in underline format. Deletions shown in ~~strikeout format~~.

Amend SECTION 5.4.2. DIMENSIONAL AND DENSITY REQUIREMENTS to reduce the minimum lot area, minimum lot area per unit, and minimum lot frontage for three-family dwellings, townhouse structures, and apartment conversions in the R4 District, for townhouse and apartment buildings in the R5 District, for townhouse structure and apartment building in the R6 District, and for any permitted structure in the R7 District:

Section 5.4.2 Dimensional and Density Requirements

A. Tables of Dimensional and Density Regulations

R District Lot Regulations (see 5.4.2(B) for exceptions).

District Use	Minimum Requirement		
	Minimum Lot Area (sq. ft.)	Minimum Lot Area per Unit (sq. ft.)	Minimum Lot Frontage (ft.)
R4			
Three-family dwelling	7,500 <u>5,000</u>	-----	70 <u>50</u>
Townhouse structure	30,000 <u>5,000</u>	2,500 <u>1,500</u>	100 <u>50</u>
Apartment conversion	12,500 -----	2,500 <u>1,000</u>	80 -----
R5			
Townhouse structure , apartment building	20,000 <u>5,000</u>	1,450 <u>1,000</u>	100 <u>50</u>
R6			
Townhouse structure, apartment building, or office structure	20,000 <u>5,000</u>	700	100 <u>50</u>
R7 Any permitted principal structure	20,000 <u>5,000</u>	550	100 <u>50</u>

Zoning Bylaw Amendments for Multi-family Uses and Mixed-Use Additions to the Zoning Bylaw shown in underline format. Deletions shown in ~~strikeout format~~.

Amend SECTION 5.4.2. DIMENSIONAL AND DENSITY REQUIREMENTS to adjust the front yard, side yard, and rear yard for three-family dwellings, townhouse structures, and apartment conversions in the R4 District, for townhouse and apartment buildings in the R5 District, for townhouse structure and apartment building in the R6 District, and for any permitted structure in the R7 District:

Section 5.4.2 Dimensional and Density Requirements

A. Tables of Dimensional and Density Regulations

R District Yard and Open Space Requirements (see 5.4.2(B) and 5.4.2(E) for exceptions).

District Use	Minimum Requirement		
	Front Yard (ft.)	Side Yard (ft.)	Rear Yard (ft.)
R4			
Three-family dwelling	25 <u>15</u>	10	20
Townhouse structure	25 <u>15</u>	15 <u>10</u>	25 <u>20</u>
Apartment conversion	25 -----	10 -----	20 -----
R5			
Townhouse <u>structure</u> , apartment building	15 <u>10</u>	10+(L/10) <u>15</u>	25 <u>20</u>
R6			
Townhouse structure, apartment building, or office structure	15+(H/10) <u>10</u>	(H+L)/6 <u>10</u>	(H+L)/6 <u>20</u>
R7			
Any permitted principal structure	15+(H/10) <u>10</u>	(H+L)/6 —At least 20 ft. <u>10</u>	(H+L)/6 At least 20 ft. <u>20</u>

E. Exceptions to Side Yard Requirements in the R6 and R7 Districts.

For townhouse structures, apartment buildings, or office structures in the R6 district and for any permitted principal structure in the R7 district, no side yard is required at side lot lines that abut a Business district.

Zoning Bylaw Amendments for Multi-family Uses and Mixed-Use Additions to the Zoning Bylaw shown in underline format. Deletions shown in ~~strikeout format~~.

Amend SECTION 5.4.2. DIMENSIONAL AND DENSITY REQUIREMENTS to increase the maximum height in feet, maximum stories, and maximum floor area ratio for townhouse structures and apartment conversions in the R4 District, for townhouse and apartment buildings in the R5 District, for townhouse structure and apartment building in the R6 District, and for any permitted structure in the R7 District:

R District Building Height and Floor Area Ratio Regulations (see 5.4.2(B) for exceptions)

District Use	Maximum Allowed		
	Maximum Height (ft.)	Maximum height (stories)	Maximum Floor Area Ratio (FAR)
R4			
Townhouse structure	35	3	0.70 <u>1.50</u>
Apartment conversion	40 <u>-----</u>	3 <u>-----</u>	<u>-----</u>
R5			
<u>Townhouse structure, apartment building</u>	<u>45</u>	<u>4</u>	<u>1.50</u>
Any Other residential or other principal structure	35	3	0.80
R6			
Townhouse <u>structure</u> , apartment building, or office on more than 20,000 sq. ft.	40 <u>55</u>	4 <u>5</u>	1.2 <u>1.80</u>
	35 <u>45</u>	3 <u>4</u>	
R7			
Any permitted principal structure	40 <u>45</u>	5	1.50 <u>2.00</u>
	60		

Zoning Bylaw Amendments for Multi-family Uses and Mixed-Use
Additions to the Zoning Bylaw shown in underline format. Deletions shown in ~~strikeout format~~.

ARTICLE 7 ZONING BYLAW AMENDMENT/DENSITY AND DIMENSIONAL REQUIREMENTS FOR MIXED-USE

To see if the Town will vote to amend the Zoning Bylaw to change the density and dimensional requirements for mixed-use in the B Districts by:

1. Amending SECTION 5.5.2. DIMENSIONAL AND DENSITY REQUIREMENTS to reduce the minimum lot area per unit for mixed-use on lots greater than 20,000 square feet in the B2 District;
2. Amending SECTION 5.5.2. DIMENSIONAL AND DENSITY REQUIREMENTS to reduce the front yard and side yard requirements for mixed-use in the B1 District;
3. Amending SECTION 5.5.2. DIMENSIONAL AND DENSITY REQUIREMENTS to increase the maximum height in feet and maximum stories for mixed-use in the B1, B3, and B5 Districts; and
4. Amending SECTION 5.5.2. DIMENSIONAL AND DENSITY REQUIREMENTS to increase the maximum floor area ratio for mixed-use in all of the Business Districts.

or take any action related thereto.

(Inserted at the request of the Redevelopment Board)

Amend SECTION 5.5.2. DIMENSIONAL AND DENSITY REQUIREMENTS to reduce the minimum lot area per unit for mixed-use on lots greater than 20,000 square feet in the B2 District:

Section 5.5.2 Dimensional and Density Requirements

A. Tables of Dimensional and Density Regulations

B District Lot Regulations

District Use	Minimum Requirement		
	Minimum Lot Area (sq. ft.)	Minimum Lot Area per Unit (sq. ft.)	Minimum Lot Frontage (ft.)
B2			
Mixed-use <=20,000 sq. ft.	-----	-----	50
Mixed-use >20,000 sq. ft.	>20,000	<u>1,450</u> 1,000	50

Amend SECTION 5.5.2. DIMENSIONAL AND DENSITY REQUIREMENTS to reduce the front yard and side yard requirements for mixed-use in the B1 District:

B District Yard and Open Space Requirements

District Use	Minimum Requirement		
	Front Yard (ft.)	Side Yard (ft.)	Rear Yard (ft.)
B1			
Mixed-use	<u>20</u> 10	<u>10</u> 0	20

Zoning Bylaw Amendments for Multi-family Uses and Mixed-Use Additions to the Zoning Bylaw shown in underline format. Deletions shown in ~~strikeout format~~.

Amend SECTION 5.5.2. DIMENSIONAL AND DENSITY REQUIREMENTS to increase the maximum height in feet and maximum stories for mixed-use in the B1, B3, and B5 Districts and Amend SECTION 5.5.2. DIMENSIONAL AND DENSITY REQUIREMENTS to increase the maximum floor area ratio for mixed-use in all of the Business Districts:

B District Building Height and Floor Area Ratio Regulations

District Use	Maximum Allowed		
	Maximum Height (ft.)	Maximum height (stories)	Maximum Floor Area Ratio (FAR)
B1			
Mixed-use	35 <u>45</u>	3 <u>4</u>	0.75 <u>1.50</u>
B2			
Mixed-use <= 20,000 sq. ft.	50	4*	1.50 <u>1.80</u>
Mixed-use >20,000 sq. ft.	40	3 <small>*See Sec 5.3.17</small>	1.00 <u>1.50</u>
B2A			
Mixed-use <= 20,000 sq. ft.	60 50	5 4	1.50 <u>1.80</u>
Mixed-use >20,000 sq. ft.	50 40	4 3	1.00 <u>1.50</u>
B3			
Mixed-use <= 20,000 sq. ft.	60 50	5* 4	1.50 <u>1.80</u>
Mixed-use >20,000 sq. ft.	50 <u>60</u> 40 <u>50</u>	5 3 <u>4</u>	1.40 <u>1.50</u>
B4			
Mixed-use <= 20,000 sq. ft.	60 50	5 4*	1.50 <u>2.00</u>
Mixed-use > 20,000 sq. ft.	50 40	4 3	1.00 <u>1.80</u>
B5			
Mixed-use <= 20,000 sq. ft.	60 50	5 4*	1.80 <u>2.20</u>
Mixed-use > 20,000 sq. ft.	60 40 <u>50</u>	5 3 <u>4*</u>	1.40 <u>1.80</u>

Zoning Bylaw Amendments for Multi-family Uses and Mixed-Use
Additions to the Zoning Bylaw shown in underline format. Deletions shown in ~~strikeout format~~.

ARTICLE 8

**ZONING BYLAW AMENDMENT/OPEN SPACE
REQUIREMENTS FOR MULTI-FAMILY USES AND MIXED-USE**

To see if the Town will vote to amend the Zoning Bylaw to adjust the open space requirements for multi-family uses and mixed-use to eliminate the requirement for usable open space and increase the requirement for landscaped open space by:

1. Amending SECTION 2 DEFINITIONS for landscaped open space;
2. Amending SECTION 5.3.21. SUPPLEMENTAL REQUIREMENTS IN THE BUSINESS AND INDUSTRIAL DISTRICTS paragraph D;
3. Amending SECTION 5.4.2. DIMENSIONAL AND DENSITY REQUIREMENTS to eliminate the minimum usable open space requirement and increase the landscaped open space requirement for multi-family uses; and
4. Amending SECTION 5.5.2. DIMENSIONAL AND DENSITY REQUIREMENTS to eliminate the minimum usable open space requirement and increase the landscaped open space requirement for mixed-use.

or take any action related thereto.

(Inserted at the request of the Redevelopment Board)

Amend SECTION 2 DEFINITIONS for landscaped open space:

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. Up to 25% of the landscaped open space may include, 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~~ or a balcony at least 5 feet by 8 feet in size.

Amend SECTION 5.3.21. SUPPLEMENTAL REQUIREMENTS IN THE BUSINESS AND INDUSTRIAL DISTRICTS paragraph D:

Section 5.3.21 Supplemental Requirements in the Business and Industrial Districts

- D. For mixed uses and any permitted residential use not specifically identified in the tables in Section 5.5.2, the minimum open space requirements (computed from the residential floor area only) shall be ~~10% 20%~~ landscaped open space in all Business districts and 20% usable in the B1, B2, B2A, B3, and B4 districts, and 15 percent usable in the B5 district.

Zoning Bylaw Amendments for Multi-family Uses and Mixed-Use Additions to the Zoning Bylaw shown in underline format. Deletions shown in ~~strikeout format~~.

Amend SECTION 5.4.2. DIMENSIONAL AND DENSITY REQUIREMENTS to eliminate the minimum usable open space requirement and increase the landscaped open space requirement for multi-family uses:

Section 5.4.2 Dimensional and Density Requirements

A. Tables of Dimensional and Density Regulations

R District Open Space and Lot Coverage Regulations (see 5.4.2(B) and 5.3.13(B) for exceptions).

District Use	Minimum / Maximum Requirements		
	Landscaped Open Space (Min.)	Usable Open Space (Min.)	Maximum Lot Coverage
R4			
Townhouse structure	10% <u>20%</u>	30% -----	-----
Apartment conversion	10% <u>20%</u>	30% -----	35%
R5			
Townhouse <u>structure</u> , apartment building	10% <u>20%</u>	30% -----	-----
R6			
Townhouse structure, apartment building, or office structure	10% <u>20%</u>	25% -----	-----
R7			
Any permitted principal structure	10% <u>20%</u>	15% -----	-----

Zoning Bylaw Amendments for Multi-family Uses and Mixed-Use Additions to the Zoning Bylaw shown in underline format. Deletions shown in ~~strikeout format~~.

Amend SECTION 5.5.2. DIMENSIONAL AND DENSITY REQUIREMENTS to eliminate the minimum usable open space requirement and increase the landscaped open space requirement for mixed-use:

Section 5.5.2 Dimensional and Density Requirements

A. Tables of Dimensional and Density Regulations

B District Open Space and Lot Coverage

Use District	Minimum/Maximum Requirement		
	Landscaped Open Space	Usable Open Space	Maximum Lot Coverage
B1			
Mixed-use	20%	Sec. 5.3.21	-----
B2			
Mixed-use	10% 20%	Sec. 5.3.21	-----
B2A			
Mixed-use <=20,000 sq. ft.	--- 20%	Sec. 5.3.21	-----
Mixed-use >20,000 sq. ft.	10% 20%		-----
B3			
Mixed-use <=20,000 sq. ft.	--- 20%	Sec. 5.3.21	-----
Mixed-use >20,000 sq. ft.	10% 20%		-----
B4			
Mixed-use <=20,000 sq. ft.	----- 20%	Sec. 5.3.21	-----
Mixed-use >20,000 sq. ft.	10% 20%		-----
B5			
Mixed-use <= 20,000 sq. ft.	----- 20%	Sec. 5.3.21	-----
Mixed-use > 20,000 sq. ft.	10% 20%		-----

Zoning Bylaw Amendments for Multi-family Uses and Mixed-Use Additions to the Zoning Bylaw shown in underline format. Deletions shown in ~~strikeout format~~.

ARTICLE 9

**ZONING BYLAW AMENDMENT/
TOWNHOUSES**

To see if the Town will vote to amend the Zoning Bylaw to clarify references to townhouse and to increase the size of a townhouse structure by:

1. Amending SECTION 5.3.14. TOWNHOUSE STRUCTURES paragraph A to increase the size of a townhouse structure to not exceed 200 feet or 8 townhouses in length;
2. Amending SECTION 5.4.2. DIMENSIONAL AND DENSITY REQUIREMENTS to remove references to townhouse and replace with townhouse structure;
3. Amending SECTION 5.4.3. USE REGULATIONS FOR RESIDENTIAL DISTRICTS to remove references to townhouse and replace with townhouse structure;
4. Amending SECTION 5.5.2. DIMENSIONAL AND DENSITY REQUIREMENTS to remove references to townhouse and replace with townhouse structure;
5. Amending SECTION 5.5.3. USE REGULATIONS FOR BUSINESS DISTRICTS to remove references to townhouse and replace with townhouse structure; and
6. Amending SECTION 5.6.3. USE REGULATIONS FOR MU, PUD, I, T, and OS DISTRICTS to remove references to townhouse and replace with townhouse structure.

or take any action related thereto.

(Inserted at the request of the Redevelopment Board)

Amend SECTION 5.3.14. TOWNHOUSE STRUCTURES paragraph A to increase the size of a townhouse structure to not exceed 200 feet or 8 townhouses in length:

Section 5.3.14 Townhouse Structures

A. A townhouse structure shall not exceed ~~150~~ 200 feet or ~~6~~ 8 townhouses in length for a single-story structure nor ~~120~~ feet for that part of the structure more than one story in height.

Amend SECTION 5.4.2. DIMENSIONAL AND DENSITY REQUIREMENTS to remove references to townhouse and replace with townhouse structure:

Section 5.4.2 Dimensional and Density Requirements

A. Tables of Dimensional and Density Regulations

R District Lot Regulations (see 5.4.2(B) for exceptions).

District Use	Minimum Requirement		
	Minimum Lot Area (sq. ft.)	Minimum Lot Area per Unit (sq. ft.)	Minimum Lot Frontage (ft.)
R3			
Single-family detached dwelling, two-family dwelling, duplex dwelling, three-family dwelling; or other permitted structure except townhouse <u>structure</u>	5,000	-----	45
R5			
Townhouse <u>structure</u> , apartment building	20,000 <u>5,000</u>	1,450 <u>1,000</u>	100 <u>50</u>

Zoning Bylaw Amendments for Multi-family Uses and Mixed-Use
Additions to the Zoning Bylaw shown in underline format. Deletions shown in ~~strikeout format~~.

R District Yard and Open Space Requirements (see 5.4.2(B) for exceptions).

District Use	Minimum Requirement		
	Front Yard (ft.)	Side Yard (ft.)	Rear Yard (ft.)
R3			
Single-family detached dwelling, two-family dwelling, duplex dwelling, three-family dwelling; or other permitted structure except <u>townhouse structure</u>	10	One side: min. 10 Sum of two sides: min. 16	20
R5			
<u>Townhouse structure</u> , apartment building	15 <u>10</u>	10+(L/10) <u>15</u>	25 <u>20</u>

R District Open Space and Lot Coverage Regulations (see 5.4.2(B) and 5.3.13(B) for exceptions).

District Use	Minimum / Maximum Requirements		
	Landscaped Open Space (Min.)	Usable Open Space (Min.)	Maximum Lot Coverage
R3			
Single-family detached dwelling, two-family dwelling, duplex dwelling, three-family dwelling; or other permitted structure except <u>townhouse structure</u>	10%	30%	----
R5			
<u>Townhouse structure</u> , apartment building	10% <u>20%</u>	30% <u>-----</u>	----

R District Building Height and Floor Area Ratio Regulations (see 5.4.2(B) for exceptions)

District Use	Maximum Allowed		
	Maximum Height (ft.)	Maximum height (stories)	Maximum Floor Area Ratio (FAR)
R6			
<u>Townhouse structure</u> , apartment building, or office on more than 20,000 sq. ft.	40 <u>55</u> 35 <u>45</u>	4 <u>5</u> 3 <u>4</u>	1.21 <u>1.80</u>

Amend SECTION 5.4.3. USE REGULATIONS FOR RESIDENTIAL DISTRICTS to remove references to townhouse and replace with townhouse structure:

Section 5.4.3 Use Regulations for Residential Districts

Class of Use	R0	R1	R2	R3	R4	R5	R6	R7
Residential								
<u>Townhouse structure</u>				SP	SP	SP	SP	SP

Zoning Bylaw Amendments for Multi-family Uses and Mixed-Use
Additions to the Zoning Bylaw shown in underline format. Deletions shown in ~~strikeout format~~.

Amend SECTION 5.5.2. DIMENSIONAL AND DENSITY REQUIREMENTS to remove references to townhouse and replace with townhouse structure:

Section 5.5.2 Dimensional and Density Regulations

A. Tables of Dimensional and Density Regulations

B District Lot Regulations

District Use	Minimum Requirement		
	Minimum Lot Area (sq. ft.)	Minimum Lot Area per Unit (sq. ft.)	Minimum Lot Frontage (ft.)
B2			
Townhouse <u>structure</u> or apartment building	5,000	1,450	50
B3			
Townhouse <u>structure</u> or apartment building	20,000	600	100
B5^A			
Townhouse <u>structure</u> or apartment building	20,000	550	100

^A The maximum height in feet of any building or buildings may be modified by special permit of the Arlington Redevelopment Board under Section 3.4 of this Bylaw, provided that the total roof area exceeding either maximum height shall be equal to an equal roof area, within the part of the project to which the same height limit applies, that is less than the maximum height so that the total of the products of the horizontal roof area of all roofs times their respective heights shall not exceed the product of the horizontal area of the total roof times the applicable maximum height permitted in the district, and provided further that the height of any roof shall not exceed the applicable maximum height permitted in the district by more than 12 feet.

B District Yard and Open Space Requirements

District Use	Minimum Requirement		
	Front Yard (ft.)	Side Yard (ft.)	Rear Yard (ft.)
B2			
Townhouse <u>structure</u> or apartment building	20	10	20
B3			
Townhouse <u>structure</u> or apartment building	15+(H/10)	(H+L)/6	(H+L)/6
B5			
Townhouse <u>structure</u> or apartment building	15+(H/10)	(H+L)/6 (at least 20 ft.)	(H+L)/6 (at least 20 ft.)

Zoning Bylaw Amendments for Multi-family Uses and Mixed-Use Additions to the Zoning Bylaw shown in underline format. Deletions shown in ~~strikeout format~~.

B District Open Space and Lot Coverage

Use District	Minimum/Maximum Requirement		
	Landscaped Open Space	Usable Open Space	Maximum Lot Coverage
B2			
Townhouse <u>structure</u> or apartment building	10%	20%	-----
B3			
Townhouse <u>structure</u> or apartment building	10%	20%	-----
B5			
Townhouse <u>structure</u> or apartment building	10%	15%	-----

B District Building Height and Floor Area Ratio Regulations

District Use	Maximum Allowed		
	Maximum Height (ft.)	Maximum height (stories)	Maximum Floor Area Ratio (FAR)
B2			
Townhouse <u>structure</u> or apartment building	35	3	1.00
B3			
Townhouse <u>structure</u> or apartment building 20,000 sq. ft.	60 40	5 3	1.40
B5			
Townhouse <u>structure</u> or apartment building	75 40	-----	1.50

Amend SECTION 5.5.3. USE REGULATIONS FOR BUSINESS DISTRICTS to remove references to townhouse and replace with townhouse structure:

5.5.3 Use Regulations for Business Districts

Class of Use	B1	B2	B2A	B3	B4	B5
Residential						
Townhouse <u>structure</u>	SP	SP	SP	SP		SP

Amend SECTION 5.6.3. USE REGULATIONS FOR USE REGULATIONS FOR MU, PUD, I, T, and OS DISTRICTS to remove references to townhouse and replace with townhouse structure:

5.6.3 Use Regulations for MU, PUD, I, T, and OS Districts

Class of Use	MU	PUD	I	T	OS
Residential					
Townhouse <u>structure</u>	SP	SP			

**Zoning Bylaw Amendments for Multi-family Uses and Mixed-Use
Additions to the Zoning Bylaw shown in underline format. Deletions shown in ~~strikeout format~~.**

ARTICLE 10

**ZONING BYLAW AMENDMENT/UPPER-STORY
BUILDING STEP BACKS**

To see if the Town will vote to amend the Zoning Bylaw to adjust the upper-story building step back beginning at the fourth story level or 40 feet above grade by amending SECTION 5.3.17. UPPER-STORY BUILDING STEP BACKS and by amending SECTION 5.3.21. SUPPLEMENTAL REQUIREMENTS IN THE BUSINESS AND INDUSTRIAL DISTRICTS paragraph C to refer to four stories; or take any action related thereto.

(Inserted at the request of the Redevelopment Board)

Amend SECTION 5.3.17. UPPER-STORY BUILDING STEP BACKS to adjust the upper-story building step back beginning at the fourth story level or 40 feet above grade:

5.3.17 Upper-Story Building Step Backs

For buildings more than ~~three~~ four stories in height, an additional 7.5-foot step-back (upper-story building setback) shall be provided beginning at the ~~third~~ fourth story level or ~~30~~ 40 feet above grade, whichever is less. The upper-story step back shall be provided along all building elevations with street frontage, excluding alleys.

Amend SECTION 5.3.21. SUPPLEMENTAL REQUIREMENTS IN THE BUSINESS AND INDUSTRIAL DISTRICTS paragraph C to refer to four stories:

5.3.21 Supplemental Requirements in the Business and Industrial Districts

- C. ~~Upper-Story Setbacks~~ Building Step Back. In any district where the maximum building height exceeds ~~three~~ four stories, upper-story building ~~setbacks~~ step backs shall be required. See 5.3.17 for Upper-Story Building Step Back ~~requirements~~ requirement.

**Zoning Bylaw Amendments for Multi-family Uses and Mixed-Use
 Additions to the Zoning Bylaw shown in underline format. Deletions shown in ~~strikeout format~~.**

ARTICLE 11

**ZONING BYLAW AMENDMENT/REDUCED HEIGHT
 BUFFER AREA**

To see if the Town will vote to amend the Zoning Bylaw to reduce the height buffer area to 25 to 50 feet depending on orientation and to identify the specific requirements to allow application of the higher height limit by amending SECTION 5.3.19. REDUCED HEIGHT BUFFER AREA; or take any action related thereto.

(Inserted at the request of the Redevelopment Board)

Amend SECTION 5.3.19. REDUCED HEIGHT BUFFER AREA to reduce the height buffer area to 25 to 50 feet depending on orientation and to identify the specific requirements to allow application of the higher height limit:

5.3.18 Reduced Height Buffer Area

- A. When two different maximum height limits are specified for the same zoning district in any Table of Dimensional and Density Regulations in this Section 5, the lower limit shall apply to any lot or part of a lot located in a height buffer area unless a finding of the Board of Appeals or the Arlington Redevelopment Board, as applicable, determines that the location, based on site-specific factors, or if the Applicant demonstrates to the satisfaction of the Board of Appeals or the Arlington Redevelopment Board, as applicable, that proximity to it is determined as a specific finding of a special permit that the properties in the adjacent R0, R1, R2, or OS district would not be adversely affected due to existing use or topographic condition will not be detrimental based upon criteria established in Section 3.3.3 and Section 3.3.4. A height buffer area is defined as a lot or part of a lot which is located at a lesser distance from any land, not within a public way, in an R0, R1, R2 or OS district than the following:

Land in R0, R1, R2, OS is located	Lower height shall apply
Between northwest and northeast	Within 200 <u>50</u> feet
Easterly, between northeast and southeast, or westerly between northwest and southwest	Within 150 <u>35</u> feet
Southerly, between southeast and southwest	Within 100 <u>25</u> feet

**Zoning Bylaw Amendments for Multi-family Uses and Mixed-Use
Additions to the Zoning Bylaw shown in underline format. Deletions shown in ~~strikeout format~~.**

ARTICLE 12

**ZONING BYLAW AMENDMENT/CORNER LOT
REQUIREMENTS**

To see if the Town will vote to amend the Zoning Bylaw to add a requirement for corner lots in the R4 through R7 Districts and all Business Districts which requires the minimum street yard to be equal to the front yard depth required by amending SECTION 5.3.8. CORNER LOTS AND THROUGH LOTS; or take any action related thereto.

(Inserted at the request of the Redevelopment Board)

Amend SECTION 5.3.8. CORNER LOTS AND THROUGH LOTS to add a requirement for corner lots in the R4 through R7 Districts and all Business Districts which requires the minimum street yard to be equal to the front yard depth required:

5.3.8 Corner Lots and Through Lots

- A. A corner lot shall have minimum street yards with depths which shall be the same as the required front yard depths for the adjoining lots. However, in the R4, R5, R6, and R7 districts and all of the business (B) districts, a corner lot shall have minimum street yards with depths which shall be the same as the required front yard depths for the district in which the street frontage is located.

Zoning Bylaw Amendments for Multi-family Uses and Mixed-Use Additions to the Zoning Bylaw shown in underline format. Deletions shown in ~~strikeout format~~.

ARTICLE 13

ZONING BYLAW AMENDMENT/APARTMENT BUILDING PARKING REQUIREMENTS

To see if the Town will vote to amend the Zoning Bylaw to reduce the parking requirements for apartment buildings by amending SECTION 6.1.4. TABLE OF OFF-STREET PARKING REGULATIONS to reduce the minimum number of spaces to 1 space per dwelling unit; or take any action related thereto.
(Inserted at the request of the Redevelopment Board)

Amend SECTION 6.1.4. TABLE OF OFF-STREET PARKING REGULATIONS to reduce the minimum number of spaces to 1 space per dwelling unit for apartment buildings:

6.1.4 Table of Off-Street Parking Regulations

Use	Minimum Number of Spaces
Residential Uses	
Apartment building	1 space per efficiency dwelling unit; 1.15 space per 1-bedroom dwelling unit, 1.5 spaces per 2-bedroom dwelling unit, and 2 spaces per 3 or more bedroom dwelling unit, 1 space per dwelling unit and 1 space per 5 units of public housing for the elderly.

Zoning Bylaw Amendments for Multi-family Uses and Mixed-Use Additions to the Zoning Bylaw shown in underline format. Deletions shown in ~~strikeout format~~.

ARTICLE 14

ZONING BYLAW AMENDMENT/PARKING REDUCTION APPLICABILITY

To see if the Town will vote to amend the Zoning Bylaw to include the R7 District in SECTION 6.1.5. PARKING REDUCTION IN BUSINESS, INDUSTRIAL, AND MULTI-FAMILY RESIDENTIAL ZONES; or take any action related thereto.

(Inserted at the request of the Redevelopment Board)

Amend the Zoning Bylaw to include the R7 District in SECTION 6.1.5. PARKING REDUCTION IN BUSINESS, INDUSTRIAL, AND MULTI-FAMILY RESIDENTIAL ZONES:

6.1.5 Parking Reduction in Business, Industrial, and Multi-Family Residential Zones

The Board of Appeals or Arlington Redevelopment Board, as applicable, may allow the reduction of the parking space requirements in the R5, R6, R7, Business, and Industrial Zones to 25 percent of that required in the Table of Off-Street Parking Regulations if the proposed parking is deemed adequate and where Transportation Demand Management practices are incorporated, as evidenced by a Transportation Demand Management Plan approved by the Special Permit Granting Authority. [...]

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Zoning Bylaw Amendments for Accessory Dwelling Units

Additions to the Zoning Bylaw shown in underline format. Deletions shown in ~~strikeout format~~.

ARTICLE 15

ZONING BYLAW AMENDMENT/ACCESSORY DWELLING UNITS

To see if the Town will vote to amend the Zoning Bylaw to allow accessory dwelling units in the R0 and R1 Zoning Districts by amending SECTION 2 DEFINITIONS to define accessory dwelling units; amending SECTION 5.4.3. USE REGULATIONS FOR RESIDENTIAL DISTRICTS to include the use in the table of uses; and creating a new section, SECTION 5.9.2. ACCESSORY DWELLING UNITS, containing standards for accessory dwelling units; or take any action related thereto.

(Inserted at the request of the Redevelopment Board)

Amend SECTION 2 DEFINITIONS to add a definition for accessory dwelling unit:

Accessory Dwelling Unit: An accessory dwelling unit is a wholly-contained dwelling unit located within a single-family dwelling existing within a single-family district at the time of the Building Permit. The accessory dwelling unit is subordinate in size to the principal dwelling unit, and physically separated from it, with its own kitchen, bathroom, and two means of egress, and held under common ownership with the primary dwelling unit.

Amend SECTION 5.4.3. USE REGULATIONS FOR RESIDENTIAL DISTRICTS to include the use in the table of uses:

Class of Use	R0	R1	R2	R3	R4	R5	R6	R7
Accessory Uses								
Accessory dwelling unit	<u>SP</u>	<u>SP</u>						

Create a new section, SECTION 5.9.2. ACCESSORY DWELLING UNITS, containing standards for accessory dwelling units:

5.9.2 Accessory Dwelling Units

A. The Zoning Board of Appeals may grant a special permit for an accessory dwelling unit in a single-family dwelling in the R0 or R1 districts, provided that all of the following conditions are met:

- (1) The lot area shall be at least the minimum required under Section 5 of the Zoning Bylaw;
- (2) The gross floor area of an accessory dwelling unit cannot exceed 33% of the gross floor area of a single-family dwelling as defined in Section 2. In no case shall the gross floor area of the accessory dwelling unit exceed 750 square feet;
- (3) The accessory dwelling unit must be contained within the gross floor area of the dwelling existing at the time of the permit application, except for the addition of a second means of egress or other modification to meet the State Building Code;
- (4) The owner(s) of the structure in which the accessory dwelling unit is located must occupy one of the dwelling units as their primary residence, except for temporary absences of no more than 3 months in any 60-month period;
- (5) No additional off-street parking spaces are required;
- (6) The dwelling shall continue to be treated as a single-family dwelling in an R0 or R1 districts; and
- (7) The minimum occupancy or rental term shall be 90 days.

Zoning Bylaw Amendments for Accessory Dwelling Units

Additions to the Zoning Bylaw shown in underline format. Deletions shown in ~~strikeout format~~.

B. The following procedures apply to accessory dwelling unit:

- (1) No accessory dwelling unit shall be constructed or altered without issuance of a special permit from the Zoning Board of Appeals;
- (2) No accessory dwelling unit shall be occupied prior to issuance of a Certificate of Occupancy by the Building Inspector;
- (3) Prior to the issuance of a Certificate of Occupancy, the owner shall submit to the Building Inspector a notarized affidavit signed under pains and penalties of perjury stating that the owner currently occupies one of the dwelling units on the premises as the owner's primary residence; and
- (4) When a dwelling containing an accessory dwelling unit previously permitted under this Section is sold or otherwise conveyed, the special permit for that accessory dwelling unit shall remain in force only if all requirements of this section continue to be met and the new property owner submits to the Building Inspector a notarized affidavit, signed under the pains and penalties of perjury, stating that the new owner intends to occupy one of the units in the structure as their primary residence, and will continue to do so, except for temporary absences of up to 3 months in any 60-month period.

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Zoning Bylaw Amendments to Affordable Housing Requirements
Additions to the Zoning Bylaw shown in underline format. Deletions shown in ~~strikeout format~~.

ARTICLE 16

**ZONING BYLAW AMENDMENT/
AFFORDABLE HOUSING REQUIREMENTS**

To see if the town will vote to amend the Zoning Bylaw by increasing the affordability requirements contained in Section 8.2 AFFORDABILITY REQUIREMENTS, (such that a greater number of units of affordable would be required for certain projects); or take any action related thereto.

(Steve Revilak and 10 Registered Voters)

Amend Section 8.2.3(A) to increase the affordability requirements:

- A. ~~In any development subject to this Section 8.2, 15% of the dwelling units shall be affordable units as defined in Section 2 of this Bylaw.~~ In any development subject to this Section 8.2, a percentage of the dwelling units shall be affordable units as defined in Section 2 of this Bylaw, where the percentage is given by the following table:

<u>Total Number of Units</u>	<u>Required Affordable Units</u>
<u>0 to 5 units</u>	<u>No affordability requirement</u>
<u>6 to 19 units</u>	<u>15% affordable units</u>
<u>20 units or more</u>	<u>20% affordable units</u>

For purposes of this Section 8.2., each room for renter occupancy in a single-room occupancy building shall be deemed a dwelling unit. In determining the total number of affordable units required, calculation of a fractional unit of 0.5 or more shall be rounded up to the next whole number.

Zoning Bylaw Amendments to Sign Regulations

Additions to the Zoning Bylaw shown in underline format. Deletions shown in ~~strikeout format~~.

ARTICLE 17

ZONING BYLAW AMENDMENT/ SIGN REGULATIONS

To see if the Town will vote to amend the Zoning Bylaw to update the sign regulations in its entirety by; amending SECTION 2 DEFINITIONS to remove and replace the definitions associated with signs, and amending SECTION 6.2 SIGNS to remove and replace the sign regulations in its entirety, or take any action related thereto.

(Inserted at the request of the Redevelopment Board)

Please use the following link to access the Revised Sign Regulations:

<https://www.arlingtonma.gov/Home/ShowDocument?id=45538>

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Zoning Bylaw Amendments to the Floodplain District

Additions to the Zoning Bylaw shown in underline format. Deletions shown in ~~strikeout format~~.

ARTICLE 18

ZONING BYLAW AMENDMENT/FLOODPLAIN DISTRICT

To see if the Town will vote to amend the Zoning Bylaw to update the Floodplain District regulations by amending SECTION 5.7 FLOODPLAIN DISTRICT by making minor corrections to the bylaw in order to be consistent with the Conservation Commission's Town of Arlington Bylaw for Wetland Protection and other associated regulations; or take any action related thereto.

(Inserted at the request of the Redevelopment Board)

Amend SECTION 5.7 FLOODPLAIN DISTRICT to make minor corrections:

5.7 FLOODPLAIN DISTRICT

5.7.1 Purpose

The purpose of Section 5.7 is to:

- A. Protect the health and safety of the occupants of lands subject to seasonal or periodic flooding in the Mill Brook, Alewife Brook, Mystic River, and Mystic Lakes floodplain, as shown on the zoning overlay map of the Town of Arlington.
- B. Prevent the reduction of the water-carrying capacity of streams, brooks, rivers, and drainage courses by prohibiting the destruction or alteration of their natural character, and by preventing encroachment by future development, both public and private, in the floodway. A floodway includes the normal channel of a river or stream and those portions of the floodplains adjoining the normal channel which are reasonably required to carry off the flood flow.
- C. Preserve the natural flood control characteristics and the water storage capacity of the floodplain.
- D. Protect the public from hazard and loss through the regulation of future development of lands adjoining such watercourses.
- E. Protect the safety and purity of water; control and containment of sewage; safety of gas, electric, fuel, and other utilities from breaking, leaking, short-circuiting, grounding, igniting, electrocuting or any other dangers due to flooding.

5.7.2 Boundaries

The Floodplain District is herein established as an overlay district. The District includes all special flood hazard areas within the Town of Arlington designated a Zone A, AE and X on the Middlesex County Flood Insurance Rate Map (FIRM) issued by the Federal Emergency Management Agency (FEMA) for the administration of the National Flood Insurance Program (NDIP). The map panels of the Middlesex County FIRM that are wholly or partially within the Town of Arlington include the following panel numbers: 25017C0412E, 25017C0416E, 25017C0419E, dated June 4, 2010 (Scale 1"=500'). The exact boundaries of the District may be defined by the 1% annual (100 year flood) base flood elevations shown on the FIRM and further defined by the Middlesex County Floor Insurance Study (FIS) report dated June 4, 2010. Said boundary, so determined, shall be presumed accurate. This presumption may be overcome only by credible evidence from a registered professional engineer or other professional competent in such matters. The FIRM and FIS report are incorporated herein by reference and are on file with the Department of Planning and Community Development and Conservation Commission.

5.7.3 Applicability

- A. Any proposed use, structure, development, filling, grading, or excavation within the Floodplain District shall be governed by all regulations of this Section 5.7, G.L. c. 131, § 40, ~~Wetlands~~

Zoning Bylaw Amendments to the Floodplain District

Additions to the Zoning Bylaw shown in underline format. Deletions shown in ~~strikeout format~~.

~~Protection Regulations of the Town Bylaws~~ Town of Arlington Bylaw for Wetlands Protection (Title V, Article 8) and the Town's Wetland Protection Regulations (Regulations) promulgated thereunder, Department of Environmental Protection (DEP) 310 CMR 10.00, Inland Wetlands Restriction (DEP) 310 CMR 13.00, and the section of the State Building Code that addresses floodplain areas, and shall require a building permit. The extent of the Floodplain District shall be determined by the Conservation Commission.

- B. The phrase, "Board of Appeals or Arlington Redevelopment Board, as applicable", shall mean "subject to a special permit from the Board of Appeals or approval from the Arlington Redevelopment Board in the case of activity subject to Section 3.4, Environmental Design Review".

5.7.4 Setback from Open Stream

A building or structure, except for a retaining wall, fence, or bridge, may be set back less than 15 feet by special permit from the Board of Appeals, following consultation with the Arlington Conservation Commission.

5.7.5 Use Regulations

- A. Prohibited Uses. No construction, development, or filling shall be permitted in the regulatory floodway as defined in the Middlesex County FIRMS.
- B. Permitted Uses. The following uses are permitted in the Floodplain District:
- (1) The following outdoor uses shall be permitted as of right provided no buildings or structures are erected:
 - Sales place for flowers as a principal use, garden supplies, agricultural produce, conducted partly or wholly outdoors, commercial greenhouse or garden
 - Farm (except the raising of livestock or poultry, if the farm is on less than five acres of land) or market garden but, unless otherwise exempt under state law, in no case, shall goods or produce be sold that are not the natural products of the premises in question
 - Park, playground, or other outdoor recreational facility not conducted as a private business
 - Country, fishing, tennis, swimming, skating, golf club or other outdoor recreation facility not conducted as a private business
 - Wildlife management areas
 - Foot, bicycle, or horse paths
 - (2) For single-family detached dwellings, two-family dwellings, or duplex dwellings existing on the effective date of this Section is advertised (August 28, 1975), the expansion of these (or their accessory) uses to a maximum of 15% of the lot coverage existing when this section is enacted, provided that such expansions conform to this Section 5 and do not constitute substantial improvement of a structure. Substantial improvement means any repair, reconstruction, or improvement of a structure, the cost of which exceeds 50% of the actual cash value of the structure either (a) before the improvement is started, or (b) if the structure has been damaged and is being restored, before the damage occurred. Structures erected or expanded under this Section 5.7 shall use construction materials and utility equipment that are resistant to flood damage, and construction methods and practices that will minimize flood damage.
- C. Special Permit. The following shall require a special permit from the Board of Appeals or Arlington Redevelopment Board, as applicable.

Zoning Bylaw Amendments to the Floodplain District

Additions to the Zoning Bylaw shown in underline format. Deletions shown in ~~strikeout format~~.

- (1) The proposed use, including filling or excavating, when combined with all existing uses, will not increase the water surface in the 1% base flood elevation.
- (2) The proposed use shall comply with the most stringent of the following regulations as amended in Massachusetts Wetlands Protection Regulations, Department of Environmental Protection (DEP), 310 CMR 10.00 and Inland Wetlands Restriction (DEP) 310 CMR 13.00 and in the ~~Conservation Commission's Wetlands Regulations promulgated under the Arlington Wetlands Bylaw~~ Town of Arlington Bylaw for Wetlands Protection (Title V, Article 8) and the Wetland Protection Regulations (Regulations) promulgated thereunder.
- (3) Base Flood Elevation Data is required for proposals or other developments greater than 50 lots or five acres, whichever is the lesser, within ~~unnumbered A Zones~~ A Zones where the base flood elevation has not been established.

The provisions of this subsection shall not apply to the reconstruction or repair of a structure unless it constitutes substantial improvements existing prior to August 28, 1975 after a fire or other casualty. However, major repairs shall use construction materials and utility equipment that are resistant to flood damage and construction methods and practices that will minimize flood damage.

- (4) In Zones A and AE, along watercourses that have not had a regulatory floodway designated, the best available Federal, State, local, or other floodway data shall be used to prohibit encroachments in floodways which would result in any increase in flood levels within the community during the occurrence of the base flood discharge.

5.7.6 Procedures

- A. ~~Application.~~ Applicants for a special permit shall be made to the Board of Appeals or the Arlington Redevelopment Board, as applicable, in accordance with its rules and regulations. The application for a special permit shall be filed in accordance with Section 3.
- B. The Board shall hold a public hearing in accordance with Section 3.3 of this Bylaw and G.L. c. 40A, §§ 9 and 11.
- C. ~~The Board shall not take final action on an application for a special permit until it has received a report from the Building Inspector, the Board of Health, the Conservation Commission, Town Engineer, and the Arlington Redevelopment Board (if applicable) or until 35 days have elapsed after receipt of such application and plans without submission of a report.~~
- D. ~~The Board may, as a condition of approval, require that effective notice be given to prospective purchasers, by signs or otherwise, of past flooding of said premises, and the steps undertaken by the petitioner or his successor in title to alleviate the effects of the same.~~
- E. ~~No occupancy permit shall be issued for special permit uses under this Section until the Building Inspector and the Board of Health, the Conservation Commission, Board of Appeals, and Arlington Redevelopment Board have received a certified plan showing the foundation and flood elevations, elevations of the completed construction, and until all requirements of all permits are satisfied.~~

5.7.7 Areas, Open Space, and Yard Regulations

The portion of any lot within the Floodplain District may be used to meet the lot area, open space and yard requirements for the district in which the remainder of the lot is situated.

Zoning Bylaw Amendments to the Floodplain District

Additions to the Zoning Bylaw shown in underline format. Deletions shown in ~~strikeout format~~.

5.7.8 Exemptions

- A. Where a proposed use is determined to fall within the limits of the Floodplain District and the applicant determines that the location is not included in the definition of the Floodplain District, said use may be exempt by the Board of Appeals or Arlington Redevelopment Board, as applicable, from the provisions of this section if the applicant provides sufficient evidence for the applicable Board to determine that the land in question should not be subject to the provisions of this Section.
- B. If it is determined that an area of significant size should no longer be included within the Floodplain District due to a natural or man-made event which has altered the boundary, the floodline determining the boundaries of the Floodplain District may be changed with approval from Town Meeting provided the new floodline to be adopted has been established in accordance with accepted engineering practice and certified by a registered professional engineer.

~~5.7.9 Notification of Alteration~~

~~In a riverine situation, the Director of Planning and Community Development shall notify the following of any alteration or relocation of a watercourse:~~

- ~~• Chief Executive Officers in Adjacent Communities~~

- ~~• NFIP State Coordinator
Massachusetts Department of Conservation and Recreation
251 Causeway Street, Suite 600-700
Boston, MA 02114-2104~~

- ~~• NFIP Program Specialist
Federal Emergency Management Agency, Region I
99 High Street, 6th Floor
Boston, MA 02110~~

Zoning Bylaw Amendments to the Inland Wetland District

Additions to the Zoning Bylaw shown in underline format. Deletions shown in ~~strikeout format~~.

ARTICLE 19

**ZONING BYLAW AMENDMENT/INLAND
WETLAND DISTRICT**

To see if the Town will vote to amend the Zoning Bylaw to streamline and update the Inland Wetland District regulations by amending SECTION 5.8 INLAND WETLAND DISTRICT by making minor corrections to the bylaw in order to be consistent with the Conservation Commission’s Town of Arlington Bylaw for Wetland Protection and other associated regulations; or take any action related thereto.

(Inserted at the request of the Redevelopment Board)

Amend SECTION 5.8 INLAND WETLAND DISTRICT to make minor corrections:

5.8 INLAND WETLAND DISTRICT

5.8.1 Purpose

The purpose of Section 5.8 is to:

- A. Preserve and protect the streams, water bodies, and other watercourses, including wetlands, in the Town of Arlington.
- B. Protect the health and safety of persons and property against the hazards of flooding and contamination.
- C. Preserve and maintain the groundwater table for potential water supply purposes.
- D. Protect the community against the detrimental use and development of lands adjoining such watercourses.
- E. Conserve the watershed areas in Arlington for the health, safety, and welfare of the public.

5.8.2 Definition

The Inland Wetland District is superimposed over any other district established by this Bylaw and includes the following areas:

- A. All lands within the elevations shown on the Wetland and Floodplain Overlay Map of the Zoning Map and designated as wetlands. These include lakes, ponds and swamps.
- B. All land area along all perennial rivers, brooks, and streams for a horizontal distance of 25200 feet from the center line thereof are included in the Inland Wetland District.
- C. All lands designated on the zoning map as having a shallow depth to water table. These lands are the poorly and very poorly drained mineral soils, and very poorly drained soils formed in organic deposits. Poorly drained mineral soils have a water table at or near the surface for at least 7 to 9 months during the year. The water table remains at or close to the surface of very poorly drained mineral and organic soils throughout most of the year.

5.8.3 Applicability

Any proposed use to be located within the limits of the Inland Wetland District as determined by the ~~Inspector of Buildings~~Building Inspector under Section ~~3.053.1~~3.053.1 of this Bylaw shall be governed by all regulations of this Section as well as all other applicable provisions of this Bylaw.

5.8.4 Permitted Uses

Municipal use, such as waterworks, pumping stations, and parks, is permitted under this section. Land in the Inland Wetland District may be used for any purpose otherwise permitted in the underlying district except that:

- A. No structure intended for human occupancy or use on a permanent basis having water and sewerage facilities and no other building, wall, dam or structure (except flagpoles, signs, and the

Zoning Bylaw Amendments to the Inland Wetland District

Additions to the Zoning Bylaw shown in underline format. Deletions shown in ~~strikeout format~~.

like) intended for permanent use shall be erected, constructed, altered, enlarged, or otherwise created or moved for any purpose unless a Special Permit from the ~~ZBA~~Board of Appeals or, in cases subject to Environmental Design Review, a Special Permit from the ~~ARB~~Arlington Redevelopment Board, is issued. However, a structure existing at the time this Bylaw becomes effective may be reconstructed or repaired after a fire or other casualty, as provided in Section ~~9.068.1.8~~ of this Bylaw.

- B. Dumping, filling, excavating, or transferring of any earth material within the district is prohibited unless a Special Permit from the ~~ZBA~~Board of Appeals or, in cases subject to Environmental Design Review, a Special Permit from the ~~ARB~~Arlington Redevelopment Board, is issued. However, this paragraph does not prohibit ordinary gardening activities in lawn or garden areas which are used for such purposes at the time this Bylaw became effective.
- C. No ponds or pools shall be created or other changes in watercourses, for swimming, fishing, or other recreational uses, agricultural uses, scenic features, or drainage improvements or any other uses unless a Special Permit from the ~~ZBA~~Board of Appeals or, in cases subject to Environmental Design Review, a Special Permit from the ~~ARB~~Arlington Redevelopment Board, is issued.

5.8.5 Procedures

~~Any person(s) desiring such a permit shall submit an application to the ZBA or, in cases subject to Environmental Design Review, to the ARB, which shall comply with the conditions and submittal requirement as listed in the following subsections. Application for a special permit shall be filed in accordance with the rules and regulations of the Special Permit Granting Authority and G.L. c. 40A, as outlined in Section 3. (Such conditions shall include, where applicable, approval by the Board of Appeals, Arlington Redevelopment Board, Conservation Commission, the Massachusetts Department of Environmental Protection, and/or the Massachusetts Department of Public Works Transportation under Chapter 131 of the General Laws, acts relating to the protection of the inland wetlands of the Commonwealth.) The application procedure shall be the same as for special permits. Copies of the application for special permit with accompanying plans shall also be sent to the Inspector of Buildings, Board of Health, the Conservation Commission, Town Engineer, and, if applicable, the ARB for their recommendations as to their approval, disapproval or appropriate recommendations.~~

5.8.6 Development Conditions

- A. For the development of land within the Inland Wetland District, the following conditions shall apply:
 - (1) A minimum of six test borings to a minimum depth of eight (8) feet shall be taken; three of which shall be within the area of the proposed structure and three within 25 feet of the outside walls of the structure, but not closer than 10 feet. A report by a soil scientist or qualified engineer shall accompany the test data.
 - (2) The floor level of areas to be occupied by human beings as living or work space shall be four (4) feet above the seasonal high water table and not subject to periodic flooding.
 - (3) If the basement floor level is below the seasonal high water table and affords the possibility of human occupancy at some future date, although not originally intended, adequate perimeter drainage and foundation shall be installed to withstand the effect of pressure and seepage. Furnace and utilities are to be protected from the effects of leaching.

Zoning Bylaw Amendments to the Inland Wetland District

Additions to the Zoning Bylaw shown in underline format. Deletions shown in ~~strikeout format~~.

- (4) Safe and adequate means of vehicular and pedestrian passage shall be provided in the event of flooding of the lot(s) or adjacent lot(s) caused by either the overspill from water bodies or high runoff.
- B. The developer shall show that the proposed development will not endanger health and safety, including safety of gas, electricity, fuel, and other utilities from breaking, leaking, short-circuiting, grounding, igniting or electrocuting; shall not obstruct or divert flood flow; substantially reduce natural floodwater storage capacity; destroy valuable habitat for wildlife; adversely affect groundwater resources or increase storm water run-off velocity so that water levels on other land are substantially raised or the danger from flooding increased.

DRAFT

Zoning Bylaw Amendments to Codify Dover Amendment Reviews
Additions to the Zoning Bylaw shown in underline format. Deletions shown in ~~strikeout format~~.

ARTICLE 20

**ZONING BYLAW AMENDMENT/REVIEW OF
RELIGIOUS AND EDUCATIONAL USES**

To see if the Town will vote to amend the Zoning Bylaw to clarify the process by which the Town reviews religious and educational uses by:

1. Amending SECTION 3.4 ENVIRONMENTAL DESIGN REVIEW to remove paragraph J referring to religious and educational uses;
2. Adding a new SECTION 3.5 RELIGIOUS AND EDUCATIONAL USE REVIEW that codifies an administrative review process that is consistent with M.G.L. Chapter 40A, Section 3;
3. Amending SECTION 5.4.3. USE REGULATIONS FOR RESIDENTIAL DISTRICTS to clarify notes which refer to educational and religious uses;
4. Amending SECTION 5.5.3. USE REGULATIONS FOR BUSINESS DISTRICTS to clarify notes which refer to educational and religious uses; and
5. Amending SECTION 5.6.3. USE REGULATIONS FOR MU, PUD, I, T, AND OS DISTRICTS to clarify notes which refer to educational and religious uses.

or take any action related thereto.

(Inserted at the request of the Redevelopment Board)

Amend SECTION 3.4 ENVIRONMENTAL DESIGN REVIEW to remove paragraph J referring to religious and educational uses:

~~J.—Use of land or structures for religious purposes or for educational purposes on land owned or leased by the commonwealth or any of its agencies, subdivisions or bodies politic or by a religious sect or denomination, or by a nonprofit educational corporation; or the use of land or structures for a child care facility; provided, however, as provided and limited by the provisions of G.L. c. 40A, § 3, that the Board’s authority shall be limited to reasonable regulation of the bulk and height of structures and determining yard sizes, lot area, setbacks, open space, parking, and building coverage requirements.~~

Add a new SECTION 3.5 RELIGIOUS AND EDUCATIONAL USE REVIEW that codifies an administrative review process that is consistent with M.G.L. Chapter 40A, Section 3:

3.5 RELIGIOUS AND EDUCATIONAL USE REVIEW

3.5.1 Purposes

The purpose of Section 3.5 is to provide for reasonable regulation of religious, non-profit educational, and child care facilities used primarily for such purposes consistent with G.L. c. 40A, §3. Specifically, reasonable regulation refers to the bulk and height of structures and in determining yard sizes, lot area, setbacks, open space, parking, and building coverage requirements. When applying reasonable regulation, the Town shall not unreasonably impede the protected use without appreciably advancing the goals of the Arlington Master Plan or other development plans and policies of the Town.

3.5.2 Procedures

- A. Building Inspector Review: To determine whether a religious, non-profit educational, or child care facility use is protected under G.L. c. 40A, §3, the property owner or agent of an owner

Zoning Bylaw Amendments to Codify Dover Amendment Reviews
Additions to the Zoning Bylaw shown in underline format. Deletions shown in ~~strikeout format~~.

shall submit to the Building Inspector such information necessary to make the following findings:

- (1) That the applicant has sufficiently demonstrated that the proposed use of the property or structures is for a religious, non-profit educational, or child care purpose, or appropriate combination thereof; and
- (2) That the applicant has sufficiently demonstrated that the proposed use of the property or structure for these purposes is the principal use.

B. Department of Planning and Community Development Review: If the applicant has satisfied the Building Inspector per Section 3.5.2.A., the Building Inspector shall inform the Department of Planning and Community Development (“Department”) that a given application is appropriate for administrative review for the purposes set forth in Section 3.5.1. The Department shall apply those requirements allowed by G.L. c. 40A, §3, in a reasonable fashion within the specific context of the proposed project as an administrative permitting process with the following responsibilities:

- (1) The applicant bears the burden of establishing that the application of a given regulation should be waived, reduced, or altered as unreasonable within the specific facts of both the site and the proposed use; and
- (2) The Department bears the burden of applying only those regulations in accordance with the goals of the Arlington Master Plan or other development plans and policies of the Town.

3.5.3 Appeal

An appeal to the Board of Appeals or the Arlington Redevelopment Board may be taken by any person aggrieved due to the determination of the Building Inspector or the Department, as provided in G.L. c. 40A, § 8 and § 15.

Amend SECTION 5.4.3 USE REGULATIONS FOR RESIDENTIAL DISTRICTS to clarify notes which refer to educational and religious uses:

Class of Use	R0	R1	R2	R3	R4	R5	R6	R7
Residential								
Dormitory (Note: permitted See Section 3.5 if use is for educational or religious purposes)			SP	SP	SP	SP	SP	SP
Institutional, Educational								
Community center, youth club, adult education center, or similar facility operated by a non-profit institution (Note: permitted See Section 3.5 if use is for educational or religious purposes.)	SP							
Library, museum, or art gallery open to the public and not conducted as a private gainful business. (Note: permitted See Section 3.5 if use is	SP							

Zoning Bylaw Amendments to Codify Dover Amendment Reviews

Additions to the Zoning Bylaw shown in underline format. Deletions shown in ~~strikeout format~~.

Class of Use	R0	R1	R2	R3	R4	R5	R6	R7
for educational or religious purposes.)								

Amend SECTION 5.5.3 USE REGULATIONS FOR BUSINESS DISTRICTS to clarify notes which refer to educational and religious uses:

Class of Use	B1	B2	B2A	B3	B4	B5
Residential						
Dormitory (Note: permitted <u>See Section 3.5</u> if use is for educational or religious purposes.)	Y	Y	Y	Y	Y	Y
Institutional, Educational						
Community center, youth club, adult education center, or similar facility operated by a non-profit institution (Note: permitted <u>See Section 3.5</u> if use is for educational or religious purposes.)	SP	SP		SP		SP
Library, museum, or art gallery open to the public and not conducted as a private gainful business. (Note: permitted <u>See Section 3.5</u> if use is for educational or religious purposes.)	SP	SP	SP	SP		SP

Amend SECTION 5.6.3 USE REGULATIONS FOR MU, PUD, I, T, AND OS DISTRICTS to clarify notes which refer to educational and religious uses:

Class of Use	MU	PUD	I	T	OS
Residential					
Dormitory (Note: permitted <u>See Section 3.5</u> if use is for educational or religious purposes)	SP	SP			

Notes

^B But permitted by right if accessory to a use exempt under G.L. c. 40A, § 3. See Section 3.5.

Zoning Bylaw Amendments to Bicycle Parking

Additions to the Zoning Bylaw shown in underline format. Deletions shown in ~~strikeout format~~.

ARTICLE 21

ZONING BYLAW AMENDMENT/BICYCLE PARKING

To see if the Town will vote to amend the Zoning Bylaw to update the bicycle parking standards by amending SECTION 6.1.12. BICYCLE PARKING to remove and replace the section in its entirety; or take any action related thereto.

(Inserted at the request of the Redevelopment Board)

Amend the Zoning Bylaw to update the bicycle parking standards by amending SECTION 6.1.12. BICYCLE PARKING to remove and replace the section in its entirety:

6.1.12 Bicycle Parking

- ~~A. Bicycle parking spaces shall be provided for any development subject to Section 3.4, Environmental Design Review and any use requiring eight or more vehicle parking spaces under Section 6.1.4. The bicycle parking requirement will be determined based on the number of motor vehicle parking spaces which have been permitted by the Board of Appeals or Arlington Redevelopment Board, as applicable. The requirements of this section may be modified by the applicable Board if it finds that for the use and location, a modification is appropriate and in the best interest of the town.~~
- ~~B. When bicycle parking is required, there will be one bicycle parking space per 15 motor vehicle spaces under Section 6.1.4. The computed number of bicycle parking spaces will be rounded up to the nearest whole number of bicycle spaces. Bicycle parking spaces shall be provided in addition to motor vehicle parking spaces.~~
- ~~C. When bicycle parking is required, there will be a minimum of two spaces provided, and not more than 20 bicycle spaces will be required at a single site.~~
- ~~D. A bicycle rack or bicycle storage fixture or structure shall accommodate a bicycle six feet in length and two feet wide. Bicycle racks or storage fixtures must be secured against theft by attachment to a permanent surface. Bicycle parking apparatus shall be installed in a manner that will not obstruct pedestrian or motor vehicle traffic.~~
- ~~E. To the extent feasible, bicycle parking shall be separated from motor vehicle parking to minimize the possibility of bicycle or auto damage.~~
- ~~F. The following uses are exempt from bicycle parking requirements: places of worship, cemetery, funeral home, automotive repair shop, car wash, or gas station.~~
- A. Bicycle parking spaces shall be provided for any development subject to Section 3.4, Environmental Design Review and any use requiring eight or more vehicle parking spaces under Section 6.1.4. The Board of Appeals or the Arlington Redevelopment Board, as applicable, may modify the requirements of this Section based on specific conditions unique to the proposal.
- B. When bicycle parking is required long-term and short-term bicycle parking spaces shall be provided:
 - (1) Long-term bicycle parking shall be intended primarily to serve residents, employees, or other persons who would require storage of a bicycle for a substantial portion of the day, for an overnight period, or for multiple days; however, it may serve other bicycle users as needed. Long-term bicycle parking is typically located within an enclosed, limited-access area designed so as to protect bicycles from precipitation and from theft.
 - (2) Short-term bicycle parking shall be intended primarily to serve visitors, such as retail patrons, making trips of up to two hours to a particular use; however, it may serve other

Zoning Bylaw Amendments to Bicycle Parking

Additions to the Zoning Bylaw shown in underline format. Deletions shown in ~~strikeout format~~.

bicycle users as needed. Short-term bicycle parking is typically located in a publicly accessible area near pedestrian entrances to the use they are intended to serve.

- C. The minimum number of bicycle parking spaces shall be as set forth in the following table. The computed number of bicycle parking spaces will be rounded up to the nearest whole number. Bicycle parking spaces shall be provided in addition to the off-street parking space requirements of Section 6.1.4.

<u>Use</u>	<u>Minimum Number of Long-Term Bicycle Parking Spaces</u>	<u>Minimum Number of Short-Term Bicycle Parking Spaces</u>
<u>Residential Uses</u>		
Single-, two-, or three-family dwelling	<u>No minimum</u>	<u>No minimum</u>
Apartment building	<u>1 space per dwelling unit</u>	<u>0.10 spaces per dwelling unit</u>
Assisted living residence	<u>0.5 spaces per dwelling unit</u>	<u>0.05 spaces per dwelling unit</u>
Single-room occupancy building	<u>1 space per dwelling unit</u>	<u>0.10 spaces per dwelling unit</u>
Group home	<u>0.5 spaces per bed</u>	<u>0.05 spaces per bed</u>
<u>Business or Industrial Use</u>		
Hotel/motel	<u>0.02 spaces per sleeping room</u>	<u>0.05 spaces per sleeping room</u>
Other retail or service use	<u>0.10 spaces per 1,000 sq. ft. of gross floor area</u>	<u>0.60 spaces per 1,000 sq. ft. of gross floor area</u>
Office, business or professional	<u>0.30 spaces per 1,000 sq. ft. of gross floor area</u>	<u>0.50 spaces per 1,000 sq. ft. of gross floor area</u>
Wholesale business and storage	<u>0.80 spaces per 1,000 sq. ft. of gross floor area</u>	<u>0.06 spaces per 1,000 sq. ft. of gross floor area</u>
Manufacturing, Light	<u>0.80 spaces per 1,000 sq. ft. of gross floor area</u>	<u>0.06 spaces per 1,000 sq. ft. of gross floor area</u>
Office, medical or clinic	<u>0.30 spaces per 1,000 sq. ft. of gross floor area</u>	<u>0.50 spaces per 1,000 sq. ft. of gross floor area</u>
<u>Institutional, Educational Use</u>		
Auto sales, similar retail and service establishments with extensive display areas that are unusually extensive in relation to consumer traffic	<u>0.08 spaces per 1,000 sq. ft. of gross floor area</u>	<u>0.06 spaces per 1,000 sq. ft. of gross floor area</u>
Hospital	<u>0.20 spaces per 1,000 sq. ft. of gross floor area</u>	<u>0.10 spaces per 1,000 sq. ft. of gross floor area</u>
Nursing home	<u>0.5 spaces per bed</u>	<u>0.05 spaces per bed</u>
Non-exempt educational use	<u>0.30 spaces per classroom or 0.015 spaces per auditorium seat, whichever is greater</u>	<u>1.70 spaces per classroom or 0.085 spaces per auditorium seat, whichever is greater</u>
Other school	<u>0.30 spaces per classroom or 0.015 spaces per auditorium seat, whichever is greater</u>	<u>1.70 spaces per classroom or 0.085 spaces per auditorium seat, whichever is greater</u>
<u>Public, Recreational or Entertainment</u>		
Municipal facility	<u>0.30 spaces per 1,000 sq. ft. of gross floor area</u>	<u>0.50 spaces per 1,000 sq. ft. of gross floor area</u>

Zoning Bylaw Amendments to Bicycle Parking

Additions to the Zoning Bylaw shown in underline format. Deletions shown in ~~strikeout format~~.

<u>Use</u>	<u>Minimum Number of Long-Term Bicycle Parking Spaces</u>	<u>Minimum Number of Short-Term Bicycle Parking Spaces</u>
<u>Indoor Motion Picture Theater, restaurant, gymnasium, auditorium or similar place of public assembly with seating facilities</u>	<u>0.20 spaces per 1,000 sq. ft. of gross floor area</u>	<u>1 space per 1,000 sq. ft. of gross floor area</u>
<u>Health club or indoor athletic facility</u>	<u>0.10 spaces per 1,000 sq. ft. of gross floor area</u>	<u>1 space per 1,000 sq. ft. of gross floor area</u>
<u>Utility, Transportation, Communications</u>		
<u>Public utility</u>	<u>0.08 spaces per 1,000 sq. ft. of gross floor area</u>	<u>0.06 spaces per 1,000 sq. ft. of gross floor area</u>
<u>Transportation terminal</u>	<u>0.08 spaces per 1,000 sq. ft. of gross floor area</u>	<u>0.06 spaces per 1,000 sq. ft. of gross floor area</u>
<u>Other Uses</u>		
<u>Mixed-use</u>	<u>Sum of uses computed separately</u>	
<u>Any other use permitted in this Bylaw</u>	<u>Closest similar use as shall be interpreted to be covered by this table, as determined by the Building Inspector</u>	

D. When bicycle parking is required, there shall be a minimum of two spaces provided, and not more than 30 bicycle spaces shall be required at a single site. The first ten bicycle parking spaces shall reduce the minimum number of off-street parking spaces required in Section 6.1.4 by one space. Each additional ten bicycle parking spaces so provided shall further reduce said off-street parking space requirement by one space, to a maximum reduction of 3 off-street parking spaces.

E. The general requirements for bicycle parking shall be:

- (1) A bicycle rack or bicycle storage fixture or structure shall accommodate a bicycle at least six feet in length and two feet wide;
- (2) Bicycle racks or storage fixtures must be secured against theft by attachment to a permanent surface;
- (3) Bicycle parking apparatus shall be installed in a manner that will not obstruct pedestrian or motor vehicle traffic;
- (4) To the extent feasible, bicycle parking shall be separated from motor vehicle parking to minimize the possibility of bicycle or auto damage; and
- (5) Bike racks or posts shall be capable of securing a standard bicycle frame and one wheel using a common U-type security lock without the need to remove either wheel. Bicycle racks designed to hold a bicycle by its front wheel alone shall not be considered to meet the bicycle parking requirements of this Section.

F. Bicycle parking designed in the following manner shall not be permitted, unless otherwise allowed by the Special Permit Granting Authority:

- (1) Storage that requires bicycles to be lying down or requiring a kickstand to remain upright;
- (2) Bicycles that must be hung with one or both wheels suspended in the air; or
- (3) Bicycles that must be lifted off of the ground or floor without any physical assistance.

Zoning Bylaw Amendments to Bicycle Parking

Additions to the Zoning Bylaw shown in underline format. Deletions shown in ~~strikeout format~~.

G. The location of bicycle parking spaces shall follow the following requirements:

- (1) When off-street parking is provided in a garage or is covered, long-term bicycle parking shall be provided in a garage, covered, or inside a building in proportion to the number of garaged or covered off-street parking spaces on the site; and
- (2) Short-term bicycle parking shall be located within 50 feet of the main entrance of a building or no further away than the nearest off-street parking space, whichever is closer.

DRAFT

Zoning Bylaw Amendments to Correct Citations

Additions to the Zoning Bylaw shown in underline format. Deletions shown in ~~strikeout format~~.

ARTICLE 22

**ZONING BYLAW AMENDMENT/CORRECTING
CITATION ERRORS**

To see if the Town will vote to amend the Zoning Bylaw to correct section references and other typographical errors in;

1. Correcting reference to Section 5.5 in SECTION 3.2.2. POWERS;
2. Correcting reference to Section 5 in SECTION 3.3.4. SPECIAL PERMIT CONDITIONS;
3. Correcting references to Section 8.13 and Section 10.11 in SECTION 3.4.4. ENVIRONMENTAL DESIGN REVIEW STANDARDS;
4. Correcting reference to Section 3.05 in SECTION 5.8.3. APPLICABILITY; and
5. Correcting reference to Section 9.06 in SECTION 5.8.4. PERMITTED USES;

or take any action related thereto.

(Inserted at the request of the Redevelopment Board)

Amend SECTION 3.2.2. POWERS to correct a citation:

- C. To hear and decide, in accordance with the provisions of G.L. c. 40A, § 6, applications for special permits to change, alter, or extend lawfully pre-existing non-conforming uses and structures to the extent allowed by Section ~~5-58.1~~.

Amend SECTION 3.3.4. SPECIAL PERMIT CONDITIONS to correct a citation:

- A. Dimensional standards more restrictive than those set forth in Section ~~75~~ of this Bylaw;

Amend SECTION 3.4.4. ENVIRONMENTAL DESIGN REVIEW STANDARDS to correct two citations:

- D. Circulation. With respect to vehicular, pedestrian and bicycle circulation, including entrances, ramps, walkways, drives, and parking, special attention shall be given to location and number of access points to the public streets (especially in relation to existing traffic controls and mass transit facilities), width of interior drives and access points, general interior circulation, separation of pedestrian and vehicular traffic, access to community facilities, and arrangement of vehicle parking and bicycle parking areas, including bicycle parking spaces required by Section ~~8-136.1.12~~ that are safe and convenient and, insofar as practicable, do not detract from the use and enjoyment of proposed buildings and structures and the neighboring properties.
- E. Surface Water Drainage. Special attention shall be given to proper site surface drainage so that removal of surface waters will not adversely affect neighboring properties or the public storm drainage system. Available Best Management Practices for the site should be employed, and include site planning to minimize impervious surface and reduce clearing and re-grading. Best Management Practices may include erosion control and stormwater treatment by means of swales, filters, plantings, roof gardens, native vegetation, and leaching catch basins. Stormwater should be treated at least minimally on the development site; that which cannot be handled on site shall be removed from all roofs, canopies, paved and pooling areas and carried away in an underground drainage system. Surface water in all paved areas shall be collected at intervals so that it will not obstruct the flow of vehicular or pedestrian traffic, and will not create puddles in the paved areas.

Zoning Bylaw Amendments to Correct Citations

Additions to the Zoning Bylaw shown in underline format. Deletions shown in ~~strikeout format~~.

In accordance with Section ~~10.11, b3.3.4~~, the Board may require from any applicant, after consultation with the Director of Public Works, security satisfactory to the Board to insure the maintenance of all stormwater facilities such as catch basins, leaching catch basins, detention basins, swales, etc. within the site. The Board may use funds provided by such security to conduct maintenance that the applicant fails to do.

The Board may adjust in its sole discretion the amount and type of financial security such that it is satisfied that the amount is sufficient to provide for the future maintenance needs.

Amend SECTION 5.8.3. APPLICABILITY to correct a citation:

5.8.3 Applicability

Any proposed use to be located within the limits of the Inland Wetland District as determined by the Inspector of Buildings under Section ~~3.053.1~~ of this Bylaw shall be governed by all regulations of this Section as well as all other applicable provisions of this Bylaw.

Amend SECTION 5.8.4. PERMITTED USES to correct a citation:

- A. No structure intended for human occupancy or use on a permanent basis having water and sewerage facilities and no other building, wall, dam or structure (except flagpoles, signs, and the like) intended for permanent use shall be erected, constructed, altered, enlarged, or otherwise created or moved for any purpose unless a Special Permit from the ZBA or, in cases subject to Environmental Design Review, a Special Permit from the ARB, is issued. However, a structure existing at the time this Bylaw becomes effective may be reconstructed or repaired after a fire or other casualty, as provided in Section ~~9.06-8.1.8~~ of this Bylaw.

Zoning Bylaw Amendments to Support the Publication of Supporting Documentation - ZBA Additions to the Zoning Bylaw shown in underline format. Deletions shown in ~~strikeout format~~.

ARTICLE 23

**ZONING BYLAW AMENDMENT/PUBLICATION
OF SUPPORTING DOCUMENTATION – ZONING BOARD OF APPEALS**

To see if the Town will vote to require the Zoning Board of Appeals to publish, on the town website, supporting documentation pertaining to items on its agenda; or take any action related thereto.

(Paul Schlichtman and 10 Registered Voters)

Draft zoning language will be forthcoming by article filer.

DRAFT

Zoning Bylaw Amendments to the Definition of Story, Half

Additions to the Zoning Bylaw shown in underline format. Deletions shown in ~~strikeout format~~.

ARTICLE 24

**ZONING BYLAW AMENDMENT/
DEFINITION OF STORY, HALF**

To see if the Town will vote to amend the Zoning Bylaw to amend the definition of Story, Half by amending SECTION 2 DEFINITIONS to reduce the defined height of a half story from 7 feet 3 inches to 7 feet so that the definition reads “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 or more.”

(Inserted at the request of Elizabeth Pyle and 10 registered voters)

Amend Section 2 for definition of Story, Half as follows:

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.

DRAFT

Zoning Bylaw Amendments to Driveway Slope

Additions to the Zoning Bylaw shown in underline format. Deletions shown in ~~strikeout format~~.

ARTICLE 25

**ZONING BYLAW AMENDMENT/
DRIVEWAY SLOPE**

To see if the Town will vote to amend the Zoning Bylaw to amend the maximum allowable driveway slope by amending SECTION 6.1.10.A. LOCATION OF PARKING SPACES to require that the maximum allowable driveway slope cannot exceed 15% for the entire length of said driveway so that the provision reads “Any driveway leading to off-street parking on a lot shall not exceed a 15% downward slope for the entire length of said driveway, except by Special Permit.”

(Inserted at the request of Elizabeth Pyle and 10 registered voters)

Amend Section 6.1.10(A) as follows:

- A. Parking in Residential Districts. For single-family, two-family, duplex, and three-family dwellings, off-street parking shall not be permitted in the area between the front lot line and the minimum front setback except on a driveway not exceeding 20 feet in width leading to the required parking space(s). Off-street parking is permitted in (1) the side yard and rear yard on a paved driveway, or in the case of a corner lot of less than 6,000 square feet in the longer of the two front yards, up to a maximum of 24 feet in width, or (2) in an attached or detached garage, or (3) within the foundation of a dwelling provided the garaging is specifically designed for that purpose. ~~Any driveway leading to off-street parking on a lot cannot exceed a 15% downward slope, as measured from the farthest point from the front property line, except by Special Permit.~~ Any driveway leading to off-street parking on a lot shall not exceed a 15% downward slope for the entire length of said driveway, except by Special Permit. A space designed for parking within an existing garage is determined to meet the requirements of an off-street parking space. Side yards used for parking shall have a vegetated buffer when abutting a lot used for residential purposes, to minimize visual impacts.

Frequently Asked Questions Minor and Administrative Corrections to the Zoning Bylaw

What are the administrative corrections proposed? Three warrant articles refer to minor and administrative corrections to the Zoning Bylaw, including:

1. **Article 18:** This article seeks to make minor corrections to the Floodplain District of the Zoning Bylaw (Section 5.7). This section has not been substantially revised except for light editing during the recodification process in 2017. The purpose of the minor corrections is to refer to the correct title of the Conservation Commission's Town of Arlington Bylaw for Wetlands Protection, to make the section internally consistent with the Zoning Bylaw, and correct incorrect section references.
2. **Article 19:** This article seeks to make minor corrections to the Inland Wetland District of the Zoning Bylaw (Section 5.8). This section has not been substantially revised except for light editing during the recodification process in 2017. The purpose of the minor corrections is to refer to the correct title of the Conservation Commission's Town of Arlington Bylaw for Wetlands Protection, to make the section internally consistent with the Zoning Bylaw, and correct incorrect section references.
3. **Article 22:** This article seeks to correct six instances where references to Zoning Bylaw sections refer to the pre-recodified Zoning Bylaw.

Do these revisions change the review process? No, the review process will not change. The minor corrections described in Article 18 and Article 19 are to make the sections of the Zoning Bylaw consistent with the more stringent Arlington Conservation Commission requirements. Additionally, specific to Article 19, the proposed amendments to Section 5.7.6 to refer to Section 3 of the Zoning Bylaw are consistent with the revisions made during the recodification process to ensure internal consistency. The detailed procedures related to special permits are outlined in the Zoning Board of Appeals and the Redevelopment Board rules and regulations. Both boards may need to update the rules and regulations. Finally, Article 22 is purely administrative.

How can I learn more? The Arlington Redevelopment Board will hold hearings on all of the zoning articles on the Town Meeting Warrant on Mondays in March: March 4, March 11, March 18, and March 25. The public hearings will be held in the Senior Center, 27 Maple Street, beginning at 7:30 PM. It is anticipated that the amendments related to multi-family and mixed-use will begin on March 11. Informal office hours will be held on Thursdays, March 14 and March 21, 5 PM-7 PM, in the Town Hall Annex First Floor Conference Room. Finally, the DPCD will also hold neighborhood meetings tentatively scheduled for March 28 at Peirce School, April 3 at Thompson School, April 4 at Hardy School, and April 10 at Brackett School, all beginning at 7 PM. These dates are still pending confirmation from the School Department.

Frequently Asked Questions Accessory Dwelling Unit Zoning Amendments

Why is the zoning amendment to allow accessory dwelling units important to Arlington? Accessory dwelling units provide opportunities to accommodate a family member or an unrelated renter in a smaller unit wholly-contained within an existing single-family home. The [2016 Housing Production Plan](#) recommends amending the Zoning Bylaw to facilitate a range of housing types. In recent years, very few new housing options have been created in the community leading to a lack of housing diversity. This type of housing would not change the architectural integrity and neighborhood open space available because the accessory dwelling unit would be contained within an existing single-family home.

How will allowing accessory dwelling units address this problem? Accessory dwelling units would help create more housing options for a range of demographics in the community, such as seniors, multi-generational households, individuals with disabilities, lower income households, and singles, as well as potentially create an income stream for the primary homeowner. By allowing these types of units within existing single-family homes subject to certain restrictions, the amendments can create more housing options for a range of households.

What are the proposed amendments? The amendments described in [Article 15](#) include the following:

1. A definition for accessory dwelling units as wholly-contained within a single-family home. The accessory unit is subordinate, physically separated from the primary residence, has its own kitchen and bathroom, and two means of egress;
2. Allows the use in only the R0 and R1 zoning districts;
3. Requires the primary dwelling to be owner-occupied without extended absences; and
4. Establishes procedures for approval of an accessory dwelling unit with a special permit from the Zoning Board of Appeals (ZBA); and
5. Addresses the sale of single-family homes with an accessory dwelling unit.

What is the review process for an accessory dwelling unit? Applicants who would like to add an accessory dwelling unit to their existing single-family home must seek a special permit from the ZBA. This is a public review process and owners of properties located within 300 feet of any proposed accessory dwelling unit are notified when there is a public hearing.

What criteria will a homeowner need to follow to create an accessory dwelling unit? It is important for homeowners to understand the following requirements and procedures:

- General Requirements
 - The lot area shall be at least the minimum required;
 - The gross floor area of an accessory dwelling unit cannot exceed 33% of the gross floor area of a single-family dwelling and cannot exceed 750 square feet;
 - The accessory dwelling unit must be contained within the gross floor area of the dwelling existing at the time of the permit application, except for the addition of a second means of egress or other modification to meet the State Building Code;
 - The owner(s) of the structure in which the accessory dwelling unit is located must occupy one of the dwelling units as their primary residence, except for temporary absences of no more than three months in any 60-month period;
 - No additional off-street parking spaces are required;
 - The dwelling shall continue to be treated as a single-family dwelling in an R0 or R1 districts; and
 - The minimum occupancy or rental term shall be 90 days.
- Procedures:
 - A special permit is required from the ZBA;
 - A certificate of occupancy for the accessory dwelling unit is required; and
 - A notarized affidavit must be submitted indicating that the property owner lives in the other unit as their primary residence.

Frequently Asked Questions Accessory Dwelling Unit Zoning Amendments

What happens if a single-family home with an accessory dwelling unit is sold? When a single-family home containing an accessory dwelling unit is sold, the special permit for that accessory dwelling unit will remain valid. However, the new property owner must demonstrate that all requirements of the Zoning Bylaw continue to be met and that the new property owner submits a notarized affidavit that he or she intends to occupy one of the units as the primary residence.

The ARB referred this warrant article to the Residential Study Group for feedback. The [Residential Study Group](#) is a sub-committee of the [Master Plan Implementation Committee](#) (MPIC). The MPIC was formed to direct and facilitate the goals of the [Master Plan](#), and has a number of sub-committees that are tasked with specific items to implement the Plan. The Residential Study Group is particularly interested in the integrity of established low-density residential neighborhoods in Arlington, and will be providing valuable feedback to the ARB in advance of the public hearing.

Accessory dwelling units would only be allowed in the R0 and R1 District by Special Permit. The accessory dwelling unit must be entirely contained in a single-family home and cannot be located in any detached structure on the same lot. The single-family home must be the primary residence of the homeowner as well.

Not sure which zoning district you are in? You can find your zoning district by searching your address in the [online Property Search](#).

How can I learn more? The Arlington Redevelopment Board will hold hearings on all of the zoning articles on the Town Meeting Warrant on Mondays in March: March 4, March 11, March 18, and March 25. The public hearings will be held in the Senior Center, 27 Maple Street, beginning at 7:30 PM. It is anticipated that the amendments related to multi-family and mixed-use will begin on March 11. Informal office hours will be held on Thursdays, March 14 and March 21, 5 PM-7 PM, in the Town Hall Annex First Floor Conference Room. Finally, the DPCD will also hold neighborhood meetings tentatively scheduled for March 28 at Peirce School, April 3 at Thompson School, April 4 at Hardy School, and April 10 at Brackett School, all beginning at 7 PM. These dates are still pending confirmation from the School Department.

Frequently Asked Questions Bicycle Parking Zoning Amendments

Why are proposed zoning amendments for bicycle parking important to Arlington? The current bicycle parking requirements are tied to motor vehicle parking requirements, referred to as off-street parking space requirements in the Zoning Bylaw. When the standards are tied to the off-street parking space requirements, the net effect is a limited amount of bicycle parking created. Through reviews conducted by the Arlington Redevelopment Board (ARB), the requirements have been conditions of approval on an ad-hoc basis without consistent application.

How will the proposed bicycle parking amendments address this problem? By creating specific thresholds and criteria for bicycle parking based upon land use (e.g., retail, residential, etc.), the ARB and the Zoning Board of Appeals (ZBA), as applicable, can apply a consistent process with clear results.

What are the proposed amendments? Article 21 amends Section 6.1.12 of the Zoning Bylaw to update the bicycle parking requirements in its entirety. The proposed amendments establish standards for long-term and short-term bicycle parking. Long-term bicycle parking shall be intended primarily to serve residents, employees, or other persons who would require storage of a bicycle for a substantial portion of the day, for an overnight period, or for multiple days. Short-term bicycle parking shall be intended primarily to serve visitors, such as retail patrons, making trips of up to two hours to a particular use. An incentive is allowed in the amendments: for each 10 bicycle parking spaces, one off-street parking space may be reduced from the requirement, up to three spaces. The amendments establish general requirements for bicycle parking and location standards, as well as identifying what would be considered unacceptable bicycle parking. Finally, the amendments allow the ARB or the ZBA, as applicable, to modify the requirements of the section based on specific conditions that are unique to the proposal.

What is the review process for new projects? The review process remains the same as prior. It is limited to projects that trigger the ARB's Environmental Design Review process or for projects that have eight or more off-street parking spaces.

What criteria will property and/or business owners need to follow for new projects? It is important for property and/or business owners to understand that the following standards will apply:

- General Requirements:
 - A bicycle rack or bicycle storage fixture or structure shall accommodate a bicycle at least six feet in length and two feet wide;
 - Bicycle racks or storage fixtures must be secured against theft by attachment to a permanent surface;
 - Bicycle parking apparatus shall be installed in a manner that will not obstruct pedestrian or motor vehicle traffic;
 - To the extent feasible, bicycle parking shall be separated from motor vehicle parking to minimize the possibility of bicycle or auto damage; and
 - Bike racks or posts shall be capable of securing a standard bicycle frame and one wheel using a common U-type security lock without the need to remove either wheel.
- Location Standards:
 - Covered or secured long-term bicycle parking is required in proportion to the number of off-street parking spaces that are secured or covered; and
 - Short-term bicycle parking should be within 50 feet of a main entrance or no further away than vehicle parking.

Additionally, if Town Meeting adopts the revised bicycle parking section, DPCD will create a guidebook that also provides clear instruction on the process, what is allowed, and other aesthetic standards that will be helpful for property and/or business owners to understand from the beginning of a new project.

How can I learn more? The Arlington Redevelopment Board will hold hearings on all of the zoning articles on the Town Meeting Warrant on Mondays in March: March 4, March 11, March 18, and March 25. The public hearings will be held in the Senior Center, 27 Maple Street, beginning at 7:30 PM. It is anticipated that the amendments related to multi-family and mixed-use will begin on March 11. Informal office hours will be held on Thursdays, March 14 and March 21, 5 PM-7 PM, in the Town Hall Annex First Floor Conference Room. Finally, the DPCD will also hold neighborhood meetings tentatively scheduled for March 28 at Peirce School, April 3 at Thompson School, April 4 at Hardy School, and April 10 at Brackett School, all beginning at 7 PM. These dates are still pending confirmation from the School Department.

Frequently Asked Questions Zoning Amendments to Codify Dover Amendment Reviews

Why are the zoning amendments to codify the Dover Amendment important to Arlington? The “Dover Amendment” refers to certain protections that religious, non-profit educational, and childcare facilities receive under the Massachusetts Zoning Act, [General Law, chapter 40A, section 3](#) which are not clearly prescribed for the Zoning Bylaw. For example, the tables that identify what uses are allowed in what zoning districts appear to indicate that these types of uses require a special permit or are prohibited in the Town of Arlington. The state law limits review of religious, non-profit educational, and childcare facilities to the reasonable regulation of bulk and height of structures and in determining yard sizes, lot area, setbacks, open space, parking, and building coverage requirements. This limitation is described in Section 3.4 of the Zoning Bylaw, but being associated with the Arlington Redevelopment Board’s (ARB) Environmental Design Review seems to indicate that a special permit is required.

How will the proposed revisions to the Zoning Bylaw address this problem? The proposed amendments make clear that religious, non-profit educational, and childcare facilities do not need to seek an Environmental Design Review special permit from the ARB. The proposed amendments outline a procedure for review that was developed in consultation with Arlington Town Counsel in a new bylaw section.

What are the proposed amendments? Article 20 includes the following elements:

- Removes the requirement for an Environmental Design Review special permit from the ARB;
- Creates a new section, Section 3.5, that codifies how the review is limited to reasonable regulation of bulk and height of structures and in determining yard sizes, lot area, setbacks, open space, parking, and building coverage requirements;
- Sets out the expectations for Town Officials and applicants; and
- Clarifies the notes within the use tables to refer readers to Section 3.5 where an applicant can clearly see the review requirements.

What is the review process for religious, non-profit educational, and childcare facilities? The applicant must first demonstrate to the Building Inspector that the proposed use of the property or structures is for a religious, non-profit educational, or child care purpose, or appropriate combination thereof. The applicant then must demonstrate to the Department of Planning and Community Development (DPCD) that a given regulation should be waived, reduced, or altered as it would be otherwise unreasonable. DPCD must apply only those regulations that serve a legitimate municipal purpose as described in the Zoning Bylaw. Unreasonable can be described as detracting from the usefulness of a structure, imposing excessive costs, or impairing the character of a proposed structure.

Where in Arlington can this happen? A religious, non-profit educational, or childcare facility may be established in any zoning district that requires a special permit or prohibits the use. However, if the applicant cannot successfully demonstrate that the proposed use is a religious, non-profit educational, or childcare facility and that is the primary use, a special permit and public review process would still be required or the use would be prohibited as required by the Zoning Bylaw.

How can I learn more? The Arlington Redevelopment Board will hold hearings on all of the zoning articles on the Town Meeting Warrant on Mondays in March: March 4, March 11, March 18, and March 25. The public hearings will be held in the Senior Center, 27 Maple Street, beginning at 7:30 PM. It is anticipated that the amendments related to multi-family and mixed-use will begin on March 11. Informal office hours will be held on Thursdays, March 14 and March 21, 5 PM-7 PM, in the Town Hall Annex First Floor Conference Room. Finally, the DPCD will also hold neighborhood meetings tentatively scheduled for March 28 at Peirce School, April 3 at Thompson School, April 4 at Hardy School, and April 10 at Brackett School, all beginning at 7 PM. These dates are still pending confirmation from the School Department.

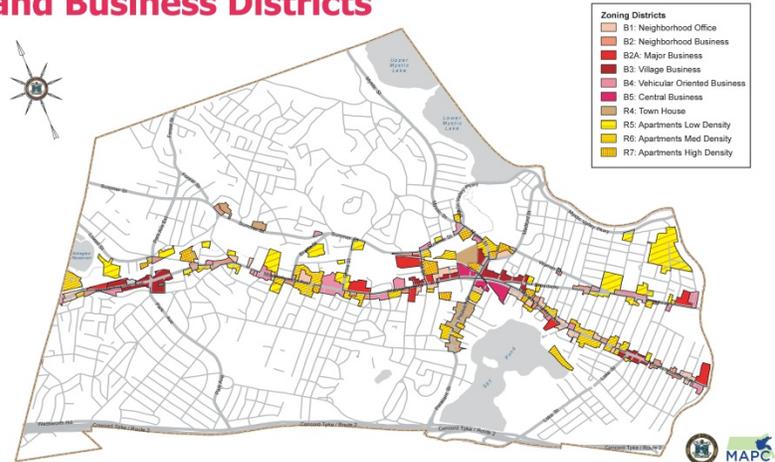
Frequently Asked Questions

Zoning Amendments for Multi-family and Mixed-use

Why are zoning amendments for multi-family uses and mixed-use important to Arlington? The [Master Plan](#) and the [Housing Production Plan](#), adopted in 2015 and 2016 respectively, were prepared through extensive public processes in the community. Both of these plans acknowledge changing demographics in the community and the need to create more housing on transportation corridors where access to Arlington's amenities is convenient while protecting valuable natural resources and open space. In recent years, very few different types of housing have been created in the community leading to a lack of housing diversity in the community. As a result, there is extremely limited potential for the creation of affordable units, which is [demonstrated by the marginal increase in the State inventory of affordable units](#).

How will the proposed zoning amendments address this problem? Over time, zoning changes have been adopted that resulted in decreasing varied housing options for the community. The proposed zoning amendments will enable economically-feasible infill development to occur in Arlington that would provide attractive housing options for a range of households, such as older, single adults or young families. These demographics align with trends in Arlington and the greater-Boston area; smaller households. The proposed amendments focus on the town's transportation corridors in the higher-density residential districts (R4 through R7) and the Business Districts. The [Zoning Map](#) shows these districts along the major roadways, including Mass Ave, Broadway, and some areas along Summer Street and Pleasant Street.

Medium & High Density Residential Districts and Business Districts



What are the proposed amendments? The Metropolitan Area Planning Council (MAPC) and a working group studied the existing Zoning Bylaw to identify challenges. Through an analysis of properties, recommendations to address the identified challenges were developed to encourage economically-feasible infill development. After consideration of the recommendations, the Arlington Redevelopment Board (ARB) moved forward with the following zoning amendments:

1. Density and dimensional adjustments ([Articles 6 and 7](#)) to make these requirements consistent with existing development and at a scale appropriate for major roadways;
2. Open space adjustments ([Article 8](#)) to eliminate the requirement for usable open space and increase the requirement for landscaped open space, as well as offering flexibility in what is considered open space;
3. Adjust the definition of townhouse structures ([Article 9](#)) to better distribute individual townhouses within a single structure;
4. Require the upper-story building step back ([Article 10](#)) at the fourth story consistent with increases in the maximum height allowed;
5. Reduce the height buffer distances ([Article 11](#)) to retain reasonable relief for adjacent low-density districts without effectively lowering the maximum height allowed;
6. Adjust how street yards are calculated on corner lots ([Article 12](#)); and
7. Reduce the number of parking spaces per unit for multi-family uses to one space per unit ([Article 13](#)) and allow the R7 District to be considered for transportation demand management ([Article 14](#)).

Frequently Asked Questions Zoning Amendments for Multi-family and Mixed-use

What is the review process for new development projects? The ARB will continue to review multi-family and mixed-use projects through the Environmental Design Review (EDR) Special Permit. In reviewing projects subject to EDR, the ARB applies the following standards, described in [Section 3.4 of the Zoning Bylaw](#): preservation of natural landscape; relationship of buildings to the environment; open space; circulation; stormwater drainage; utility service; advertising features; special features that may require additional screening; safety; heritage; microclimate; and sustainable building and site design. Additionally, where applicable and as is done currently, the [Conservation Commission](#) would review projects under the Massachusetts Wetland Protection Act and the Town of Arlington Bylaw for Wetland Protection, and the [Historic Districts Commission](#) and/or the [Historical Commission](#) would review exterior modifications or demolition of historic structures under their respective jurisdictions.

What criteria will property owners need to follow? In addition to responding to the EDR Special Permit standards described above, property owners must follow the [Design Standards for the Town of Arlington](#). The Design Standards are broken into seven concept areas that can address aspects of new development that shape the visual environment: building setbacks; building height; relationship of the building to the street and sidewalk; parking and access; connections and linkages; façade and materials; and signage and wayfinding.

These amendments do not impact properties located in the R0, R1, R2, or R3 low-density residential districts, or the Planned Unit Development District, Industrial District, Multi-use District, Open Space District, or the Transportation District. However, unique conditions of adjacent properties, particularly low-density residential districts and the Open Space District, can be addressed during the public review process and owners of properties located within 300 feet of any proposed development are notified when there is a public hearing.

Not sure which zoning district you are in? You can find your zoning district by searching your address in the [online Property Search](#).

What types of homes might be developed? All types of homes could be developed including rentals and condominiums that have a mix of number of bedrooms with no restriction on tenure. Some of the homes could be affordable to families with different incomes. Other homes will be affordable to households making up to 80% of the area median income or \$73,000 for a three person household, \$64,900 for a two person household, or \$56,800 for an individual as defined by the Zoning Bylaw.

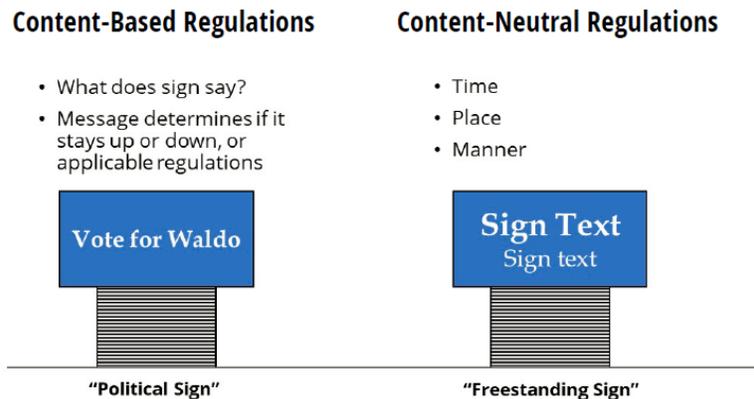
How much housing will be developed? In March 2019, an analysis showing the total development potential for housing, as well as affordable units required by the Zoning Bylaw, and commercial space will be available. Additionally, shadow studies and other visualizations will be available at that time.

How can I learn more? The Arlington Redevelopment Board will hold hearings on all of the zoning articles on the Town Meeting Warrant on Mondays in March: March 4, March 11, March 18, and March 25. The public hearings will be held in the Senior Center, 27 Maple Street, beginning at 7:30 PM. It is anticipated that the amendments related to multi-family and mixed-use will begin on March 11. Informal office hours will be held on Thursdays, March 14 and March 21, 5 PM-7 PM, in the Town Hall Annex First Floor Conference Room. Finally, the DPCD will also hold neighborhood meetings tentatively scheduled for March 28 at Peirce School, April 3 at Thompson School, April 4 at Hardy School, and April 10 at Brackett School, all beginning at 7 PM. These dates are still pending confirmation from the School Department.

Frequently Asked Questions Sign Bylaw Zoning Amendments

Why is the Sign Bylaw zoning amendments important to Arlington? Dating back to the [Zoning Audit](#) prepared for the Master Plan in 2015 and a [second Audit](#) prepared as part of the recodification process in 2017, concerns regarding usability and clarity as well as inconsistencies with the Supreme Court case [Reed v. Town of Gilbert](#) were identified. As such, the Town contracted with Lisa Wise Consulting (LWC) to draft new sign regulations that are well-organized, straightforward to understand and administer, consistent with state and federal law, and representative of best practices. To date, LWC and staff interviewed stakeholders, held a public forum, provided a draft analysis, discussed the analysis with Redevelopment Board members, provided an Analysis and Recommendations Report, and drafted amendments. The Department of Planning and Community Development (DPCD) is overseeing this process with input and assistance from the Town's Zoning Bylaw Working Group and Town Counsel.

What is the importance of Reed v. Town of Gilbert? The importance of the *Reed v. Town of Gilbert* case is to ensure that all regulations for permanent and temporary signs are legally-defensible and consistent with applicable federal and State requirements. The Supreme Court case determined that in order to be content-neutral, the sign regulations must be based on "time, place, and manner" restrictions, rather than by making distinctions based on the message the sign conveys. These restrictions, as the name suggests, limit the length of time, the manner, and place or location of a sign as shown below:



How will the proposed revision of the Sign Bylaw address this problem? The proposed amendment of the sign section of the Zoning Bylaw will create content-neutral regulations that will not run afoul of First Amendment rights. The revisions make the Bylaw more modern, clear, and easy to use by all. The revisions create consistency across zoning districts to facilitate review by DPCD and Inspectional Services. Finally, the new standards and illustrations for different property types and sign districts within the Town are included in the new Bylaw section.

What are the proposed amendments? [Article 17](#) is the complete revision of Section 6.2 of the Zoning Bylaw. Starting with stakeholder engagement and a detailed review of the existing Sign Bylaw, LWC prepared a [Sign Regulations Analysis and Recommendations Report](#) which laid the groundwork for the revised bylaw. Although the section has been entirely reorganized, many of the existing standards are carried forward into easy to use tables and illustrations. The revised sign section is outlined as follows:

- Section 6.2.1: General Provisions, including the purpose, authority, and exemptions, among other items;
- Section 6.2.2: Procedures that lay out the process for obtaining a sign permit, a temporary sign permit, and a sign special permit;
- Section 6.2.3: General Restrictions for All Signs, including prohibited signs and location and display restrictions;
- Section 6.2.4: General Requirements for All Signs, including measurement, illumination, installation, and maintenance;
- Section 6.2.5: Standards for Permanent Signs, including standards for each type of building-mounted and freestanding permanent sign and where these types of signs are allowed;
- Section 6.2.6: Standards for Temporary and Portable Signs, including standards for each type of temporary and portable sign and where these types of signs are allowed; and

Frequently Asked Questions Sign Bylaw Zoning Amendments

- Section 6.2.7: Nonconforming Signs, including how signs that do not meet the requirements of the bylaw are handled.

Definitions in Section 2 of the Zoning Bylaw have been updated and a number of new definitions have been included for clarity. Additionally, [Article 26](#) is a companion article that moves standards for signs out of the Town Bylaw and consolidates those standards into the Zoning Bylaw.

What is the review process for new signs? The review process remains the same as prior, but there are clear instructions in the proposed amendments. A Sign Permit application for a permanent sign must be submitted to Inspectional Services for zoning review and is then referred to DPCD for review. If all standards are met, the Sign Permit is issued. The proposed amendments also clarify the process for a temporary Sign Permit. These proposed amendments help all to understand what is expected for new signage based on the standards developed by type of sign.

What criteria will property and/or business owners need to follow for new signage? It is important for property and/or business owners to understand that zoning districts are grouped into Sign Districts as follows:

Sign District	Zoning Districts
Residential Sign District	Large Lot Single-Family District (R0), Single-Family District (R1), Two-Family District (R2), Three-Family District (R3)
Residential/Business Sign District	Townhouse District (R4), Apartment District/Low Density (R5), Apartment District/Medium Density (R6), Apartment District/High Density (R7), Neighborhood Office District (B1), Neighborhood Business District (B2)
Business Sign District	Major Business District (B2A), Village Business District (B3), Vehicular Oriented Business District (B4), Central Business District (B5)
Industrial Sign District	Industrial District (I), Transportation District (T)
Multi-Use Sign District	Multi-Use District (MU), Planned Unit Development (PUD)
Open Space Sign District	Open Space District (OS)

Based on a property’s sign district, certain types of building-mounted and freestanding permanent signs as well as temporary and portable signs are allowed as described. Clear standards and illustrations provide the specific details of each type of sign that a property and/or business owner may want to install. Additionally, if Town Meeting adopts these revisions, DPCD will create a guidebook that also provides clear instruction on the process, what is allowed, and other aesthetic standards that will be helpful for property and/or business owners to understand from the outset of a new sign project.

Not sure which zoning district you are in? You can find your zoning district by searching your address in the [online Property Search](#).

How can I learn more? The Arlington Redevelopment Board will hold hearings on all of the zoning articles on the Town Meeting Warrant on Mondays in March: March 4, March 11, March 18, and March 25. The public hearings will be held in the Senior Center, 27 Maple Street, beginning at 7:30 PM. It is anticipated that the amendments related to multi-family and mixed-use will begin on March 11. Informal office hours will be held on Thursdays, March 14 and March 21, 5 PM-7 PM, in the Town Hall Annex First Floor Conference Room. Finally, the DPCD will also hold neighborhood meetings tentatively scheduled for March 28 at Peirce School, April 3 at Thompson School, April 4 at Hardy School, and April 10 at Brackett School, all beginning at 7 PM. These dates are still pending confirmation from the School Department.

Article 17: Guide to Arlington Sign Regulations Update

Prepared by the Department of Planning and Community Development
February 14, 2019

This guide is a companion to [Article 17](#) to describe in detail the proposed revisions to Section 6.2 of the Town of Arlington Zoning Bylaw, particularly where and why sections were moved, edited, or added. The goals of this effort are to update the sign regulations so that they:

- 1) Are modern, easy to use, and organized;
- 2) Are consistent with state and federal law, including the U.S. Supreme Court's June 2015 decision in the *Reed v. Town of Gilbert (Reed)* sign case;
- 3) Respond to the town's needs by establishing clear and effective standards with flexibility for certain conditions, when warranted;
- 4) Establish standards appropriate for different property types and geographies in the town, including signs in the town's historic districts; and
- 5) Are informed by meaningful engagement by the public and local stakeholders.

This guide consists of a table organized to be reviewed by row; each row represents a section of the Sign regulations. Along each row there are four columns. The first two columns identify the section and title of provisions in the current section. The third column identifies the corresponding section in the in the revised bylaw. The fourth column summarizes proposed changes. Please note that all proposed amendments to definitions can be found at the end of this document.

The goal of the project is create sign regulations that are content-neutral; easier for all to read, use, and apply; includes clear administration and permitting procedures; incorporates updated sign definitions; incorporates illustrations to help explain regulations; establishes standard for permanent and temporary signs by zoning district; incorporates regulations for new sign types; and will continue to be located in the Zoning Bylaw as Section 6.2 (Signs).

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Existing Zoning Bylaw Section	Existing Zoning Bylaw Title	Proposed Zoning Bylaw Section	Amendment Summary
	General / all		<p>Revisions that have been made across all sections of the existing sign bylaw include:</p> <ul style="list-style-type: none"> • Updating language and terminology to reflect code writing best practices, for example: <ul style="list-style-type: none"> ○ Terms such as “thereof” and “such” are no longer used. ○ “Must” is used to impose a condition or standard, and “shall” is used to impose a duty (e.g. The Building Inspector shall review all applications for a sign permit.) ○ References to departments and department directors have been updated to reflect the current organizational structure of the town. ○ Regulations have been updated to be gender-neutral. • Illustrations have been added to clarify and improve the usability of the regulations. • Text was simplified, duplicative text was removed, and appropriate cross-references were checked and inserted.
6.2.1	Purpose	6.2.1(A)	<p>This section was retained with updates to the language. The existing section 6.2.1 is now part of a multi-part section, 6.2.1 (General Provisions); subsections are described below:</p> <ul style="list-style-type: none"> • 6.2.1(A): Purpose – establishes the purpose of the sign regulations • 6.2.1(B): Authority – establishes the authority to implement the regulations of the sign regulations • 6.2.1(C): Applicability – establishes how the sign regulations apply • 6.2.1(D): Substitutions and Interpretations • 6.2.1(E): Exemptions – identifies conditions under which certain signs are exempt from the regulations • 6.2.1(F): Severability – important legal provision to provide a severability clause
6.2.2	Applicability	6.2.1(C)	<p>Moved to a new subsection of Section 6.2.1, and expanded to articulate the conditions under which a sign is exempt from the Sign Bylaw and point the reader to specific locations where relevant sign requirements are listed. The revised text further reinforces the right to free speech: picket/protest signs are exempted from the sign bylaw.</p>
6.2.3	Administration	6.2.2	<p>This section was renamed as Section 6.2.2 (Procedures) and expanded to include the administrative procedures for sign permits from the existing section 6.2.10(A) through (C) (Sign Permits and Maintenance) and the special permit process from the existing section 6.2.11 (Special Permits). The revisions include clear descriptions of the steps in the process</p>

Article 17: Guide to Arlington Sign Regulations Update

Existing Zoning Bylaw Section	Existing Zoning Bylaw Title	Proposed Zoning Bylaw Section	Amendment Summary
			<p>and identification of which official(s) or review authorities have responsibility for reviewing and issuing permits for signs.</p> <p>The revised Section 6.2.2 is organized as follows:</p> <ul style="list-style-type: none"> • 6.2.2(A): Sign Permits – explains that permits are required for all permanent signs including for most revisions to existing signs. This section also explains that sign programs will now be reviewed by Inspectional Services and DPCD, clearly describes the process for applications, and the process by which the need for any additional permits (e.g. electrical or structure) will be identified. • 6.2.2(B): Temporary Sign Permits - establishes the permit requirements for temporary/portable signs, the allowed duration for a temporary sign to be posted, and the review and approval process for temporary signs. • 6.2.2(C): Sign Special Permits – explains the process by which a sign special permit may be applied for an reviewed. • 6.2.2(D): Appeals – includes the procedures for appeals.
6.2.4	General Regulations	6.2.4	<p>This section was renamed as 6.2.4 (General Requirements for All Signs). It has been revised to eliminate and rewrite content-based regulations for uses such as membership clubs, community facilities, funeral establishments, public utilities, places of public assembly, premises for sale or lease, and home occupation signs, and content-based sign standards to ensure consistency with <i>Reed</i>. The regulations for permanent signs are now organized by sign type, with tables and supporting graphics which illustrate how the regulations are applied.</p> <p>Additionally, a number of the subsections in the existing section pertain to exemptions, prohibited signs, display restrictions, and procedures. These subsections have been moved as follows:</p> <ul style="list-style-type: none"> • 6.2.4(A), (G), (H), (J), (P), and (Q) have been moved to 6.2.1(E) (Exemptions). • 6.2.4(B) and (C) have been moved to 6.2.3(B) (Prohibited Signs). • 6.2.4(C), (D), and (E) have been moved to 6.2.3(C) (Sign Illumination). • 6.2.4(F) and (K) have been rewritten to comply with <i>Reed</i> and moved to 6.2.5 (Standards for All Permanent Signs).

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Existing Zoning Bylaw Section	Existing Zoning Bylaw Title	Proposed Zoning Bylaw Section	Amendment Summary
			<ul style="list-style-type: none"> • 6.2.4(L) has been moved to 6.2.6 (Standards for Portable Signs and Temporary Signs). • 6.2.4(M) has been moved to 6.2.2(B)(2) (Duration of Temporary Sign Permit). • 6.2.4(N) has been moved to 6.2.2(C) (Sign Special Permits). • 6.2.4(O) has been moved to 6.2.5(C) (Allowed Sign Types by Sign District). <p>The revised Section 6.2.4 is organized as follows:</p> <ul style="list-style-type: none"> • 6.2.4(A): Sign Message –statement regarding a sign message and substitution of a sign message. • 6.2.4(B): Sign Measurement – establishes the rules for measuring sign area and sign height by sign type. • 6.2.4(C): Sign Illumination – expands and updates the existing illumination standards. • 6.2.4(D): Neon and Single-Color LED Signs – establishes standards for neon or single-color LED signs. • 6.2.4(E): Structure and Installation – establishes standards for sign structures and sign installation. • 6.2.4(F): Sign Maintenance – establishes standards for sign maintenance.
6.2.5	Prohibited Signs	6.2.3(B)	<p>This section has been reorganized as a subsection under 6.2.3 (General Restrictions for All Signs). Content-based regulations have been rewritten or removed to comply with <i>Reed</i>. A number of restrictions in existing bylaw have been incorporated into the new subsection 6.2.3(A) (Location Restrictions), as they are not outright prohibitions.</p> <p>Specific changes to the existing section are as follows:</p> <ul style="list-style-type: none"> • Portable signs are prohibited in the existing bylaw; those that comply with new regulations outlined in the proposed Section 6.2.4 (General Requirements for All Signs) will now be allowed as per Section 6.2.3(B)(9) and 6.2.6. • 6.2.5(F) addresses windows signs; this was moved to section 6.2.5(D)(11) (Standards for Permanent Signs; Window Sign) to consolidate standards for all permanent sign types in a single location. • Painted signs are prohibited in the existing bylaw per 6.2.5(H); those that comply with new regulations outlined in the proposed section 6.2.4 (General Requirements for All Signs) and 6.2.5(D)(10) will now be allowed.

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Existing Zoning Bylaw Section	Existing Zoning Bylaw Title	Proposed Zoning Bylaw Section	Amendment Summary
			<ul style="list-style-type: none"> • Signs projecting into public right-of-way (specifically over the sidewalk) are now allowed in all business zones, so long as they maintain the clearance requirements established in the proposed Section 6.2.5(D) (Standards for all Permanent Building-Mounted Sign Types). <p><i>Location Restrictions</i></p> <ul style="list-style-type: none"> • 6.2.5(I), (J), and (K) have been moved to 6.2.3(A) (Location Restrictions). • The existing bylaw has been expanded in section 6.2.3(A) (Location Restrictions) to regulate signs facing and within the Minuteman Bikeway (6.2.3(A)(1)). • Restrictions have been expanded to address signs off premises, signs on fuel tanks, storage containers, solid waste receptacles, signs that obscure architectural features of a building, and signs affixed to trees, rocks, poles, benches and similar supports (6.2.3(A)(5) through (8)). <p><i>Prohibited Signs</i></p> <ul style="list-style-type: none"> • Bandit signs and cabinet signs are now prohibited as per Section 6.2.3(B)(2) and (3). • Electronic Message Center (EMC) signs have been prohibited in Section 6.2.3(B)(4). • Regulations allowing signs on vehicles, but prohibiting the parking of a vehicle in a manner such that it acts as a sign for a business, has been inserted in Section 6.2.3(B)(6) and (7). <p><i>Display Restrictions</i></p> <ul style="list-style-type: none"> • 6.2.5(A) and (C) have been moved to 6.2.3(C) (Display Restrictions). <p>The revised Section 6.2.3 is organized as follows:</p> <ul style="list-style-type: none"> • 6.2.3(A): Location Restrictions – includes restrictions on where signs may be placed. • 6.2.3(B): Prohibited Signs – lists all the prohibited sign types. • 6.2.3(C): Display Restrictions – includes display restrictions applicable to all sign types.
6.2.6	Signs Permitted in Any R District	6.2.5B	This section has been incorporated into the tables under 6.2.5 (Standards for Permanent Signs). Standards have been updated to allow limited building mounted signs (this includes small wall or window signs) and limit freestanding signs in Residential Districts. This would

Article 17: Guide to Arlington Sign Regulations Update

Existing Zoning Bylaw Section	Existing Zoning Bylaw Title	Proposed Zoning Bylaw Section	Amendment Summary
			allow a bed and breakfast in a Residential District to have a small amount of signage.
	NEW	6.2.6	<p>Section 6.2.6 (Standards for Portable signs and Temporary Signs) is a new section that lays out specific regulations regarding the display, standards, size, and location of portable and temporary signs. Regulations are organized in tables according to sign district and sign type.</p> <p>This new section is organized as follows:</p> <ul style="list-style-type: none"> • Section 6.2.6(A): General to All – establishes standards applicable to all portable/temporary signs. • Section 6.2.6(B): Standards for All Portable Signs and Temporary Signs – establishes standards for location and number of signs allowed in each zoning district. • Section 6.2.6(C): Standards for Specific Portable and Temporary Sign Types – establishes standards applicable to each portable/temporary sign type.
6.2.7	Bed and Breakfast Signs		This section as it exists is no longer permitted post- <i>Reed</i> ; however, since the use is allowed in certain zoning districts, it would follow the signage requirements of the applicable sign district as described in the revisions.
6.2.8	Signs Permitted in Any B, I, or PUD District	6.2.5	<p>Incorporated into the tables under 6.2.5 (Standards for Permanent Signs) and rewritten where necessary to ensure conformance with <i>Reed</i>. Standards for permanent signs have been moved into a table with maximum sign area, maximum sign height, and maximum number of signs for each district. Standards are arranged in tables by sign type (e.g. freestanding and building mounted signs) with descriptions of standards for individual types. Standards and procedures for nonconforming signs have been moved to Section 6.2.7 (Nonconforming Signs).</p> <p>The revision introduces standards for signs that are not currently described in the existing bylaw:</p> <ul style="list-style-type: none"> • Bracket signs (6.2.5(D)(2)) • Canopy signs (6.2.5(D)(3)) • Directional/driveway signs (6.2.5(D)(4)) • Porch signs (6.2.5(D)(7)) • Projecting signs (6.2.5(D)(8))

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Existing Zoning Bylaw Section	Existing Zoning Bylaw Title	Proposed Zoning Bylaw Section	Amendment Summary
			<ul style="list-style-type: none"> • Service island canopy signs (6.2.5(D)(9)) • Wall signs (6.2.5(D)(10)) • Freestanding projecting sign (6.2.5(E)(2)) • Monument sign (6.2.5(E)(3)) • Post sign (6.2.5(E)(4)) <p>This new section is organized as follows:</p> <ul style="list-style-type: none"> • 6.2.5(A): Purpose and Applicability – explains how the permanent sign standards apply to all sign types across all zoning districts • 6.2.5(B): Sign Districts – summarizes how the zoning districts have been organized into sign districts for the following subsections. • 6.2.5(C): Allowed Sign Types by Sign District – establishes which sign types are allowed in each Sign District. • 6.2.5(D): Standards for All Permanent Building-Mounted Sign Types – establishes specific standards for each sign type for permanent building-mounted signs. • 6.2.5(E): Standards for All Permanent Freestanding Sign Types – establishes specific standards for each sign type for freestanding sign types. • 6.2.6(F): Billboards - establishes regulations for billboards.
6.2.9	Special Controls by Zoning District	6.2.5	<p>Incorporated into the tables under 6.2.5 (Standards for Permanent Signs) and rewritten where necessary to ensure conformance with <i>Reed</i>. Specifically, regulations that established limitations on trademarks or specific commodities for sale and references to signs on gas pumps were content-based regulations, and have been rewritten.</p> <p>Sign placement standards based on sign type and district were added (these were not consistent in prior the bylaw). Sign terminology was refined and standardized.</p>
6.2.10	Sign Permits and Maintenance	6.2.2(A) & 6.2.4(F)	<p>Regulations describing the sign permitting process (Sections 6.2.10(A)-6.2.10(C)) were moved to the new Procedures Subsection (6.2.2(A) Sign Permits)</p> <p>Regulations describing sign maintenance requirements (Section 6.2.10D) were expanded and moved to the new Maintenance section (Section 6.2.4(F) Sign Maintenance).</p>

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Existing Zoning Bylaw Section	Existing Zoning Bylaw Title	Proposed Zoning Bylaw Section	Amendment Summary
			6.2.2(A) (Sign Permits) introduces an updated, clarified process for review and issuance of sign permit applications.
6.2.11	Special Permits	6.2.2(C)	The prior regulations in this subsection were moved to the new Procedures Subsection (6.2.2(C) Sign Special Permits). Specific criteria has been added to the special permit procedure to make the decision process more objective.
6.2.12	Nonconforming Accessory Signs	6.2.7	The title of the existing section has been changed to Nonconforming Signs, as this section applies to all nonconforming signs and not just “accessory” signs. The existing regulations for nonconforming standards have been maintained.
6.2.13	Non-accessory Signs	6.2.5(F)	This section has been moved to 6.2.5(F) (Billboards), under the updated sign regulations. This section also incorporates duplicative regulations that are found in the Town Bylaw (Title V, Article 1).
	Definitions		Definitions and abbreviations used in the sign regulations. (These will be added into Section 2 of the Zoning Bylaw.)

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Term	Existing Zoning Bylaw Definition	Proposed Zoning Bylaw Definition
Balloon		A brightly colored bag made of flexible material, inflated with air or other gas and sealed, often to make it rise in the air.
Billboard		A permanent sign structure intended for the display of off-premises advertising.
Channel Letters		Three dimensional, individually manufactured letters or figures with an open back which may contain a light source to provide light onto the sign background against which the channel letters are silhouetted.
Commercial Message		A message conveyed by any sign that is solely intended to interest, entice, or solicit any person to participate in commercial transactions with a business, including offers of goods, cash, discounts on products or services, or other items, including the offering of free goods or services made in exchange for or with the intent to induce the recipient’s willingness to receive information relating to a possible commercial transaction.
Electronic Message Center		A sign or portion of a sign that is capable of changing by electronic or automatic means the characters, letters, numbers, illustrations, display, color, and/or light intensity.
Flag		A fabric sheet of square, rectangular, or triangular shape that is typically mounted on a pole.
Halo Illumination		A form of sign illumination in which neon tubing, LED, or similar lights are mounted within the letter to illuminate the mounting surface, causing a ring of light around the letter.
LED (Light Emitting Diode)		A semiconductor diode that emits light when a voltage is applied to it.
Logo		A stylized group of letters, words, numbers, symbols, or graphics used to represent and distinguish a business, product, or organization.
Mural		A picture or decoration that is applied directly to a wall and does not contain text or a commercial message.
Neon		An illumination source created when a glass tube filled with neon or other similar gas emits light when energized.

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Term	Existing Zoning Bylaw Definition	Proposed Zoning Bylaw Definition
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.	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.
Pan Channel Letter		A specific type of sign letter consisting of a metal pan enclosure fabricated in the shape of a letter. The metal pan enclosure is used to house the lighting and electrical components of the letter and can be mounted directly to a building wall. The sign face is usually made out of colored plastic and is attached to the metal pan to seal it off from pests and harsh weather.
Pennant		A tapering flag made of flexible materials and often triangular in shape. Frequently displayed with other pennants on a string.
Plate Line		The uppermost horizontal line of a building wall upon which the roof rests.
Raceway		An enclosed conduit for electrical wiring.
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 6.2.	Any structure, device, figure, display, message placard or other contrivance, or any part thereof, situated outdoors or indoors, which is designed, constructed, intended or used to advertise, provide information in the nature of advertising, provide historical, cultural, archeological, ideological, political, or social information, or direct or attract attention to an object, person, institution, business, product, service, message, event, or location by any means, including words, letters, figures, designs, symbols, fixtures, colors, or illumination.
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.	

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Term	Existing Zoning Bylaw Definition	Proposed Zoning Bylaw Definition
Sign Area	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.	Former term: Area of a Sign, Signage The entire face of a sign including the advertising surface, message, or announcement, and any framing, trim, or molding, but not including the supporting structure.
Sign Animated		A sign, or any portion of a sign, made or equipped to move or give the appearance of moving, either by the movement of any light used in conjunction with a sign, such as blinking traveling, flashing or changing degree of intensity, or by mechanical means or movement of the air.
Sign, Awning	A sign applied directly to or incorporated as part of an awning.	A permanent sign that is printed, painted, or affixed to an awning.
Sign, A-Frame		A portable sign and self-supporting sign constructed in such a manner as to form an “A” or a tent-like shape, hinged or not hinged at the top. May also be known as an Upright Sign or Sandwich Board Sign.
Sign, Bandit		Any sign that is placed on public property or on private property without the consent of the property owner or as authorized in Section 6.2.
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.	A permanent sign mounted either to the wall of building by means of a bracket or attached to the underside of a lintel, arch or other overhead structure above a porch of walkway and which is typically hung perpendicular to the wall of the building.

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Term	Existing Zoning Bylaw Definition	Proposed Zoning Bylaw Definition
Sign, Building Identification		A permanent sign consisting of letters applied to a building wall, engraved into the building material, or consisting of a sculptural relief which contains the name of the building or describes its function, but which does not advertise any individual tenant of the building or any products or services offered.
Sign, Building Mounted		A permanent sign attached to, connected to, or erected against the wall, parapet, or fascia of a building or structure. The exposed face of the sign is in a plane parallel to the vertical face of the building or structure.
Sign, Cabinet		A sign with its text and/or logo symbols and artwork on a translucent face panel that is mounted within a metal frame or cabinet that contains the lighting fixtures which illuminate the sign face from behind.
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.	A sign that is printed, painted, or affixed to a canopy, typically used to accent building entries.
Sign Copy		Any graphic, word, numeral, symbol, insignia, text, sample, model, device, or combination thereof that is primarily intended to advertise, identify, or notify.
Sign, Directional		A permanent sign intended to inform the viewer of the approximate route, direction, or location of a facility or use.
Sign, Directory		A permanent sign which provides information in a list, roster, or directory format.
Sign, Externally Illuminated		A sign, the face of which reflects light from an external light source intentionally directed upon it.
Sign, 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.	Former term: Sign, Facing or Face The surface of a sign against or through which a message is displayed or illustrated.
Sign, Feather Banner		A portable sign typically constructed of cloth, plastic or similar non-rigid material, and attached to a vertically mounted pole that is securely fastened to the ground.

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Term	Existing Zoning Bylaw Definition	Proposed Zoning Bylaw Definition
Sign, Freestanding	A sign not a part of or attached to any building but generally located elsewhere on a lot.	A sign erected or mounted on its own self-supporting permanent structure or base detached from any supporting elements of a building.
Sign, Freestanding Projecting		A permanent sign featuring a single- or double-sided sign face, projecting outward at a perpendicular angle from a support structure.
Sign, Fuel Pump Topper		A temporary sign affixed to the top of an operable fuel dispensing pump used to advertise goods offered for sale on the same parcel on which the fuel pump is located.
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.	
Sign Individual Letter		A cut-out or etched letter or logo which is individually mounted on a building wall, or freestanding sign.
Sign, Internally Illuminated		Any sign in which the source of light is entirely enclosed within the sign and is not directly visible.
Sign, Marquee		A permanent sign structure placed over the entrance to a building and typically used for a theater or other entertainment use.
Sign, Monument		A permanent sign with a solid base that is equal to or larger than the width of the sign face.
Sign, Nonconforming		Any sign legally installed or established prior to the effective date of the Zoning Bylaw or subsequent amendment to it, which does not conform to the provisions of Section 6.2.
Sign, Off-premise		Any sign that directs attention to a business, commodity, service, entertainment, product, structure, use or property different from a structure or use existing on the property where the sign is located, and/or any sign on which space is rented, donated or sold by the owner of said sign or property for the purpose of conveying a message.
Sign, Painted Wall		A sign painted directly onto the exterior wall of a building and having no sign structure.

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Term	Existing Zoning Bylaw Definition	Proposed Zoning Bylaw Definition
Sign, Permanent	Any sign as defined above, intended to be erected and maintained for more than 60 days.	A sign constructed of durable materials and intended to exist for the duration of time that the use or occupant is located on the premises.
Sign, Porch		A sign that is mounted on a porch and legible from the sidewalk.
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.	A sign that is capable of being moved and which is not designed to be permanently attached to a building or permanently secured to the ground. Excludes signs affixed to or painted on a vehicle.
Sign, Post		A permanent sign mounted on either a single post or two or more posts.
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.	A permanent sign that is attached to and extends perpendicular from a building from the wall.
Sign, Raised Letter		A sign containing copy, logo, and/or decorative embellishments in relief on the face.
Sign, Roof	Any sign erected, constructed and maintained upon or over the roof of any building.	
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.	
Sign, Service Island Canopy		A permanent sign mounted on or under a service island canopy, including on a fascia.
Sign, Single-Color LED		A sign composed of single-color LEDs, including signs with fixed and changeable copy.
Sign, Temporary	Any sign, including its supporting structure intended to be maintained for a continuous period not to exceed 60 days.	A sign constructed of paper, cloth, or similar expendable material, which is intended for a definite and limited period of display and which is not permanently affixed to a structure, sign area, or window.

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Term	Existing Zoning Bylaw Definition	Proposed Zoning Bylaw Definition
Sign, Vehicle		Any sign on or affixed to a truck, van, automobile, trailer, or other vehicle.
Sign, Wall	<p>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.</p> <p>A wall sign shall be no higher than the lowest of the following: (a) 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.</p>	A permanent sign affixed or applied to, or erected against, the wall or fascia of a building or structure, with the exposed face of the sign parallel to the plane of the wall or fascia.
Sign, Primary Wall	A sign on the building face fronting on a street or parking lot frontage.	
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.	
Sign, Wall Banner		A temporary sign constructed of cloth, bunting, plastic, paper, or similar material and securely attached to a wall or support structure. Flags are not considered temporary wall banners.

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Term	Existing Zoning Bylaw Definition	Proposed Zoning Bylaw Definition
Sign, 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.	A permanent or temporary sign posted, painted, placed, or affixed in or on a window, or otherwise exposed to public view through a window.
Sign, Yard (Type I)		A small portable sign typically constructed of corrugated plastic and supported on an H-shaped wire frame.
Sign, Yard (Type II)		A portable sign mounted on a single post installed securely in the ground with a small sign hanging from a cross-bar mounted parallel to the ground.
Sign, Yard (Type III)		A large portable sign typically constructed of wood and mounted on two posts installed securely in the ground.
Sign Structure		The supports, uprights, bracing, and/or framework of a sign.
Spinner		A lightweight, durable, and colorful device designed to be affected by the movement of air so that it spins or rotates in a manner to capture attention.

Articles 6-14: Guide to Zoning Amendments related to Multi-family Uses and Mixed-use

Prepared by the Department of Planning and Community Development
February 14, 2019

This guide is a companion to Town Meeting [Articles 6 through 14](#) which propose zoning amendments related to multi-family and mixed-uses. To develop the zoning amendments, the Town hired a consultant, the Metropolitan Area Planning Council (MAPC), utilizing funds received from the Massachusetts Executive Office of Energy and Environmental Affairs. MAPC conducted an analysis of the current Zoning Bylaw, including a zoning audit, a parcel analysis examining lot size and density, and a buildout analysis of select parcels. A project working group, consisting of Town staff, a local realtor, and representatives from the Arlington Redevelopment Board (ARB) and the Housing Plan Implementation Committee, met three times throughout the fall of 2018 to review these deliverables and provide guidance regarding zoning recommendations.

The zoning audit identified barriers to the creation of multi-family housing in the mid- to high-density residential districts and through mixed-use in the B Districts. Generally, the Bylaw's dimensional requirements are appropriate for Arlington's lower-density districts but restrict or discourage multi-family development that would be appropriate in the higher-intensity districts along main corridors. Specific dimensional constraints were identified for further study, including lot size, density, yards, open space, building height, height buffer, floor area ratio, and parking.

MAPC subsequently conducted a town-wide mapping parcel analysis to determine the extent to which parcels with an existing multi-family use meet current lot size and density requirements, or in other words, whether Arlington's historic development patterns could occur under current zoning. The analysis showed that parcels in the Business Districts are largely compliant with existing lot size and density requirements, primarily due to the mixed-use zoning bylaw amendments adopted by Annual Town Meeting in 2016. However, residential-zoned parcels are far more likely to be nonconforming; only one-third meet lot size requirements and less than half meet density requirements. The analysis then considered how various zoning changes might increase the number of compliant parcels. The mapping analysis was supported by photos of existing buildings in town to illustrate various lot sizes and densities.

Finally, MAPC conducted a buildout analysis of four sample sites to understand development potential under the existing Bylaw. The buildout analysis for each site was structured as a series of step-by-step illustrations to demonstrate how each of the major dimensional pieces of the Bylaw impacts what can be built on the site. While constraints varied by site and district, the most prohibitive requirements were typically front and side yards, usable open space, height buffer, floor area ratio, parking, and density. The analysis also looked at the ways in which various changes to the dimensional requirements might encourage multifamily development by increasing each site's capacity for housing.

Articles 6 through 14 are the following:

1. Density and dimensional adjustments (Articles 6 and 7) to make these requirements consistent with existing development and at a scale appropriate for major roadways;

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2. Open space adjustments (Article 8) to eliminate the requirement for usable open space and increase the requirement for landscaped open space, as well as offering flexibility in what is considered open space;
3. Adjust the definition of townhouse structures (Article 9) to better distribute individual townhouses within a single structure;
4. Require the upper-story building step back (Article 10) at the fourth story consistent with increases in the maximum height allowed;
5. Reduce the height buffer distances (Article 11) to retain reasonable relief for adjacent low-density districts without effectively lowering the maximum height allowed;
6. Adjust how street yards are calculated on corner lots (Article 12); and
7. Reduce the number of parking spaces per unit for multi-family uses to one space per unit (Article 13) and allow the R7 District to be considered for transportation demand management (Article 14).

A companion build-out analysis, visualizations, and shadow studies are being prepared and will be available by early March.

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Article Number	Proposal	Existing Bylaw	Proposed Amendment	Notes
Article 6	Update descriptions of R5, R6, and R7 Districts	In Section 5.4.1, there are descriptions of each district and its purpose. References to maximum stories are made as are densities in the descriptions of R5, R6, and R7.	Revisions will be made to the descriptions of R5 and R6 to be consistent with the zoning amendments described.	This change is included to ensure that the Zoning Bylaw is internally consistent.
Article 6	Reduce the minimum lot area, minimum lot area per unit, and minimum lot frontage for three-family dwellings, townhouse structures, and apartment conversions in the R4 District, for townhouse and apartment buildings in the R5 District, for townhouse structure and apartment building in the R6 District, and for any permitted structure in the R7 District	In the Table of Density and Dimensional Requirements in Section 5.4.2, the following requirements apply to multi-family uses: 1. R4 District: a. A three-family dwelling requires 7,500 square feet in minimum lot area, has no minimum for lot area per unit, and requires 70 feet of lot frontage; b. Townhouse structures require 30,000 square feet in minimum lot area, 2,500 square feet in minimum lot area per unit, and requires 100 feet of frontage; and c. Apartment conversions require 12,500 square feet in minimum lot area, 2,500 square feet in minimum lot area per unit, and require 80 feet of frontage. 2. R5 District: a. Townhouse structures and apartment buildings require 20,000 square feet in minimum lot area, 1,450 square feet in minimum lot area per unit, and 100 feet of frontage. 3. R6 District: a. Townhouse structures, apartment buildings, and office structures require 20,000 square feet in minimum lot area, 700 square feet in minimum lot area per unit, and 100 feet of frontage. 4. R7 District: a. Any permitted structure requires 20,000 square feet in minimum lot area, 550 square feet in minimum lot area per unit, and 100 feet of frontage.	The proposed amendment would make the following adjustments for multi-family uses: 1. R4 District: a. A three-family dwelling would require 5,000 square feet in minimum lot area, has no minimum for lot area per unit, and requires 50 feet of lot frontage; b. Townhouse structures would require 5,000 square feet in minimum lot area, 1,500 square feet in minimum lot area per unit, and requires 50 feet of frontage; and c. Apartment conversions would require no minimum lot area, 1,000 square feet in minimum lot area per unit, and no minimum frontage. 2. R5 District: a. Townhouse structures and apartment buildings would require 5,000 square feet in minimum lot area, 1,000 square feet in minimum lot area per unit, and 50 feet of frontage. 3. R6 District: a. Townhouse structures, apartment buildings, and office structures would require 5,000 square feet in minimum lot area, 700 square feet in minimum lot area per unit, and 50 feet of frontage. 4. R7 District: a. Any permitted structure would require 5,000 square feet in minimum lot area, 550 square feet in minimum lot area per unit, and 50 feet of frontage.	Per the parcel analysis prepared as part of the zoning work, there are a substantial number of lots above 5,000 square feet on Arlington’s main corridors, a size appropriate for multi-family buildings. The parcel analysis found that the proposed adjustments to minimum lot area and minimum lot area per unit would make 95% of the existing parcels in the R4 through R7 districts compliant with the zoning requirements. Additionally, the allowance of no minimums for apartment conversions is due to the use being a conversion of an existing structure, often non-conforming already. Density and other dimensional requirements still apply, so lowering the minimum lot size would not result in disproportionately large buildings being constructed on small lots.
Article 6	Adjust the front yard, side yard, and rear yard for three-family dwellings, townhouse structures, and apartment conversions in the R4 District, for townhouse and apartment buildings in the R5 District, for townhouse structure and apartment building in the R6 District, and for any permitted structure in the R7 District	In the Table of Density and Dimensional Requirements in Section 5.4.2, the following requirements apply to multi-family uses: 1. R4 District: a. A three-family dwelling requires a front yard setback of 25 feet, a side yard setback of 10 feet, and a rear yard setback of 20 feet; b. Townhouse structures require a front yard setback of 25 feet, a side yard setback of 15 feet, and a rear yard setback of 25 feet; and c. Apartment conversions require a front yard setback of 25 feet, a side yard setback of 10 feet, and a rear yard setback of 20 feet. 2. R5 District: a. Townhouse structures and apartment buildings require a front yard setback of 25 feet and a rear yard	The proposed amendment would make the following adjustments for multi-family uses: 1. R4 District: a. A three-family dwelling would require a front yard setback of 15 feet, a side yard setback of 10 feet, and a rear yard setback of 20 feet; b. Townhouse structures would require a front yard setback of 10 feet, a side yard setback of 10 feet, and a rear yard setback of 20 feet; and c. Apartment conversions would require no minimum front yard, side yard, or rear yard requirements. 2. R5 District: a. Townhouse structures and apartment buildings would require a front yard setback of 10 feet, a side yard setback of 15 feet, and a rear yard setback of 20 feet.	Decreased front and side yards are more consistent with traditional main street building patterns and create a stronger and more consistent streetscape, which enhances the pedestrian experience. The front yard setbacks proposed are still sufficient to allow room for a bench, landscaping, or other pedestrian amenity. The side yard setbacks allow for a continuous streetscape where the high-density residential district abuts a business district, but allows for relief where high-density residential districts abut lower density residential districts. Additionally, the allowance of no minimums for apartment conversions is due to the use being a conversion of an existing structure, often non-conforming already. Finally, the amendments eliminate hard to understand calculations for required setbacks.

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		<p>setback of 25 feet. The side yard setback is a calculation based on length of the wall parallel to the side lot line.</p> <p>3. R6 District: a. Townhouse structures, apartment buildings, and office structures require front yard, side yards, and rear yards based on a calculation of the building's height.</p> <p>4. R7 District: a. Any permitted structure requires front yard, side yards, and rear yards based on a calculation of the building's height and length, but in no cases can the side yard and rear yards be less than 20 feet.</p>	<p>3. R6 District: a. Townhouse structures, apartment buildings, and office structures would require a front yard setback of 10 feet, a side yard setback of 10 feet, and a rear yard setback of 20 feet.</p> <p>4. R7 District: a. Any permitted structure would require a front yard setback of 10 feet, a side yard setback of 10 feet, and a rear yard setback of 20 feet.</p> <p>Additionally, Section 5.4.2(E) would be added to indicate that townhouse structures, apartment buildings, or office structures in the R6 district and for any permitted principal structure in the R7 district, no side yard is required at side lot lines that abut a Business district.</p>	
Article 6	Increase the maximum height in feet, maximum stories, and maximum floor area ratio (FAR) for townhouse structures and apartment conversions in the R4 District, for townhouse and apartment buildings in the R5 District, for townhouse structure and apartment building in the R6 District, and for any permitted structure in the R7 District	In the Table of Density and Dimensional Requirements in Section 5.4.2, the following requirements apply to multi-family uses: 1. R4 District: a. Townhouse structures require a maximum height of 35 feet, a maximum of 3 stories, and a FAR of 0.70; and b. Apartment conversions require a maximum height of 40 feet, a maximum of 4 stories, and has no maximum FAR. 2. R5 District: a. Any residential or other principal structure, including townhouses and apartment buildings, requires a maximum height of 35 feet, a maximum of 3 stories, and a FAR of 0.80. 3. R6 District: a. Any townhouse structure, apartment building, or office on more than 20,000 square feet requires a maximum height of 40 or 35 feet, a maximum of 4 or 3 stories, and a FAR of 1.20 depending on the application of the reduced height buffer area (see Article 11). 4. R7 District: a. Any permitted structure requires a maximum height of 40 or 60 feet, a maximum of 5 stories, and a FAR of 1.50 depending on the application of the reduced height buffer area (see Article 11).	The proposed amendment would make the following adjustments for multi-family uses: 1. R4 District: a. Townhouse structures would a maximum height of 35 feet, a maximum of 3 stories, and a FAR of 1.50; and b. Apartment conversions would require no minimum height, minimum number of stories, or minimum FAR. 2. R5 District: a. A townhouse structure and apartment building would require a maximum height of 45 feet, a maximum of 3 stories, and a FAR of 1.50. Other residential and other principal structures would remain unchanged. 3. R6 District: a. Any townhouse structure, apartment building, or office on more than 20,000 square feet would require a maximum height of 55 or 45 feet, a maximum of 5 or 4 stories, and a FAR of 1.80 depending on the application of the reduced height buffer area (see Article 11). 4. R7 District: a. Any permitted structure would require a maximum height of 45 or 60 feet, a maximum of 5 stories, and a FAR of 2.00 depending on the application of the reduced height buffer area (see Article 11).	Given that the higher-density residential districts are located almost exclusively along major corridors; greater heights could be accommodated in contextually appropriate ways. Indeed, a key finding of the Master Plan was that Massachusetts Avenue and other predominantly commercial corridors have the capacity for growth and recommends increased density and building heights along the corridor. Floor Area Ratio (FAR) is the ratio of gross floor area to the total area of the lot. In conjunction with increase the building heights, increasing the allowable FAR will enable more flexibility in locating parking and open space on a site without constraining the size of a building. Additionally, the allowance of no minimums for apartment conversions is due to the use being a conversion of an existing structure, often non-conforming already.
Article 7	Reduce the minimum lot area per unit for mixed-use on lots greater than 20,000 square feet in the B2 District	In the Table of Density and Dimensional Requirements in Section 5.5.2, in the B2 District, the minimum lot area per unit for mixed-use on lots greater than 20,000 square feet is 1,450 square feet. The minimum number of units could be 13 for a property that meets the minimum square footage required of greater than 20,000 square feet.	The proposed amendment would reduce the minimum lot area per unit in the B2 District to 1,000 square feet for mixed-use on lots greater than 20,000 square feet. The minimum number of units could be 20 for a property that meets the minimum square footage required of greater than 20,000 square feet.	The proposed reduction in the minimum lot area per unit for mixed-use on lots greater than 20,000 square feet is consistent with existing development along major roadways. A parcel analysis that was completed to study this reduction found that 98% of the parcels where a reduction is proposed for the minimum lot area per unit would become compliant

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				with the Zoning Bylaw.
Article 7	Reduce the front yard and side yard requirements for mixed-use in the B1 District	In the Table of Density and Dimensional Requirements in Section 5.5.2, mixed-use in the B1 District requires a 20-foot front yard setback and a 10-foot side yard setback.	The proposed amendment would reduce the front yard setback to 10 feet and the side yard setback to zero feet for mixed-uses in the B1 District	The proposed reduction in the front yard and side yard setbacks in the B1 District is more consistent with mixed-use requirements in other Business Districts including the B2 District, which is similarly situated along major corridors.
Article 7	Increase the maximum height and maximum stories for mixed-use in the B1, B3, and B5 Districts	In the Table of Density and Dimensional Requirements in Section 5.5.2, the following requirements apply to mixed-use: <ol style="list-style-type: none"> 1. B1 District: the maximum height and stories for mixed-use is 35 feet and 3 stories; 2. B3 District: the maximum height and stories for mixed-use on a lot greater than 20,000 square feet is 50 feet and 5 stories or 40 feet and 3 stories depending on application of the reduced height buffer area (see Article 11); and 3. B5 District: the maximum height and stories for mixed-use on a lot greater than 20,000 square feet is 60 feet and 5 stories or 40 feet and 3 stories depending on application of the reduced height buffer area (see Article 11). 	The proposed amendment would allow the following increases to maximum height and maximum stories in the B1, B3, and B5 Districts for mixed-use: <ol style="list-style-type: none"> 1. B1 District: the maximum height and stories for mixed-use is 45 feet and 4 stories; 2. B3 District: the maximum height and stories for mixed-use on a lot greater than 20,000 square feet is 60 feet and 5 stories or 50 feet and 4 stories depending on application of the reduced height buffer area (see Article 11); and 3. B5 District: the maximum height and stories for mixed-use on a lot greater than 20,000 square feet is 60 feet and 5 stories or 50 feet and 4 stories depending on application of the reduced height buffer area (see Article 11). 	The proposed increases in the maximum height allowed and the maximum number of stories allowed is more consistent with existing development along major corridors. The changes to the B1 District are in line with what is allowed in the similarly situated B2 District. Adding consistency between the B3 and B5 Districts is important as these two districts are situated along major corridors often in the same areas of Arlington Heights, Arlington Center, and East Arlington where the streetscape would benefit from consistency in adjacent structures.
Article 7	Increase the Floor Area Ratio (FAR) in all of the Business Districts	In the Table of Density and Dimensional Requirements in Section 5.5.2, the following FAR requirements apply to mixed-use: <ol style="list-style-type: none"> 1. B1 District: 0.75 on any lot; 2. B2 District: 1.50 on a lot equal to or less than 20,000 square feet or 1.00 on a lot greater than 20,000 square feet; 3. B2A District: 1.50 on a lot equal to or less than 20,000 square feet or 1.00 on a lot greater than 20,000 square feet; 4. B3 District: 1.50 on a lot equal to or less than 20,000 square feet or 1.40 on a lot greater than 20,000 square feet; 5. B4 District: 1.50 on a lot equal to or less than 20,000 square feet or 1.00 on a lot greater than 20,000 square feet; and 6. B5 District: 1.80 on a lot equal to or less than 20,000 square feet or 1.40 on a lot greater than 20,000 square feet. 	The proposed amendment would increase the FAR requirements applicable to mixed-use: <ol style="list-style-type: none"> 1. B1 District: 1.50 on any lot; 2. B2 District: 1.80 on a lot equal to or less than 20,000 square feet or 1.50 on a lot greater than 20,000 square feet; 3. B2A District: 1.80 on a lot equal to or less than 20,000 square feet or 1.50 on a lot greater than 20,000 square feet; 4. B3 District: 1.80 on a lot equal to or less than 20,000 square feet or 1.50 on a lot greater than 20,000 square feet; 5. B4 District: 2.00 on a lot equal to or less than 20,000 square feet or 1.80 on a lot greater than 20,000 square feet; and 6. B5 District: 2.20 on a lot equal to or less than 20,000 square feet or 1.80 on a lot greater than 20,000 square feet. 	Floor Area Ratio (FAR) is the ratio of gross floor area to the total area of the lot. In conjunction with increase the building heights, increasing the allowable FAR will enable more flexibility in locating parking and open space on a site without constraining building size.
Article 8	Adjust the open space requirements to eliminate usable open space requirement and increase landscaped open space requirement	The existing bylaw defines the two types of open space as follows: <u>Landscaped Open Space:</u> 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 upon a roof not more than	The proposal includes three pieces: altering the definition for landscaped open space, adjusting the tables of density and dimensional requirements in Section 5.4.2 and Section 5.5.2, and amending Section 5.3.21 to reflect the changes to the Section 5.5.2. The definition for landscaped open space will be altered to allow up to 25% of the requirement to be satisfied on roofs	The proposal is designed to offer more flexibility on how open space is provided on a property when multi-family uses and mixed-uses are proposed. Shifting the open space requirement to landscaped open space requirement eliminates confusion resulting from different kinds of open spaces, offers more flexibility in how the space is distributed across the site (landscaped open space does not require the 25x25' minimum dimensions), and reduces the overall open

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		<p>10 feet above the level of the lowest story used for dwelling purposes.</p> <p><u>Usable Open Space:</u> 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 70% open to the sky, free of automotive traffic and parking, and readily 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 at least 70% of the area has a grade of less than 8%, and no horizontal dimension is less than 25 feet. For newly constructed single-, two-family, and duplex dwellings with surface parking, no horizontal dimension shall be less than 20 feet.</p> <p>Per the Zoning Bylaw in Section 5.4.2 and Section 5.5.2, the requirements for the R4 through R7 residential districts are 10% landscaped open space and a range of 15% to 30% usable open space for certain uses such as multi-family buildings and townhouse structures. For mixed-use in the Business Districts, the requirements are 10% landscaped open space and a range of 15% to 20% usable open space.</p>	<p>and balconies anywhere on the building:</p> <p><u>Landscaped Open Space:</u> 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. Up to 25% of the landscaped open space may include open areas accessible to and developed for the use of the occupants of the building upon a roof or a balcony at least 5 feet by 8 feet in size.</p> <p>The requirements for the R4 through R7 residential districts will be adjusted to require 20% landscaped open space and no usable open space for certain uses such as multi-family buildings and townhouse structures. For mixed-use in the Business Districts, the requirements will be adjusted to require 20% landscaped open space and no usable open space.</p> <p>Finally, Section 5.3.21 will be updated to reflect the adjustments to the minimum open space requirements.</p>	<p>space requirement (from 30% total to 20% total) while still maintaining sufficient green space and continuing to provide access to neighborhood parks and community green, open spaces and related amenities.</p>
Article 9	Increase the size of a townhouse structure	Section 5.3.14 indicates that a townhouse structure (a row of at least 3 single-family attached homes) cannot exceed 150 feet or 6 townhouses in length for a single-story structure nor 120 feet for the part of the structure more than one-story in height.	For townhouse structures, the proposal changes the requirement to not more than 200 feet or 8 townhouses regardless of the number of stories. The proposal also corrects references in the tables of density and dimensional requirements by referring to townhouse structures not individual townhouse units.	The proposal increases the number of townhouse units that could be located within one townhouse structure. The proposal does not change the ratio of townhouse units to the length of the entire structure.
Article 10	Adjust where an upper-story building step backs is applicable	Section 5.3.17 requires that buildings that are more than 3 stories in height, a 7.5-foot step back is required beginning at the third story level or 30 feet above grade, whichever is less.	The proposal would adjust this requirement to be applicable to buildings more than 4 stories in height and the step back would be required at the fourth story level or 40 feet above grade.	Consistent with the increase in the maximum height allowed, the upper-story building step back would be increased by one story.
Article 11	Reduce the distance within which the height buffer applies	Section 5.3.19 reduces the maximum height allowed for a building when the property is located within a certain distance and orientation from the R0, R1, and R2 Residential Districts and the Open Space District. When these zoning districts are: <ol style="list-style-type: none"> 1. Located between northwest and northwest, the lower height applies within 200 feet; 2. Located easterly, between northeast and southeast, or westerly between northwest and southwest, the lower height applies within 150 feet; and 3. Located southerly, between southeast and southwest, the lower height applies within 100 feet. 	The proposal would adjust this requirement as follows: <ol style="list-style-type: none"> 1. Located between northwest and northwest, the lower height applies within 50 feet; 2. Located easterly, between northeast and southeast, or westerly between northwest and southwest, the lower height applies within 35 feet; and 3. Located southerly, between southeast and southwest, the lower height applies within 25 feet. <p>Additionally, the proposal includes precise language for the special permit granting authority to make a determination that the lower height does not need to apply.</p>	The proposal reduces the distance within which a reduced maximum height applies. The proposal provides reasonable relief to the adjacent lower-density districts without being overly restrictive. Shadow studies will be available in March to illustrative this proposed amendment.

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Article 12	Adjust how the front yard setback is determined for corner lots by making it consistent with the requirement for the applicable zoning district	For corner lots, Section 5.3.8 requires that the sides of the property that front on a street have a setback that is the same as the requirement of the adjoining parcel.	The proposal would adjust this requirement for properties within the R4 through R7 Residential Districts and the Business Districts. For corner lots in those districts, the setback requirement along streets would be that of the zoning district the lot is located in.	The existing bylaw provision can be unduly restrictive for corner lots when the lot is immediately adjacent to a zoning district that has more restrictive setback requirements than the zoning district the lot is actually located in. The adjustment is only applicable to the R4 through R7 Residential Districts and the Business Districts.
Article 13	Reduce the number of required parking spaces for multi-family uses to 1 space per unit	Section 6.1.4 requires buildings containing four or more units to provide parking spaces based on the number of bedrooms in each unit: 1 space per studio unit; 1.15 space per 1-bedroom unit; 1.5 spaces per 2-bedroom unit; and, 2.0 spaces per 3 or more bedroom unit.	The proposal would eliminate the tiered approach based on number of bedrooms and replace it with a per unit requirement at a minimum of 1 space per unit.	This amendment brings the parking requirement in line with other types of residential uses as identified in the Zoning Bylaw, and is appropriate for the higher-density residential districts located on major roadways where public transit is available. The requirement is only a minimum; and based on market decisions, a higher number of parking spaces may be required and provided.
Article 14	Inclusion of the R7 District in the Parking Reduction Provisions for Business, Industrial, and Multi-Family Uses	Section 6.1.5 allows the ZBA or the ARB, as applicable, to reduce the parking space requirements in the R5, R6, Business, and Industrial Zones to 25 percent of that required if the proposed parking is deemed adequate and where Transportation Demand Management practices are incorporated.	The proposal would include the R7 District in this provision.	When this provision was adopted in 2016, the R7 District was inadvertently left out. The R7 District is a high-density residential district, and should be included with the other districts represented in this provision.

ARTICLE 17

ZONING BYLAW AMENDMENT/ SIGN REGULATIONS

To see if the Town will vote to amend the Zoning Bylaw to update the sign regulations in its entirety by; amending SECTION 2 DEFINITIONS to remove and replace the definitions associated with signs, and amending SECTION 6.2 SIGNS to remove and replace the sign regulations in its entirety, or take any action related thereto.

February 14, 2019

SECTION 6. SITE DEVELOPMENT STANDARDS

6.2 SIGNS

6.2.1. General Provisions

- A. Purpose. The purpose of this Section is to promote the public health, safety, and welfare through a comprehensive system of reasonable, effective, consistent, content-neutral, and non-discriminatory sign standards and requirements, including the following specific purposes:
- (1) Ensure that all signs are compatible with the unique character and environment of the Town of Arlington, and that they support the desired ambience and development patterns of the various districts, overlay districts, and historic areas within the Town;
 - (2) Balance public and private objectives by allowing adequate avenues for both commercial and non-commercial messages;
 - (3) Improve pedestrian and traffic safety by promoting the free flow of traffic and the protection of pedestrians and motorists from injury and property damage caused by, or which may be fully or partially attributable to, cluttered, distracting, and/or illegible signage;
 - (4) Prevent property damage, personal injury, and litter caused by signs that are improperly constructed or poorly maintained;
 - (5) Protect property values, the local economy, and quality of life by preserving and enhancing the appearance of the streetscape; and
 - (6) Provide consistent sign design standards that enable the fair and consistent enforcement of these sign regulations.
- B. Authority. This Section is the primary tool for implementing the sign policies of the Town of Arlington and other state and local requirements. Whenever any provision of this Section refers to or cites a section of state law, and that section is later amended or superseded, the Section shall be deemed amended to refer to the amended section or the section that most nearly corresponds to the superseded section.
- C. Applicability. This Section applies to all signs within the Town of Arlington regardless of their nature or location, unless specifically exempted in Subsection 6.2.1(E).
- (1) Standards for Permanent Signs are found in Section 6.2.5.
 - (2) Standards for Portable Signs and Temporary Signs are found in Section 6.2.6.
 - (3) Standards for signs located in any historic district are regulated pursuant to the Bylaws of the Town of Arlington Title VII, Historic Districts, Article 4, and the Arlington Historic Districts Commission Design Guidelines for Local Historic Districts.

- (4) Nothing in this Section shall be construed to prohibit a person from holding a sign while picketing or protesting on public property that has been determined to be a traditional or designated public forum, so long as the person holding the sign does not block ingress and egress from buildings, create a safety hazard by impeding travel on sidewalks, in bike or vehicle lanes, or on trails, or violate any other reasonable time, place, and manner restrictions adopted by the Town of Arlington.

D. Substitutions and Interpretations. This Section is not intended to, and does not, restrict speech on the basis of its content, viewpoint, or message. No part of this Section shall be construed to favor commercial speech over non-commercial speech. A non-commercial message may be substituted for any commercial or non-commercial message displayed on a sign without the need for any approval or sign permit, provided that the sign is otherwise permissible under this Section. To the extent any provision of this Section is ambiguous, the term will be interpreted not to regulate on the basis of the content of the message.

E. Exemptions. The following signs are not regulated under this Section:

- (1) Any sign, posting, notice or similar signs placed, installed, or required by law by a town, county, or a federal or state governmental agency in carrying out its responsibility to protect the public health, safety, and welfare, including the following:
 - Emergency and warning signs necessary to warn of dangerous and hazardous conditions and that serve to aid public safety or civil defense;
 - Traffic signs erected and maintained by an authorized public agency;
 - Signs required to be displayed by law, regulation, or ordinance;
 - Signs directing the public to points of interest;
 - Signs showing the location of public facilities; and
 - Numerals and letters identifying an address from the street to facilitate emergency response and compliant with Town requirements.
- (2) Non-illuminated signs which provide incidental information including, but not limited to credit card acceptance, business hours, open/closed, directions to services and facilities, or menus, provided these signs do not exceed an aggregate of six square feet in sign area;
- (3) Building identification signs not exceeding two square foot in area for residential buildings and four square feet in area for nonresidential buildings;

Building Identification Sign

(See Section 6.2.1(E)(2))



This diagram is included for illustrative purposes only. It is not part of the Arlington Zoning Bylaw.

- (4) Signs posted on a community bulletin board not exceeding 11 x 17 inches;
 - (5) Landmark signs;
 - (6) Historical plaques and commemorative signs erected and maintained by non-profit organizations, building cornerstones, and date-constructed stones not exceeding four square feet in area;
 - (7) Signs not readable from the public right-of-way, including:
 - Signs or displays located entirely inside of a building and not visible from the building's exterior;
 - Signs intended to be readable from within a parking area or Town park but not readable beyond the boundaries of the lot or parcel upon which they are located or from any public right-of-way; and
 - Signs located within Town of Arlington recreation facilities; and
 - (8) Any notice as defined in Title V, Article 1 of the Town Bylaws.
- F. Severability. If any section, sentence, clause, phrase, word, portion, or provision of this Section is held invalid or unconstitutional by any court of competent jurisdiction, such decision shall not affect, impair, or invalidate any other section, sentence, clause, phrase, word, portion, or provision of this Section which can be given effect without the invalid provision. The invalidation of the application of any section, sentence, clause, phrase, word, portion, or provision of this Section to a particular property or structure, or any particular properties or structures, by any court of competent jurisdiction shall not affect the application of such section, sentence,

clause, phrase, word, portion or provision to any other property or structure not specifically included in said invalidation.

6.2.2. Procedures

A. Sign Permits.

(1) **Sign Permit Required.** A sign permit is required to erect, install, construct, move, alter, replace, suspend, display, or maintain (i.e. removal of the sign so that structural elements supporting the sign may be maintained) any permanent sign, unless otherwise specified in this Section. Each sign and change of copy (i.e. changing of the face or letters on a sign) requires a separate Sign Permit except that changes to or between non-commercial message do not require a Sign Permit consistent with Section 6.2.5.

- All permanent signs must comply with all applicable requirements and standards established in this Section.
- Any sign not authorized pursuant to this Section is not allowed.

(2) **Review and Approval.**

- **Application Required.** An application for a sign permit shall be filed with the Department of Inspectional Services, together with required fees and supporting documentation.
- **Review.** The Building Inspector shall review all sign permit applications and supporting documentation for compliance with the standards of this Section. The Building Inspector will refer the sign permit application to the Department of Planning and Community Development for review before issuing the sign permit.
- **Determination.** The Building Inspector shall determine whether the sign permit may be issued or if additional information is required from the applicant to complete the permit application. If the sign permit application is denied, the reason shall be stated in writing.
- **Building Permit Required.** If the Building Inspector determines that that a separate electrical or structure permit is required, the applicant shall be notified. The sign permit shall not be issued until all other required permits have been obtained.

B. Temporary Sign Permits.

(1) **Sign Permit Required.** A temporary sign permit is required to display a temporary wall banner sign and an A-frame sign placed in the public right-of-way. All temporary wall banner signs and A-frame signs must comply with all applicable requirements and standards established in this Section.

(2) **Duration of Temporary Sign Permit.** A temporary sign permit for a wall banner is valid for 60 days beginning with the date of issuance. There are no

time limitations for a-frame signs installed in public right-of-way for which a temporary sign permit is required.

(3) Review and Approval.

- **Application Required.** An application for a temporary sign permit and any supporting documentation shall be filed by a business owner or a property owner on behalf of the business with the Department of Inspectional Services. No more than one temporary wall banner sign per 150 linear feet of property frontage or part thereof shall be allowed at any one time. The property manager or property owner shall be responsible for determining which of the tenants in a multi-tenant building will be entitled to a temporary wall banner sign in accordance with this Section.
- **Review.** The Building Inspector shall review the temporary sign permit application for compliance with the standards in Section 6.2.6. The Building Inspector may refer the temporary sign permit application to the Department of Planning and Community Development for review before issuing the sign permit.
- **Determination.** The Building Inspector shall determine whether the temporary sign permit may be issued or if additional information is required from the applicant to complete the permit application. If the temporary sign permit application is denied, the reason shall be stated in writing.

C. Sign Special Permits.

- (1) A sign special permit may be granted by the Board of Appeals or Arlington Redevelopment Board, as applicable, to allow more than the number of signs allowed under this Section 6.2, or signs of a greater size or in a location other than that specified in this Section 6.2 provided the architecture of the building, the location of the building relative to the street, or the nature of the use being made of the building is such that an additional sign or signs of a larger size should be allowed in the public interest. In no case shall any sign allowed exceed a maximum sign area of four feet times the length of the building frontage.
- (2) An application for a sign special permit shall comply with the submission requirements and procedures in Section 3.3 and Section 3.4 and the rules and regulations of the Board of Appeals or Arlington Redevelopment Board, as applicable.

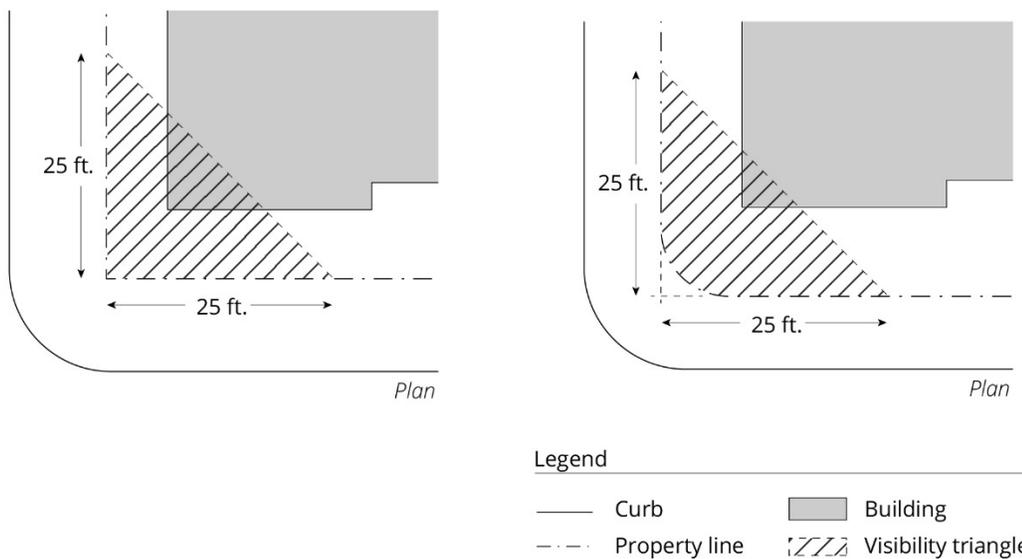
D. Appeals. A decision of the Building Inspector may be appealed by any aggrieved person pursuant to Section 3.1.3.

6.2.3. General Restrictions for All Signs

- A. Location Restriction. Except where specifically authorized in this Section, signs may not be placed in the following locations:
- (1) Within, on, or projecting over public property, Town rights-of-way, and the Minuteman Bikeway, or waterways, except signs specifically authorized by this Section 6.2;
 - (2) Any location that obstructs the view of any authorized traffic sign, signal, or other traffic control device;
 - (3) On property at any corner formed by intersecting streets, within the triangular area formed between the property lines and a diagonal line joining points on the property lines 25 feet from the point of their intersection, or in the case of rounded property line corners, the triangular area between the tangents to the curve at such corner and a diagonal line joining points on the tangents 25 feet from the point of their intersection;

Traffic Visibility at Intersections

(See Section 6.2.3(A)(3))



This diagram is included for illustrative purposes only. It is not part of the Arlington Zoning Bylaw.

- (4) Areas allowing for ingress to or egress from any door, window, vent, exit way or fire lane required by the Building Code or Fire Department regulations currently in effect;
- (5) Off the premises of the business to which the commercial advertising sign refers, except as provided in Section 6.2.6;

- (6) On fuel tanks, storage containers and/or solid waste receptacles or their enclosures, except for a manufacturer's or installer's identification, appropriate warning signs and placards, and information required by law;
 - (7) Where they cover the architectural features of a building, such as dormers, insignias, pilasters, soffits, transoms, trims, or another architectural feature;
 - (8) Tacked, painted, burned, cut, pasted, or otherwise affixed to trees, rocks, light and utility poles, posts, fences, ladders, benches, or similar supports that are visible from a public way except for notices as defined in Title V, Article 1, of the Town Bylaws; and
 - (9) On the roof of a building or structure.
- B. Prohibited Signs. Except as otherwise provided in this Section, the following signs are prohibited:
- (1) Signs that could be confused with any authorized traffic signal or device or that interfere with, obstruct, confuse or mislead traffic;
 - (2) Bandit Signs;
 - (3) Cabinet Signs;
 - (4) Electronic Message Centers or electronic displays;
 - (5) Inflatable balloons, spinners, strings of flags and pennants, feather banners, fixed aerial displays, streamers, tubes, or other devices affected by the movement of the air or other atmospheric or mechanical means either attached to a sign or to vehicles, structures, poles, trees and other vegetation, or similar support structures, except as allowed in Section 6.2.6;
 - (6) Signs affixed to trucks, automobiles, trailers, or any other vehicle that advertise, identify or provide direction to a use or activity not related to its lawful use for making deliveries, the sale of merchandise, or rendering services from such vehicles;
 - (7) The parking of delivery, sales, or service vehicles in an off-site location, or on-site within a parking lot adjacent to a public street, for the purpose of advertising;
 - (8) Any sign which advertises a business no longer in existence or a product of service no longer being sold;
 - (9) Any portable or temporary sign, other than those signs allowed pursuant to Section 6.2.6; and
 - (10) Any other signs not specifically allowed by the provisions of this Section.

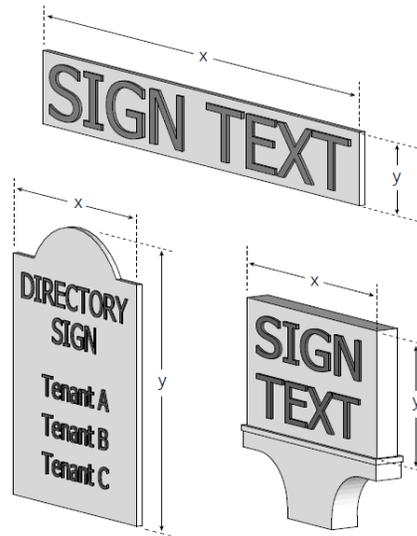
- C. Display Restrictions. The purpose of this Section is to regulate the manner in which signs convey their messages by specifying prohibited display features that create distractions to the traveling public and create visual clutter that mar the natural and architectural aesthetics of the Town of Arlington. Signs with the following display features are prohibited:
- (1) Animated features which rotate, move, or give the appearance of moving by mechanical, wind, or other means. Barber poles no more than three feet in height and 10 inches in diameter, flags, and clocks are excepted from this restriction;
 - (2) Sound, odor, or any particulate matter including, bubbles, smoke, fog, confetti, or ashes;
 - (3) Lighting devices with intermittent, flashing, rotating, blinking or strobe light illumination, animation, motion picture, or laser or motion picture projection, or any lighting effect creating the illusion of motion, as well as laser or hologram lights;
 - (4) Internally illuminated signs with a directly exposed light source, except for neon incorporated into the design of a permanent window sign. See Subsection 6.2.4(C);
 - (5) Surfaces that reflect light by means of a glossy, polished, or mirrored surface; and
 - (6) Strings of lights used in connection with commercial premises, except when used for temporary lighting for holiday decoration, and lights arranged in the shape of a product, arrow, or any commercial message.

6.2.4. General Requirements for All Signs

- A. Sign Message. Any sign may contain, in lieu of any other message or copy, any lawful non-commercial message, so long as the sign complies with the size, height, area, location, and other requirements of this Bylaw.
- B. Sign Measurement.
- (1) Sign Area Measurement. Sign area for all sign types is measured as follows:
 - Signs on Background Panel. Sign copy mounted, affixed, or painted on a background panel or surface distinctively painted, textured, or constructed as a background for the sign copy, is measured as that area contained within the sum of the smallest rectangle(s) that will enclose both the sign copy and the background.

Sign Area for Signs on Background Panel

(See Section 6.2.4(B)(1))



This diagram is included for illustrative purposes only. It is not part of the Arlington Zoning Bylaw.

- **Signs with Individual Letters.** Sign copy mounted as individual letters or graphics against a wall, fascia, mansard, or parapet of a building or surface of another structure, that has not been painted, textured or otherwise altered to provide a distinctive background for the sign copy, is measured as a sum of the smallest rectangle(s) that will enclose each word and each graphic in the total sign.

Sign Area for Signs with Individual Letters

(See Section 6.2.4(B)(1))

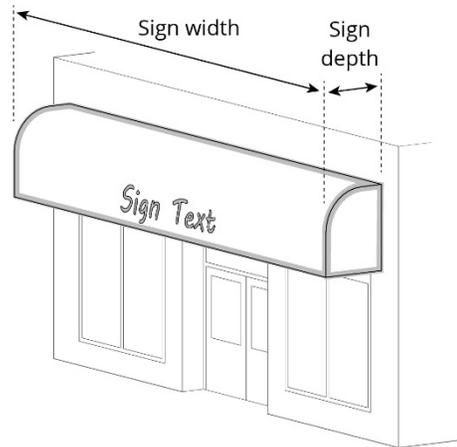


This diagram is included for illustrative purposes only. It is not part of the Arlington Zoning Bylaw.

- Signs on Illuminated Surfaces. Sign copy mounted, affixed, or painted on an illuminated surface or illuminated element of a building or structure, is measured as the entire illuminated surface or illuminated element, which contains sign copy. Such elements may include lit canopy fascia signs, and/or interior lit awnings.

Sign Area for Signs on Illuminated Surfaces

(See Section 6.2.4(B)(1))

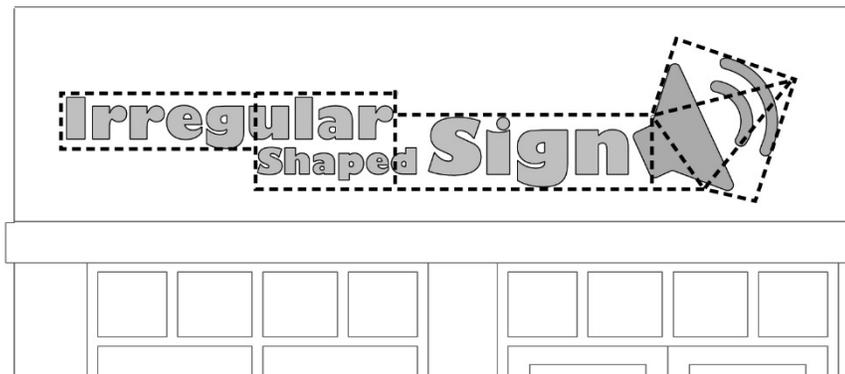


This diagram is included for illustrative purposes only. It is not part of the Arlington Zoning Bylaw.

- Irregular Shaped Signs. Sign area for irregular shaped signs is determined by dividing the sign into squares, rectangles, triangles, or other shapes the area of which is easily calculated.

Sign Area for Irregular Shaped Signs

(See Section 6.2.4(B)(1))

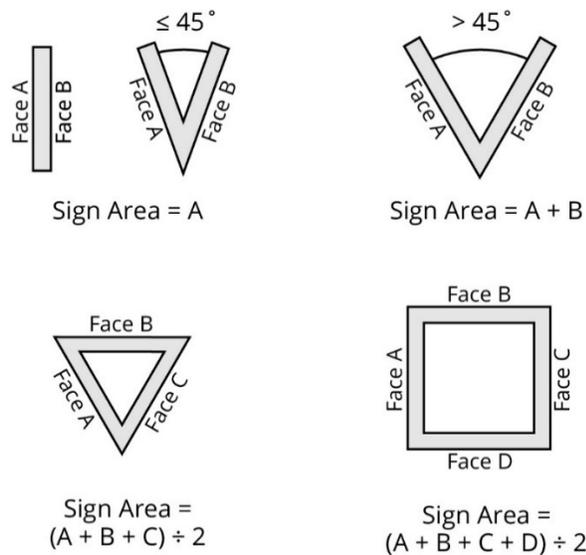


This diagram is included for illustrative purposes only. It is not part of the Arlington Zoning Bylaw.

- Multi-Face Signs. Multi-face signs are measured as follows:
 - Two face signs: If the interior angle between the two sign faces is 45 degrees or less and the sign faces are less than 42 inches apart, the sign area is determined by the measurement of one sign face only. If the angle between the two sign faces is greater than 45 degrees, the sign area is the sum of the areas of the two sign faces.
 - Three or four face signs: The sign area is 50 percent of the sum of the areas of all sign faces.

Sign Area for Multi-Face Signs

(See Section 6.2.4(B)(1))

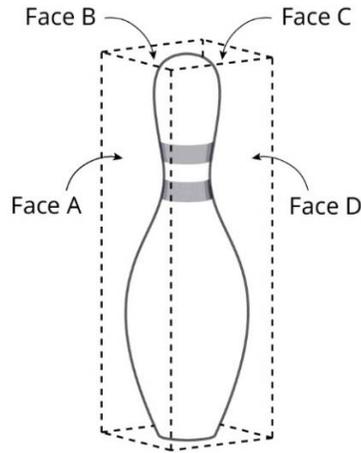


This diagram is included for illustrative purposes only. It is not part of the Arlington Zoning Bylaw.

- Spherical, free-form, or sculptural sign area is measured as 50 percent of the sum of the areas using only the four vertical sides of the smallest four-sided polyhedron that will encompass the sign structure. Signs with greater than four polyhedron faces are prohibited.

Sign Area for Spherical and Free-form Signs

(See Section 6.2.4(B)(1))



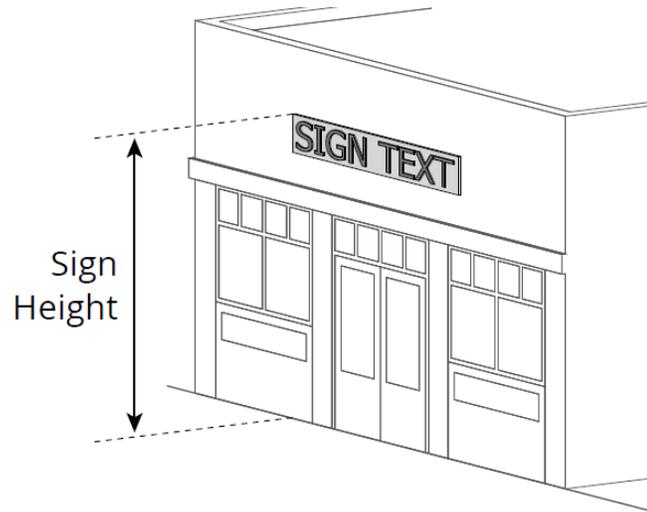
$$\text{Sign Area} = \frac{(A + B + C + D)}{2}$$

This diagram is included for illustrative purposes only. It is not part of the Arlington Zoning Bylaw.

- Numerals and letters identifying an address are not included in the determination of sign area.
- (2) Sign Height Measurement. Sign height is measured as follows:
- Building Mounted Sign Height. The height signs mounted on the wall, fascia, mansard, or parapet is the vertical distance measured from the base of the wall on which the sign is located to the top of the sign or sign structure.

Building Mounted Sign Height

(See Section 6.2.4(B)(2))

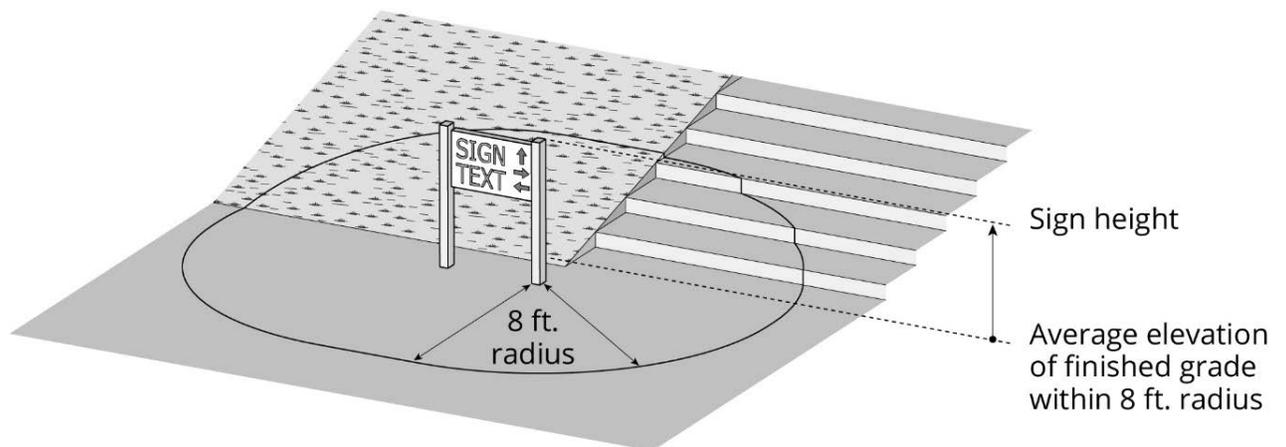


This diagram is included for illustrative purposes only. It is not part of the Arlington Zoning Bylaw.

- **Freestanding Sign Height.** Sign height is measured as the vertical distance from the average elevation of the finished grade within an eight-foot radius from all sides of the sign at the base of a sign to the top of the sign, exclusive of any filling, berming, mounding or landscaping solely for the purpose of locating the sign, including decorative embellishments.

Freestanding Sign Height

(See Section 6.2.4(B)(2))



This diagram is included for illustrative purposes only. It is not part of the Arlington Zoning Bylaw.

- C. Sign Illumination. All allowed permanent signs may be non-illuminated, illuminated by internal light fixtures, halo illuminated, or illuminated by external indirect illumination, unless otherwise specified. All permanent signs for single-family and two-family residences or duplexes and all temporary signs must be non-illuminated.
- (1) No sign shall be illuminated between 12:00 AM and 6:00 AM, except signs identifying emergency services such as police and ambulance stations or hospitals and signs on premises open for business during that time.
 - (2) Internally Illuminated Signs.
 - Internally illuminated signs include signs constructed with pan channel letters, preferably without raceways, or internal/indirect halo illuminated channel letters on an unlit or otherwise indistinguishable background on a freestanding sign or building wall.
 - Single-color LED signs are considered internally illuminated signs.
 - (3) Externally Illuminated Signs. Externally illuminated signs must be illuminated only with steady, stationary, fully-shielded light sources directed solely onto the sign without causing glare. The light source for externally illuminated signs must be arranged and shielded to substantially confine all direct light rays to the sign face and away from streets and adjacent properties.
- D. Neon and Single-Color LED Signs. Neon or single-color LED signs placed in a window count toward the aggregate area for all window signs and must not exceed 25 percent of the area of the window. Any individual neon or single-color LED sign must not exceed four square feet in area. Other uses of neon are prohibited; see Subsection 6.2.3(C)(4).
- E. Structure and Installation. The construction of signs shall be enforced and administered by the Building Inspector. All signs and advertising structures must be designed to comply with the provisions of this Section 6.2 and applicable provisions of the Building and Electrical Codes and constructed to withstand wind loads, dead loads, and lateral forces.
- (1) Any angle iron, bracing, guy wires, or similar features used to support a sign must not be visible to the extent technically feasible.
 - (2) Where electrical service is provided to freestanding signs or building mounted signs, the service must be placed underground and concealed. Electrical service to building mounted signs, including conduit, housings, and wire, must be concealed or, when necessary, painted to match the surface of the structure upon which they are mounted. A building permit shall be issued prior to installation of any new signs requiring electrical service.
 - (3) Raceway cabinets shall only be used in building mounted signs when access to the wall behind the sign is not feasible, shall not extend in width and height beyond the area of the sign, and shall match the color of the building to which it is attached. Where a raceway cabinet provides a contrast background to sign

copy, the colored area is counted in the total allowable sign area allowed for the site or business.

Raceway Cabinets

(See Section 6.2.4(E)(3))



This diagram is included for illustrative purposes only. It is not part of the Arlington Zoning Bylaw.

- (4) All permanent signs allowed by this Section must be constructed of durable materials capable of withstanding continuous exposure to the elements and the conditions of a built-up environment, and must be permanently attached to the ground, a building or another structure by direct attachment to a rigid wall, frame, or structure.
- F. Sign Maintenance. Unless otherwise specified in this Section, all signs must be maintained by any property owner, lessor, lessee, manager, agent, or other person having lawful possession or control over a building, structure, or parcel of land. Signs must be maintained in a condition or state of equivalent quality to that which was approved or required by the Town of Arlington.
- (1) All signs together with their supports and appurtenances must be maintained in good structural condition, in compliance with applicable Building and Electrical Codes, and in conformance with this Section. Maintenance of a sign includes periodic cleaning, replacement of flickering, burned out or broken light bulbs or fixtures, repair or replacement of any faded, peeled, cracked, or otherwise damaged or broken parts of a sign, and any other activity necessary to restore the sign so that it continues to comply with the requirements and contents of the sign permit issued for its installation and provisions of this Section.
 - (2) Required landscaped areas contained by a fixed border, curbed area, wall, or other perimeter structure must receive regular repair and maintenance. Plant materials that do not survive after installation in required landscape areas are required to be replaced within three months.
 - (3) The Building Inspector has the authority to order the repair, maintenance, or removal of any sign or sign structure that has not been maintained and is

dangerous or in disrepair, or which is erected or maintained contrary to the requirements of this Section.

- (4) Failure to maintain a sign constitutes a violation of this Section and shall be subject to enforcement action, in which case the Building Inspector may order the removal of any sign that is determined to be in disrepair of dangerous pursuant to the provisions of Section 3.1.

6.2.5. Standards for Permanent Signs

- A. Purpose and Applicability. This Section establishes the standards for permanent building mounted and freestanding signs that are applicable in all districts. Standards for each allowed sign type are provided in tables in Subsections 6.2.5(D) and 6.2.5(E). These tables are organized as permanent building mounted and freestanding signs for each sign type. All permanent signs must comply with the standards for sign area, height, number, type, and other requirements provided in these tables.
- B. Sign Districts. The table below summarizes how the Town of Arlington's districts established in Section 4.1 have been combined into sign districts based on similarity of use, building form, and character.

Sign Districts		
Sign District Name	Districts	Description
Residential Sign District	Large Lot Single-Family District (R0) Single-Family District (R1) Two-Family District (R2) Three-Family District (R3)	These districts comprise the vast majority of residential land in Arlington. Signage is limited in these districts, as a variety of allowed signage types could detract from the desired residential character.
Residential/Business Sign District	Townhouse District (R4) Apartment District/Low Density (R5) Apartment District/Medium Density (R6) Apartment District/High Density (R7) Neighborhood Office District (B1) Neighborhood Business District (B2)	These districts generally are located along Massachusetts Avenue, and require a variety of sign types to achieve a diverse, mixed-use character appropriate for neighborhood residential, office, service, and retail uses.
Business Sign District	Major Business District (B2A) Village Business District (B3) Vehicular Oriented Business District (B4) Central Business District (B5)	These districts comprise the major commercial centers in Arlington and require a variety of sign types to achieve a diverse character appropriate for major office, service, and retail uses.
Industrial Sign District	Industrial District (I) Transportation District (T)	These districts allow a number of sign types to achieve a character appropriate for industrial manufacturing, warehousing, and transportation uses.
Multi-Use Sign District	Multi-Use District (MU) Planned Unit Development (PUD)	These districts allow a variety of signage types for larger-scale, multi-use developments.
Open Space Sign District	Open Space District (OS)	This district prohibits most sign types, allowing only those necessary to provide information for the primary open space and recreation uses.

C. Allowed Sign Types by Sign District. The table below establishes which sign types are allowed in each Sign District.

Allowed Sign Types by Sign District						
Sign Type	Residential ¹ (R0, R1, R2, R3)	Residential/ Business ¹ (R4, R5, R6, R7, B1, B2)	Business ¹ (B2A, B3, B4, B5)	Industrial ¹ (I, T)	Multi- Use ¹ (MU, PUD)	Open Space ¹ (OS)
Building Mounted Signs²						
Awning Sign		Y	Y	Y	Y	
Bracket Sign		Y	Y		Y	
Canopy Sign			Y		Y	
Directional Sign		Y	Y	Y	Y	
Directory Sign		Y	Y	Y	Y	
Marquee Sign			Y			
Porch Sign	Y	Y				
Projecting Sign			Y	Y	Y	
Service Island Canopy Sign			Y	Y		
Wall Sign	Y	Y	Y	Y	Y	
Window Sign	Y	Y	Y	Y	Y	
Freestanding Signs						
Directory Sign				Y	Y	
Directional Sign		Y	Y	Y	Y	
Freestanding Projecting Sign				Y	Y	Y
Monument Sign			Y	Y		
Post Sign		Y	Y	Y	Y	Y
End Note:						
¹ For Institutional Uses in all Districts, all permanent sign types are allowed except for the following:						
<ul style="list-style-type: none"> • Awning Sign • Marquee Sign • Projecting Sign • Service Island Canopy Sign 						
² A maximum of two permanent signs listed in Section 6.2.5(C) are permitted per establishment, including any freestanding projecting, monument, or post signs, but excluding awning signs, directional signs, directory signs, marquee signs, and window signs. In all districts, a building may have no more than two of either an awning sign, wall sign, or a window sign.						

D. Standards for All Permanent Building-Mounted Sign Types. The following sign types are allowed, subject to the criteria listed under each sign type.

- (1) Awning Sign. Awning signs must comply with the standards provided in the table below.

Awning Sign Standards	
Standard	Requirements
Sign Area ¹	1 sq. ft. of sign area per lineal foot of awning width. Max. 60% of awning width.
Mounting Height	Min. of 8 ft. from the bottom of the awning to the sidewalk.
Sign Placement	Only above the doors and windows of the ground or second floor of a building. Must not project above, below, or beyond the edges of the face of the building wall or architectural element on which it is located. Sign width shall not be greater than 60% of the width of the awning face or valance on which it is displayed.
Setback from back of curb	Min. 2 ft.
Illumination	Nonilluminated or illumination under the awning.
Permitting	Sign permit required. See Subsection 6.2.2(A).

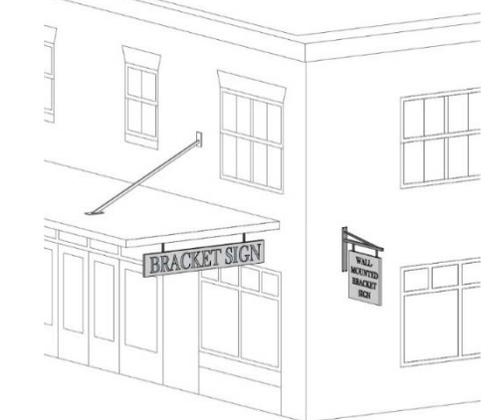


This diagram is included for illustrative purposes only. It is not part of the Arlington Zoning Bylaw.

End Notes:
¹ If an awning is placed on multiple store fronts, each business is allowed signage no greater than 60% of the width of the store front.

- (2) Bracket Sign. Bracket signs must comply with the standards provided in the table below.

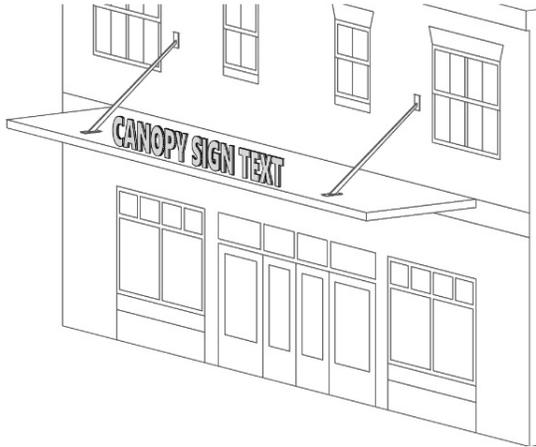
Bracket Sign Standards	
Standard	Requirements
Number of Signs	Max. 1 per business.
Sign Area	Max. 16 sq. ft.
Mounting Height	Min. of 8 ft. from the bottom of the sign to the sidewalk. Must be mounted perpendicular to the building face or corner of the building.
Sign Placement	If mounted below the underside of a walkway or overhead structure, must not extend beyond the edge of the structure on which it is located.
Sign Projection	Max. 5 feet from the building façade.
Illumination	Non-illuminated or externally illuminated. See Subsection 6.2.4(C).



This diagram is included for illustrative purposes only. It is not part of the Arlington Zoning Bylaw.

- (3) **Canopy Sign.** Canopy signs must comply with the standards provided in the table below.

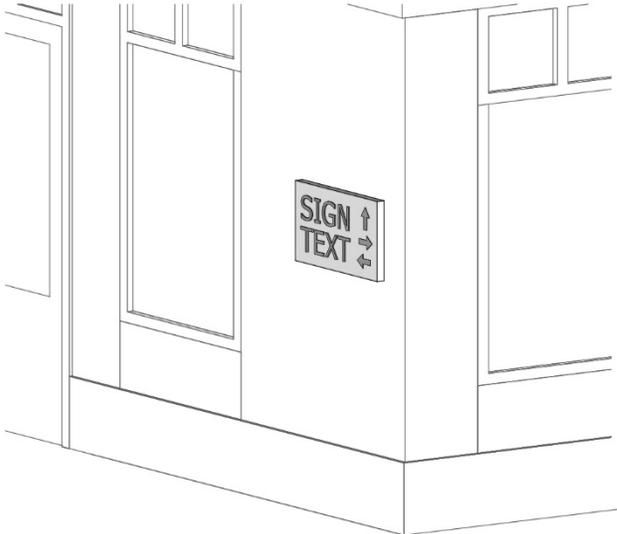
Canopy Sign Standards	
Standard	Requirements
Number of Signs	Max 1 per business.
Sign Area	1 sq. ft. of sign area per linear foot of canopy width.
Mounting Height	Max. 20 ft. on ground floor canopies. Min. of 8 ft. from the bottom of the sign to the sidewalk.
Illumination	Nonilluminated or internal illumination only. See Subsection 6.2.4(C).
Permitting	Sign permit required. See Subsection 6.2.2(A).



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- (4) **Directional/Driveway Sign.** Directional signs must comply with the standards provided in the table below.

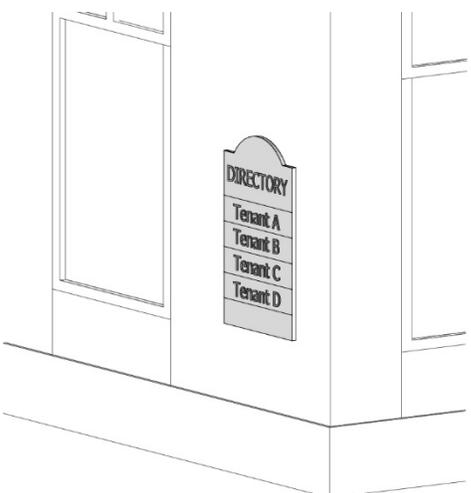
Directional/Driveway Sign Standards	
Standard	Requirements
Number of Signs	Max. 3 per lot. Max. 1 at each driveway or drive-through lane.
Sign Area	Max. 3 sq. ft. per sign face.
Mounting Height	Max. 6 ft. from nearest grade; except, max. 3 ft. at each driveway or drive-through lane.
Illumination	Nonilluminated or internal illumination only. See Subsection 6.2.4(C).
Permitting	Sign permit required. See Subsection 6.2.2(A).



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- (5) Directory Sign. Directory signs must comply with the standards provided in the table below.

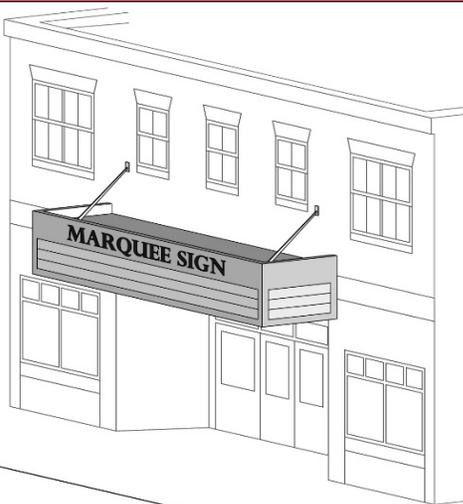
Directory Sign Standards	
Standard	Requirements
Number of Signs	Max. 1 per building.
Sign Area	1 sq. ft. per occupant or tenant space. Max. 16 sq. ft.
Mounting Height	Max. 6 ft. from nearest grade.
Illumination	Nonilluminated, internally illuminated, or externally illuminated only. See Subsection 6.2.4(C).
Permitting	Sign permit required. See Subsection 6.2.2(A).



This diagram is included for illustrative purposes only. It is not part of the Arlington Zoning Bylaw.

- (6) Marquee Sign. Marquee signs must comply with the standards provided in the table below.

Marquee Sign Standards	
Standard	Requirements
Number of Signs	1 sq. ft. of sign area per lineal foot of awning width. Max. 60% of awning width.
Sign Area	Min. of 8 ft. from the bottom of the awning to the sidewalk.
Mounting Height	Only above the doors and windows of the ground or second floor of a building. Must not project above, below, or beyond the edges of the face of the building wall or architectural element on which it is located. Sign width shall not be greater than 60% of the width of the awning face or valance on which it is displayed.
Sign Placement	Min. 2 ft. from back of curb
Illumination	Nonilluminated or illumination under the awning.
Permitting	Sign permit required. See Subsection 6.2.2(A).
Special Provisions	Requirements
Changeable Copy Signs	Equivalent to the total allowable wall sign area. Allowed only as an integral part of a marquee sign. Non-illuminated or internally illuminated. See Subsection 6.2.4(C). Sign permit required. See Subsection 6.2.2(A).



This diagram is included for illustrative purposes only. It is not part of the Arlington Zoning Bylaw.

- (7) Porch Sign. Porch signs must comply with the standards provided in the table below.

Porch Sign Standards	
Standard	Requirements
Number of Signs	Max. 1 per building.
Sign Area and Dimensions	Max. 6 sq. ft.; Max. dimension of any side 3 ft.
Mounting Height	Min. 6 ft. 8 inches.
Sign Placement	Mounted on a beam or other structure parallel to the face of the building.
Illumination	Non-illuminated or externally illuminated. See Subsection 6.2.4(C).
Permitting	Sign permit required. See Subsection 6.2.2(A).



This diagram is included for illustrative purposes only. It is not part of the Arlington Zoning Bylaw.

- (8) Projecting Sign. Projecting signs must comply with the standards provided in the table below.

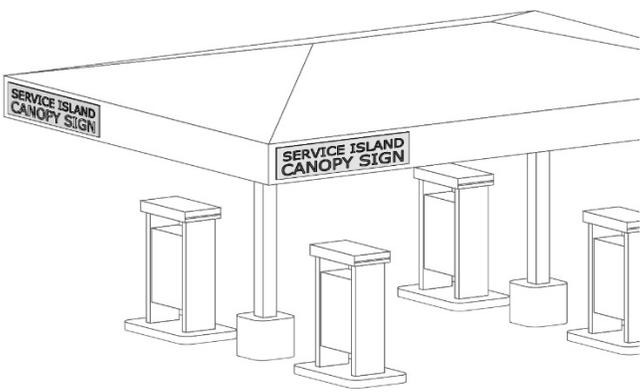
Projecting Sign Standards	
Standard	Requirements
Number of Signs	Max. 1 per business.
Sign Area	Max. 12 sq. ft.
Sign Width	Max. 2 ft.
Mounting Height	Min. of 8 ft. from the bottom of the sign to the sidewalk.
Sign Placement	Only on the wall of a building and must not project above the plate line.
Projection	Max. 12 inches from the wall.
Illumination	Non-illuminated, internally illuminated, or externally illuminated. See Subsection 6.2.4(C).
Permitting	Sign permit required. See Subsection 6.2.2(A).



This diagram is included for illustrative purposes only. It is not part of the Arlington Zoning Bylaw.

- (9) Service Island Canopy Sign. Service island canopy signs must comply with the standards provided in the table below.

Service Island Canopy Sign Standards	
Standard	Requirements
Number of Signs	Max. 2; 1 per canopy façade.
Sign Area	Max. 20 sq. ft.
Illumination	Non-illuminated or internally illuminated. See Subsection 6.2.4(C).
Permitting	Sign permit required. See Subsection 6.2.2(A).

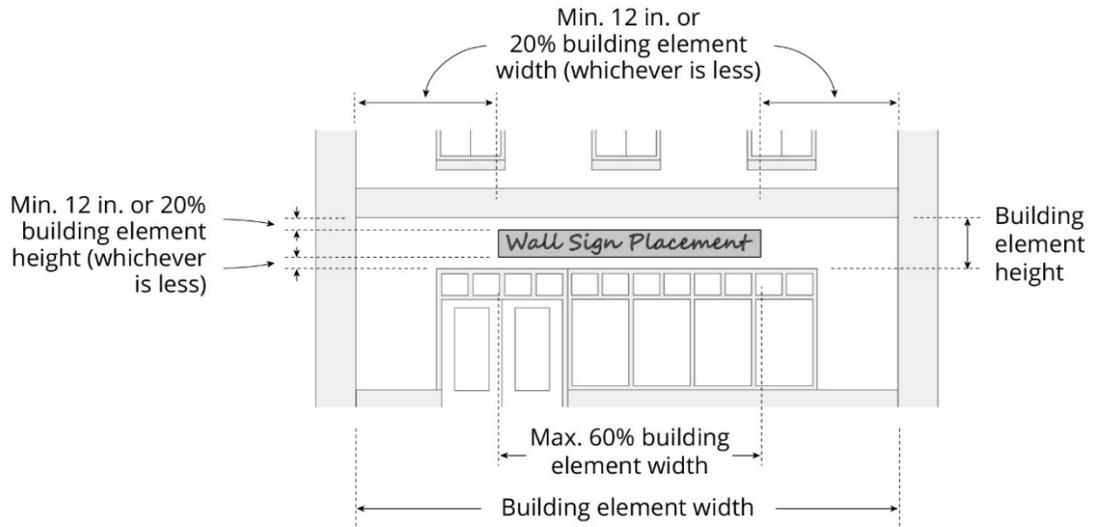


This diagram is included for illustrative purposes only. It is not part of the Arlington Zoning Bylaw.

- (10) Wall Sign. Wall signs must comply with the standards provided in the table below.

Wall Sign Standards		
Standard	Requirements	
	Sign Area and Number of Signs ¹	Sign Height
Residential Sign District:	Max. 1; Max. 4 sq. ft. per residence	Max. 6 ft. to the nearest grade
Residential/Business Sign District:	Max. 1 per residence; Max. 4 sq. ft. Max. 1 per frontage for businesses; Max. 20 sq. ft.	Max. 6 ft. to the nearest grade
Business Sign District:	Max. 1 per frontage; Max. 40 sq. ft. per business	Max. 25 ft.
Multi-Use Sign District:	Max. 1 per frontage; Max. 40 sq. ft. per business	Max. 25 ft.
Industrial Sign District:	Max. 1 per frontage; Max. 40 sq. ft per business	Max. 25 ft.
Open Space Sign District:	Max. 1; Max. 12 sq. ft.	Max. 10 ft. to the nearest grade
Institutional Use in All Districts:	2 signs per frontage; 1 sign max. 20 sq. ft. and 1 sign max 10 sq. ft. (1 sign may be a freestanding sign max. 10 sq. ft.).	Max. 10 ft. to the nearest grade
Sign Placement	The total sign area for signs on single-tenant or multi-tenant buildings may be placed on any building elevation, subject to the following standards: (1) At least 1 sign must be placed above or associated with the building entry; (2) No sign shall face an adjoining residential district; (3) The width of the sign shall be no greater than 60% of the width of the building element on which it is displayed; (4) Signs shall be placed at least 12 inches or 20% of the width of the building element on which they are mounted, whichever is less, from the sides of the building element; (5) Signs shall be placed at least 12 inches or 20% of the height of the building element on which they are mounted, whichever is less, from the top and bottom edge of the building element; and	

	(6) Signs shall be placed no higher than the lowest of the following: <ul style="list-style-type: none"> • 25 ft. above grade; • The bottom of the sill of the first level of windows above the first story; or • The cornice line of the building at the building line.
Illumination	Non-illuminated, internally illuminated, or externally illuminated. See Subsection 6.2.4(C).
Permitting	Sign permit is required, except for single-family and two-family residences and duplexes. See Subsection 6.2.2(A).



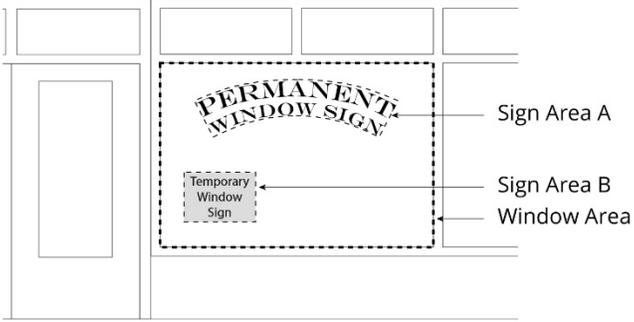
This diagram is included for illustrative purposes only. It is not part of the Arlington Zoning Bylaw.

Special Provisions	Requirements
Painted Wall Signs	Painted wall signs are allowed on any exterior building wall of an individual tenant space or building. Painted wall signs are included in the total allowable area for wall signs. The allowable area for a painted wall sign shall be increased by 10%. Must be professionally painted. Non-illuminated or externally illuminated. See Subsection 6.2.4(C).

End Note:

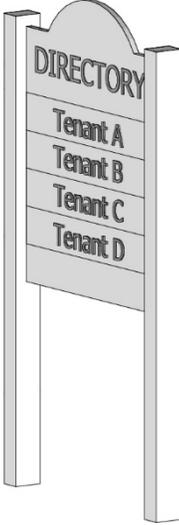
¹ In any B, I or PUD district, one wall sign is permitted for each street or parking lot frontage for each establishment.

(11) Window Sign. Window signs must comply with the standards provided in the table below.

Window Sign Standards	
Standard	Requirements
Sign Area	Combined area of permanent and temporary window signs must not exceed 25% of the area of the window where they are displayed.
Sign Placement	No higher than 2 nd story windows. Inside mounting required.
 <p style="text-align: center;">Sign Area A + Sign Area B ≤ 25% Window Area</p> <p style="text-align: center;">This diagram is included for illustrative purposes only. It is not part of the Arlington Zoning Bylaw.</p>	
Illumination	Non-illuminated or neon illumination only. See Subsection 6.2.4(C).
Permitting	Sign permit is not required.

E. Standards for All Permanent Freestanding Sign Types. The following sign types are allowed, subject to the criteria listed under each sign type.

(1) Directory Sign. Directory signs must comply with the standards provided in the table below.

Directory Sign Standards	
Standard	Requirements
Number of Signs	Max. 1 per building.
Sign Area	1 sq. ft. per occupant or tenant space. Max 12 sq. ft.
Height	Max. 6 ft. from nearest grade.
Illumination	Nonilluminated, internally illuminated, or externally illuminated only. See Subsection 6.2.4(C).
Permitting	Sign permit required. See Subsection 6.2.2(A).
 <p style="text-align: center;">This diagram is included for illustrative purposes only. It is not part of the Arlington Zoning Bylaw.</p>	

- (2) Freestanding Projecting Sign. Freestanding projecting signs must comply with the standards provided in the table below.

Freestanding Projecting Sign Standards	
Standard	Requirements
Number of Signs	1 per lot.
Sign Area	Max. 4 sq. ft.; Max. dimension of the longest side 2 ft.
Height	Max. 6 ft.
Sign Placement	Min. 5 ft. setback from property line. See also Subsection 6.2.3(A)(3).
Illumination	Non-illuminated or externally illuminated with down directed, fully shielded fixtures only. See Subsection 6.2.4(C).
Permitting	Sign permit is required. See Subsection 6.2.2(A).



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(3) Monument Sign. Monument signs must comply with the standards provided in the table below.

Monument Signs Standards		
Standard	Requirements	
	Sign Area and Number of Signs	Sign Height
Residential/Business Sign District:	Max. 1 per residence and 1 per frontage for businesses; Max. 8 sq. ft.	Max. 4 ft. to the nearest grade
Business Sign District:	Max. 1 per frontage; Max. 24 sq. ft.	Max. 8 ft. to the nearest grade
Multi-Use Sign District:	Max. 1 per frontage; Max. 24 sq. ft.	Max. 12 ft. to the nearest grade
Open Space Sign District:	Max. 1 per frontage; Max. 12 sq. ft.	Max. 6 ft. to the nearest grade
Industrial Sign District:	Max. 1 per frontage; Max. 24 sq. ft.	Max. 6 ft. to the nearest grade
Institutional Use in All Districts:	Max. 1 per frontage; Max. 10 sq. ft.	Max. 6 ft. to the nearest grade
Sign Placement	Business, Industrial, Multi-Use and Open Space Sign District: Min. 5 ft. setback from property line. Residential and Residential/Business Sign District: Min. 10 ft. from property line. See also Subsection 6.2.3(A)(3).	
Illumination	Non-illuminated or externally illuminated. See Subsection 6.2.4(C).	
Permitting	Sign permit is required. See Subsection 6.2.2(A).	
		
<p>This diagram is included for illustrative purposes only. It is not part of the Arlington Zoning Bylaw.</p>		
Special Provisions	Requirements	
Name of Shopping Center	The name of a shopping center is included in the area and height limits for freestanding signs.	
Landscaping	A landscaped area consisting of shrubs, and/or perennial ground cover plants with a max. spacing of 3 ft. on center is required around the base of the signs. The landscape area must be a min. of 2 sq. ft. for each 1 sq. ft. of sign area.	

- (4) **Post Sign.** Post signs must comply with the standards provided in the table below.

Post Signs Standards		
Standard	Requirements	
	Sign Area and Number of Signs	Sign Height
Residential/Business Sign District:	Max. 1 per residence and 1 per frontage for businesses; Max. 8 sq. ft.	Max. 4 ft. to the nearest grade
Business Sign District:	Max. 1 per frontage; Max. 24 sq. ft.	Max. 8 ft. to the nearest grade
Multi-Use Sign District:	Max. 1 per frontage; Max. 24 sq. ft.	Max. 8 ft. to the nearest grade
Open Space Sign District:	Max. 1 per frontage; Max. 12 sq. ft.	Max. 6 ft. to the nearest grade
Industrial Sign District:	Max. 1 per frontage; Max. 24 sq. ft.	Max. 6 ft. to the nearest grade
Institutional Use in All Districts:	Max. 1 per frontage; Max. 10 sq. ft.	Max. 6 ft. to the nearest grade
Sign Placement	Business, Industrial, Multi-Use and Open Space Sign District: Min. 5 ft. setback from property line. Residential and Residential/Business Sign District: Min. 10 ft. from property line. See also Subsection 6.2.3(A)(3).	
Illumination	Non-illuminated or externally illuminated. See Subsection 6.2.4(C).	
Permitting	Sign Permit is required. See Subsection 6.2.2(A).	

This diagram is included for illustrative purposes only. It is not part of the Arlington Zoning Bylaw.

F. Billboards.

- (1) No person, firm, association, or corporation shall erect, display or maintain a billboard, except those exempted by G.L. 93, §§ 30 and 32.
- (2) No billboard shall be erected, displayed, or maintained in any block in which one-half of the buildings on both sides of the street are used exclusively for residential purposes; except that this provision shall not apply if the written consent of the owners of the majority of the frontages on both sides of the

street in such block is first obtained and is filed with the Select Board or the Massachusetts Department of Transportation (MassDOT) Office of Outdoor Advertising, together with the application for a Permit for the billboard.

(3) Requirements for Billboards. Billboards are subject to the permit requirements established by the MassDOT Office of Outdoor Advertising. In addition, the following standards apply.

- A maximum of one billboard is allowed per lot.
- A billboard may not be located within 50 feet of any public right-of-way.
- A billboard may not be located within 50 feet of another billboard, unless they are placed back-to-back billboards on the same structure.
- A billboard may not be located in any Residential District or Planned Unit Development District unless specifically exempt by the applicable regulations of the MassDOT Office of Outdoor Advertising.
- A billboard may not be located in any B or I District when:
 - On any block in which one-half or more of the buildings on both sides of the street are used partially or wholly for residential purposes;
 - On the premises of or within 300 feet of a district, site, building, structure or object which is listed in the National Register of Historic Places in accordance with P. L. 89 665, 805.915 (1966) as amended;
 - On the premises of or within 300 feet of any church, chapel, synagogue, school, public playground, hospital, municipal building (including without limitation town hall, fire and police stations and public library buildings, MBTA station), museum, public park or reservation, a permanently erected memorial to veterans or monument;
 - Within 200 feet of the 100-year flood line of the Alewife Brook, Mystic Lake, Mystic River, Mill Brook, Spy Pond or any wetlands shown on the floodplain and wetland overlay of the Zoning Map of the Town of Arlington;
 - Within a radius of 150 feet from the point where the centerlines of two or more public ways intersect;
 - Exceeding a height of 30 feet measured from the ground surface;
 - Upon the roof of any building;

- Exceeding an area of 300 square feet or one-half square foot per foot of lot frontage or, in the case of wall signs, of one-sixth of the area of said wall, whichever is smaller;
 - Containing a sign face with a vertical dimension more than 12 feet;
 - Nearer than 100 feet to any public way, if within view of any portion of the same, if such billboard shall exceed a length of eight feet or a height of four feet;
 - Nearer than 300 feet to any public way, if within view of any portion of the same, if such billboard shall exceed a length of 25 feet of a height of 12 feet; or
 - In any event if such billboard shall exceed a length of 50 feet or a height of 12 feet; except that the Select Board may permit the erection of billboards which do not exceed 40 feet in length and 15 feet in height if not nearer than 300 feet to the boundary line of any public way.
- (4) No billboard shall be erected, displayed or maintained without a license from the Select Board pursuant to the following provisions:
- Upon receipt of an application for a permit to erect, display or maintain a billboard within the limits of the Town of Arlington has been received by it, the Select Board shall hold a public hearing on the said application in the Town, notice of which shall be given by posting the same in three or more public places in the Town at least one week before the date of the such hearing.
 - A written statement as to the decision of the Board results shall be forwarded to the applicant within 30 days from the date of notice of the Town that an application for a permit had been made. In the event of a disapproval of the such application, the Board shall provide reasons for the disapproval within 30 days from the date of notice of the Town that an application for such a permit had been made
- (5) This Subsection shall not apply to billboards erected and maintained in conformity with law, which advertise or indicate either the person occupying the premises in question or the business transacted thereon, or advertising the property itself or any part thereof as for sale or to let and which contain no other advertising matter and provided further that this Bylaw shall not apply to billboards legally maintained, at the time of its approval by the Attorney-General, until one year from the first day of July following such approval.

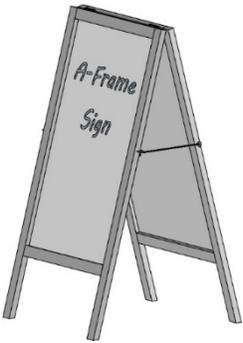
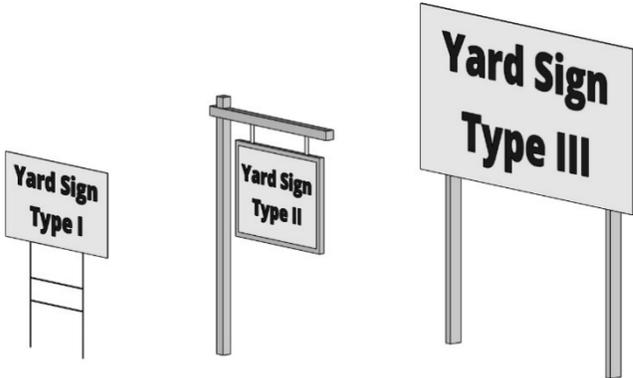
6.2.6. Standards for Portable Signs and Temporary Signs

- A. General to All. Portable and temporary signs are allowed only in compliance with the provisions of this Section.
 - (1) A temporary sign permit is required for the display of temporary wall banner signs. All portable signs may be installed without a temporary sign permit, except that A-frame and upright signs placed in the public right-of-way require a temporary sign permit.
 - (2) There is no limitation on the length of time that a portable sign may be displayed except as provided in Subsection 6.2.6(C).
 - (3) Portable signs must be placed in a manner allowing traffic visibility for street corners and driveways, in accordance with Section 5.3.12.
 - (4) Portable and temporary signs are not counted toward the total allowable sign area or number of permanent signs.

- B. Standards for All Portable Signs and Temporary Signs. Portable and temporary signs are allowed in all zoning districts in compliance with the time, place, and manner restrictions provided in this Section.

Standards for All Portable Signs and Temporary Signs	
Applicable to All Districts	
Placement	Sign placement must not create a hazard for pedestrian or vehicular traffic.
Prohibited Elements	Illumination, including flashing, blinking, or rotating lights; animation; reflective materials; and attachments, including balloons, ribbons, loudspeakers, etc.
Design and Construction	Signs must be of sufficient weight and durability to withstand wind gusts, storms, etc.
Permitting	See Section 6.2.2(B).
All Residential Sign Districts	
Allowed Sign Types	Yard Sign Types I and II; and Window Signs.
Total Sign Area	Max. 16 sq. ft. per lot; excludes the area of temporary window signs.
Number of Signs	Unlimited, except that the total sign area must not exceed 16 sq. ft.
All Non-Residential Sign Districts	
Allowed Sign Types	A-Frame or Upright Signs; Yard Sign Type I, II, and III; Wall Banners; and Window Signs.
Total Sign Area	Max. 24 sq. ft. per business; excludes the area of temporary wall banner signs and window signs.
Number of Signs	Unlimited, except that the total sign area must not exceed 24 sq. ft. per business. Exception: Multi-tenant shopping centers or offices - Max. 2 portable signs per 150 linear feet of property frontage not to exceed 24 sq. ft. combined.

C. Standards for Specific Portable and Temporary Sign Types. All portable and temporary sign types must comply with the standards provided in this Section. Portable and temporary sign types not included in this table are not allowed.

Standards for Specific Portable and Temporary Signs				
Sign Type	Standard			Other Requirements
	Max. Height	Max. Width	Max. Area	
Portable Signs ¹				
A-Frame or Upright Sign	4 ft.	3 ft.	12 sq. ft.	
 <p>This diagram is included for illustrative purposes only. It is not part of the Arlington Zoning Bylaw.</p>				
Yard Sign Type I	4 ft.	2 ft.	3 sq. ft.	Sign must be installed securely in the ground.
Yard Sign Type II	6 ft.	2 ft.	4 sq. ft.	Sign must be installed securely in the ground.
Yard Sign Type III	6 ft.	8 ft.	32 sq. ft.	Sign must be installed securely in the ground.
 <p><i>Not to scale</i></p> <p>This diagram is included for illustrative purposes only. It is not part of the Arlington Zoning Bylaw.</p>				

Standards for Specific Portable and Temporary Signs				
Sign Type	Standard			Other Requirements
	Max. Height	Max. Width	Max. Area	
Temporary Signs				
Wall Banner	-	-	32 sq. ft.	Signs must be mounted on a building wall or on T-posts or stakes installed 6 inches or less from the wall. Signs may only be displayed for a maximum of 60 calendar days per calendar year.
				
<p>This diagram is included for illustrative purposes only. It is not part of the Arlington Zoning Bylaw.</p>				
Window Sign	-	-	Max. 25% ²	Signs may not be placed higher than 2 nd story windows. Inside mounting required.
<p>End Notes:</p> <p>¹ Other portable sign types may be allowed (e.g. fuel pump topper signs wraps around waste receptacles) provided the max. area limitation for all portable signs is not exceeded.</p> <p>² The total area of temporary and permanent window signs must not exceed 25% of the area of the window on which they are displayed.</p>				

6.2.7. Nonconforming Signs

- A. If at the effective date of this Sign Bylaw any sign which is being used in a manner or for a purpose which is otherwise lawful but does not comply with the provisions of this Section 6.2, shall be deemed legal but nonconforming.
- B. Nonconforming signs are required to be maintained in good condition in compliance with Subsection 6.2.4. Nothing in this Section affects an existing sign or the right to its continued use for the purpose used at the time this Section takes effect, nor to make any reasonable repairs or alterations.
- C. A legal nonconforming sign that has been damaged or has deteriorated to such an extent that the cost of restoration would exceed 35% of the replacement cost of the sign at the time of restoration, must be removed or repaired, rebuilt or replaced only in compliance with the provisions of this Section 6.2.

- D. Removal of a nonconforming sign, or replacement of a nonconforming sign with a conforming sign, is required when the use of the sign and/or the property on which the sign is located has been abandoned, ceased operations, become vacant, or been unoccupied for a period of 180 consecutive days or more as long as the period of non-use is attributable at least in part to the property owner, tenant, or other person or entity in control of the use. For purposes of this Section, rental payments or lease payments and taxes shall not be considered as a continued use. In the event this should occur, these conditions will be considered as evidence of abandonment, requiring removal of the nonconforming sign by the owner of the property, his/her agent, or person having the beneficial use of the property, building or structure upon which the nonconforming sign or sign structure is erected within 30 days after written notification from the Building Inspector. If, within the 30-day period, the nonconforming sign is not removed, enforcement action consistent with Section 3.1 shall be pursued.
- E. In no event will the degree of nonconformity of any sign or type of signage be increased.
- F. Illegal signs shall not be considered to be nonconforming signs.

SECTION 2. DEFINITIONS

Additions to the Zoning Bylaw shown in underline format. Deletions shown in ~~strikeout format~~.

Definitions Associated with Signs

Balloon: A brightly colored bag made of flexible material, inflated with air or other gas and sealed, often to make it rise in the air.

Billboard: A permanent sign structure intended for the display of off-premises advertising.

Channel Letters: Three dimensional, individually manufactured letters or figures with an open back which may contain a light source to provide light onto the sign background against which the channel letters are silhouetted.

Commercial Message: A message conveyed by any sign that is solely intended to interest, entice, or solicit any person to participate in commercial transactions with a business, including offers of goods, cash, discounts on products or services, or other items, including the offering of free goods or services made in exchange for or with the intent to induce the recipient's willingness to receive information relating to a possible commercial transaction.

Electronic Message Center: A sign or portion of a sign that is capable of changing by electronic or automatic means the characters, letters, numbers, illustrations, display, color, and/or light intensity.

Flag: A fabric sheet of square, rectangular, or triangular shape that is typically mounted on a pole.

Halo Illumination: A form of sign illumination in which neon tubing, LED, or similar lights are mounted within the letter to illuminate the mounting surface, causing a ring of light around the letter.

LED (Light Emitting Diode): A semiconductor diode that emits light when a voltage is applied to it.

Logo: A stylized group of letters, words, numbers, symbols, or graphics used to represent and distinguish a business, product, or organization.

Mural: A picture or decoration that is applied directly to a wall and does not contain text or a commercial message.

Neon: An illumination source created when a glass tube filled with neon or other similar gas emits light when energized.

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.

Pan Channel Letter: A specific type of sign letter consisting of a metal pan enclosure fabricated in the shape of a letter. The metal pan enclosure is used to house the lighting and electrical components of the letter and can be mounted directly to a

building wall. The sign face is usually made out of colored plastic and is attached to the metal pan to seal it off from pests and harsh weather.

Pennant: A tapering flag made of flexible materials and often triangular in shape. Frequently displayed with other pennants on a string.

Plate line: The uppermost horizontal line of a building wall upon which the roof rests.

Raceway: An enclosed conduit for electrical wiring.

Sign: Any structure, device, figure, display, message placard or other contrivance, or any part thereof, situated outdoors or indoors, which is designed, constructed, intended or used to advertise, provide information in the nature of advertising, provide historical, cultural, archeological, ideological, political, or social information, or direct or attract attention to an object, person, institution, business, product, service, message, event, or location by any means, including words, letters, figures, designs, symbols, fixtures, colors, or illumination. 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 6.2.

~~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 Area, Area of a Sign, Signage: The entire face of a sign including the advertising surface, message, or announcement, and any framing, trim, or molding, but not including the supporting structure. 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 Animated: A sign, or any portion of a sign, made or equipped to move or give the appearance of moving, either by the movement of any light used in conjunction with a sign, such as blinking traveling, flashing or changing degree of intensity, or by mechanical means or movement of the air.

Sign, Awning: A permanent sign that is printed, painted, or affixed to an awning. A sign applied directly to or incorporated as part of an awning.

Sign, A-Frame: A portable sign and self-supporting sign constructed in such a manner as to form an "A" or a tent-like shape, hinged or not hinged at the top. May also be known as an Upright Sign or Sandwich Board Sign.

- Sign, Bandit: Any sign that is placed on public property or on private property without the consent of the property owner or as authorized in Section 6.2.
- Sign, Bracket: A permanent sign mounted either to the wall of building by means of a bracket or attached to the underside of a lintel, arch or other overhead structure above a porch of walkway and which is typically hung perpendicular to the wall of the building. ~~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, Building Identification: A permanent sign consisting of letters applied to a building wall, engraved into the building material, or consisting of a sculptural relief which contains the name of the building or describes its function, but which does not advertise any individual tenant of the building or any products or services offered.
- Sign, Building Mounted: A permanent sign attached to, connected to, or erected against the wall, parapet, or fascia of a building or structure. The exposed face of the sign is in a plane parallel to the vertical face of the building or structure.
- Sign, Cabinet: A sign with its text and/or logo symbols and artwork on a translucent face panel that is mounted within a metal frame or cabinet that contains the lighting fixtures which illuminate the sign face from behind.
- Sign, Canopy: A sign that is printed, painted, or affixed to a canopy, typically used to accent building entries. ~~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.~~
- Sign Copy: Any graphic, word, numeral, symbol, insignia, text, sample, model, device, or combination thereof that is primarily intended to advertise, identify, or notify.
- Sign, Directional: A permanent sign intended to inform the viewer of the approximate route, direction, or location of a facility or use.
- Sign, Directory: A permanent sign which provides information in a list, roster, or directory format.
- Sign, Externally Illuminated: A sign, the face of which reflects light from an external light source intentionally directed upon it.
- 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, Feather Banner: A portable sign typically constructed of cloth, plastic or similar non-rigid material, and attached to a vertically mounted pole that is securely fastened to the ground.
- Sign, Freestanding: A sign erected or mounted on its own self-supporting permanent structure or base detached from any supporting elements of a building. ~~A sign not a part of or attached to any building but generally located elsewhere on a lot.~~

Sign, Freestanding Projecting: A permanent sign featuring a single- or double-sided sign face, projecting outward at a perpendicular angle from a support structure.

Sign: Fuel Pump Topper: A temporary sign affixed to the top of an operable fuel dispensing pump used to advertise goods offered for sale on the same parcel on which the fuel pump is located.

~~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.~~

Sign Individual Letter: A cut-out or etched letter or logo which is individually mounted on a building wall, or freestanding sign.

Sign, Internally Illuminated: Any sign in which the source of light is entirely enclosed within the sign and is not directly visible.

Sign, Marquee: A permanent sign structure placed over the entrance to a building and typically used for a theater or other entertainment use.

Sign, Monument: A permanent sign with a solid base that is equal to or larger than the width of the sign face.

Sign, Nonconforming: Any sign legally installed or established prior to the effective date of the Zoning Bylaw or subsequent amendment to it, which does not conform to the provisions of Section 6.2.

Sign, Off-premise: Any sign that directs attention to a business, commodity, service, entertainment, product, structure, use or property different from a structure or use existing on the property where the sign is located, and/or any sign on which space is rented, donated or sold by the owner of said sign or property for the purpose of conveying a message.

Sign, Painted Wall: A sign painted directly onto the exterior wall of a building and having no sign structure.

Sign, Permanent: A sign constructed of durable materials and intended to exist for the duration of time that the use or occupant is located on the premises. ~~Any sign as defined above, intended to be erected and maintained for more than 60 days.~~

Sign, Porch: A sign that is mounted on a porch and legible from the sidewalk.

Sign, Portable: A sign that is capable of being moved and which is not designed to be permanently attached to a building or permanently secured to the ground. ~~Excludes signs affixed to or painted on a vehicle. 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, Post: A permanent sign mounted on either a single post or two or more posts.

Sign, Projecting: A permanent sign that is attached to and extends perpendicular from a building from the wall. ~~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.~~

Sign, Raised Letter. A sign containing copy, logo, and/or decorative embellishments in relief on the face.

~~Sign, Roof: Any sign erected, constructed and maintained upon or over the roof of any building.~~

~~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.~~

Sign, Service Island Canopy: A permanent sign mounted on or under a service island canopy, including on a fascia.

Sign, Single-Color LED: A sign composed of single-color LEDs, including signs with fixed and changeable copy.

Sign, Temporary: A sign constructed of paper, cloth, or similar expendable material, which is intended for a definite and limited period of display and which is not permanently affixed to a structure, sign area, or window. ~~Any sign, including its supporting structure intended to be maintained for a continuous period not to exceed 60 days~~

Sign, Vehicle: Any sign on or affixed to a truck, van, automobile, trailer, or other vehicle.

Sign, Wall: A permanent sign affixed or applied to, or erected against, the wall or fascia of a building or structure, with the exposed face of the sign parallel to the plane of the wall or fascia. ~~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: (a) 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, Primary Wall: A sign on the building face fronting on a street or parking lot frontage.

~~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.~~

Sign, Wall Banner: A temporary sign constructed of cloth, bunting, plastic, paper, or similar material and securely attached to a wall or support structure. Flags are not considered temporary wall banners.

Sign, Window: A permanent or temporary sign posted, painted, placed, or affixed in or on a window, or otherwise exposed to public view through a 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.~~

Sign, Yard (Type I): A small portable sign typically constructed of corrugated plastic and supported on an H-shaped wire frame.

Sign, Yard (Type II): A portable sign mounted on a single post installed securely in the ground with a small sign hanging from a cross-bar mounted parallel to the ground.

Sign, Yard (Type III): A large portable sign typically constructed of wood and mounted on two posts installed securely in the ground.

Sign Structure: The supports, uprights, bracing, and/or framework of a sign.

Spinner: A lightweight, durable, and colorful device designed to be affected by the movement of air so that it spins or rotates in a manner to capture attention.



Town of Arlington, Massachusetts

Correspondence received:

Summary:

Public Hearing Comments for 10 Sunnyside Ave. from Chris Loreti via email 01-07-19

Housing Rental Assistance from Patricia Worden via email 02-11-19

The Cost of Multifamily Housing from Stephen Revilak via email 02-21-19

ATTACHMENTS:

Type	File Name	Description
Reference Material	Correspondence_-_Housing_Rental_Assistance_from_Patricia_Worden_via_email_02-11-19.pdf	Correspondence - Housing Rental Assistance from Patricia Worden via email 02-11-19
Reference Material	Correspondence_-_Public_Hearing_Comments_for_10_Sunnyside_Ave._from_Chris_Loreti_via_email_01-07-19.pdf	Correspondence - Public Hearing Comments for 10 Sunnyside Ave. from Chris Loreti via email 01-07-19
Reference Material	Correspondence_-_The_Cost_of_Multifamily_Housing_from_Stephen_Revilak_via_email_02-21-19.pdf	Correspondence - The Cost of Multifamily Housing from Stephen Revilak via email 02-21-19

From: Patricia Worden <pbworden@hotmail.com>
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Date: 02/11/2019 02:26 PM
Subject: Housing Rental Assistance

MEMORANDUM

Date: 2-10-19

To: Members of the Arlington Redevelopment Board and Jennifer Raitt

From: Patricia B. Worden, Town Meeting Member, Pct 8

Many incidences of unacceptable housing cost burdens are occurring among low income recipients of certain types of subsidized housing in which rental subsidies are provided as a percentage of the area median income (AMI) which is increasing too quickly for these rents to be affordable for them. It has come to my attention that the ARB and Planning Department have nothing in this year's ATM warrant to alleviate this situation by presenting an appropriate amendment to the affordable housing bylaw (Section 8.2 of the Arlington Zoning Bylaw). None of the ARB's 2019 zoning proposals help affordability and some would greatly damage it.

This is an unacceptable situation and I hereby request that you plan to craft a ZBL amendment for the first possible opportunity at a future Town Meeting or Special Town Meeting. To be successful such an amendment would have to come from you due to your many staff and resources to deal with such an initiative and your discouragement of Arlington residents' participation in the TM zoning process. The rent required from eligible tenants should be related to a fixed entity – or perhaps indexed to an appropriate function of the AMI designed to avoid rents rising too rapidly for those with low income.

From: Chris Loreti <cloreti@verizon.net>
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Cc: Douglas Heim <dheim@town.arlington.ma.us>, Marie Krepelka
<mkrepelka@town.arlington.ma.us>
Date: 01/07/2019 12:31 PM
Subject: Public Hearing Comments for 10 Sunnyside Ave.

Dear ARB Members:

I understand that tonight's special permit hearing on the proposal for 10 Sunnyside Avenue may be postponed. Nevertheless, I am providing these comments for the record as I may not be able to make the hearing this evening. Please enter them into the docket for this special permit.

1. The maximum floor area ratio (FAR) for the zoning district of the project is 1.5. The developer is proposing a structure with an FAR of 1.85 based on some 25% bonus provision, which is not explained in the proposal. If the developer thinks he can use Section 5.3.6 of the Zoning Bylaw, he is mistaken. That section only applies to lots of 20,000 square feet or more, and this lot is 16,500 square feet. (See below the basic requirement (2) which must be met for this section of the bylaw to apply).

In addition, if the developer is trying to use the bonus provisions in that section based on the required affordable units he is constructing, you should know the bonus provision has never been allowed for merely meeting the requirements of the Town's inclusionary zoning bylaw, even for lots that met the basic requirements. Neither the Symmes nor Brighams developments, for example, were allowed to exceed the FAR requirements merely because they met the bare minimum requirements for affordable housing. The bonus provisions were designed for exceeding the bylaw requirements and should only be applied to affordable housing units that go beyond the bylaw requirements, such as for HCA, Housing Authority, or other developers who voluntarily provide such affordable housing.

Prior to the recent recodification of the Zoning Bylaw, the section pertaining to the bonus provision for affordable housing clearly referred to units subject to state or federal regulation (rather than local). The revised bylaw supposedly simplified this language, but also added ambiguity. (I can only presume there was to be no substantive change intended as that is how that is how the ARB framed the bylaw recodification.) The ARB should put forth a warrant article amending this Zoning Bylaw section to make it

explicit that the FAR bonus for affordable housing does not apply to units required under by the inclusionary zoning provisions of the bylaw to avoid any arbitrary reinterpretation of this section of the bylaw in the future.

2. The proposed height of the building is excessive. The developer correctly states that the maximum height is 50', but the drawings show a parapet that exceeds that height by 4'. I can find no height exception in the bylaw for parapets.

Thank you for considering these comments.

Sincerely,
Christopher Loreti
56 Adams St.

p.s. to Marie Krepelka, please forward this to all member of the Board of Selectmen. Thank you.

Arlington Zoning Bylaw Section 5.3.6:

A. The Board of Appeals or the Arlington Redevelopment Board, as applicable, may grant a special permit subject to the standards in Section 3.3 or 3.4, as appropriate, to allow a maximum gross floor area higher than is permitted in the district, subject to the procedures, limitations, and conditions specified below, for a lot (or part of a lot) which meets the following basic requirements:

(1) The lot (or part of a lot) is in a district with a floor area ratio of 1.2 or greater.

(2) The lot (or part of a lot) is not less than 20,000 square feet when the principal use is residential. When the principal use is non-residential, no minimum lot size is required provided all other provisions of this Section 5.3.6 are satisfied.

To: Arlington Redevelopment Board
From: Stephen Revilak
Date: Feb 21, 2019
Subject: The cost of multifamily housing

Hello Arlington Redevelopment Board,

During the last few weeks, I've heard the question "how will the proposed multi-family zoning articles affect affordability?" come up several times. This memorandum grew out of my attempt to answer that question, based on the town's 2018 property assessments. I wanted to examine the unit cost distribution within housing types (e.g., what's the cost distribution of single-family homes in town), the unit cost differences among housing types (e.g., single-family vs two-family vs apartments), and the unit cost distribution across the town as a whole. I'm sharing these findings with the board in the hope of fostering a better-informed discussion about the cost of housing in Arlington.

I'll present my observations in two sections: the first contains data from our 2018 property assessments; the second attempts to draw conclusions based on the first.

Assessors Data

From the assessor's data, I will focus on the following land uses:

primary land use¹	Description	#properties	#units
101	Single-Family	7992	7992
102	Condominium	3662	3662
104	Two-family	2218	4436
105	Three-family	190	570
111	Apartments 4-8 units	77	354
112	Apartments 9+ units	66	2192

My goal is to examine the distribution of unit costs within each land use code, and then across the entire set of land use codes. For single-family homes and condominiums, the unit cost is equal to the total assessed value of the property. For multi-family housing, the unit cost is equal to the total assessed value divided by the number of units. For example, a two-family home assessed at \$900,000 equates to two units at \$450,000/each; a three-family home assessed at \$900,000 equates to three units at \$300,000/each.

1 The land use codes in the Assessor's data refer to MassDOR's Property Type Classification Codes. See <https://www.mass.gov/files/documents/2016/08/wr/classificationcodebook.pdf> for a full listing.

With that introduction, I'd like to present a series of histograms to show variation in unit cost across the low-density housing types (primary land uses 101, 102, 104, 105). The x-axis shows assessed value per unit in dollars, and the y-axis indicates the number of units within a given band. Each graph shows approximately 100 cost bands spanning a range of \$0 -- \$2,000,000. Histograms are accompanied by statistical summaries, showing the minimum, first quartile, median, mean, third-quartile, and maximum values.

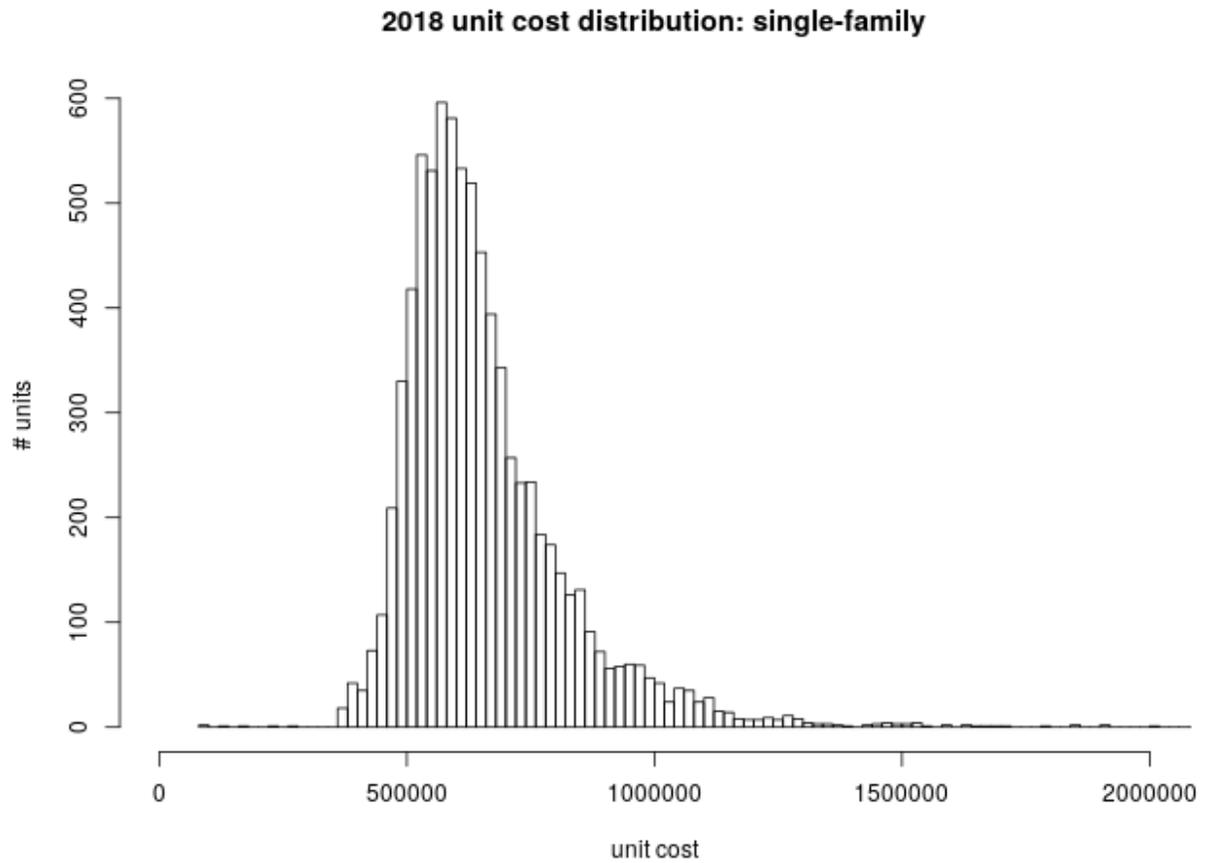


Image 1: Unit cost distribution for single-family homes

Min.	1st Qu.	Median	Mean	3rd Qu.	Max.
85700	548700	618800	656100	720200	2701000

2018 unit cost distribution: two-family

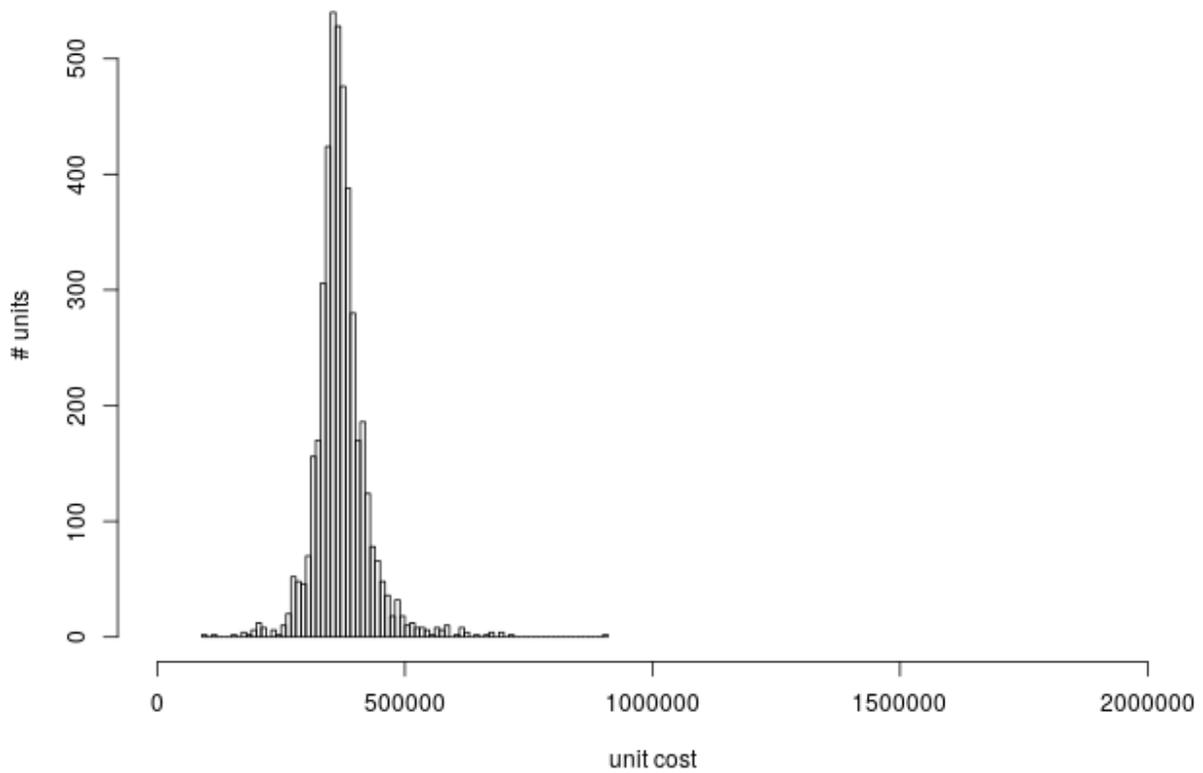


Image 2: Unit cost distribution for two-family homes

Min.	1st Qu.	Median	Mean	3rd Qu.	Max.
99580	344600	366000	371200	391800	900900

2018 unit cost distribution: three-family

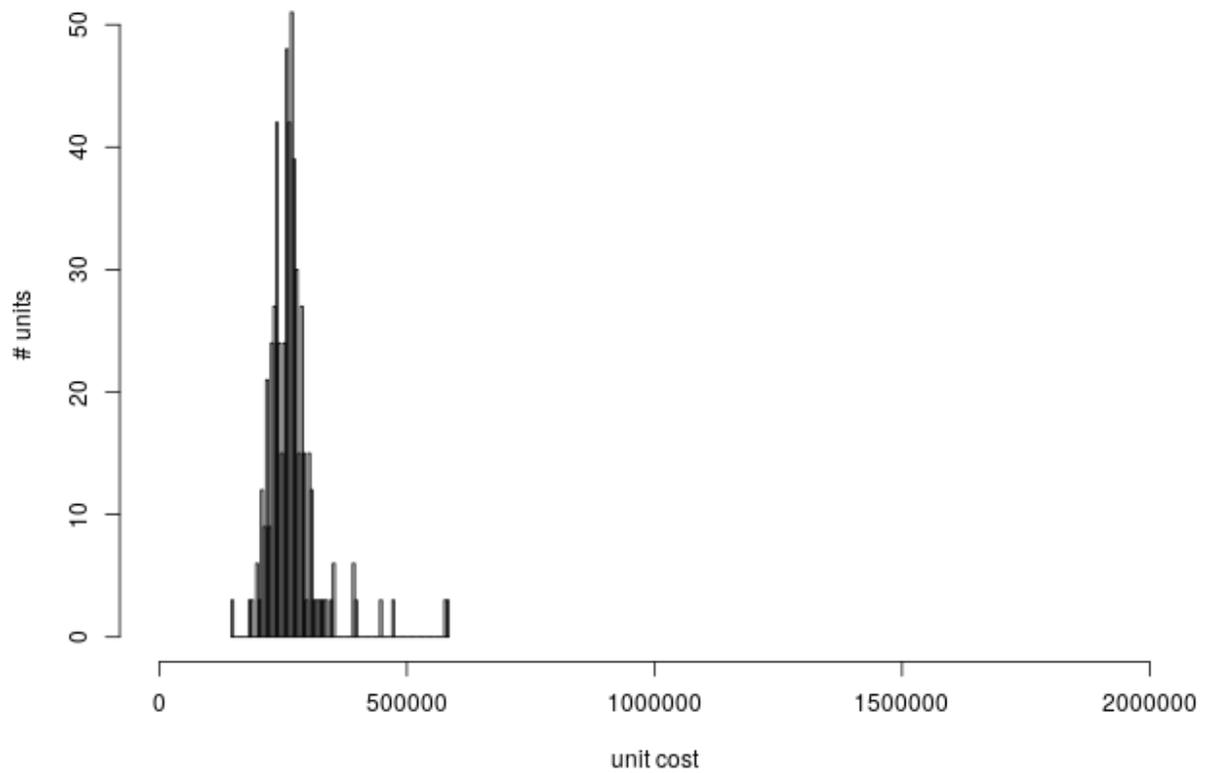


Image 3: Unit cost distribution for three-family homes

Min.	1st Qu.	Median	Mean	3rd Qu.	Max.
145200	238600	262500	266500	278100	581100

2018 unit cost distribution: condominium

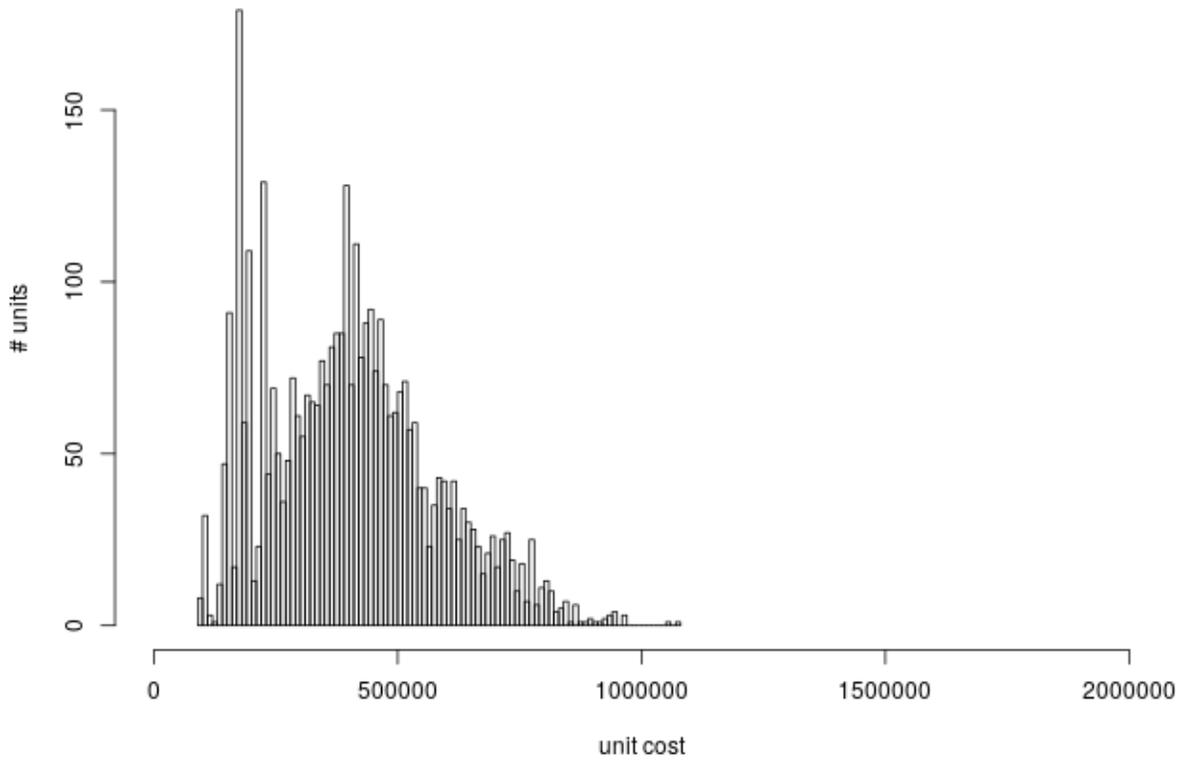


Image 4: Unit cost distribution for condominiums

Min.	1st Qu.	Median	Mean	3rd Qu.	Max.
99000	268200	395400	404400	510800	1073000

The next pair of histograms show unit costs for the two apartment-based primary uses: 4--8 units, and 9+ units. Note that the x-axis spans a range of \$0 -- \$425,000.

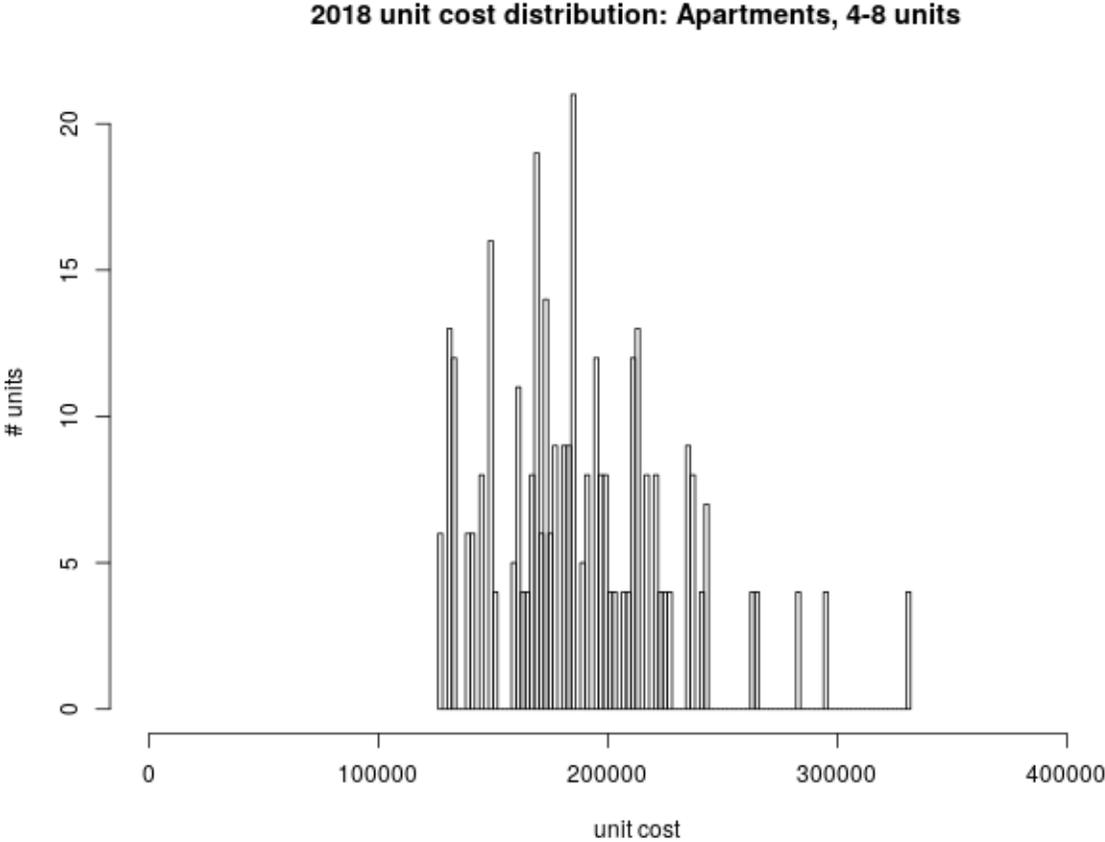


Image 5: Unit cost distribution for Apartments of 4-8 units

Min.	1st Qu.	Median	Mean	3rd Qu.	Max.
127800	162900	184100	188700	212200	330800

2018 unit cost distribution: Apartments, 9+ units

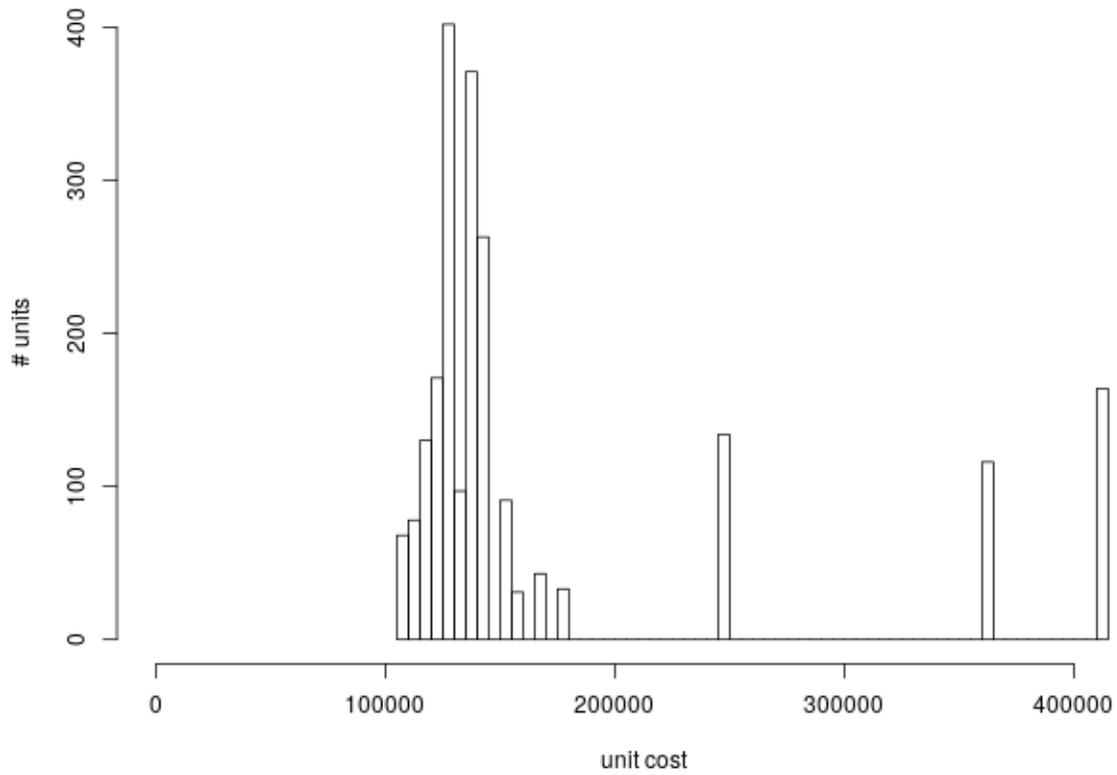


Image 6: Unit cost distribution for apartments of 9+ units

Min.	1st Qu.	Median	Mean	3rd Qu.	Max.
106900	125800	136400	173200	153200	412300

Finally, I'd like to show the unit cost distribution of all the aforementioned housing types in a single graph (representing nineteen-thousand and some odd units).

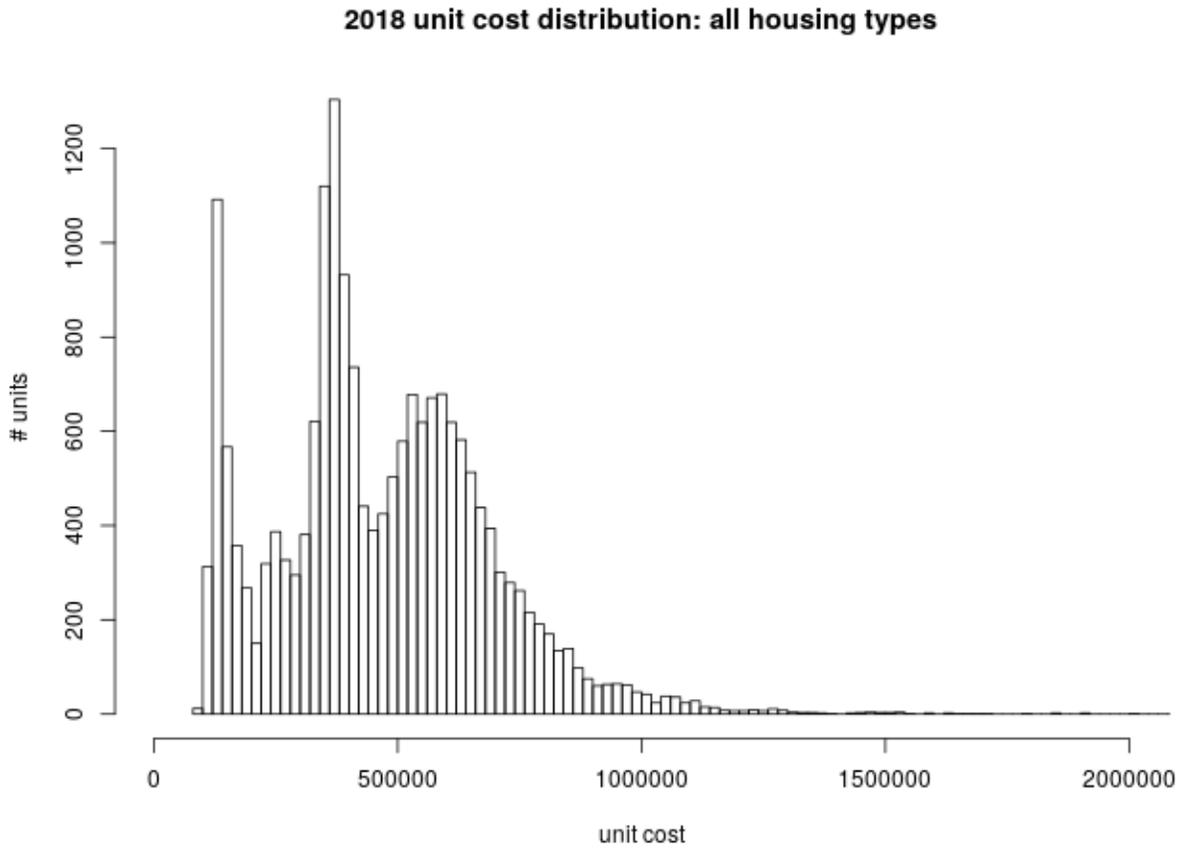


Image 7: Unit cost distribution across all housing types

Min.	1st Qu.	Median	Mean	3rd Qu.	Max.
85700	333000	438900	467000	607100	2701000

Discussion

Having looked at unit cost distributions for different forms of housing, we're back to the original question -- will the addition of new multi-family housing improve affordability? I'll try to answer this question in several different ways.

If the question involves the statutory definition of affordability (i.e., non-housing burdened for a given family size at a given percentage of the area median income), then I believe the answer is likely to be yes. If the proposed changes permit a new project of six units or more, that project will trigger the inclusionary provisions of Arlington's zoning bylaw. So let's suppose that the question involves affordability in the general sense of the word (aka, "small-a affordability").

When examining the unit-cost distributions, one observes that costs go down as the number of units goes up. This is more obvious when median costs are compared directly:

Use	median cost/unit
Single-family	\$618,800
Two-family	\$366,050
Three-family	\$262,533
Apartments, 4-8 units	\$184,100
Apartments, 9+ units	\$136,355
Condominiums ²	\$395,400
All housing types	\$438,900

If we say "more affordable" in the general sense, then we have to provide a reference point for comparison: more affordable in relation to what? We could use single-family housing -- the predominant form of housing in town -- as a reference point. That's not a challenging obstacle to overcome, because single-family is our most expensive form of housing. I think one could make an argument that any form of multi-family housing will beat single-family on a cost per unit basis, if for no other reason than multi-family allows the cost of land to be amortized over several units. So let's choose a different reference point.

The next natural reference point is the median across all of the different housing types: \$438,900/unit. All of the multi-family housing types have median costs below this amount.

Alternatively, we could look at the unit costs of the newer (and more expensive) apartments, rather than town-wide medians. Here, I'd like to draw attention to the top three cost bands in

2 The unit cost for condominiums is quite variable, relative to other housing types. A condominium can be part of a large building (like an converted apartment), or part of a smaller building (like a converted two-family home).

Image 6 (unit cost for apartments of nine or more units). These correspond to three relatively recent projects

- 420-440 Mass Ave. Constructed in 2000. 134 units at an average cost of \$249k/unit
- Brigham Square. Constructed in 2012. 116 units at an average cost of \$360k/unit
- Arlington 360 at the former Symmes site. Constructed in 2013. 164 units at an average cost of \$412k/unit.

Each of these is below the town-wide median of \$438,900/unit.

I should point out that my analysis has focused on the capital cost per unit. I believe this translates well to the purchase of housing, but may not translate so neatly where rental housing is concerned. The monthly cost of an owned unit tends to remain static over time (modulo changes in tax rates, insurance, and debt refinancing), while the monthly cost of a rental unit can be more variable. The capital cost for a rental unit dictates a floor on rental rates, but it does not dictate a ceiling. Nonetheless, I believe it is likely for (say) a \$250,000 unit to demand a lower rent than (say) a \$439,000 unit.

In conclusion, based on Arlington's assessor's data, I believe that permitting more multi-family housing is likely to produce units at a cost below our town-wide median of \$438,900.

Data and computer code for this analysis are available by request to steve@srevilak.net.