

ARTICLE x

X ARTICLE

To see if the Town will amend the Zoning By-law as follows:
(Please note that all proposed additions are underlined.)

1. By adding a new zoning district F-0.75 (“Three Family Zones”), replacing the existing zoning in the areas shown in the attached map.
2. By adding a new “F” heading under Section 4.07 (“Table of Use Regulations”) with the same use designations as the existing “T” column, with the exception of the uses listed in Principal Use 4A below.
3. By amending Section 4.07 (“Table of Use Regulations”) by adding a new Principal Use 4A immediately after Principal Use 4:

Principal Uses	S	SC	T	F	M	L	G	O	I
<u>4A. Detached dwelling on a separate lot for three families</u>	<u>No</u>	<u>No</u>	<u>No</u>	<u>Yes</u>	<u>Yes</u>	<u>Yes</u>	<u>Yes</u>	<u>No</u>	<u>Yes</u>

4. By amending Principal Use to read as follows:

6. Multiple or attached dwelling of four or more units other than the preceding item divided into dwelling units each occupied by not more than one family but not including lodging house, hotel, dormitory, fraternity or sorority.

* Compliance with **§4.08** required if containing 6 or more dwelling units

Permitted by special permit in S-0.5P and S-0.75P Districts subject to **§5.06**.

In L and G districts, the ground floor of a building must have no more than 40% of its frontage along a street devoted to residential use, including associated parking or lobby use

5. By amending Section 5.01 (“Table of Dimensional Requirements”) by adding a new district F-0.75 immediately following T-5 as follows:

DISTRICT	USE	LOT SIZE MINIMUM (sq. ft.)	FLOOR AREA RATIO MAXIMUM (feet)	LOT WIDTH MAXIMUM (feet)	HEIGHT ⁹ MAXIMUM	Front Yard	Side Yard	Rear Yard	Open Space Landsc.	Open Space Usable
F-0.75	1-family detached dwelling	4.000	0.75	60	40	15	10+ L'/10	30	10%	30%
	2-family detached dwelling	5.000	0.75	60	40	15	10+ L'/10	30	10%	30%
	3-family detached dwelling	6.000	0.75	60	40	15	10+ L'/10	30	10%	30%
	Any other structure or principal use	5.000	0.75	60	40	15	10+ L'/10	30	10%	30%

,and

- By changing the zoning of five properties shown on attached map from the M-1.0 and M-1.5 districts to the T-5 zoning district.

EXPLANATION

As part of the Coolidge Corner planning process, the Department of Planning and Community Development (DPCD) has been working with the Coolidge Corner District Planning Council (DPC) to evaluate existing conditions and the opportunities and threats facing Coolidge Corner. Threats identified included the danger of development that is inconsistent with the built environment in the district; development of an excessive density; development providing too little publicly visible green space; and the dangers to the commercial core from encroaching residential development and difficult access. Opportunities identified included the possibility of upper story development over retail spaces in the commercial core; possible scenarios for redevelopment of sites in the commercial core; and the generally high quality of life.

In keeping with the charge of the DPC from the Board of Selectmen, Town staff developed three possible zoning by-law amendments that would help address these threats and opportunities in a more specific way than the relatively crude tool of the Coolidge Corner Interim Planning Overlay District. These three amendments were discussed at a DPC meeting in August. At that meeting, the DPC recommended that Town staff delay submission of one of the zoning articles, designed to encourage upper-story development in the commercial core by relaxing parking requirements, until further work was completed on a transportation analysis. This article is one of the other two amendments, which the DPC voted to submit to Town Meeting.

This by-law amendment creates a new zoning district that generally permits residential development of three or fewer units on one parcel of land. In many ways this new zoning district, the “F” district, is the same as the existing “T” districts, with the exception of permitting three dwelling units on one

parcel of land rather than only two. This proposed F district is similar to zoning districts in other municipalities, such as the “3F” zone in Allston-Brighton, the “RB” zone in Somerville and the “R3” zone in Arlington.

This article also expands a T-5 district slightly in the northwestern part of the Coolidge Corner district, based on an analysis of existing and appropriate uses on those parcels.

DPCD initially identified 117 parcels in three areas near Coolidge Corner that Town staff felt would be appropriate for this zoning district, all of which are currently in M (multi-family) zones. Some new areas were added to the proposed F zones based on the recommendations of DPC members; further planning analysis by Town staff; and a desire to maintain relatively contiguous zoning districts. In all, 150 parcels were added to the original list, although it is anticipated that some of the parcels included in the proposed F zones might be removed after further discussion regarding their overall characteristics and what zoning is appropriate for those areas.

Proposed to Change to F-0.75 Zoning District

MAP	BLOCK	BLK_LOT_SU	Street Number		Street
35	170	170-14-00	1	10	AUBURN CT
35	170	170-05-00	9		AUBURN PL
35	170	170-08-00	10		AUBURN PL
35	170	170-07-00	14		AUBURN PL
35	170	170-06-00	15		AUBURN PL
34	169	169-25-00	15		AUBURN ST
34	169	169-26-00	17		AUBURN ST
34	169	169-27-00	21		AUBURN ST
34	169	169-28-00	23		AUBURN ST
35	170	170-13-00	24		AUBURN ST
34	169	169-29-00	27	29	AUBURN ST
34	169	169-30-00	31	33	AUBURN ST
35	170	170-10-00	32		AUBURN ST
34	169	169-17-00	37		AUBURN ST
35	170	170-09-00	40		AUBURN ST
34	169	169-31-00	45		AUBURN ST
35	170	170-04-00	48		AUBURN ST
6	027	027-21-00	177		BABCOCK ST
6	027	027-22-00	179		BABCOCK ST
6	027	027-23-00	183		BABCOCK ST
6	027	027-24-00	187		BABCOCK ST
6	027	027-25-00	189		BABCOCK ST
6	027	027-26-00	191		BABCOCK ST
8	043	043-09-00	1232		BEACON ST
8	043	043-10-00	1236		BEACON ST
8	043	043-11-00	1240		BEACON ST
8	043	043-12-00	1244		BEACON ST
8	043	043-12-00	1244		BEACON ST
8	043	043-13-00	1248		BEACON ST
7	035	035-35-00	74		BROWNE ST
7	036	036-18-00	77		BROWNE ST
7	035	035-34-00	78		BROWNE ST
7	035	035-33-00	80		BROWNE ST
7	035	035-32-00	82		BROWNE ST
7	036	036-19-00	83		BROWNE ST
7	035	035-31-00	84		BROWNE ST
7	036	036-20-00	85		BROWNE ST
7	035	035-30-00	86		BROWNE ST
7	036	036-21-00	87		BROWNE ST
7	035	035-29-00	88		BROWNE ST
7	035	035-28-00	90		BROWNE ST
7	035	035-27-00	92		BROWNE ST
7	035	035-26-00	94		BROWNE ST
7	035	035-25-00	96		BROWNE ST
7	035	035-24-00	100		BROWNE ST

MAP	BLOCK	BLK_LOT_SU	Street Number		Street
7	036	036-22-00	101		BROWNE ST
7	035	035-23-00	102		BROWNE ST
7	036	036-23-00	103		BROWNE ST
7	036	036-24-00	105		BROWNE ST
7	035	035-22-00	106		BROWNE ST
7	036	036-25-00	107		BROWNE ST
7	035	035-21-00	110		BROWNE ST
7	036	036-26-00	111		BROWNE ST
7	035	035-20-00	112		BROWNE ST
7	036	036-27-00	115		BROWNE ST
7	035	035-19-00	116		BROWNE ST
7	036	036-28-00	119		BROWNE ST
7	035	035-18-00	120		BROWNE ST
7	036	036-29-00	121		BROWNE ST
7	035	035-17-00	124		BROWNE ST
7	036	036-30-00	125		BROWNE ST
7	035	035-16-00	126		BROWNE ST
7	036	036-31-00	127		BROWNE ST
16	083	083-06-00	30		CENTRE ST
16	083	083-05-00	32		CENTRE ST
16	083	083-04-00	34		CENTRE ST
16	083	083-03-00	40		CENTRE ST
16	082	082-21-00	51		CENTRE ST
16	082	082-22-00	53		CENTRE ST
16	082	082-23-00	61		CENTRE ST
16	080	080-04-00	62		CENTRE ST
16	081	081-06-00	69		CENTRE ST
16	081	081-07-00	75		CENTRE ST
15	078	078-09-00	85	89	CENTRE ST
15	078	078-12-00	93		CENTRE ST
15	078	078-13-00	95		CENTRE ST
15	078	078-14-00	97		CENTRE ST
15	078	078-15-00	103	105	CENTRE ST
6	027	027-07-00	7	9	CRAIG PL
6	027	027-08-00	11	13	CRAIG PL
6	027	027-08-02	15		CRAIG PL
6	027	027-08-01	17	19	CRAIG PL
9	046	046-14-00	4		DWIGHT ST
9	046	046-13-00	8		DWIGHT ST
9	046	046-12-00	10		DWIGHT ST
7	035	035-44-00	15		DWIGHT ST
7	035	035-45-00	21		DWIGHT ST
7	035	035-46-00	25		DWIGHT ST
7	035	035-47-00	31		DWIGHT ST
7	035	035-48-00	33		DWIGHT ST
9	047	047-12-00	36		DWIGHT ST
7	035	035-49-00	37		DWIGHT ST

MAP	BLOCK	BLK_LOT_SU	Street Number		Street
7	035	035-50-00	39		DWIGHT ST
7	035	035-51-00	41		DWIGHT ST
7	035	035-52-00	43		DWIGHT ST
7	035	035-53-00	45		DWIGHT ST
7	036	036-02-00	200		FREEMAN ST
7	036	036-01-02	202		FREEMAN ST
7	036	036-01-01	206		FREEMAN ST
7	036	036-01-00	208		FREEMAN ST
7	035	035-15-00	214	216	FREEMAN ST
7	035	035-14-00	218		FREEMAN ST
6	027	027-05-00	219		FREEMAN ST
6	027	027-06-00	221	223	FREEMAN ST
7	035	035-13-00	222		FREEMAN ST
12	063	063-21-00	127		FULLER ST
12	065	065-17-00	128		FULLER ST
12	065	065-16-00	130		FULLER ST
12	063	063-22-00	131		FULLER ST
12	065	065-15-00	134		FULLER ST
12	063	063-23-00	135		FULLER ST
12	063	063-24-00	137		FULLER ST
12	065	065-14-00	138		FULLER ST
12	065	065-13-00	140		FULLER ST
12	063	063-25-00	141		FULLER ST
12	065	065-12-00	142		FULLER ST
12	063	063-26-00	143		FULLER ST
12	063	063-27-00	147		FULLER ST
12	063	063-28-00	149		FULLER ST
12	063	063-29-00	153		FULLER ST
10	052	052-10-01	9		GIBBS ST
10	052	052-12-00	11		GIBBS ST
10	051	051-22-00	12	30	GIBBS ST
10	052	052-13-00	15		GIBBS ST
10	052	052-14-00	17		GIBBS ST
10	052	052-15-00	21		GIBBS ST
10	052	052-16-00	25		GIBBS ST
9	046	046-05-00	45	49	GREEN ST
9	046	046-06-00	55		GREEN ST
9	046	046-07-00	59		GREEN ST
9	046	046-08-00	63	65	GREEN ST
9	046	046-09-00	67	69	GREEN ST
9	046	046-10-00	71	73	GREEN ST
9	047	047-14-00	74		GREEN ST
9	046	046-11-00	81		GREEN ST
9	047	047-13-00	82		GREEN ST
34	168	168-02-00	11		HARRIS ST
34	169	169-22-00	12		HARRIS ST
34	169	169-21-00	16		HARRIS ST

MAP	BLOCK	BLK_LOT_SU	Street Number		Street
34	168	168-03-00	17		HARRIS ST
34	168	168-04-00	19		HARRIS ST
34	168	168-05-00	21		HARRIS ST
34	169	169-20-00	22		HARRIS ST
34	168	168-06-00	23		HARRIS ST
34	169	169-19-00	24	26	HARRIS ST
34	169	169-18-00	28	30	HARRIS ST
34	168	168-07-00	31		HARRIS ST
34	169	169-16-00	42		HARRIS ST
34	169	169-15-00	44	46	HARRIS ST
34	168	168-08-00	49		HARRIS ST
34	169	169-14-00	50		HARRIS ST
34	168	168-09-00	57		HARRIS ST
35	171	171-23-00	54		HARVARD AVE
35	171	171-22-00	56		HARVARD AVE
35	171	171-21-00	60		HARVARD AVE
35	171	171-59-00	66	68	HARVARD AVE
35	171	171-19-00	70		HARVARD AVE
35	170	170-36-00	71		HARVARD AVE
35	171	171-18-00	74		HARVARD AVE
8	043	043-15-00	0	OFF	JAMES ST
8	043	043-14-00	0		JAMES ST
8	043	043-16-00	9	11	JAMES ST
8	043	043-17-00	15	17	JAMES ST
8	043	043-18-00	19	21	JAMES ST
8	043	043-19-00	27	31	JAMES ST
9	046	046-02-04	9	27	JOHN ST
27	126	126-52-00	101		LONGWOOD AVE
27	126	126-52-01	103		LONGWOOD AVE
27	126	126-52-02	105		LONGWOOD AVE
27	126	126-53-00	111		LONGWOOD AVE
27	126	126-54-00	115		LONGWOOD AVE
27	126	126-54-01	121		LONGWOOD AVE
27	126	126-55-00	123		LONGWOOD AVE
12	063	063-07-00	88		NAPLES RD
12	063	063-06-00	90		NAPLES RD
12	063	063-05-00	94		NAPLES RD
12	063	063-04-00	96		NAPLES RD
12	063	063-03-00	100		NAPLES RD
12	063	063-02-00	102		NAPLES RD
12	063	063-01-00	106		NAPLES RD
8	043	043-31-00	60		PARKMAN ST
8	043	043-30-00	62		PARKMAN ST
8	043	043-29-00	64		PARKMAN ST
8	043	043-28-00	66		PARKMAN ST
8	043	043-27-00	68		PARKMAN ST
8	043	043-26-00	74		PARKMAN ST

MAP	BLOCK	BLK_LOT_SU	Street Number		Street
8	043	043-25-00	76		PARKMAN ST
9	046	046-20-00	0		PLEASANT ST
8	043	043-20-00	57		PLEASANT ST
9	046	046-16-00	58		PLEASANT ST
8	043	043-21-00	59		PLEASANT ST
8	043	043-22-00	61		PLEASANT ST
9	046	046-15-00	62		PLEASANT ST
8	043	043-23-00	63		PLEASANT ST
8	043	043-24-00	65		PLEASANT ST
7	035	035-40-00	84		PLEASANT ST
7	035	035-39-00	88		PLEASANT ST
7	035	035-38-00	90		PLEASANT ST
7	035	035-37-00	92		PLEASANT ST
7	035	035-36-00	94		PLEASANT ST
7	036	036-17-00	104		PLEASANT ST
7	036	036-16-00	106		PLEASANT ST
7	036	036-15-00	112		PLEASANT ST
7	036	036-14-00	114		PLEASANT ST
7	036	036-13-00	116		PLEASANT ST
7	036	036-12-00	118		PLEASANT ST
7	036	036-11-00	120		PLEASANT ST
7	036	036-10-00	122		PLEASANT ST
7	036	036-09-00	128		PLEASANT ST
7	036	036-08-00	130		PLEASANT ST
7	036	036-07-00	132		PLEASANT ST
7	036	036-06-00	134		PLEASANT ST
7	036	036-05-00	136		PLEASANT ST
7	036	036-04-00	140		PLEASANT ST
7	036	036-03-00	142	144	PLEASANT ST
26	124	124-01-00	92		SEWALL AVE
16	081	081-04-00	9		SHAILER ST
16	082	082-25-00	10	12	SHAILER ST
16	081	081-05-00	15		SHAILER ST
26	125	125-24-00	123		ST PAUL ST
26	125	125-24-01	125		ST PAUL ST
26	125	125-24-02	129		ST PAUL ST
26	125	125-25-00	135		ST PAUL ST
26	125	125-01-00	143		ST PAUL ST
26	124	124-02-00	153		ST PAUL ST
26	124	124-03-00	159		ST PAUL ST
8	043	043-08-00	180		ST PAUL ST
8	043	043-07-00	182		ST PAUL ST
8	043	043-06-00	184		ST PAUL ST
8	043	043-05-00	194		ST PAUL ST
8	043	043-04-00	196		ST PAUL ST
8	043	043-03-00	198		ST PAUL ST
8	043	043-02-00	200		ST PAUL ST

MAP	BLOCK	BLK_LOT_SU	Street Number		Street
8	043	043-01-00	202		ST PAUL ST
7	037	037-01-00	2	22	STILL ST
34	167	167-01-00	7		VERNON ST
34	168	168-15-00	12		VERNON ST
34	168	168-14-00	18		VERNON ST
34	168	168-13-00	22		VERNON ST
34	168	168-12-00	28	26	VERNON ST
34	168	168-11-00	32		VERNON ST
34	168	168-10-00	36		VERNON ST
34	169	169-13-00	42		VERNON ST
34	169	169-12-00	44	46	VERNON ST
35	170	170-12-00	1		WASHBURN PL
35	170	170-10-01	2		WASHBURN PL
35	170	170-11-00	3		WASHBURN PL
35	170	170-10-02	4		WASHBURN PL
16	083	083-01-00	6		WELLMAN ST
16	080	080-05-00	9		WELLMAN ST
16	083	083-21-00	10		WELLMAN ST
16	080	080-06-00	11		WELLMAN ST
16	083	083-20-00	12		WELLMAN ST
16	083	083-19-00	14		WELLMAN ST
16	080	080-07-00	15		WELLMAN ST
16	081	081-10-00	12		WILLIAMS ST
16	081	081-09-00	16		WILLIAMS ST
16	081	081-08-00	24		WILLIAMS ST
16	080	080-16-00	46		WILLIAMS ST
16	080	080-15-00	48		WILLIAMS ST
16	080	080-14-00	50		WILLIAMS ST
16	080	080-08-00	35	37	WINCHESTER ST
16	080	080-09-00	43		WINCHESTER ST
16	080	080-10-00	47		WINCHESTER ST
16	080	080-11-00	49		WINCHESTER ST
16	080	080-11-00	49		WINCHESTER ST
16	080	080-12-00	51		WINCHESTER ST
16	080	080-12-00	51		WINCHESTER ST
16	080	080-13-00	53		WINCHESTER ST
15	079	079-04-00	67		WINCHESTER ST
15	079	079-05-00	71	73	WINCHESTER ST

Proposed to Change to T-5 Zoning District

MAP	BLOCK	BLK_LOT_SU	Street Number	Street
15	078	078-18-00	123	CENTRE ST
15	078	078-19-00	129	CENTRE ST
15	077	077-14-00	38	FULLER ST
15	078	078-20-00	39	FULLER ST
15	077	077-13-00	44	FULLER ST

ARTICLE x

X ARTICLE

To see if the Town will amend Section 5.43 of the Zoning By-law as follows:

(Please note that all proposed additions are underlined. Proposed deletions are ~~strikeout~~.)

SECTION 5.43 EXCEPTIONS TO YARD AND SETBACK REGULATIONS

Under a special permit after a hearing the Board of Appeals may permit, in lieu of the requirements for yards or setbacks specified in this By-law, the substitution of such other dimensional requirements as shall assure the same standard of amenity to nearby properties as would have been provided by compliance with the regulations of the By-law, as measured by off-setting a reduction in the depth or area of a required yard or setback by an increase in the depth or area of another yard or setback or by the provision ~~or preservation of a condition or a facility not otherwise required that will counterbalance such a reduction; provided, however, that under this Section the Board of Appeals shall not reduce the depth of a required front yard below 15 feet in M Districts.~~ of a significant green space, located at and visible from street level, that would counterbalance such a reduction, but that would not otherwise be possible given the existing yard and setback regulations. However, in the S, SC, T, M and F districts, the Board of Appeals shall not use this Section to reduce the depth of a required front yard below 15 feet or a required side yard below 7.5 feet.

EXPLANATION

As part of the Coolidge Corner planning process, the Department of Planning and Community Development (DPCD) has been working with the Coolidge Corner District Planning Council (DPC) to evaluate existing conditions and the opportunities and threats facing Coolidge Corner. Threats identified included the danger of development that is inconsistent with the built environment in the district; development of an excessive density; development providing too little publicly visible green space; and the dangers to the commercial core from encroaching residential development and difficult access. Opportunities identified included the possibility of upper story development over retail spaces in the commercial core; possible scenarios for redevelopment of sites in the commercial core; and the generally high quality of life.

In keeping with the charge of the DPC from the Board of Selectmen, Town staff developed three possible zoning by-law amendments that would help address these threats and opportunities in a more specific way than the relatively crude tool of the Coolidge Corner Interim Planning Overlay District. These three amendments were discussed at a DPC meeting in August. At that meeting, the DPC recommended that Town staff delay submission of one of the zoning articles, designed to encourage upper-story development in the commercial core by relaxing parking requirements, until further work was completed on a transportation analysis. This article is one of the other two amendments, which the DPC voted to submit to Town Meeting.

This bylaw amendment addresses the concern of the DPC and Town staff regarding the use of Section 5.43 to provide relief from setback requirements in the zoning by-law. Initially, DPC members and members of the public expressed an overall concern about the loss of private green space when new development is occurred. An analysis of this situation revealed that the use of this Section 5.43 was a likely reason that setbacks are smaller than the community would prefer.

Currently Section 5.43 permits relief from setback requirements by Special Permit, provided that counterbalancing amenities are provided elsewhere on the parcel. The only existing setback requirement that cannot be waived by Special Permit under this section is a 15 foot front yard setback in M zones. This amendment limits the type of counterbalancing amenities that can be provided under this section to the provision of significant green space at the street level. It adds a minimum 7.5 foot side yard setback that cannot be waived to the existing 15 front yard setback. Finally, it expands these front and side yard minimums to other residential zoning districts.

Note that, as written, this Section 5.43 would apply not just to the Coolidge Corner area but to the entire Town. Alternatives to this approach would be to create a special overlay in the Coolidge Corner area subject to these more stringent requirements or to not amend Section 5.43 at all. However, since the perceived misuse of this section is most keenly felt in the Coolidge Corner area, Town staff felt it was appropriate to apply consistent rules on waiving setback requirements by Special Permit throughout all of Brookline.

ARTICLE x

x ARTICLE

To see if the Town will amend the Zoning By-law by deleting section 3.03.4 (f) and replacing it with the following:

- f. length of time, not greater than twelve months, from the date of passage by Town Meeting, for which the district will be effective and for the completion of the supporting study necessary to submit Zoning By-Law and Map amendments for consideration by Town Meeting. If, following a twelve month period, work on Zoning By-Law and Map amendments is not complete despite the diligent efforts of all parties, Town Meeting shall have the option of extending an Interim Planning Overlay District for an additional six months.

and,

further amend Article 3.03 of the Zoning By-law by deleting Section 3.03.6 (f) and replacing it with the following:

- f. The CCIPOD will be effective for a period of eighteen months following its adoption by Town Meeting. While some zoning changes have been submitted to the Fall 2006 Town Meeting, as anticipated, the Coolidge Corner District Planning Council believes that an additional six months are required to complete the zoning work as part of its charge.

or act on anything relative thereto.

EXPLANATION

The Coolidge Corner Interim Planning Overlay District (CCIPOD) was created in the Fall of 2005 pursuant to enabling zoning legislation passed by Town Meeting in the Fall of 2004 that authorized the creation of Interim Planning Overlay Districts. The CCIPOD was approved for a period of one year, which was the maximum time permitted under the enabling legislation in Section 3.03.4. The CCIPOD generally restricted residential development in the M zones near Coolidge Corner to no more than 2 units, or up to 5 units by Special Permit. It also required that all development in the CCIPOD that requires a Special Permit meet new design guidelines.

It was anticipated that this one year period would be sufficient time to develop new zoning tools for Coolidge Corner. The Department of Planning and Community Development has worked with the Coolidge Corner District Planning Council (DPC) during the past year to develop such zoning tools and also complete other portions of a plan for Coolidge Corner. As a result of this work, the Department of Planning and Community Development has submitted two other zoning articles. One

of these other zoning articles tightens the ability of the Board of Appeals to waive setback requirements in residential zones; the other article creates new three-family zoning districts in threatened areas near Coolidge Corner.

At its August meeting, the Coolidge Corner DPC meeting voted 12-0 (with 2 abstentions and 8 members not present) to also propose an extension of the CCIPOD and its reference to the DPC. The Department of Planning and Community Development agreed to draft and submit such an extension at the request of the DPC.

This proposed language would amend the enabling language in 3.03.4. by permitting a six month extension to any Interim Planning Overlay District, to a total of 18 months. It will also extend the CCIPOD by this six month period, until Spring 2007 Town Meeting.