

## Planning Director Reviews Zoning Bylaw Questions

The proposed new zoning which will be before the Special Town Meeting Monday is designed to respond to resident concerns about protection of neighborhoods, strengthening of the business districts and taxes, according to Alan McClennen, Director of Planning and Community Development.

Through a series of precinct meetings and recent public hearings, these concerns, and related problems of traffic on residential streets, condition of buildings and signs, and the tax burden on residential owners, were brought to the attention of the Redevelopment Board which is presenting the new rezoning, the first attempt to overhaul zoning since its acceptance in 1924.

McClennen says that the residential districts will be better protected than they are under the present bylaw. The zoning for business districts provides an opportunity to build on many of the strengths that are already there.

"For example," he says, "the new zoning bylaw provides incentives for assembling land, provides flexibility in the construction of business, and, most important, provides an opportunity to strengthen the nonresidential tax base."

This will be accomplished in a way that respects existing traffic patterns which can be improved by municipal actions outside the zoning bylaw, says McClennen.

One of the most important features of the proposed zoning is the environmental design review, he feels. This provides for town officials to work with private investors to bring about a development which is consistent with Town Meeting wishes and sound planning.

At the public meetings several questions were raised about nonconforming uses. These are uses which are not permitted in a zoning district in which they are located.

McClennen feels that the new zoning is sensitive to this issue. One of the studies made before the zoning map and use regulations

were finalized was a detailed survey of all 12,500 parcels of land in the town.

"This survey indicated the use of every piece of land in the town. The new zoning bylaw attempts to group these uses together into zoning districts where similar uses are permitted," McClennen explains.

The result is that the number of non-conforming uses is reduced. In addition, the zoning district boundary lines have been changed so that they would conform to property lines. Under the current zoning some parcels are in several zoning districts.

The effect of new zoning on the town's population has also been a concern. McClennen's department did a study of this, determining how many new persons could move into Arlington under the provisions of the current zoning and under the proposed zoning.

The study found that today's population is about 54,000. If the Arlington family size were to remain constant, and the zoning not change, the population could go up to 75,000. This would be a density increase from 10,000 per mile to 14,000 a mile.

Under the new bylaw Arlington's population would peak at just over 62,000, according to McClennen. The new dwelling units which would house the new population would be located on major streets. The present bylaw would permit what McClennen feels is a significant amount of development on narrow side streets.

Another concern which the new zoning addresses is future change. The bylaw has been designed in such a manner that the town can respond to Red Line rapid transit expansion if it comes.

"The bylaw purposely holds back on certain development options to insure that the town will not find itself in a situation where it has to react to the Red Line. Rather, the town can direct development in conjunction with the Red Line," explains McClennen.

One question raised at the meetings was why all of Massachusetts Avenue was not zoned for business. McClennen says that a survey of the avenue found business uses congregated, with the Center, Heights and Lake Street being the biggest areas.

In between these and smaller business congregations are areas of low density development, some residential, some apartment, and some public buildings. "The new zoning bylaw attempts to build on this existing condition," says McClennen. "The bylaw has been designed in a manner that will strengthen these centers while preserving some of the more quiet land uses in between."

A last concern which was raised by residents is how the zoning process works. McClennen explains that in Massachusetts the Zoning Enabling Act establishes general procedures for the adoption, amendment and operation of zoning bylaws. It states that towns may adopt and amend zoning bylaws by two-thirds vote.

An individual, such as the building inspector, administers the by-law. Questions of interpretation are referred by petition of a landowner to the Zoning Board of Appeals for a variance, or the Selectmen in some towns.

The Enabling Act also establishes a procedure for special permit. McClennen explains that special permits are designed for specific zoning districts to provide a more detailed evaluation of proposed uses.

"Prior to the issuance of the building permit for a use requiring a special permit, there must be public notice, a public hearing and issuance of a special permit by the Board of Appeals," he explains.

A survey by the Department of Planning and Community Development of special permits during the past five years and the number that might be requested in the future under the proposed new zoning found that there could be an increase of about 10 percent a year if existing trends continue.

### A Century of Change in Our Town - THE KEYNOTE LECTURE OF The Arlington Bicentennial Historical Lecture Series

Friday, October 3 - 8 PM - Town Hall

Dr. Joseph R. Sweeny

Discusses