

Planning for Smart Growth in Amherst

FOURTH COMMUNITY MEETING, OCTOBER 14, 2020

Amherst Project Work

40R is an effective tool for promoting affordable housing and smart growth by:

- Channeling development to already built up areas to protect open space
- Requiring that 20% to 25% of the housing that is built is affordable
- Allowing or requiring commercial development that meets the community's needs
- Protecting neighborhood character through Design Standards requirements
- Making development approval easier for property owners who support these civic goals

Major work items accomplished to date:

- Held 3 Community Meetings and interviewed a series of stakeholders
- Identified possible 40R locations and selected the one that was most aligned with Amherst and Smart Growth goals
- Prepared policy, procedural and zoning analyses
- Developed draft Design Standards and revised based on public comments
- Prepared a draft bylaw for further review, comments and revisions

What are we going to discuss tonight?

Where is 40R currently working – as a model for how it could work in Amherst?

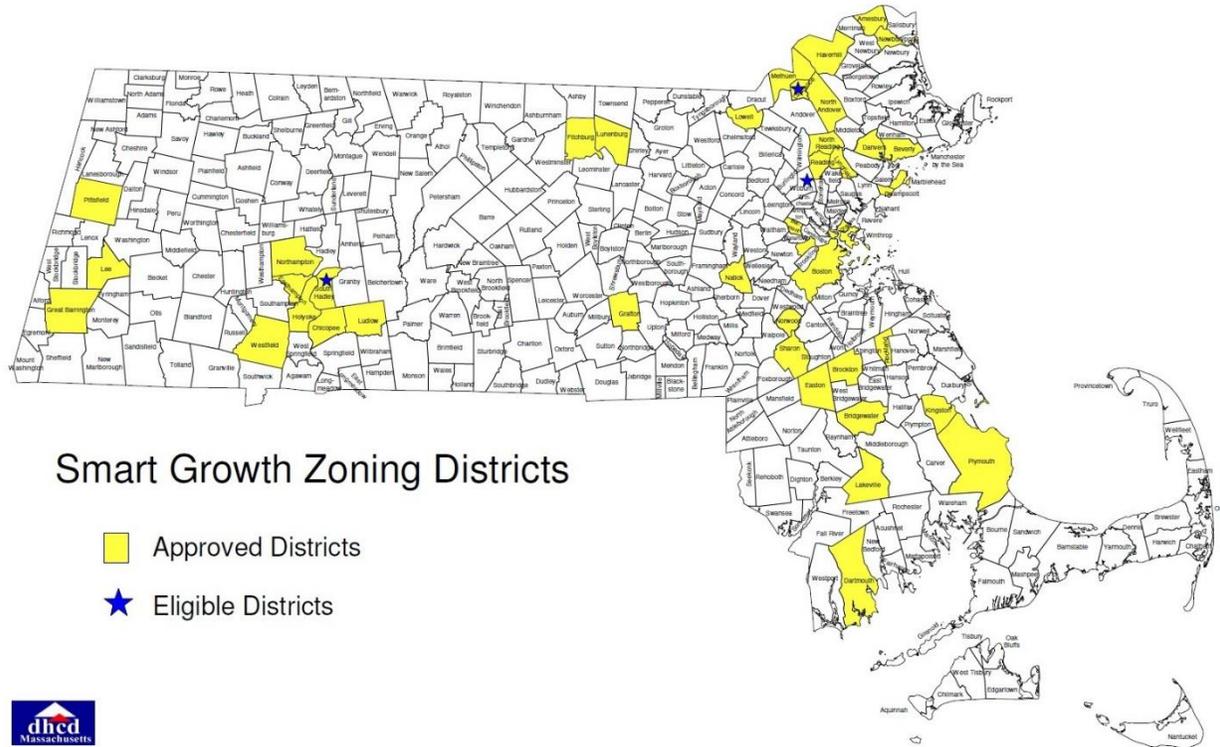
How did we get to this point in the planning process, and where do we go from here?

What have we heard from the Amherst community and how have we responded?

What are the major components of the proposed zoning bylaw and Design Standards?

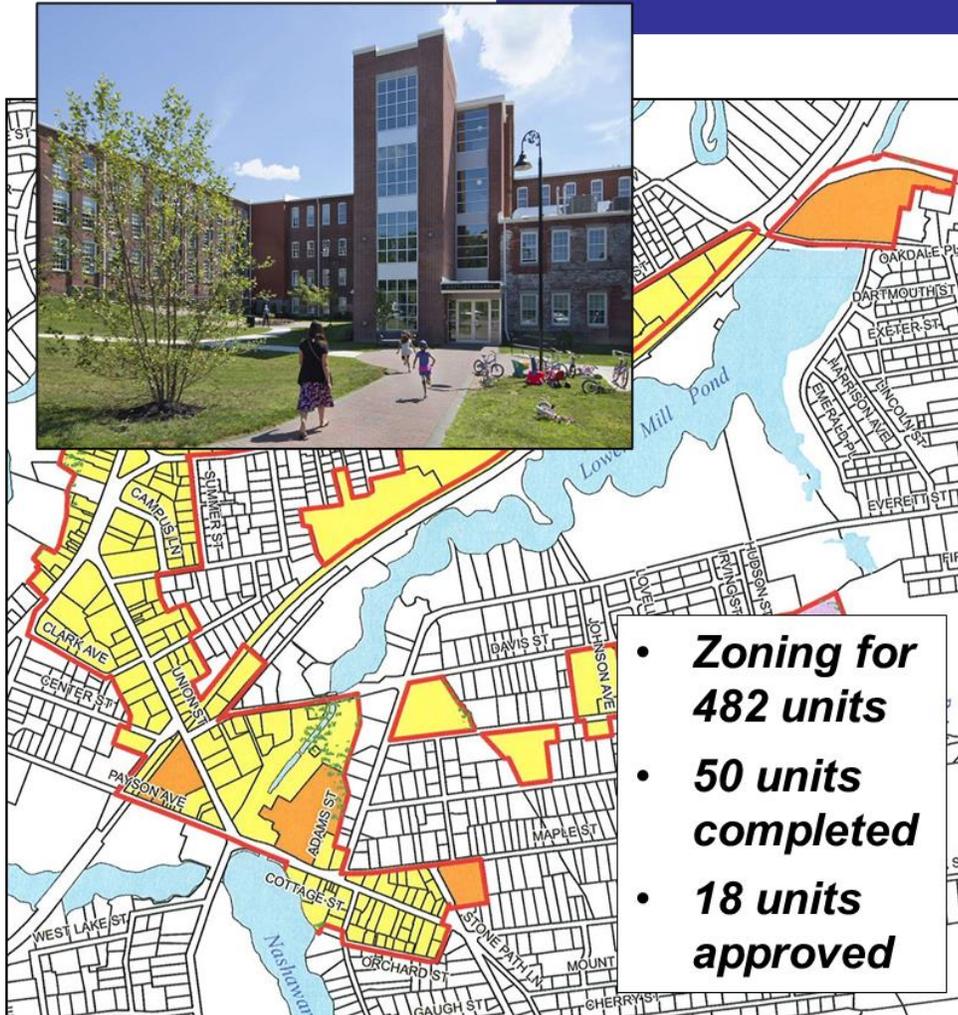


Where is 40R currently working?



Completed Projects & Development Opportunities:

Easthampton 40R



Partially Built-out Districts:

Northampton 40R

Village Hill

- Redevelopment
- 30 acres
- 429 units
- Mix of Housing



What are the key milestones in the planning process so far?

Conducted outreach to help identify development opportunities and suitable 40R locations.

April 4, 2019: Held first Community Meeting focusing on smart growth principles, Chapter 40R regulations, and this technical assistance project.

Prepared a site analysis strategy and began community outreach.

June 4, 2019: Held a second Community Meeting to obtain additional input on priority site selection criteria and best locations for a 40R district.

Analyzed feedback and identified the Downtown as the location for the first 40R district.

December 19, 2019: Held a third Community Meeting to review the location and the selection process and obtain input on how we can make 40R work best in Amherst, including design standards.

May 6, 2020: Presented a very preliminary 40R bylaw draft to the Planning Board for comment.

October 14, 2020: Presentation of draft of significant changes to the bylaw and design standards for further review and comment by the town.

What have we heard?

QUESTION: Smart growth and affordable housing development makes sense in Amherst; is 40R the best tool for accomplishing these goals?

Almost 4,000 40R housing units have been built thus far in other communities. 40R brings additional benefits including: financial incentives to the town from the state; greater competitiveness for state discretionary funding; downtown revitalization; and open space protection. Affordability requirements include 20% of units in homeownership projects and 25% for rentals.

QUESTION: Can we prevent the new housing from being occupied by students?

State affordability requirements preclude affordable units from being occupied by students.

QUESTION: Should we hold off on zoning changes given the pandemic uncertainty?

Zoning only allows or disallows certain kinds of construction which depends on the market. Changing zoning now will prepare Amherst as demand continues or recovers.

What have we heard?

QUESTION: Why is the first 40R downtown rather than another location where we might want to encourage development - like North Amherst, East Amherst or Pomeroy Village?

Various locations were reviewed at previous meetings. Downtown redevelopment appears to be the most imminent. 40R would allow Amherst to benefit from its requirements: affordable housing and mixed use development; replacement of parking along the sidewalk with more community oriented uses; construction in line with Design Standards; and protection of open space and environmentally sensitive areas from development pressures. If 40R is successful in the Downtown, it can be expanded to other areas.

QUESTION: Given the relatively high units-per-acre requirements under Chapter 40R, where could multi-family housing be developed in the Downtown?

Property owners and developers will likely focus their efforts on underutilized properties with one- or two-story buildings and inefficient parking layouts. Consolidation of smaller parcels with well-organized parking behind could accommodate buildings with first floor retail facing the street and 2 – 4 floors of housing above in Sub-District 1. In Sub-District 2 height is limited to 3 floors, and all would likely be residential.

What have we heard?

QUESTION: Many beloved stores have closed and downtown has lost some of its vitality. Won't the proposed 40R make that worse?

Maintaining retail vitality is a challenge in many towns. 40R will not affect the market – which is what determines retail viability. Amherst may want to subsidize rents to support the kinds of establishments the community wants.

QUESTION: Parking is a big problem downtown. How does the 40R address it?

Parking is a complex issue and will need to be addressed by the Town in a comprehensive manner as zoning and parking needs continue to be reviewed. Adopting a 40R SGOD makes the Town more competitive for state discretionary funding including funds for parking garages.

QUESTION: Open space is important in maintaining Amherst's small town character. Can we require open space associated with new development?

In downtown areas the most critical open spaces are those between building fronts and sidewalks. The revised Design Standards establish a 15' minimum between buildings and curbs that will provide space for pedestrians, landscaping and outdoor dining – with building faces still close enough to each other to provide a sense of vitality. In the residential sub-district, buildings are required to be set back from the sidewalk the same distance as existing buildings along the street – maintaining the consistency of the open space in front yards. Green space is required in parking lots to break up paved areas. Property owners may choose to include additional open space in their proposals.

What have we heard?

QUESTION: Can allowed building masses be scaled to recognize the smaller residential scale in existing neighborhoods? The B-L District currently addresses this concern. This is especially a problem along Cottage Street.

The outlines of the 40R sub-districts and the Design Standards have been revised to create more of a buffer between the North Pleasant and East Pleasant downtown areas and abutting residential neighborhoods. Construction north of Triangle Street will be limited to 3 floors, as will construction along Kellogg Avenue east of the North Pleasant frontage.

QUESTION: Doesn't the development allowed by the proposed 40R threaten Historic Districts?

No Historic Districts are within the proposed 40R district. Revised Design Standards recognize scale of older buildings

QUESTION: Many people are not happy with the 5 story buildings that have been recently built in Amherst. Why are we encouraging more construction like that?

The proposed 40R does not encourage development. It eases the approval process in return for the development of affordable housing and other benefits, and the adherence to Design Standards. The proposed 40R allows five stories, as does the current zoning. The detailed 40R Design Standards require architectural detailing between the first and second floor, and at the top of buildings, to recognize a pedestrian scale. This disallows shear 5 story vertical walls extending from the sidewalk to the roof, and non-public uses on the ground floor, which are the most common concerns with recent development. These kinds of protections are not part of current zoning.

What have we heard?

QUESTION: Why can't the development defined by the Design Standards be more like the buildings on Newbury Street in Boston's Back Bay?

Much of the life and vitality of these older buildings comes from the double commercial levels – one recessed below grade, one raised above grade and accessed by steps. The ADA prohibits the construction of these kinds of buildings because they are not accessible.

This kind of tradeoff – one social good for another – makes development both a challenge and an opportunity. Roll-in access and elevators that larger-scale development provides in appropriate areas supports aging in place and young families with strollers.

QUESTION: If buildings are limited to 5 stories, why is a 65' height allowed?

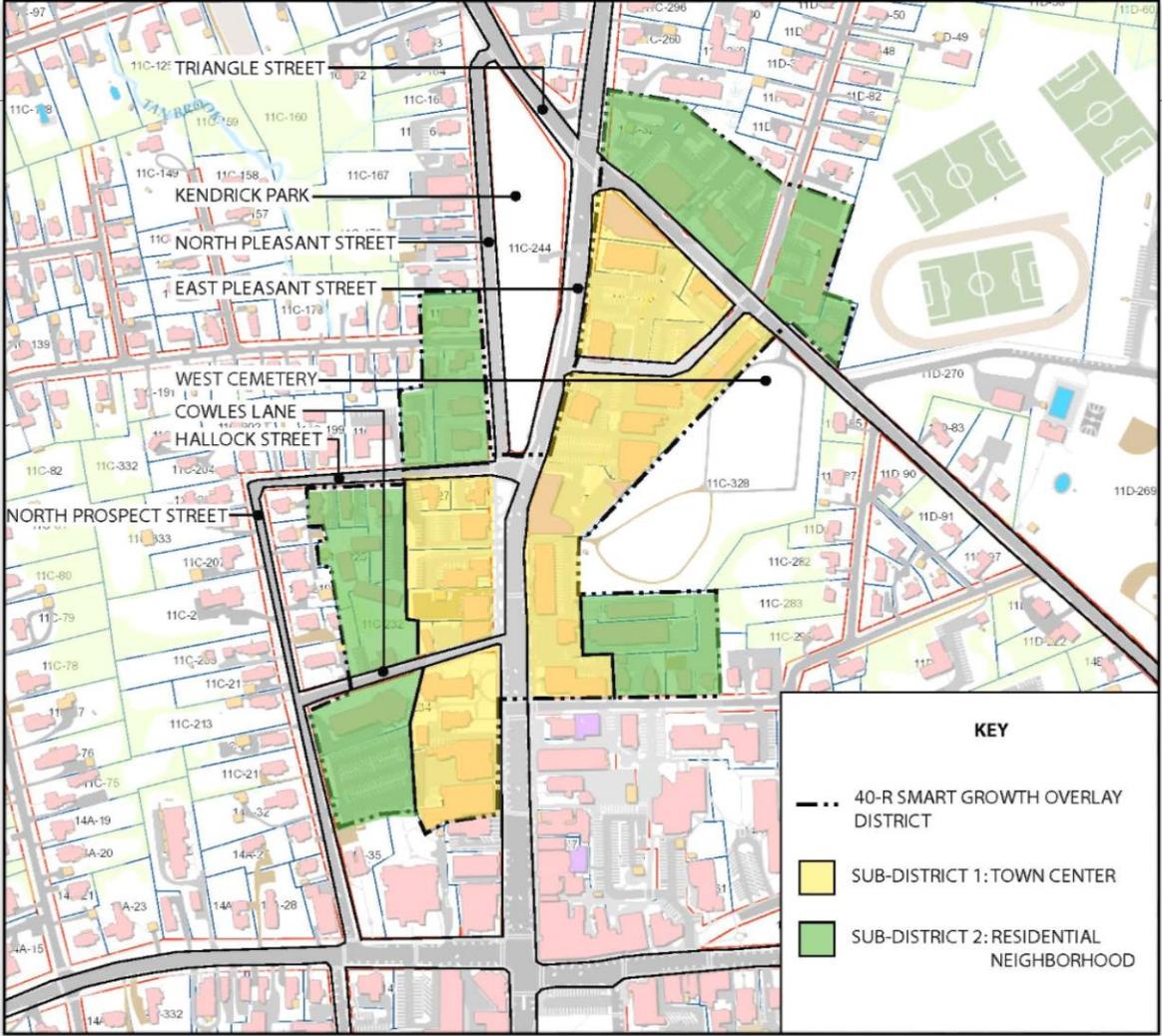
Minimum floor to floor height is around 10'-6". 65' allows loftier ground floors and levels above. The Design Standards have been changed to a 60' limit – in recognition of the relatively low scale of most Amherst buildings.

What are the major components of the bylaw?

Table of Contents

- Purpose
- Definitions
- Establishment
- Applicability
- Permitted Uses
- Affordability Requirements
- Plan Approval
- Plan Approval Procedures
- Plan Approval Decisions
- Change in Plans after Approval
- Design Standards

40R District Boundaries



What are the major components of the bylaw?

The Bylaw must be all-inclusive without reference to other zoning standards.

Section 1 - Purpose. Foster a range of housing opportunities, along with a mixed-use development component, to be proposed in a distinctive and attractive site development program that promotes compact design, preservation of open space, and a variety of transportation options, including enhanced pedestrian access to employment and nearby services.

List of Objectives.

Section 2 - List of Definitions.

Section 3 - Establishment. Defines the physical scope of the Downtown Amherst Smart Growth Overlay District (SGOD) and makes reference to the zoning map.

Section 4 - Applicability. Clarifies the all-inclusive nature of the zoning and states that the developer may apply the provisions of the SGOD or those of the underlying zoning.

Section 5 - Permitted uses. Residential projects including multi-family; mixed-use development including multi-family; parking and other accessory uses. **Town will require further deliberation to determine allowed non-residential uses or rely on underlying zoning.**

What are the major components of the bylaw?

Section 6 - Affordability requirements. At least 20% of housing units must be affordable and eligible for inclusion in the SHI, 25% for rental developments with all units counting as part of the SHI.

Section 7 - Plan approval. Process includes as-of-right permitting and approval. The Planning Board is the Plan Approval Authority (PAA) which may adopt administrative rules and regulations if approved by DHCD.

Section 8 – Plan approval procedures include:

- Preapplication/concept plan.
- Application with required materials.
- Fees must be approved by DHCD.
- Circulation to other boards for review and comment.
- Public hearing.
- Peer review is allowed.

What are the major components of the bylaw?

Section 9 - Plan approval decisions

- Plan disapproval is only allowed when application is incomplete, does not meet zoning requirements, and it is not possible to adequately mitigate significant adverse Project impacts on nearby properties by means of suitable conditions.
- Waivers are allowed but exclude affordability requirements. **Given comments, Town might want to discuss potential waiver restrictions. For example, they can be limited to relatively minor features that accommodate the specifics of a particular site or building use, but do not set a precedent for similar waivers on other proposals.**
- Project phasing is allowed.

Section 10 - Change in Plans after PAA approval

- Minor changes are allowed without need for another public hearing.
- Major changes are processed as a new application.

What are the major components of the bylaw?

Section 11 – Design Standards

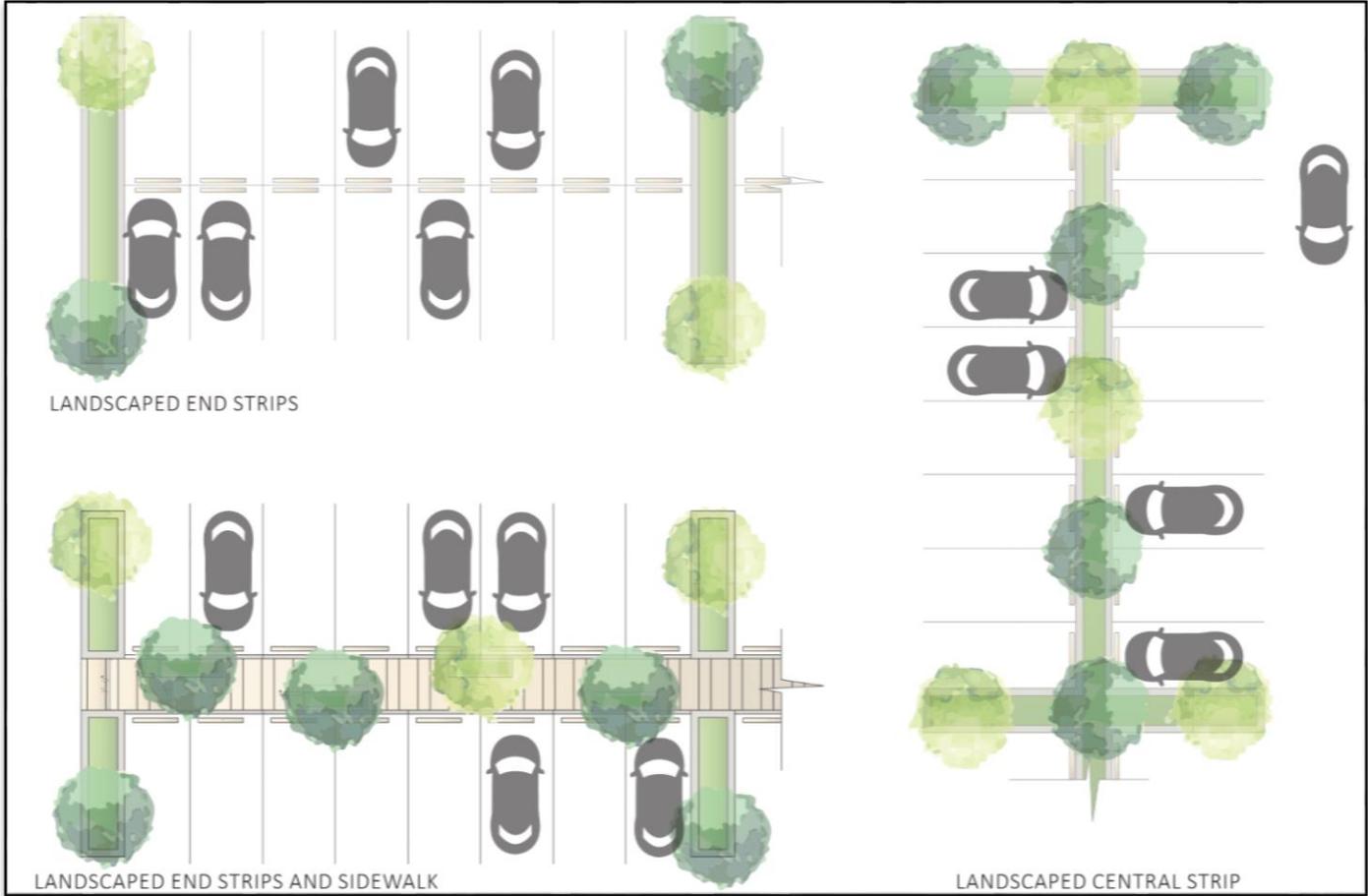
- Meeting Design Standards is required by the bylaw, but many of the requirements are subjective or open to interpretation; good design is hard to dictate.
- They are intended to reflect the vision of the community for how to meet a range of goals:
 - Preserving positive aspects of the existing town character
 - Improving the pedestrian experience
 - Supporting new and existing businesses
 - Facilitating affordable and market rate housing development
- The goals of the Standards are laid out to provide a context for designer and developer planning and decision making.
- The Standards are defined to allow developer discretion to meet their needs while fitting into the community context.
- Meeting standards allows as-of-right development so there is an incentive to meet them.

What are the major components of the bylaw?

Section 11 – Design Standards

- The State will review the Standards before approving to ensure that they are reasonable in relation to developer and property owner need to pursue a return on investment.
- Proposed Standards are based on Form Based Zoning principles that focus on building massing, relationship to the street and architectural character.
- The Standards define 2 subdistricts that respond to the surrounding neighborhood character:
 - Town Center – Lining North Pleasant, East Pleasant and Triangle Streets
 - Residential Neighborhood – Facing North Prospect and Hallock Streets and Cowles Lane
- The Standards provide basic dimensional requirements for height and setbacks and then go into detail about site planning, facades and streetscape appropriate for each subdistrict using words, numbers and diagrams.

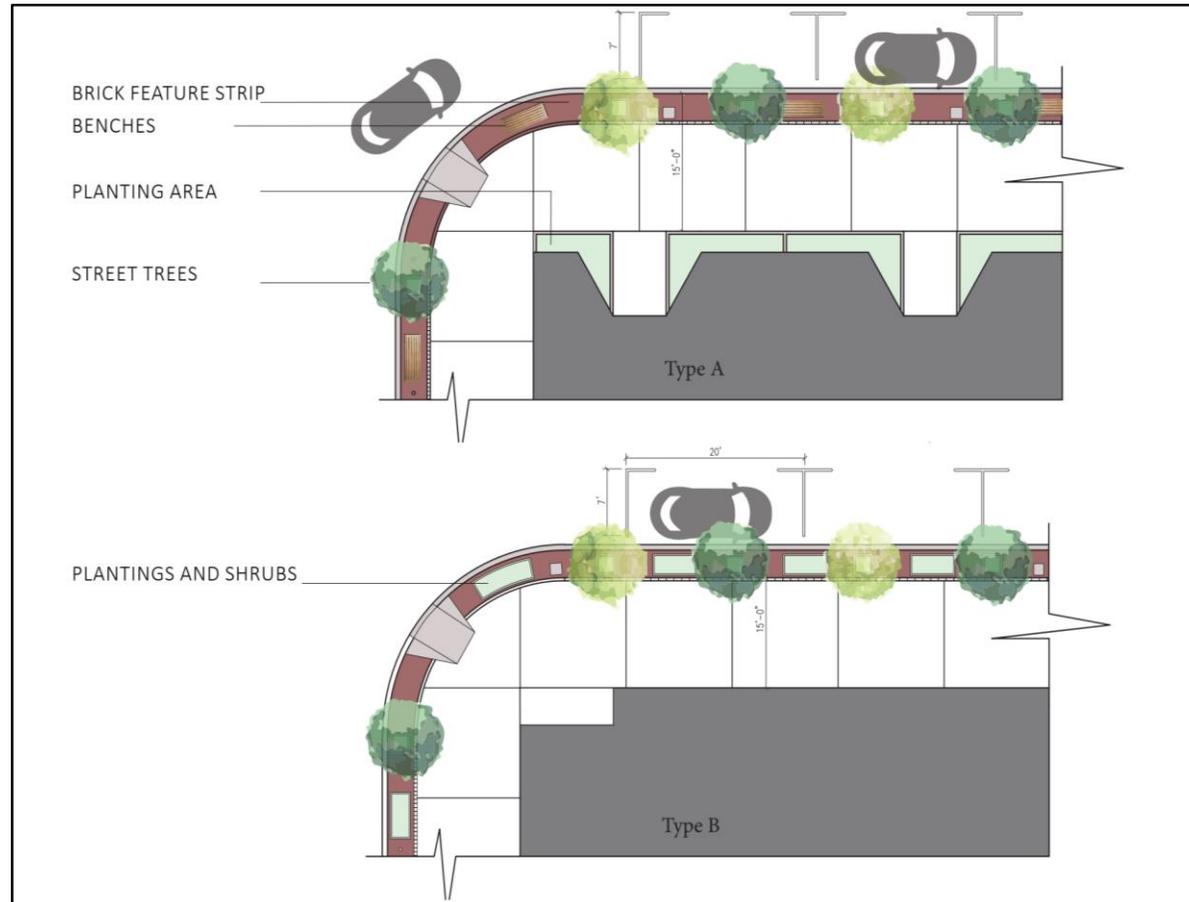
Parking Design Standards



Streetscape / Facade Design Standards



Streetscape Design Standards



Façade Design Standards

