



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

Memorandum

To: Arlington Redevelopment Board

From: Jennifer Raitt, Director of Planning and Community Development and Secretary Ex Officio, Arlington Redevelopment Board

Subject: Potential Zoning Bylaw amendments for 2022 Town Meetings

Date: December 2, 2021

Please accept this memo as an overview of potential zoning amendments for 2022 Annual Town Meeting and potentially a Special Town Meeting. I look forward to reviewing and discussing this with the Board at the December 6th meeting. The following describes the initiatives and articles the Department of Planning and Community Development (DPCD) propose advancing to Town Meeting.

Zoning Bylaw Working Group Recommendations

The Zoning Bylaw Working Group reviewed the Zoning Audit included in the Master Plan (2015) and as part of the recodification of the Zoning Bylaw (2018). The ZBWG began identifying and prioritizing outstanding zoning amendments. The Department recommends the following proceed:

1. Reduce the overall number of Business Zoning Districts to address infill development and ease of use of the bylaw: address setbacks, dimensional standards, building height maximums, FAR, and minimum lot area per dwelling (Master Plan Zoning Audit, 2015 and Zoning Recodification Audit, 2017);
2. Reduce the number of uses requiring Special Permits which makes the bylaw overly restrictive, confusing, and impractical for the purposes of determining build out and growth (Master Plan Zoning Audit, 2015);
3. Amend the Special Permit for Large Additions (Section 5.4.2.B(6)) for clarity and to conform with current practice (Master Plan Zoning Audit, 2015);
4. Address parking issues throughout the bylaw, including parking in front setbacks, maximum instead of minimum parking requirements, and provide greater reductions for residential and some commercial parking (Master Plan Zoning Audit, 2015 and Zoning Recodification Audit, 2017);

5. Amend standards for townhouses (2015);

The DPCD recommends a process to address items 1 and 2 which will culminate in Zoning Warrant Articles to a Special Town Meeting in Fall 2022 (as determined by the Select Board). The Department will consider working with the Zoning Board of Appeals on prioritization of Item 3 for 2022 Annual Town Meeting. Item 4 is discussed in the paragraphs below. Item 5 should be considered as part of any recommendations emerging from the Housing Plan for a Special Town Meeting in Fall 2022; as noted during Board and Zoning Bylaw Working Group discussions on the topic of townhomes, standards should be amended as well as which Zoning Districts the use is permitted.

Long-Range Plan Recommendations

The DPCD is wrapping up a year-long Housing Plan process. The Draft Housing Plan was issued on November 29th and includes many recommendations for future zoning amendments. The Board will hear a presentation on the final draft plan at the December 16th meeting. The public comment period is open at this time and both the ARB and Select Board will be discussing the plan and various priorities. The DPCD is committed to concluding the finalization of the plan and its adoption prior to advancing amendments. While citizen petitions may be filed for 2022 Annual Town Meeting that align with the Housing Plan, the Department anticipates advancing zoning recommendations vital to the success of the Housing Plan to a Special Town Meeting in Fall 2022.

The DPCD completed three long-range plans this year: Connect Arlington, the town's sustainable transportation plan and the Net Zero Action Plan (NZAP), the town's commitment to achieve net zero carbon emissions by 2050, and the Fair Housing Action Plan, which addresses equitable access to housing choice and describes actions to eliminate housing discrimination and segregation. The Fair Housing Action Plan and Connect Arlington Plan both made recommendations for zoning amendments relative to parking requirements. The recommendations differ in important ways. The Fair Housing Action Plan recommends an amendment to parking requirements that may hinder the development of multifamily dwellings. The Connect Arlington Plan recommends zoning amendments and incentives to provide transportation options and reduce the need to drive. The Plan also considers parking maximums (instead of minimum parking requirements, essentially setting a ceiling on the total parking allowed for specific uses). Further, Connect Arlington offers a holistic perspective which encourages the amount of bicycle parking required and space allocated to car share vehicles. Both plan recommendations should be explored for 2022 Annual Town Meeting.

The following recommendations related to these plans may be filed as Zoning Warrant Articles for 2022 Annual Town Meeting:

- Advance solar ready recommendations. (May be advanced by the Clean Energy Future Committee. Recommended in Net Zero Action Plan.)
- Allow two-family development by right in nominally single-family districts where two-family dwellings were historically commonplace. (A citizen petition on this type of amendment will be discussed. Recommended in Fair Housing Action Plan.)
- Amend restrictive dimensional and parking requirements for multifamily uses that make development infeasible in districts where those uses are appropriate. (A citizen petition on

this type of amendment will be discussed. Recommended in Fair Housing Action Plan and Connect Arlington.)

- Ensure zoning conforms with new state-level requirements for MBTA communities. (This item is discussed below. Recommended in Fair Housing Action Plan.)

Recommendations Related to MBTA Communities / Housing Choice Legislation

The DPCD recently received updated information about the status of the new multifamily zoning requirement for MBTA communities, as outlined under new Section 3A of the Zoning Act. Passed into law under the 2021 economic development bill, the new Section 3A of Chapter 40A requires MBTA communities to have a zoning ordinance or by-law that provides for at least one district of reasonable size in which multi-family housing is permitted as of right. The law also provides that the Department of Housing and Community Development (DHCD), in consultation with the Massachusetts Bay Transportation Authority and the Massachusetts Department of Transportation, must promulgate guidelines to determine if an MBTA community is in compliance with this section.

The draft guidelines are anticipated for review and public comment by mid-December. The Administration intends to conduct a robust engagement process in early 2022 to gather input and feedback from interested parties, including MBTA communities, developers, planners, and other interested stakeholders. The draft guidelines may be modified as appropriate based on this additional public input. The release in mid-December will include draft compliance criteria, guidance relative to the upcoming [Community One Stop for Growth](#) application process, how “reasonable size” should be calculated for MBTA communities.

As part of the Board’s annual goals, the ARB prioritized zoning amendments that can better unlock the potential of development along our major transportation corridors, including addressing floor area ratios and building height. The DPCD plans to begin a planning process to explore those amendments and recommend Zoning Warrant Articles for a Special Town Meeting in Fall 2022 (should one be called by the Select Board). The DPCD recommends the Board consider the following two potential amendments related to corridor development: Enhanced Business Districts and Street Tree requirements. The Enhanced Business District would be aimed at encouraging pedestrian activity and maintaining an active street and limiting the amount of ground floor retail space occupied by banks, offices, lobbies, and other non-active uses, when feasible. For Street Trees, the DPCD recommends that the site standards require street tree plantings for every 25 feet of property facing a street, when feasible. The DPCD would work with the Tree Committee and Tree Warden to develop more specific planting requirements.

Summary of Warrant Articles and Timeline

2022 Annual Town Meeting

- Amending special permit for large additions (Zoning Bylaw Working Group)
- Amending dimensional and parking requirements for multifamily uses (citizen petition)
- Amendments to advance solar ready recommendations (CEFC/ ARB)
- Amendment to allow two-family homes by right in nominally single-family districts where two-family dwellings were historically commonplace (citizen petition)

2022 Special Town Meeting

- Amendments to related to the commercial corridors, which may include reducing the overall number of zoning districts, reducing the number of uses requiring special permits, amendments designed to unlock development along commercial corridors and improve the public realm through ground floor activation and street tree plantings (ARB, Zoning Bylaw Working Group).
- Recommendations from the Housing Plan, which may include amendments to standards for townhouses (Zoning Bylaw Working Group, ARB).
- Amendments related to the MBTA Communities Housing Choice legislation (ARB).