



List of Zoning Bylaw Revision Priorities

Compiled from Non-CRC Member Councilors – September 11, 2020

1. Focus on downtown and village centers.
2. One is with regard to my own neighborhood. We just found out here that a couple of ARHS grads have now bought 9 houses in Orchard Valley to rent to students as non-owner-occupied single-family residences. This has all happened in the last 5 or so years. We are one of the few moderately priced areas where families, including town employees, can buy. Now we have 9 fewer families as part of our community. How many houses have been bought to rent to students in Amherst Woods?
3. A review of the need for and purpose of the Design Review Board.
4. Form-based code for downtown and for mixed use buildings throughout Town
5. Parking requirements: do NOT increase parking requirements downtown or in village centers; the alleged fact that Town Hall sells numerous parking permits to residents who know from their lease that parking isn't provided for their unit is a Town staff parking permit policy direction and execution problem, not a zoning problem
6. Cannabis/marijuana:
 - a. Ensure zoning allows for delivery services that do NOT include storage of anything other than vehicles and office equipment (the original set aside delivery option, similar to Valley Transporter) and
 - b. ALSO consider the brand-new set aside delivery model alternative that does allow for storage of product
 - c. Consider whether commercial cultivation rules in place continue to make sense
 - d. Note ongoing arguments at Cannabis Control Commission as they work on current regulation revision around how to measure the buffer
 - e. Include in the work plan the creation of places where we could allow social consumption cafe so that we can participate in the social consumption pilot program currently in the regulations; note I said work plan not immediate priority because COVID-19 is going to prevent social consumption for the near future, but I was engaged in drafting the Cannabis Control Commission regulations as part of the working group because our community is interested in being part of the pilot program
7. Affordable housing:
 - a. More ADU by right
 - b. More duplexes
8. Create an inclusive and thoughtful process for updating the Zoning Bylaw.
 - a. Slowly collect community input, using a broadly inclusive, transparent, and democratic process.
 - b. Hire a consultant to look at best practices in other college towns.
 - c. Use a lens of climate action, racial equity and affordability, starting from the beginning of the process of updating the Zoning Bylaw. Use the goals adopted by the Town Council and stated in the Master Plan as a guide, in addition to input from residents.
9. Have UMass take responsibility for housing its students in UMass dorms and apartments.
10. Expand Affordable Housing:
 - a. Provide housing that meets the needs of all residents, with a special emphasis on maintaining or expanding moderately priced family housing.



- b. Provide direct inclusionary zoning - require that 15% of the units in new developments have a range of affordability. Inclusionary zoning is now only required in certain situations involving special permits and dimensional changes.
 - c. Create additional funding sources for the Amherst Affordable Housing Trust.
 - d. Set up a revolving loan fund for homeowners to add a housing unit to their house or property (apartment or cottage), a way to increase housing density and keep homes affordable throughout Amherst. Provide additional funding for low-income homebuyers.
 - e. Require that developers designate that new apartment units are for non-undergraduate individuals, families and senior citizens.
 - f. Keep town ownership of properties, such as East Street School, North Amherst School, Hickory Ridge, old Hitchcock Center (if bought) as potential Community Land Trust sites for mixed-income & affordable housing projects. This will ensure affordability forever and keep the town's options open.
11. Maintain Amherst's small town, historic character in the Town Center.
- a. Adopt the Hastings historic block model and adaptations of that model, as the standard for building setback, height and design in downtown zones. [See google images related to Amherst MA.](#)
 - b. Reduce building heights in the BG zone (core downtown district) to 4 stories.
 - c. Keep the BL (limited business buffer) zone at 3 stories and get community input on how it should be developed. The limited business district is Hallock Street (west of Kendrick Park), North and South Prospect Street, and Triangle Street.
 - d. Require wide sidewalks - at least 15 feet of set-back for new construction - in the dimensional table. Currently developers can provide zero setback in the BG zone.
 - e. Eliminate footnote a to the dimensional table which allows any building height increase, increases in lot coverage, # of floors, side and back setbacks, lot frontage, min. lot areas, etc. –without limits. We need to have clear dimensional requirements and to apply those requirements consistently.
 - f. Make Design Review Board approval mandatory, not a recommendation.
 - g. Create standards for “liveability” of new apartment buildings, including requirements for fresh air, air circulation, and open space (balconies and greenspace).
12. Treat Village Center Planning equally.
- a. Provide an equal amount of energy to Village Center planning and zoning changes.
 - b. Get community input directly and from District Councilors on priority actions to implement.
 - c. Spur business in the village centers.
13. Protect neighborhoods' quality of life, including low- and moderate-income family neighborhoods
- a. Limit the number of unrelated renters to 3 in order to discourage investor purchasing of our single-family housing stock and the removal of moderately priced housing from availability to moderate income families. Otherwise provide curbs on investors purchasing single family homes or condos in low- or moderate-income neighborhoods. Single family homes housing groups of students and owned by predatory investor/landlords are gutting moderate income family neighborhoods.
 - b. Require owner occupancy and/or limits on student occupancy for zoning changes that would increase density on single family residence zoned lots.
 - c. Require owner occupancy for permit to rent a single-family home as an AirBNBs.



- d. Encourage programs to purchase single family homes in our moderate-income neighborhoods and keep them affordable in perpetuity.
 - e. Adopt a Derelict House bylaw to prevent landlords from allowing rental properties to fall apart.
 - f. Inspect rental housing every 2 years.
14. Incorporate the town’s climate action goals and plan as put forward by the Energy and Climate Action Committee and adopted by the Town Council. In the meantime, prepare to reduce emissions and create climate resiliency with the following actions:
- a. Provide incentives such as tax rebates for developments that meet energy efficiency standards for new residential and commercial buildings, and to landlords that provide retrofits in existing buildings.
 - b. Require developers and landlords to create 10-year transition plans including incremental steps they will be taking in the direction of zero net energy, solar, and EV readiness, such as those used in Cambridge and Somerville.
 - c. Require developers and landlords to participate in the regional Community Choice Aggregation Joint Powers Entity as a condition of building or operating.
 - d. Reduce summer peak energy usage by limiting building height and by using or adding shade trees.
 - e. Ensure that any new development is close to services and public transit in downtown or village centers, to encourage the use of public transit, walking, and biking.
 - f. Promote pedestrian and bicycle friendly greenway corridors and connectivity to encourage fossil fuel free travel. Create pedestrian only spaces.
 - g. Condition development without parking on leases providing notice that Town parking permits will not be issued to residents of those developments.
 - h. Promote EV ownership and ridesharing/ addition of EV infrastructure and EV and rideshare parking.
 - i. Create food/transportation/service desert overlay districts targeting increased public transportation connectivity.
 - j. Create a model solar siting bylaw, based on best practices with a preference for ground mounted solar on parking lots and buildings rather than on open space or forested land and with integration of solar facilities usage into the regional Community Choice Energy Joint Powers Entity.
 - k. Promote green, sustainable industry.
 - l. Promote sustainable farming and forestry.
15. Protect farmland and forests and from sprawl.
- a. Create buffer zones around farms, natural resources and open space by rezoning for lower density and acquiring development rights.
 - b. Institute a moratorium on the construction of homes larger than 3000 sq. ft.
16. Protect renters’ rights
- a. Require landlords to disclose before rental, heating and utility costs and energy efficiency rating of the unit.
 - b. Provide a renter’s bill of rights.
17. Overview: Master Plan, Policies and Vision for Town
- a. Build on Small Town Character of Amherst
 - b. Protect conservation lands, wetlands, and farmlands



- c. Support economic development in ways that enhance civic space and commercial vitality
 - d. Make Design review board approval mandatory, not advisory
 - i. Expand DRB to Village Centers
 - ii. Consider form, impact on surrounding areas, height of buildings relative to width of the street and sidewalk/public way, and impact on neighboring farm lands
 - iii. Example Columbia County Oregon
 - e. Walkability and public space: In Downtown and village centers, take into account street width and provide for setbacks for new buildings in planning/zoning to ensure wide sidewalks (at least 6 feet for 2 wheelchairs to pass) plus green ways/civic space (benches) (see below)
 - f. Expand availability of affordable housing with mixed incomes: Inclusionary zoning town-wide for larger (10 or more) apartments or “mixed use” buildings
 - g. Define mixed-use to specify mix of apartment sizes, and require commercial, office activity.
18. Potential Zoning Changes:
- a. Design Review approval required, not advisory.
 - i. Expand to Village Centers.¹
 - b. Street/sidewalks design: incorporate “smart street” concepts for Downtown and Village centers
 - i. Require setbacks from curb of at least 16 feet for large, new buildings (especially mixed use with lower floor commercial space) to allow for wide sidewalks(at least 6 feet), plus civic/public space for benches and green space. (See Aurora, CO for example).²
 - ii. If current sidewalk/public way distance from street is narrow, developer required to provide additional space (setback from roadside) if building more than 2 or 3 floors (need to specify
 - iii. Smart growth street scape designs take into account the height of buildings and buildings across the street and width of the road. In Aurora the ratio is 1:4
 - iv. Street design also provides for bike ways.
 - v. Pedestrian and bike way zoning provisions in planning/zoning would be in accord with Amherst’s stated policy of “complete streets”
 - c. Define Mixed-Use Buildings: Define to require commercial and office space with financial plan to make rental space affordable for commercial.
 - i. Examples include Providence, RI Thayer
 - ii. If build to 5 floors permitted, step-back provision for upper floors (need to specify) to avoid tall wall and allow sunlight.
 - iii. If multi-unit apartments on higher floors, require a mix to accommodate families.
 - iv. Examine provisions for shared public green-space for developments proposed in village centers. Allow for shared gardens, outdoor space.
 - v. Planning Board/Staff should provide multiple options and discuss
 - d. Inclusionary zoning town-wide: New construction or renovation of housing with 10 or more units, 10% must be affordable (need to define).
 - i. Could match with bonus incentives to allow an additional floor in Village Centers (with step-back for high floor) in return for affordable units
 - ii. Other potential incentives expedited permitting

¹ Example of DRB required approval. <http://www.co.columbia.or.us/files/lds/2011-01%20CCZO.pdf>

² <https://www.epa.gov/smartgrowth/codes-support-smart-growth-development>



- e. Sustainability/Climate: require near zero-net energy designs for large new buildings or developments (10 or more units). This could include requirement for space for bikes and electric car recharging stations.
 - i. Buildings add a 4th floor only if achieve near zero-net energy and if 5th floors if full net-zero energy. (Could have two levels)
 - ii. For village centers, permit for additional floor only if zero-net
 - iii. Bonus incentive: Expedited review
 - iv. Set a date when all new construction or major renovation meet higher standard
 - v. These requirements will lower building operating costs and rents over time
 - f. Farm land protection: Require surety bond (insurance) for developments that abut farmlands in flat land areas at risk for flooding. Bond would reimburse farm for damages if adjacent building rain run-off resulted increased water run off onto farm. Flood risk insurance paid by the developer to protect the adjacent farm(s)
19. Process
- a. Incremental: Start slow with substantial public input and analysis of impact
 - b. Planning Board NOT Council: Have the Planning Board Zoning subcommittee be the source of changes, with rationale and discussion of how specific changes interact
 - c. Village Center Planning: conduct public discussions in Village Centers, build on master plan – future vision. Do this before consider zoning changes. Include “complete streets” street scape future vision and shared public green/public spaces
 - i. Include plans for cross walks, sidewalks bike-ways
 - ii. Lower speed limits as approach centers and within centers
 - iii. Assess cross streets and intersections for width of street
 - iv. Public plaza small parks, alley ways?
 - d. Planning Board/Staff: Create a list of “implementation” strategies not yet done from Master Plan that should be given priority
 - e. Assess impact of recent zoning changes and recently approved larger projects for “lessons learned” – building height and parking overlay
20. AMHERST NEEDS VILLAGE DESIGN
- a. “VILLAGE GUIDANCE: Tools and Techniques for Rhode Island Communities”
<http://www.dem.ri.gov/programs/bpoladm/suswshed/pdfs/vilgyde.pdf> I have quoted widely from this useful, well illustrated, inspiring document.
 - b. Village Design maintains the human scale while increasing density. The stated desire of the Amherst Master plan to create more density in our village centers can be accomplished without sacrificing the small New England town ambiance which is part of the history and charm of Amherst by following the principles of Village Design. Maintaining a human scale throughout, Village Design looks at the character and quality of the whole, investing in good design and quality around the shared walkable public space of streets, parks, squares, and other public space.
21. Shared Civic Space. Buildings serve the needs of their residents and commercial enterprises by facing outwards, mixing public and private through front porches, balconies, awnings, inviting the interaction of people, not presenting large uniform facades built thrusting into the public sidewalk that create no street interest or increased business. When there is no outdoor space for residents or passerby to share, there is no shared civic space.



22. Achieve Density through semi-attached and attached housing such as townhouses, using energy efficient design and materials, and provide a diversity of housing choices and a mix of commercial, residential, and civic uses. The resulting human scale buildings would fit the character of the Town of Amherst and be compact, pedestrian friendly, and use architectural techniques that reflect local traditions and material.
23. Large apartment buildings are not the only, or indeed the best, way to increase the number of people living in an area.
24. Create a Planned Community (from the UK new towns movement) or a PUD (Planned Unit Development) for More affordable Family Housing with shared green space in the Amherst's North, South, and East Village centers. See Sunnyside Gardens in L.I.C. Queens NY. These attached one two and three family homes are small, very energy efficient, affordable, providing homes for renters and owners. Such communities are perfect places for new families and those aging in place because they are compact communities. (Sunnyside Gardens includes one-, two-, and three-family brick homes. Each private residence has a small front garden facing the street and a small private garden in the rear. The rental units in the two- and three-family houses enjoy private terraces overlooking the courtyard gardens. Homes in the courtyard blocks enclose an inner courtyard that was designated a common, landscaped but not used for recreation. Owner occupied houses with rental units provide a wide variety of housing options built containing both small private and larger common green spaces.)
 - a. I would love to see housing similar to Sunnyside Gardens in Long Island City Queens where we lived raising small children in the 1970's and 80's. The plan reproduced workers' housing in England, small attached one, two and three family homes that went around a city block, but had within it a large common space.
 - b. Each house had very small front yards for gardening and a small private space in the back just large enough for a family barbeque, all bordering on the large interior common. Every apartment, no matter how small, looked out onto the large vista of trees and grass. It renews one's soul. This plan includes homeownership and rental units. We lived 7 years as renters in a two family house, then when the 3rd child was expected, we were able to buy a small one family house which allowed us to build equity. If renters have to stay renters forever, they never get the chance to move up.
25. Inclusionary Zoning at 10% of units for all buildings with 10 or more apartment units must be enforced, not triggered by requests for any kind of special permit. The zoning item requiring apartment buildings with 10 or more units to have at least 10% affordable housing must be clarified so it applies in ALL cases.
26. Sunlight, fresh air, green space are essential to all new residential buildings. Village Design reflects the wisdom and practicality of earlier design that knew that space, fresh air, sunlight are necessary for public health and safety. Contagious diseases are not new. It has long been known that crowded dwellings lacking proper ventilation can breed disease. Small towns have survived epidemics through the principles of Village Design. Amherst and our neighboring towns have avoided many Covid deaths because most residents have had space, fresh air, and green space—both private and public-- in which to survive in this long shutdown. Climate change and human beings invading animal habitats suggest there will continue to be more new and dangerous viruses in the future.
27. Sunlight is important both for mental and physical health. Amherst must not build tall buildings on the Western side of Kendrick Park. To do so would put the park in shade most of the day.



28. Parking must be provided with new development. The large buildings recently built downtown work against, not for Amherst's needs, lacking sufficient parking for its residents who then park on residential streets for \$25 a yr with a private permit. No matter how much one might wish, cars are not going away, and here in New England, are necessary in the long cold winter. Instead of trying to get rid of cars and the need for parking, concentrate on increasing the number of electric or hybrid cars and provide parking underneath or behind buildings that includes electric charging stations.
29. Reduce building heights in BG districts to 4 floors obviating the need to provide elevators for taller buildings. Again, this is good design in the Age of Covid.
30. Keep the BL zoning as a reasonable transition from the taller downtown buildings to the neighboring residential districts. Building height and density should taper down in a pleasing manner. Create zoning to allow more owner occupied two and three family houses as well as houses on smaller lots to increase the housing types and supply while maintaining neighborhood character and lowering costs.
31. Design Review Board approval must be required, not advisory, to maintain Amherst's town character and prevent loss of quality of life.
32. Eliminate footnote a to the dimensional table to provide clear, consistent, and fair requirements.
33. No dormitories in the center of town!!! The plan to build dormitories in the center of down town Amherst is flawed. A dormitory is a place to sleep; it is assumed that most "living" will be done on the college campus. But when the campus is closed, these buildings with no personal or shared green space outside of the apartments are not suited for anyone—student or family--who needs space for working at home and family living.
34. Diversity of people and building types makes an interesting Village center. Our residential neighborhoods have people of different ages, nationality, background, income level-- professors and students, owners and renters. Why should our town center be less diverse?