

ARTICLE 25 VILLAGE CENTER REZONING HOUSING ISSUES IN NORTH AMHERST

Since the 1970s, North Amherst has been disproportionately impacted by the presence of large apartment complexes which predominantly house students. Further, as homeowners have sold out near the apartment complexes, many single family rentals have been acquired by landlords for conversion into student rentals. This process continues—prospective landlords often outbid families looking for housing. Many North Amherst residents have expressed concern about any new residential density in North Amherst village center resulting from the form-based rezoning proposed under Articles 24 and 25, fearing that those new units would simply be filled by more students in greater concentrations, living even closer to surviving single family neighborhoods.

Zoning is only one tool among many to address housing issues, and not the most effective. However, new residential development in the proposed NAVC District would require land use permits, whereas there are no zoning limitations on the conversion of single family residences to rental units—the greatest source of “problem properties” in Amherst.

The proposed new NAVC zoning includes new form-based regulations and revised use regulations which simultaneously encourage a more diverse mix of housing, while limiting the impacts of potential residential density, in the following ways:

- **Encourages a Mix of Uses** - The NAVC zoning actively encourages a full mix of uses and discourages development of multiple contiguous properties for single uses.
- **Limits Residential Uses on Streetfronts** - The NAVC zoning prohibits the location of town houses or apartments as stand-alone residence-only uses within 100 feet of Sunderland Road. Further, town house and apartment uses in the NAVC District with frontage along Cowls Road:

“... are not intended to occupy significant continuous segments of street frontage to the exclusion of others uses, but instead to contribute to a village center streetscape composed of and providing a balanced mix of diverse uses.”

These provisions lessen the potential for large concentrations of new residences, and reserve land area along principal street frontages for business uses or a mix of uses. This will prevent residential market forces from dominating the village center streets and displacing the varied commercial street activity essential to a viable village center.

- **Protects Streetfront Ground Floors from Residence-Only Uses** - Within the 100 foot setback areas mentioned above, only mixed use buildings (Section 3.325, buildings containing dwelling units in combination with stores or other permitted businesses or commercial uses) would be permitted, and only 10% of the ground floor of such buildings would be allowed to be associated with or provide accessory functions for residential uses. Entries, stairwells, storage, etc., would be allowed, but there would be no ground floor dwelling units.

- **Requires a Mix of Smaller Bedroom Types** – Under Article 25, the two multi-unit residence-only Building Types—the Multi-Family Residential Building and the Village Residential Building—are required to contain “a balanced mix of 1-bedroom, 2-bedroom, and 3-bedroom unit types, and may include studio units.” [emphasis added] No housing unit types with four or more bedrooms are permitted in these buildings. This will not prevent students from occupying new units—nor is that the intent—but it encourages occupants other than students and does not provide conditions comfortable for group rentals. The regulations are intended to encourage the diverse mix of housing types (and resulting residents) necessary for a socially and economically vital village center.
- **Multi-Unit Residence-Only Uses Are Regulated Through Special Permits & Other Regulations** – Town houses and apartments will require a discretionary Special Permit in the NAVC District, under which the permit granting authority can deny the use, or can reduce the unit count with strong conditions. Any town house or apartment use including 10 or more units would be required to provide affordable units under Amherst’s existing inclusionary zoning requirements—affordable units would increase as the apartment unit count increases. Because of their ground-floor-to-roof vertical design, town houses allow only about half of the potential unit count of apartments. As noted, mixed use buildings would be allowed by right through Site Plan Review approval, but with the limitations previously described on the location of residential units with respect to principal streets and ground floors. Height, floor, and coverage limitations will limit overall unit counts.
- **Form-Based Requirements Prevent Cheap Residential Complexes** - The form-based design requirements for streets, buildings, public spaces, etc., dictate a range of possible building layouts, relationships of buildings to one another and the pedestrian corridor along the street, vehicular and pedestrian connections within and between properties, open space requirements, landscape treatments, and so forth. All of these requirements have the effect of preventing new building designs and layouts that are heedless of their surroundings and are only intended to maximize residential unit count.

The form-based design requirements will ensure a level of quality in building and site construction that will cost more and will make market rate units more expensive, while the existing inclusionary requirements of the Zoning Bylaw will provide the balance of affordable units accessible to qualifying residents.

Amherst’s longstanding rental housing market is built on a basic economic principle—students in sufficient numbers can generate enough revenue to pay for an expensive rental house or apartment. Except in mixed use buildings, new dwelling units in the NAVC District will have only a few bedrooms. Together with the existing limit of no more than 4 unrelated persons per dwelling unit, these new units will not accommodate students in large numbers. Individual students or couples would have to pay a higher percentage of a unit’s rent, and many of them would not be able to afford to do so. In the NAVC District, the normal Amherst way of dealing with increased costs for rental properties—just add students—won’t work.