



Town of Brookline

Massachusetts

PLANNING BOARD

Town Hall, 3rd Floor
333 Washington Street
Brookline, MA 02445-6899
(617) 730-2130 Fax (617) 730-2442

Mark J. Zarrillo, Chairman
Linda K. Hamlin, Clerk
Nicole Forrest
Steven A. Heikin
Jerome Kampler
Steve R. Kanes
Jonathan Simpson

ARTICLE 10

PLANNING BOARD REPORT AND RECOMMENDATION

This article is being submitted by Citizen Petition and proposes to: 1) amend the Table of Off-Street Parking Requirements, Sec.6.02, by significantly lowering the minimum requirements for off-street parking for any residential development, other than a detached single family dwelling; 2) amend the Table of Use Regulations, Section 4.07, Use #22 to limit the number of spaces that can be constructed on a lot, for the purpose of rental parking or otherwise, based on the number of dwelling units in the structure and the size of the lot; 3) amend the Table of Use Regulations, Section 4.07, Use #54, by no longer allowing parking spaces in an accessory garage or parking area to be rented to non-occupants or users of the lot, and 4) amend the Table of Use Regulations, Section 4.07, Use # 55 to no longer provide a special permit to allow more than three spaces per dwelling unit on a lot greater than 10,000 s.f, nor four spaces for a permitted nonresidential use, in two (T), three (F) and multi-family (M) districts, even for vehicles belonging to occupants or users of the lot.

The current parking regulations under the Table of Off-Street Parking Requirements, Section 6.02, requires 2 parking spaces per single family dwelling, 2 parking spaces per studio, 1 and 2 bedroom units in a multi-family structure, and 2.3 parking spaces for attached single families with two or more bedrooms and multi-family structures with 3 or more bedroom units. The proposed regulation would reduce those requirements for multi-family dwellings to .8 spaces per studio/1 bedroom units, 1.2 spaces for 2 bedroom units, 1.4 spaces for 3+ bedroom units. The proposed regulation would also reduce the number of parking spaces hotels are required to provide per room from 1 space to .5 spaces. The Petitioner has submitted ample data from the 2000 US Census, which provides a rational basis for the selection of these figures based on how many cars are owned per household in Brookline. The reduction in required parking spaces for multi-family dwellings would allow greater flexibility in designing new residential buildings, including reducing the mass of the structure, and therefore the visual impact on neighboring properties. The reduction in the parking requirement will also mean fewer cars on the street and a reduction in traffic.

However, the Planning Board believes that the M-0.5 zoning district, of which there is only one in Brookline at Hancock Village, should be excluded at this time from a parking reduction. South Brookline is not well-served by public transportation and must rely more heavily on automobile travel. There is currently a discussion of future development of Hancock Village based on the owner's proposal to add more than 450 units to the development. As this discussion unfolds, it makes sense to retain the current parking requirements for this multi-family zone. If a rezoning for the Hancock Village site is ultimately proposed, it can address parking at that time. The rest of South Brookline consists of single family dwellings, for which the parking requirement is not changing.

There are two other revisions the Planning Board would recommend for the Table of Parking Requirements: 1) the heading under Multi/Family for Studio/1 bedroom should be changed to limit the size of a Studio to no more than 500 s.f.; and 2) a proposal to delete a footnote also deletes an important clause that states that any room over 100 square feet should be considered a bedroom. That clause should be retained.

The amendments to the Table of Uses, Section 4.07, would further limit the number of parking spaces that can be constructed on residential properties in T, F and M residential districts. The amendments are intended to discourage construction of new or additional parking facilities to serve dwellings not on the same lot, whether for rental or otherwise. The amendment would also limit the provision of parking in excess of what is required for the structure, as the special permit option to do so would be eliminated. The proposed wording of the amendment to Use #22 explicitly applies to pre-existing parking areas and is therefore problematic. It would likely be struck down by the Attorney General as treating two comparable parking lots differently, in a way that is not consistent with how grandfathering works in this state. A comparable situation arose when Town Meeting approved changes to the Zoning Bylaw in the fall of 2002 that allowed additional Floor Area Ratios, but only for homes in existence as of the date of the Bylaw approval. The Attorney General struck down that clause and the Bylaw was ultimately amended to say that the additional Floor Area Ratio was available to any home 10 years after it was constructed, therefore treating all comparable homes the same. Related to the amendments to Use # 54, the Planning Board believes clarification of the phrase "users of the lot" is needed because it is not clear whether this is meant to exclude or include off- site residents from renting a space on a lot.

The Planning Board is sympathetic to the goal of the amendments to uses #22, #54 and #55; however, even with the changes suggested by the petitioner, the Board finds these sections need more analysis and reconfiguring to make them less complicated and more easily understandable.

Therefore, the Planning Board unanimously recommends FAVORABLE ACTION on Article 10, with the following revisions to amend the Table of Dimensional Requirements as described above, and eliminate the changes to the Table of Uses, Section 4.07, Uses #22, #54 and #55, until further evaluation:

ARTICLE 10

To see if the Town will amend the Zoning By-Law establishing new residential parking requirements by:

1). Replacing the “residential” column of the TABLE OF OFF-STREET PARKING SPACE REQUIREMENTS, Section 6.02, and reformatting the table, into two tables as follows:

RESIDENTIAL					
Single-Family Detached ⁺	Single-Family Attached (Townhomes) and Two/Three-Family ⁺	Multi-Family Studio (>500 s.f)/ 1 bdrm ⁺⁺	Multi-Family 2 bdrms ⁺⁺	Multi-Family 3 bdrms ⁺⁺	Hotel ^{**}
Parking Spaces Per Dwelling Unit⁺⁺					
2/2.3 <u>2</u>	2/2.3 <u>1.3</u>	2 <u>.8</u>	2 <u>1.2</u>	2.3 <u>1.4</u>	4 <u>.5</u>
<p><i>+The parking requirement for M-0.5 districts is excluded from the above parking table and shall be 2 spaces for single families , attached single-families, and dwelling units in multi-families, except 2.3 spaces for each attached single-family containing two or more bedrooms, and 2.3 spaces for a multi-family dwelling unit containing 3 or more bedrooms.</i></p> <p><i>*Bedrooms shall include any habitable room containing at least 100 square feet of area which could be converted to a bedroom other than a bathroom, kitchen, or living room.</i></p> <p><i>**For use 8A. Limited Service Hotel in the G-1.75 (LSH) Limited Service Hotel District, the minimum number of spaces for each dwelling unit shall be 0.5 and no additional spaces shall be required for floor areas used for eating, drinking, dancing, meeting halls or similar purposes.</i></p>					

		PUBLIC ASSEMBLY**	INSTITUTION	RETAIL & OFFICE			INDUSTRIAL	WAREHOUSE & OTHER
		(Number of seats requiring one space)		General		Medical & Dental		
				Ground Floor	Other			
		(Number of square feet of gross floor area requiring one space)						
ZONING DISTRICT DEFINED BY MAXIMUM FLOOR AREA RATIO	0.15	3	350	200*	400*	200*	800*	1200*
	0.20							
	0.25							
	0.30							
	0.35							
	0.40							
	0.50	4	450	200	400	200	800	1200
	0.75							
	1.00							
	1.50	5	550	350	600	250	800*	1200
1.75								
2.00								
2.50								

*Applicable to nonconforming uses.

**For use 8A. Limited Service Hotel in the G-1.75 (LSH) Limited Service Hotel District, the minimum number of spaces for each dwelling unit shall be 0.5 and no additional spaces shall be required for floor areas used for eating, drinking, dancing, meeting halls or similar purposes.

~~**The greater requirement shall be provided for each dwelling unit containing more than two bedrooms and for each attached single-family dwelling containing two or more bedrooms. Bedrooms shall include any habitable room containing at least 100 square feet of area which could be converted to a bedroom other than a bathroom, kitchen, or living room.~~

§6.02, paragraphs 2. through 7. contain additional requirements by type of use.

2) Amend 6.01 2.a. As follows:

2.a. In SC, T, F, M, L, or G Districts, when a structure is converted for one or more additional dwelling units and the conversion results in an increased parking requirement, parking requirements for the entire structure shall be provided in accordance with the requirements in 6.02 and 6.05. However, the Board of Appeals by special permit under Article IX may waive not more than one-half the minimum number of parking spaces required under 6.02 and 6.05.

3) Removing 6.02 2.e. as follows and re-lettering all the remaining subparagraphs:

~~2.e. For a dwelling unit which is occupied by three or more unrelated persons (including lodgers), the parking requirement for the dwelling unit shall be twice that indicated in the Table of Off-Street Parking Space Requirements in 6.02.~~

4) Amend 6.02 2.f. As follows:

2.f. For residential uses in M, L, and G districts, where the number of required parking spaces exceeds 20 spaces, ten percent 5 percent of all required parking spaces shall be designated and marked for use by visitors and trades people. For mixed-use properties the number of visitor spaces shall be based on the parking requirement for the residential use only with at least 10% of the total gross floor area used for commercial purposes, this requirement shall be waived.

or act on anything relative thereto.