

ARTICLE 8. DEVELOPMENT MODIFICATION

Existing Phased Growth Bylaw & Master Plan Criteria

Underlined sections indicate functional elements or community purposes in the Development Modification amendments taken from the existing Phased Growth Bylaw or included in implementation of the Key Directions section of the Amherst Master Plan.

ARTICLE 14 PHASED GROWTH

SECTION 14.0 INTENT & PURPOSE

The purpose of this Article is to ensure that growth occurs in an orderly and planned manner that allows the Town to develop and maintain high quality municipal services for an expanding residential population while allowing a reasonable amount of additional residential growth. The citizens of Amherst insist on, have pride in, and enjoy a reputation for high quality and reliable municipal services, including water, human services and schools.

This Article will enhance the Town's ability to provide services that keep pace with the impacts of residential development. In addition, this Article encourages certain types and patterns of residential growth which reflect the values of the Town as previously expressed in both policies and appropriations.

SECTION 14.1 REGULATIONS

- 14.10 The regulations of this Article shall apply to all definitive subdivision plans, subdivisions not requiring approval, site plan review applications and special permits which would result in the creation of a new dwelling unit or units. Dwelling units shall be considered as part of a single development, for purposes of development scheduling, if located either on a single parcel or contiguous parcels of land which have been in the same ownership at any time subsequent to the date of adoption of this Article.
- 14.11 For the purposes of this Article, any person who owned a parcel of land in Amherst prior to April 17, 1986, shall receive a one-time exemption (one building permit) from the Planned Growth Rate (Section 14.2) and the Development Schedule (Section 14.3) for the purpose of constructing a single-family dwelling unit on the parcel owned, provided that the single-family dwelling unit shall be owned and occupied by the owner of that parcel of land. The issuance of a building permit for this purpose shall, however, count toward the growth rate limit of 250 dwelling units.
- 14.12 For the purposes of this Article, a single building lot that is to be sold as part of a transaction that will preserve a tract of land three acres or larger for open space preservation purposes or five acres or larger for farmland preservation purposes, may be exempted from the Planned Growth Rate (Section 14.2) and Development Schedule (Section 14.3). The land to be preserved shall be protected from development by an Agricultural Preservation Restriction, Conservation Restriction, dedication to the Town, or other similar mechanism that will ensure its protection.

The exemption request shall be made to the Planning Board and the Board shall transmit such request to the Conservation Commission for comment. The Commission shall have twenty-one (21) days to respond in writing to the Board. Subsequent to receiving written comment or the passage of twenty-one (21) days, the Planning Board shall render a decision on the exemption request.

The issuance of a building permit for this purpose shall, however, count toward the growth rate limit of 250 dwelling units.

- 14.13 For all building lots/dwelling units not covered under Section 14.11, including those no longer having the protection accorded by Chapter 40A, Section 6, the Planning Board is authorized to approve a development schedule for that lot/unit, including the month/year such lot/unit shall be eligible for a building permit.

The request for authorization of a development schedule shall be made on forms provided by the Board.

SECTION 14.2 PLANNED GROWTH RATE

- 14.20 This Article shall take effect beginning on the date of adoption by Town Meeting and shall continue in effect for six calendar years from November 15, 2004, in order to provide the Town time to prepare and implement a master plan in accordance with MGL Ch. 41, Section 81D. Beginning on the date of adoption, the permit granting authority (Planning Board, Zoning Board or Building Commissioner) shall not approve any development schedule under Section 14.5 which would result in authorizations for more than 250 dwelling units over a 730 consecutive day (two year) period. All authorizations shall count toward this planned growth rate unless otherwise noted.
- 14.21 Once a development schedule is approved in accordance with Section 14.5, building permits shall be issued in conformity with that schedule. Once authorized by the development schedule, said building permits shall be issued even if the 250 limit has been reached.
- 14.22 Whenever the rate of growth, as measured by a total of development schedule authorizations plus building permits issued for new dwelling units not part of a development schedule, exceeds a rolling total of 250 additional dwelling units over a 730 consecutive day period, the Building Commissioner shall not issue building permits for any additional dwelling unit or units unless such unit or units are exempt from the 250 limit under either Section 14.11, 14.12 or 14.410.
- 14.23 If as a result of an applicant seeking approval of a second plan of development on a parcel of land for which authorizations have been previously granted, and the second plan is approved, a new development schedule shall be established. This schedule shall supersede the first development schedule at the time a building permit is issued, based on the second plan, for any lot lying wholly or partially within the parcel subject to the new development schedule.

The Planning Board and/or Zoning Board of Appeals, in approving the second plan, shall determine the number of authorizations from the first plan that would be abated based on the second plan's approval. This number shall be used by the Building Commissioner in revising authorization schedules due to abatements.

SECTION 14.3 DEVELOPMENT SCHEDULE

Building permits for new dwelling units shall be authorized only in accordance with the following schedule:

<u>Number of New Units in Development</u>	<u>Dwelling Units/Year*</u>
1 - 4	50%
5 - 12	up to 45%
13+	up to 40%

*Percent of units in the development for which building permits may be authorized each year.

SECTION 14.4 MODIFICATIONS TO SCHEDULE

The following modifications to the development schedule found in Section 14.3 shall be allowed by the Planning Board (for Definitive Subdivisions/Form A Subdivisions/Cluster Subdivisions/Special Permits/Site Plan Review) or Zoning Board (for Special Permits) as part of the approval of any development. Points assigned in each category are to be cumulatively totaled to determine the modification to the schedule based on the MODIFICATION TO SCHEDULE TABLE found in Section 14.48.

14.41 AFFORDABLE HOUSING

14.410 Any development which includes 25% or more of its units for low and/or moderate income people and which is subsidized by federal, state or local programs, or proposed by the Amherst Housing Authority, or by a non-profit or limited dividend partnership, or any development which includes non-subsidized housing units priced to be affordable to people whose income is equal to or less than 120% of the median income for Amherst and which provides that the mix of affordable and market rate housing built in any one year is equivalent to the overall mix for the entire development, and which further provides that resale restrictions are established by the developer which ensure that the affordable units remain affordable for a period of forty years, shall be exempt from the Planned Growth Rate in Section 14.2.

Points
Assigned

All market rate units within the development shall count toward the 250 units in the 730 consecutive day period. 30 pts.

14.411 Any development that meets the criteria found in Section 14.410, but which includes 10% - 24% of its units for low and moderate income people. 20 pts.

14.42 VILLAGE CENTER & MIXED USE DEVELOPMENT

- 14.420 Any development or conversion within the General Business (B-G) and the abutting Limited Business (B-L) districts, or within the General Residence (R-G), Village Center Business (B-VC) or Village Center Residence (R-VC) districts. 30 pts.
- 14.421 Any development or conversion within 1,000 feet of said districts. 20 pts.
- 14.422 Any use under Section 3.325 within the COM District. 15 pts.
- 14.423 Any use under Section 3.325 within the B-G, B-L, B-VC or R-VC District. 10 pts.

14.43 OPEN SPACE/FARMLAND

- 14.430 Provision of open space/parkland, as part of any development, which meets the criteria in Section 4.344 and 4.382.
- Open space consisting of at least 2,000 sq.ft. of usable land per dwelling unit. 5 pts.
- Open space consisting of at least 4,000 sq.ft of usable land per dwelling unit. 10 pts.
- Open space consisting of at least 6,000 sq.ft. or more of usable land area per dwelling unit. 15 pts.
- 14.431 Protection and retention of farmland according to the following impacts on working farms.
- Development on agricultural land, defined as land classified prime, unique or of state and local importance by the USDA SCS or land characterized by active agricultural use as defined by Chapter 61A of the Mass. General Laws. -30 pts.
- In the Farmland Conservation (FC) District, retention and preservation of agricultural 2 pts./5% of land, as a percentage of the total area of any total project proposed development, under permanent area protected agricultural restriction. (max. 30 pts.)

Provision of a 150-foot buffer zone, including a fence and screening vegetation, from the property boundary of a working farm. 5 pts.

14.432 FC District

14.4320 Frontage or flag lot development under M.G.L. Ch. 41, Section 81P, with frontage located outside the FC District and a portion of lot area abutting or within the FC District.

More than 5,000 sq. ft. of individual or average lot area in FC District. -30 pts.

2,500-5,000 sq. ft. of individual or average lot area in FC District. -15 pts.

Less than 2,500 sq. ft. of individual or average lot area in FC District. - 5 pts.

No lot area in FC District. 0 pts.

14.44 AQUIFER & WATERSHED PROTECTION

Development in the Aquifer Recharge Protection (ARP) And Watershed Protection (WP) overlay districts:

No public sewer. -30 pts.
Public sewer. -15 pts.

14.45 CLUSTER

Any development which is constructed under the cluster provisions of Section 4.3 of the Zoning Bylaw.

For any development which includes both cluster lots and standard lots, the 30 points shall be pro-rated based on the percentage of cluster lots to total lots in the development. 30 pts.

14.46 PURD/OSCD

Any development which is constructed under the PURD provisions of Section 4.4 or the OSCD provisions of Section 4.5 of the Zoning Bylaw. 30 pts.

14.47 OTHER

The Planning Board (Definitive Subdivisions/Form A Subdivisions/Cluster Subdivisions/Special Permits/Site Plan Review) and Zoning Board of Appeals (Special Permits) may grant up to a total maximum of 30 additional points or may deduct up to a total maximum of 30 points based on, and with due consideration to, the following:

- 14.470 Improvements or contributions which will allow the Town to adequately serve the proposed development with streets, utilities, drainage, educational and protective services and other public services and facilities such as childcare, health care, elder services, disabled services, recreation, the arts, transportation or water conservation. These need not occur on-site, but may take the form of contributions or improvements to off-site infrastructure.
- 14.471 Amelioration of other development impacts, such as the development of lower densities, than otherwise permitted in the outlying areas of the town, i.e., the R-N District (within the FC and ARP overlay districts) and the R-O and R-LD districts, or the preservation of natural, agricultural, historic, archeological or cultural resources, significant street or shade trees and scenic views.
- 14.472 Other arrangements which will provide for or reduce the cost of, public services and facilities such as childcare, health care, elder services, disabled services, recreation, transportation or water conservation.
- 14.473 Provision of housing needs for diverse population groups including, but not limited to, the elderly and persons with disabilities. Special consideration may be given to the scheduling of developments that include attached units or apartments to meet these needs.
- 14.474 Commitments already made in the development schedules for approved developments.
- 14.475 Site design which responds to, incorporates and protects natural features such as vegetation, topography, water courses and views, or which is designed to respond to, preserve and/or enhance the character of the neighborhood.
- 14.476 Site design which maximizes energy efficiency including, but not limited to, passive and active solar energy.
- 14.477 Provision of walking, bicycle or bridle paths or trails on-site, including consideration of links to off-site paths.
- 14.478 Provision of subdividable dwellings in accordance with Section 3.3240.
- 14.479 Location of the proposed development within 1,000 feet of a heavily-traveled major arterial street.

14.48 DEVELOPMENT SCHEDULE MODIFICATION TABLE

Points accumulated under Sections 14.41 through 14.47 shall be totaled and the total shall modify the Development Schedule in Section 14.3 according to the following table.

Point Total	<u>Dwelling Units/Year*</u>		
	Developments of 1-4 units	Developments of 5-12 units	Developments of 13+ units
≤-60	20%	15%	10%
-50 to -59	25%	20%	15%
-40 to -49	30%	25%	20%
-30 to -39	35%	30%	25%
-20 to -29	40%	35%	30%
-10 to -19	45%	40%	35%
-1 to -9	50%	45%	40%
0 to 9	60%	50%	45%
10 to 19	70%	55%	50%
20 to 29	80%	60%	55%
30 to 39	90%	70%	60%
40 to 49	100%	80%	70%
50 to 59	100%	90%	80%
60 to 69	100%	100%	90%
70+	100%	100%	100%

* Unit counts/year including fractions shall, if the fractional portion is equal to 0.5 or greater, be rounded up to the nearest whole number; and, if the fractional portion is less than 0.5, shall be rounded down to the nearest whole number (examples: 1.8 = 2 units; 3.2 = 3.0 units).

SECTION 14.5 REQUIREMENTS

14.51 All Definitive Subdivisions, Form A Subdivisions, Special Permits and Site Plan Review applications shall include a proposed development schedule by the applicant.

14.52 Development schedules shall be determined by the Zoning Board (Special Permits) or Planning Board (Site Plan Review, Definitive Subdivision, ANR Subdivision) at the time of approval of any such application, using the following format: "The first year of the development schedule shall be (month/year) or such earlier date that may result from intervening abatements." Such schedules shall be included as a condition of approval of the application.

The Building Commissioner shall be authorized to issue revised development schedules based solely on abatements approved by the Zoning Board or Planning Board.

All development schedules with approved authorizations shall be recorded with the application approval decision with the Town Clerk and shall not be calculated into the overall growth rate until so recorded. In order to effectuate the schedule for the purposes of obtaining building

permits, the applicant shall record the approval decision with the development schedule at the Registry of Deeds.

- 14.53 In the case of a cluster subdivision, a development schedule shall be approved by the Planning Board at the time of Definitive Subdivision approval.

SECTION 14.6 ZONING CHANGE PROTECTION

The protection against zoning changes as granted by Section 6 of Chapter 40A G.L., shall, in the case of a development whose completion has been constrained by this Bylaw, be extended to the minimum time for completion allowed under this Bylaw.

Amherst Master Plan (excerpt)

C. Key Directions for the Community

This section summarizes the key directions that the community has said it wants Amherst to go in the foreseeable future. Taken together, these directions constitute the vision inherent in this Plan. These directions arise from public sentiment expressed throughout the *Planning Amherst Together* process, an analysis of the Plan's objectives and strategies, and the deliberations of the CPC. Although the Master Plan consists of distinctive elements, these key directions highlight the principal shared themes found in the following chapters.

Sustainability is a primary integrating goal of the Amherst community and this Master Plan. A broadly-accepted definition of sustainability first appeared in *Our Common Future*, a 1987 report commissioned by the United Nations:

Sustainable development is development that meets the needs of the present without compromising the ability of future generations to meet their own needs.

The goal of sustainability underlies each of the key directions for Amherst's Master Plan:

- **Maintain Amherst's existing community character.** The preservation of Amherst's community character will require a variety of different approaches, including protecting and promoting adaptive reuse of historic buildings and landscapes, focusing development in already-developed areas, creating design standards that ensure new development is in accord with existing neighborhood character, protecting critical conservation lands and farmland, and promoting the local agricultural economy. The residents of Amherst have a strong interest in maintaining the character of their community for years to come, and the use of appropriate tools such as form-based zoning and conservation easements will help to ensure that this goal is achieved.
- **Encourage vitality in the downtown and village centers.** Amherst's downtown and village centers should be a focus for the community's economic life, cultural vigor, and social activity. Vitality in these areas can be pursued through a variety of initiatives, including encouraging additional housing development, economic investment, expansion of cultural facilities, promotion of a mix of uses, and improvements to the public realm (parks, streetscapes, and public squares). These initiatives will lead to a more walkable community, allow for more day-to-day interactions among residents, and attract more visitors to the community while enhancing Amherst's growing tourism industry.
- **Balance land preservation objectives with more intensive development in appropriate areas.** Perhaps the most significant theme that surfaced throughout the *Planning Amherst Together* process is the need to protect the Town's significant open spaces, including wildlife habitats, farmland, recreational lands, scenic vistas, and environmentally sensitive areas. Conservation of large tracts of land will require trade-offs in other areas. For example, in order to deal with rising land prices that can result from reducing the supply of buildable land, higher density development must be allowed and incentives must be developed to direct more growth and increased economic activity to the appropriate areas. A mix of uses should likewise be promoted to encourage a more walkable community and bring residents closer to jobs, shops, and services. This Master Plan tries to address these trade-offs, striking a balance between land preservation and the need for intensified responsible development in Amherst.

- **Provide housing that meets the needs of all residents while minimizing impacts on the environment.** Amherst values its economic and cultural diversity. Sustaining this diversity now and into the future will require addressing the needs of large segments of the population, including both renters and homeowners, that are financially strained by rising housing costs. It is critically important to encourage a broad mix of housing types with a full range of initiatives designed to preserve, develop, and/or replenish the community's low and moderate income affordable housing inventory. Housing strategies must also ensure that the mix of housing in the Town meets the varying physical needs of all residents and is affordable to the broadest spectrum of a growing community while minimizing the impact of housing development on the environment.
- **Provide community services to meet the needs of all residents.** Amherst is becoming an increasingly diverse community in terms of ethnicity, age, income, education, physical ability, and in many other ways. Amherst's services and facilities must keep pace with the population's changing needs, including maintaining its historically strong schools, planning for needed fire department, public works, school, library, and recreation facilities, and providing critical social support services.
- **Diversify and expand the economic base.** Amherst should pursue policies and regulations that encourage the diversification and expansion of its economic base in a manner consistent with the community's character and desires. This will generate fiscal benefits for the community, provide revenue to pay for community services, create more private sector job opportunities for residents, and reduce dependence on the University and colleges as the economic engines of the community.
- **Enhance Town/Gown relations and cooperation.** The Town of Amherst and the educational institutions that are located within its boundaries have a symbiotic relationship. The University and colleges are major employers and provide economic support to local businesses; they also enhance the cultural opportunities available to Amherst residents. On the other hand, Amherst taxpayers provide a wide variety of public facilities and services to the large student population, with limited opportunities to obtain fiscal support for these services through local fees or taxation. A central theme of this plan is the need to enhance cooperation between Amherst, the University, and colleges in order to more equitably share the costs and benefits of this symbiotic relationship.
- **Promote an ethic of sustainable environmental and energy practices in all Town activities.** Amherst citizens have a high degree of awareness regarding environmental and energy issues. This Plan details ways to protect natural resources, conserve energy, reduce reliance on the private automobile, promote healthier lifestyles, and encourage green building techniques. Public outreach and education will be a key component in supporting this ethic of sustainability throughout the community. Requiring greater sustainability in Town policies, regulations and practices can enhance Amherst's ability to provide jobs, housing, security, education, and the other elements of a good life. This can set the tone for the community, help ensure environmental justice, and serve as an example for local businesses and developers.

Specific Master Plan Objectives & Strategies Implemented in Development Modification

Chapter 3, Land Use

OBJECTIVE LU.1 – Preferentially direct future development to existing built-up areas.

The following strategies recommend ways to manage future growth so as to take full advantage of the Town's existing infrastructure, and reduce sprawl.

LU.1.D Undertake rezoning efforts that direct more intensive development to appropriate areas and limit development in key resource areas.

The Town should engage in a comprehensive review and update of its zoning bylaw and map to ensure that the regulations reflect the community's vision for future development, as captured in the land use principles that preface this chapter. Permitted densities may need to be increased in built-up areas like village centers, and reduced in key resource areas or in agricultural zones.

LU.1.E Revise existing zoning to encourage and include incentives for well-designed, energy-efficient infill/redevelopment projects.

Incentives such as density bonuses and more flexible dimensional regulations should be available for infill and redevelopment projects that demonstrate specific characteristics of high quality, sustainable design.

Infill and redevelopment projects provide many benefits to the community, but can often cost more when considering the expense of cleaning up a polluted brownfield site (see LU.5.F) or redeveloping and adaptively reusing an historic structure. Accommodating parking needs is also a big hurdle to overcome in infill and redevelopment projects. Incentives that promote infill and redevelopment while protecting existing historic character and protecting residential neighborhoods should be built into the development standards. Specifically, minimum lot sizes for residential districts and parking standards for all districts should be re-evaluated.

The Town should also develop incentives to encourage energy-efficient development. For example, density bonuses could be offered to development projects that are LEED-certified and/or which meet other appropriate standards. (LEED is one national benchmark for green building established by the US Green Building Council – see <http://www.usgbc.org/> for more information.)

LU.1.G Reduce energy use by encouraging new residences near supporting goods and services and transit.

A better integration of land uses can help to reduce the need for car travel. When residences are in close proximity to shopping, services, jobs, parks, public transit facilities, and other public amenities, residents spend less time driving and consume fewer energy resources. Energy consumption is further reduced when streets are designed to be more pedestrian and bicycle-friendly.

OBJECTIVE LU.2 - Create vital downtown and village centers (areas of mixed-use, including retail, commercial, and residential elements) that are walkable, attractive and efficient.

Through infrastructure investment, incentives, and improved regulations, the Town should foster increased economic, cultural and social activity in the downtown and outlying village centers by encouraging a variety of mixed-uses including live-work units. These areas should foster interactions through attractive public spaces and the creation of a walkable environment.

LU.2.A Change zoning to allow denser residential occupancy near existing services and public transit.

Residential development near or in combination with shops, services, and public transit can greatly contribute to a more vital community, particularly when streetscapes are designed to promote walking and biking. Such development can reduce energy consumption, help build a sense of community, and improve community health overall. Residents are more likely to interact on the street and enjoy public spaces when they can walk or bicycle to many of their daily destinations.

LU.2.B Encourage increased upper floor residential development in downtown and village centers to support a vital economic and social setting.

The Town should review and update its development ordinances to encourage additional upper floor residential development in the downtown and village centers.

OBJECTIVE LU.3 - Preserve key undeveloped lands

The Amherst community places a high value on its unique landscapes and natural resources. The following strategies recommend ways to identify, evaluate and preserve the Town's most critical natural resources.

LU.3.C Identify areas to preserve, areas where a varying combination of preservation and development should occur, and areas to allow development with only modest controls.

Once conservation priorities have been set, the Amherst community should determine how to manage the remaining inventory of natural landscapes. Certain areas may be deemed appropriate for future development, while other areas may be appropriate for more limited development. Regulations can be established to ensure that the most significant natural resources and environmental features on a given site are preserved.

LU.3.E Revise growth management regulations—zoning, subdivision regulations, health regulations, etc.—to protect environmental resources and scenic viewsheds.

The Town should comprehensively review and revise its zoning and subdivision ordinances to ensure that growth management regulations are aligned with growth needs and land preservation priorities. Regulations should seek to preserve the environmental and scenic value of Amherst's significant rural landscapes.

OBJECTIVE LU.6 - Guide new housing growth so as to minimize impact on Amherst's open space and small-town rural character.

Any new growth in Amherst should be designed to protect the Town's natural resources and preserve its existing character. The following strategies recommend how development and design regulations could be used to ensure that future growth is in accordance with the Town's land use principles and harmonious in terms of design.

LU.6.A Revise growth management regulations—zoning, subdivision regulations, health regulations, etc. These regulations can be used to protect environmental resources and preserve scenic viewsheds and to help determine the nature, location, and design of future housing development. Zoning and subdivision ordinances should be updated to reflect the Town’s vision for future growth and development. Health regulations can be developed to better govern private septic and well systems, which are required for residential development in some of the Town’s remaining undeveloped outlying areas beyond the reach of our public sewer/water systems.

LU.6.B Increase density of residential units in specified areas when strict design and planning guidelines are met.

Amherst can develop incentives to encourage developers to adhere to planning and design guidelines. Density bonuses and dimensional flexibility are ways to encourage development located in appropriate areas and that meets desired planning and design standards.

OBJECTIVE LU.9 - Honor the historic/cultural character and beauty of neighborhoods.

The Amherst community should undertake a variety of efforts to preserve the historic character of its neighborhoods. Historical information and design standards can play a significant role in ensuring that new development, redevelopment, and infill projects will retain the desired character of the community.

OBJECTIVE LU.10 – Utilize “greenways” and walkways to tie neighborhoods, public spaces, etc, together and make it easier for Amherst residents to walk or bicycle to more destinations.

Greenways are protected corridors of natural green areas, often established along rivers and streams, which can generate numerous benefits for a community. In addition to protecting natural resources and maintaining habitat and wildlife travel corridors, greenways provide opportunities for outdoor recreation. Through the careful planning and installation of trails and bikeways, greenways can provide transportation corridors—a great way for residents and visitors to explore the region, access major recreational areas, and connect community members to nearby shops, jobs, and centers. In these ways, greenways promote healthier lifestyles and a more active community; they also help protect wildlife habitats and environmental resources. Greenways and trails should be an integral component of the community’s transportation system.

LU.10.A Create connected, walkable centers and neighborhoods.

The downtown core, village centers, and residential neighborhoods should be designed to appeal to pedestrians and offer a safe, convenient, and attractive network of sidewalks and pathways for traveling from place to place.

LU.10.D Update the subdivision and zoning regulations to require road and pedestrian connections among different neighborhoods, districts, and corridors.

Connectivity is a priority development principle to promote and improve on mobility throughout the community. Development regulations need to reflect this principle, and should require both vehicular and pedestrian connections whenever feasible.

Chapter 4, Housing

OBJECTIVE H.2 - Preserve and expand the number of affordable and moderately priced rental units and housing stock.

Along with the creation of new affordable and moderately priced housing units, the preservation of existing affordable housing stock is critical to the success of an affordable housing plan. The following strategies recommend ways to preserve and expand affordable housing options in Amherst.

H.2.B Create incentives to make it financially attractive for developers to build affordable and moderately priced units.

The Town of Amherst should offer development incentives to spur the creation of affordable and moderately priced units in larger housing developments. With incentives such as tax breaks or a density bonus, the construction of affordable and moderately priced housing becomes more economically feasible for the developer.

OBJECTIVE H.3 - Increase the opportunity for infill development and the location of housing developments near services.

Appropriately-designed infill development can promote neighborhood revitalization, produce higher densities that lead to a more efficient use of land and infrastructure, and bring residents closer to necessary goods and services. The following strategies suggest ways to promote additional infill development in Amherst.

H.3.A Revise the zoning regulations to promote infill development in strategic locations.

Outdated zoning regulations can hinder infill development. The Town should modify zoning district lines and zoning setback/dimensional requirements, and evaluate building form (design) standards to provide for development that diversifies the housing stock while respecting the architectural and landscape character of existing neighborhoods and the community. It should also create a mechanism whereby small infill homes are allowed on some lots in exchange for an affordable housing deed restriction.

H.3.B Increase residential densities in the downtown and village centers.

The zoning for the downtown and village centers should be revised to allow for more downtown housing and higher residential densities. By increasing relative densities and allowing small businesses and residences to coexist, the Town can create more walkable neighborhoods that provide residents easy access to jobs, goods, services, and public transit. Intensified residential development above ground-floor shops and restaurants can help to create a more vibrant downtown community. An integrated mix of uses coupled with a pedestrian-friendly environment can also generate positive impacts in terms of reducing traffic, commute times, and energy consumption.

The community should:

- Intensify upper story housing development by revising zoning to eliminate unit count and total residential area limitations.
- Rezone Limited Business (B-L) areas near downtown to General Business (B-G) or another appropriate district to make it easier to create multi-family residential units and residential units in conjunction with businesses.

H.3.C Revise zoning regulations to encourage mixed-use, multi-family development projects.

The Town's zoning regulations should be revised to remove impediments to building mixed-use or multi-family development projects. Such development should be permitted by right in targeted areas. Attention to design and the adoption of design standards (See LU.1.C and LU.9) can ensure that new development fits the desired scale and character of the community.

OBJECTIVE H.4 - Encourage the production of housing in an environmentally sound manner with respect to design, siting, materials and resource use.

New housing development provides the opportunity to promote environmentally friendly design. The following strategies suggest ways to promote the growth of "green" housing in Amherst.

H.4.A. Modify Amherst's cluster development zoning regulations to require higher-density clustering of housing in the more rural parts of Town to achieve a smaller development footprint and greater retention of open space.

Greater density on the developed part of the land allows more common and open space to be retained. A revised development calculation could allow for a few more units, but less overall impact due to a significantly more compact development footprint.

H.4.C Provide incentives for developments that meet energy efficiency standards in new buildings.

Incentives such as tax rebates on costs related to making buildings energy-efficient can encourage developers to build more environmentally sustainable buildings, which benefit the environment and the general health of the community. See LU.1.E and NC.4.A.

OBJECTIVE H.5 - Encourage housing that meets the needs of special populations.

Housing options in Amherst should meet the needs of all residents, regardless of age or ability. Development of incentives, regulations, zoning, and favorable financing are a few of the tools that can be used to spur housing development that meets the needs of special populations.

H.5.A Encourage the production of affordable units for seniors.

Nationwide, an aging population is creating an increased need for housing for seniors. Eighty-two million Baby Boomers are moving to the empty-nest stage of life and are looking for more compact housing types. Amherst should take steps now to promote the development of smaller, affordable housing options that will be appropriate for a growing senior population and allow its residents to "age in place." This could be accomplished using the same zoning mechanisms proposed herein that are intended to create smaller housing options and more accessible housing.

H.5.C Develop incentives for developers to build accessible units.

Incentives such as tax rebates on costs associated with making the units accessible can encourage developers to improve accessibility and create housing for residents with special needs. Such incentives can offset the developer's additional design and construction costs.

H.5.D Provide incentives to developers to encourage “visitability” throughout housing developments where accessible units are built.

The Town should provide incentives for universal accessibility in design, on the basis that not only the accessible units occupied by disabled citizens need to be accessible, but that disabled residents should be able to visit their able-bodied neighbors without having to face obstacles such as stairs, etc.

OBJECTIVE H.6 Improve housing and services for people in the area who are homeless.

The following strategies address the needs of Amherst’s homeless population, as well as those at risk of becoming homeless.

H.6.D Increase the amount of housing available to people of very low incomes.

Currently there are virtually no opportunities for housing within Town for those people with very limited means. A sustained effort should be made to maximize the availability of various forms of housing vouchers and housing programs to create opportunities for this income group.

OBJECTIVE E.1 - Support sustainable growth of existing businesses and attract new ones while protecting environmental values.

Smart growth principles (see www.smartgrowth.org) should be used to support sustainable business growth while preserving Amherst’s character and protecting the environment. The following strategies address issues of zoning, infrastructure, and economic policy that can attract targeted industries to Amherst.

E.1.A Develop zoning that encourages sustainable high-density mixed-use and residential development within the village centers and downtown.

Higher density, mixed-use development can be encouraged to enhance and revitalize the village centers and downtown. Connecting and integrating residential areas with businesses and retail uses that provide goods, services, and jobs reduces infrastructure costs and transportation impacts. It creates a mutually-supportive environment in which residents have easier access to services and businesses have better access to a substantial customer base.

Chapter 6, Natural & Cultural Resources

OBJECTIVE NC.1 - Promote the preservation, appreciation, and sustainable use of our historical and cultural resources for residents and visitors.

Historic and cultural resources foster a connection to the Amherst community, generate a sense of pride among its residents, and attract visitors to the Town. Appropriate protection and celebration of these resources will ensure that the community’s heritage and unique character are preserved and passed on to future generations. Implementation of the 2005 Amherst Preservation Plan and the following strategies will preserve important community character for Amherst’s future while acting as a crucial form of local economic development.

NC.1.B Increase historic preservation protections in Amherst’s zoning regulations, in order to encourage preservation, restoration, and rehabilitation of historic and archeological resources.

A special historic overlay district is one example of a measure that could provide specific development and design regulations above and beyond regular zoning in order to protect areas of historic and architectural significance in the Amherst community. Such measures could allow certain land uses by right or offer

incentives if the proposed use met minimum historic standards. An overlay district or other measures could be applied to existing National Historic Register districts, areas that have been proposed to receive National Historic Register designation, and other historic resources indicated by the Amherst Preservation Plan or deemed significant by the Amherst Historical Commission.

**NC.1.E Encourage preservation, restoration and rehabilitation/
adaptive reuse of historic buildings and outbuildings through a variety of financial and other initiatives**

The Amherst community should make use of appropriate incentives to promote the restoration and reuse of its historic buildings. A variety of tools should be used to encourage the preservation, reuse, and rehabilitation of historic buildings. These could include, among others:

- Tax incentives and abatements
- Federal funding assistance or tax credits
- A low-interest revolving loan program for rehabilitating historic buildings
- Shortened project review time, and
- Permitting of additional uses in certain designated historic structures, among others.

A non-profit organization such as the private non-profit Amherst Historical Society could take the lead on instituting a revolving loan or historic trust program that will provide owners of historic properties with additional financing opportunities to support historic renovations and rehabilitations.

OBJECTIVE NC.3 - Conserve land in sufficient quantity and quality to meet agricultural, recreational, and wildlife needs.

Open land does a lot of work for Amherst. Keeping critical tracts of land undeveloped is important for maintaining and protecting wildlife, water resources, recreation opportunities, local farm production, and the region's unique rural character. A range of land conservation tools can be used to protect such areas and corridors, including transfers of development rights, donated conservation easements, and land acquisition by public or not-for-profit agencies.

NC.3.C Identify and permanently protect lands containing priority soil types for agricultural and other resource-based activities (e.g., farming, forestry).

Healthy soil is important to maintaining a healthy community. Quality soils control water runoff, filter pollutants, sustain plant and animal life, and cycle nutrients. Amherst should identify its priority soil areas and institute land protection initiatives to ensure that these soils remain healthy and safe from erosion. Information on soil quality and conservation is available from the National Resources Conservation Service at <http://soils.usda.gov/sqi/>.

NC.3.D Identify and permanently protect important wildlife corridors from development in order to connect fragmented habitats and facilitate local and regional wildlife movement.

The Town should seek to identify and permanently protect its most significant wildlife corridors. Major wildlife crossings along roadways should be clearly marked in order to protect humans and animals alike.

NC.3.F Create additional incentives in the permit process for development projects that preserve meaningful areas of viable open space/habitat contiguous to undeveloped or protected portions of land on adjacent properties.

The Town should establish method(s) for evaluating development projects under any revised zoning regulations to provide incentives for projects that demonstrate good development practices furthering the community's goals (affordable housing, protecting farmland, etc.) and that provide disincentives for projects that do not further the community's goals or which result in undesirable development.

OBJECTIVE NC.4 - Apply principles of environmental sustainability town-wide.

Sustainable environmental practices should be shared with the public and actively promoted to foster a sense of stewardship in the community. The following strategies suggest approaches for how everyone – including residents, businesses, Town government, the University and colleges, and the development community, among others – can get involved in creating a more sustainable community.

NC.4.B Create zoning regulations and local tax incentives to encourage or, where possible, mandate cluster subdivision design, construction of energy-efficient buildings, green/sustainable site design, and use of renewable energy sources (solar, wind, thermal, photo-voltaic, etc.).

Tax abatements, accelerated permitting processes, and other incentives such as technical assistance grants should be used to encourage more environmentally-friendly development in Amherst. Initiatives should promote green building design, the use of renewable energy sources, and more sustainable project design (such as well-connected, mixed-use, higher density cluster subdivisions, traditional neighborhood developments, and/or infill projects).

Chapter 7, Open Space

OBJECTIVE O.1 - Protect land that provides significant value for agriculture, watershed protection, trail systems, habitat, and biodiversity.

Amherst has a highly valued rural landscape and a commitment to preserving open spaces. Continued efforts should be made to conserve and expand habitats, watersheds, trail systems, and agricultural lands in order to protect native plant and animal species and maintain the area's unique character. The following strategies recommend how this can be achieved.

O.1.D Use zoning bylaws to encourage design that protects and enhances the landscape.

Zoning regulations can be used as an important tool to reduce human impact on natural areas. Types of creative zoning include open space offsets, transfers of development rights, and preservation banks, among others. These approaches retain a large percentage (or all) of a development site as natural or open space in exchange for allowing higher density development in a more appropriate area. Regulations should also be established to ensure that when development is proposed adjacent to ecologically significant areas, it adheres to dimensional and design standards that minimize impact on the natural environment.

OBJECTIVE O.2 - Improve the economic viability of the farm community within Amherst.

The Town should support the economic viability of the local farm community by continuing to develop and pursue policies that sustain and support the agricultural economy.

OBJECTIVE O.3 - Provide a supply of accessible, well-maintained recreational facilities that meet the changing needs of our community.

All residents of Amherst should have access to parks, greenways, and other outdoor recreation facilities, within walking distance of their homes. Parks and recreational facilities should be designed to accommodate a variety of users and activities

O.3.J. Actively manage conservation lands to ensure areas of appropriate size, enhanced wildlife habitat, and assured access supporting a full range of traditional outdoor recreation and activities, including: fishing, hunting, trapping, gathering, etc.

Traditional outdoor recreation offers citizens a deep and lifelong connection to the land, and continues to be an important component of Amherst's landscape, culture, and economy. Town policies regarding the management of conservation lands, habitat, and watershed forests should seek to ensure and enhance these recreation opportunities while carefully managing their impacts.

Chapter 9, Transportation

OBJECTIVE T.2 Actively promote alternative modes of transportation.

Promoting alternatives to automobiles will encourage healthy lifestyles and help alleviate congestion within Amherst while cutting down on air pollution. The following strategies indicate how Amherst should expand and enhance alternative transportation infrastructure so that more residents can travel to and from destinations in Amherst conveniently and safely without the use of a private car.

T.2.C Under the Transportation Plan, create an integrated town-wide system of new and expanded sidewalks and bicycle routes linking together the community's existing transportation system and providing access throughout Amherst.

- Require new developments to link to existing pedestrian connections.
- Develop and integrate a town-wide network of sidewalks, connector footpaths, bicycle paths and multi-use trails.
- Design and implement streetscape improvements for downtown and village centers.
- Ensure that all bus stops are safely accessible to pedestrians.
- Expand and improve the following specific sections of the pedestrian sidewalk network:
 - South East Street (Colonial Village to College Street)
 - East Pleasant Street (Village Park to Eastman Lane)
 - East Hadley Road (South Pleasant Street to Columbia Drive)
 - Pomeroy Village (West Street, Pomeroy and West Pomeroy Lanes)
 - Old Farm Road (Cross Brook to Pine Grove).

See LU.10, E.1.C, E.3.C, O.1.C, S.4.A and S.6.F.

T.2.D Improve the safety and comfort of pedestrian spaces and paths.

- Maintain smooth walking surfaces and prioritize sidewalks in need of repair of cracks, potholes, and tree root upheavals.
- Maintain clearly marked crosswalks at intersections of high pedestrian traffic that do not have pedestrian signals.

- Provide adequate street lighting in downtown, village centers, and neighborhoods.
- Switch current pedestrian signals to “countdown”-style signals, allowing adequate time for the elderly and handicapped to cross.
- Enforce timely snow removal in downtown, village centers, and neighborhoods.

T.2.F Make infrastructure improvements to support alternatives to the use of the private automobile.

- Provide shelters, benches, and bicycle racks at all major bus stops in Amherst to encourage more widespread use of the bus system.
- Build well-lit, sheltered, and easily visible parking/storage facilities for bicycles at destination sites such as downtown, village centers, shopping areas, bus stops, and possible new park-n-ride lots.

OBJECTIVE T.3 Increase the frequency, connectivity, and utility of public transit services to meet the needs of residents throughout the community.

Greater frequency of service and routes that extend throughout the community are essential to ensuring the widespread use of public transportation.

OBJECTIVE T.4 Observe transportation demand management principles in local planning and regulation.

“Transportation demand management” (TDM) is a traffic management approach that seeks to influence drivers’ choices by reducing or redistributing the number of vehicles on the road and increasing mobility options. Planning policies and land use regulations are essential components of TDM. In order for public and alternative transportation to be viable and help reduce automobile traffic, regulations influencing land use and development patterns must allow for higher densities and a mix of uses, as in village centers, and roadway design that supports a variety of users. Amherst should revise its zoning and subdivision regulations to promote infill and direct new development toward appropriate locations and to allow densities sufficient to support viable public transit.

T.4.A Use zoning bylaws, subdivision regulations, and permitting board project review to advance transportation goals.

- Adopt zoning provisions, subdivision regulations, and other policies that require large-scale retail and housing developments to be accessible by public transit (and discourage development in areas without transit access).
- Encourage dense, mixed-use residential or commercial development in village centers, with appropriately-designed streets, sidewalks, limited parking, etc., to maximize access to public transit and encourage transit ridership.
- Require the provision of facilities for alternative means of transportation and efficient provision of parking in subdivisions, and site plan review and special permit projects.
- Expand the mandated development review requirements for traffic impact studies to include transportation impact and access studies.
- Require transportation demand management programs as part of mitigation for large development projects.