

Smart Growth Overlay (SGO) & SGO Subdistrict-2

Mayor's Public Hearing



MAYOR DOMINICK PANGALLO, CITY OF SALEM
DEPARTMENT OF PLANNING & COMMUNITY DEVELOPMENT (DPCD)
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November 19, 2024



Mayor's Welcome

City of Salem Land Acknowledgement

This land is Naumkeag, or fishing place, where generations of Indigenous peoples lived and passed through for centuries.

From the village upon the Naumkeag River (now known as the North River) to Sachem Nanepashemet's fortification (now known as Castle Hill), the people of Naumkeag farmed, fished, traded, raised families, discovered and invented, created art, and, above all else, honored the lands upon which you stand today.

We acknowledge that this is Indigenous land and also acknowledge the Massachusetts Tribe, who continue to honor and hold this land into the present.



Housekeeping



This meeting is being live streamed by SATV on its YouTube channel (<https://www.youtube.com/@salemtv1/streams>) and also on Channel 9. The recording will also be posted online at www.imaginesalem.org.



The development team will provide an overview of the project.



DPCD staff will offer a presentation on the preliminary application of the proposed Smart Growth Overlay zoning, which includes an “umbrella” section and district at South Campus.



We will take public comment from attendees.



Development Team

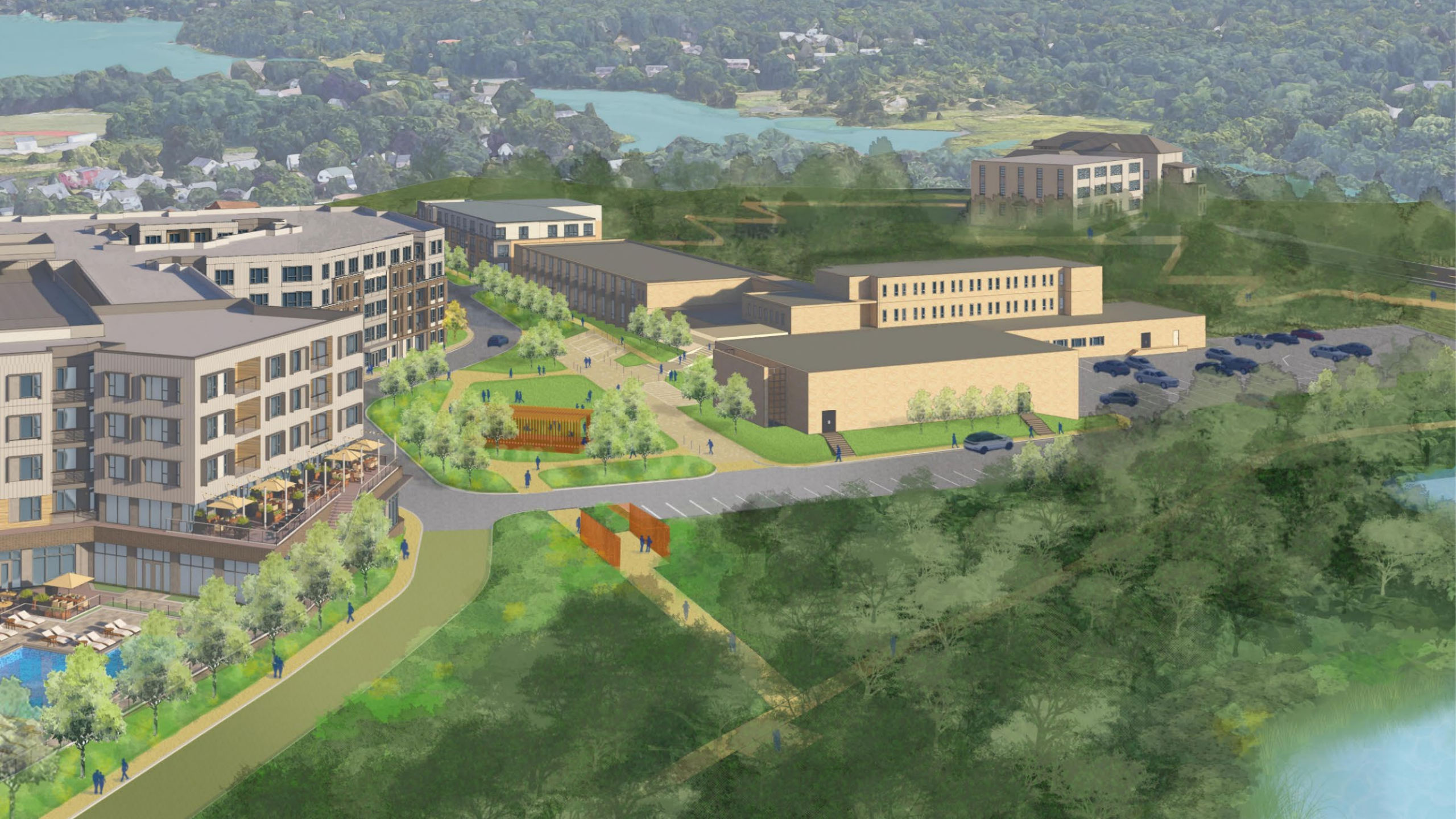
AvalonBay
COMMUNITIES

 **WinnDevelopment**

PROJECT OVERVIEW – FOREST RIVER RESIDENCES

- Collaboration between City of Salem and strong development team.
- Create a new distinct neighborhood that will provide needed housing
- Informed by the SSU South Campus Study and aligned with the City’s Imagine Salem 2026 goals
 - Homes targeting a mix of income and ages
 - Sustainably designed and constructed buildings
 - Protect and repurpose historic buildings
 - Preserve and enhance connection to conservation area
 - New shared open space for community





PROJECT SUMMARY STATISTICS

- Up to ~475 housing units mixed across income and age
- Project affordability is deeper than required by 40R and the City of Salem Inclusionary Housing Ordinance.
 - Subzone 1 contains 10% of units at 60% AMI and 10% of units affordable at 80% AMI
 - Subzones 2 & 3 contain 40% of combined units at or below 60% AMI
- Over 100 units of active adult senior housing.
- 67% open space, park, conservation area & trails (15+ acres)
- ~20,000 SF common green space anchoring the new development
- Connectivity to conservation area trail network





Principles of Smart Growth

- Mix land uses
- Take advantage of compact design
- Create a range of housing opportunities and choices
- Create walkable neighborhoods
- Foster distinctive, attractive communities with a strong sense of place
- Preserve open space, farmland, natural beauty, and critical environmental areas
- Strengthen and direct development towards existing communities
- Provide a variety of transportation choices
- Make development decisions predictable, fair, and cost effective
- Encourage community and stakeholder collaboration in development decisions



Overview of 40R

- Massachusetts General Law Chp. 40R, also known as the “Smart Growth Zoning and Housing Production Act”
- Intent is to encourage sustainable development, meaning a mix of building types and uses with varied housing and mobility options
- Creates incentives through cash payments to the municipality to zone for mixed income multifamily development
- Zoning must meet specific requirements to be eligible and state determines eligibility
- Two primary forms of district initiation – zone to attract development or collaborate with a potential development team

Minimum Requirements for 40R



ELIGIBLE LOCATION

Must be within ½ mile of a transit station, near commercial centers, in areas with existing infrastructure, or otherwise deemed highly suitable.



INFRASTRUCTURE

The area must either currently have appropriate infrastructure to serve the projected growth or it will have the infrastructure within five years.



MINIMUM HOUSING

The 40R overlay must allow housing to be built at 8 to 20 units per acre depending on the type of housing (multifamily is 20 units/acre).



MINIMUM AFFORDABILITY

The 40R zoning overlay must require that *at least* 20% of the units developed district-wide and per project using the overlay must be affordable @ 80% of AMI but could allow for deeper affordability & a higher percentage of units.



DISTRICT SIZE

Municipalities can create more than one 40R overlay district. Each district cannot exceed 15% of the land area in Salem and the cumulative districts cannot exceed 25% of the total land area in Salem.



AS-OF-RIGHT APPROVAL

The Planning Board has 120 days to review a project application (unless an extension is requested). Site Plan Review process that can only deny the proposal if it does not comply or has serious adverse impacts that cannot be mitigated.



APPEAL PROCESS

Parties appealing an approval must post a bond to cover the potential costs of delay to the developer.

Benefits of a 40R District

One-time Zoning Incentive Payment when ordinance is adopted

A \$3,000 per unit payment when building permits are issued

“School impact” reimbursement under a companion law (Chapter 40S)

State Funding Opportunities

- Higher state match for new school buildings
- More favorable consideration when applying for discretionary grants from certain State agencies, including Environmental Affairs, & Finance

Proactive Tool

- Puts the community in charge at the front end
- Allows for customized dimensional standards and design guidelines for the district

Supports the creation of housing

Process for 40R District

- Requires local and state approval.
- The state has a 2-step review process:
 1. Preliminary application
 2. Final approval



Opportunity for Public Comment



Local Requirement



40R Requirement



MGL 40A process for zoning amendments

Community Meeting (Held on August 12, 2024)



Public Hearing on the Preliminary Application

Preliminary Application submitted to the State
(State has 60 days to review)

State Responds with a Letter of Eligibility



Local Adoption

- Joint Public Hearing with City Council & Planning Board
- Referral to PB for Recommendation
- City Council Vote on 1st Passage
- City Council Vote on 2nd Passage

Final Approval by the State (State has 30 days to review)



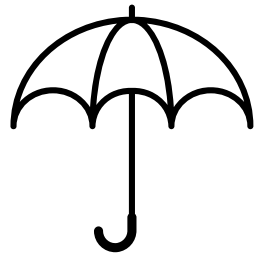
Plan Review of Development Application

Annual Compliance Certification to the State

Where we are now:

- This hearing is intended to share information and collect public comment concerning the establishment of a Smart Growth Overlay District in the City of Salem.
- The preliminary application to EOHLC, which includes the draft zoning text and map amendment, is available on www.ImagineSalem.org.
 - There is also an FAQ on Imagine Salem for common 40R questions.
- Comments will be collected until 4pm on December 3rd. Then staff will review the comments and may make revisions based on community input.
- Then the application will be submitted to EOHLC.

Proposed Smart Growth Overlay District



Umbrella Ordinance - The City is considering more than one 40R District. For the meeting tonight, we are focused on an “umbrella” section that includes the requirements of state law and sections that will apply to all future subdistricts, and a single subdistrict – SGO-2.



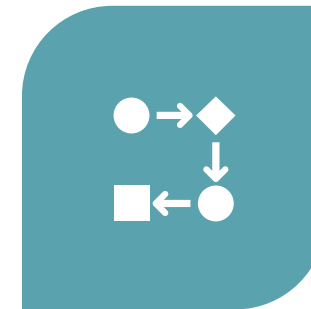
PURPOSE



DEFINITIONS



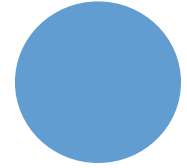
USES



PROCESS

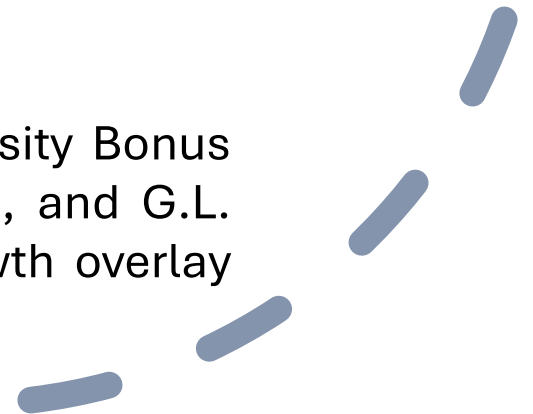
Under the umbrella, each subdistrict would need to get added through the process described in the previous slide culminating with a City Council vote. Each subdistrict will be added to the Zoning Map, and each may include its own provisions for the types of uses allowed by right; dimensional, affordability, parking requirements; and design standards/guidelines.

Proposed Purpose in the Umbrella:



○ Purpose

1. Establish a Smart Growth Overlay District, to encourage sustainable development and mobility in accordance with the purposes of G.L. Chapter 40R and to the extent the following other purposes are not in conflict with the Governing Laws;
 - a. Enable an increase in housing production in resource-rich areas of the City that will provide for a full range of housing choices for households of all incomes, ages, and sizes in order to preserve the City of Salem's multi-faceted community character.
 - b. Ensure high quality site planning, architecture, and landscape design.
 - c. Ensure predictable, fair, and cost-effective development review and permitting.
 - d. Generate positive tax revenue.
 - e. Enable the City to receive Zoning Incentive Payments and/or Density Bonus Payments in accordance with G.L. Chapter 40R, 760 CMR 59.06, and G.L. Chapter 40S arising from housing development in the smart growth overlay district.



Location of SGO-2

Must be within ½ mile of a transit station, near commercial centers, in areas with existing infrastructure, or otherwise deemed highly suitable per M.G.L. c 40R and CMR 59.02(a)(4)(c-3) and 760 59.02(b)(1)-(3).



FIGURE 1



Proposed zoning in the location and existing zoning near the location will encourage compact, land-use-efficient design, and mixed-use development



Infill and redevelopment of previously-developed areas with infrastructure are likely to occur that will help to preserve open space, farmland, natural beauty, and critical environmental areas elsewhere in the Municipality



Prior identification as an appropriate locus for higher-density housing or higher-density mixed-use development in an adopted regional or state plan



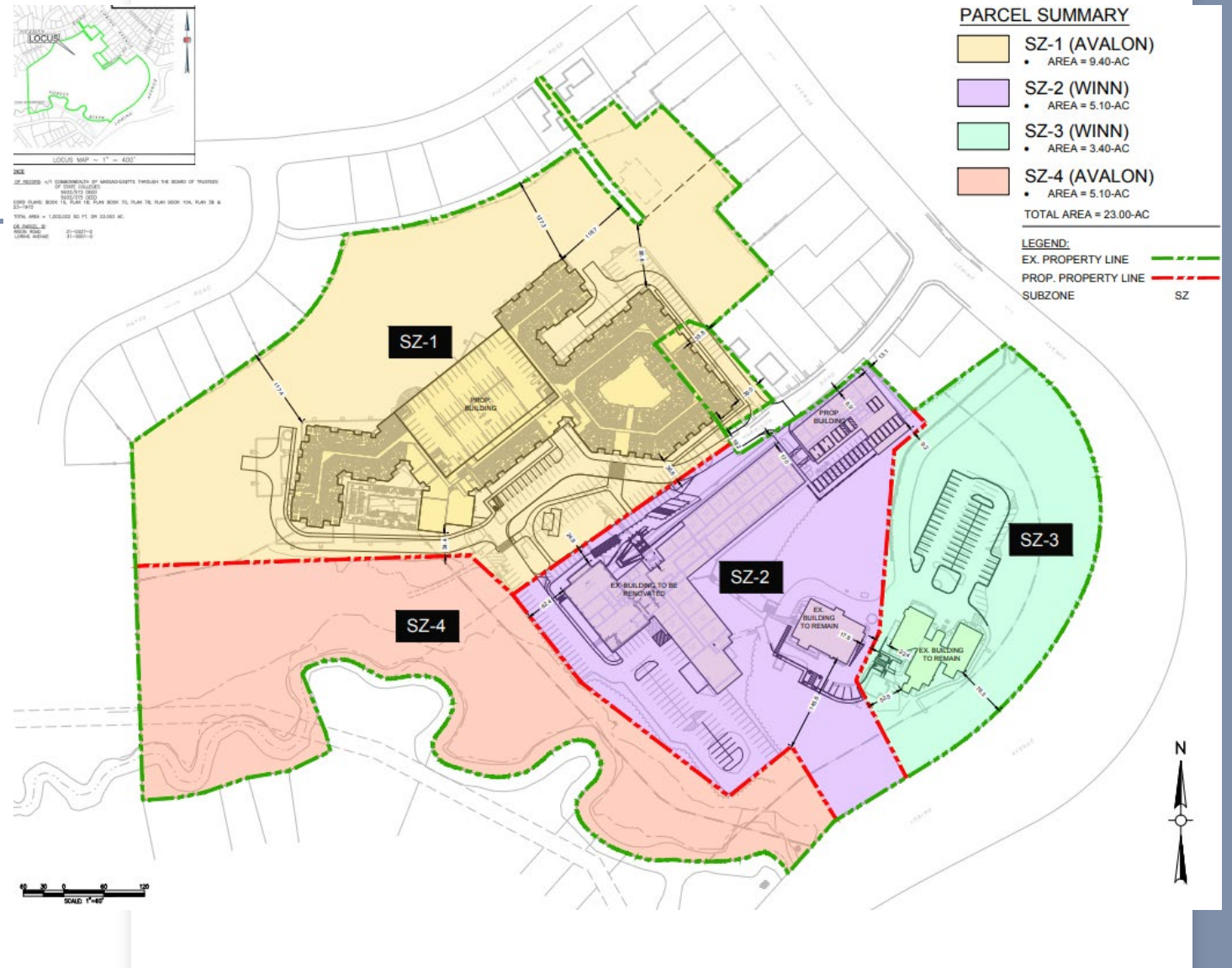
Infrastructure, including access to public facilities for storm water and wastewater transport, treatment and disposal and public water supply



Existing underutilized facilities

Proposed SGO-2

- Approximately 23 acres split into 4 subzones
- Of the 23 acres:
 - 13 developable
 - 10 non-developable
- Design standards will be established for the district
- Each subzone has its own dimensional and affordability requirements



Proposed Uses



Proposed Uses in the Umbrella:

1. Residential Projects. A Residential Project may include:

- Multifamily residential use, and
- Mixed-Use Development Projects that include multifamily in addition to the following uses: retail, business office or professional office.

2. Parking accessory to any of the permitted uses, including surface, garage-under, and structured parking (e.g., parking garages); and

3. Accessory uses customarily incidental to any of the permitted uses.

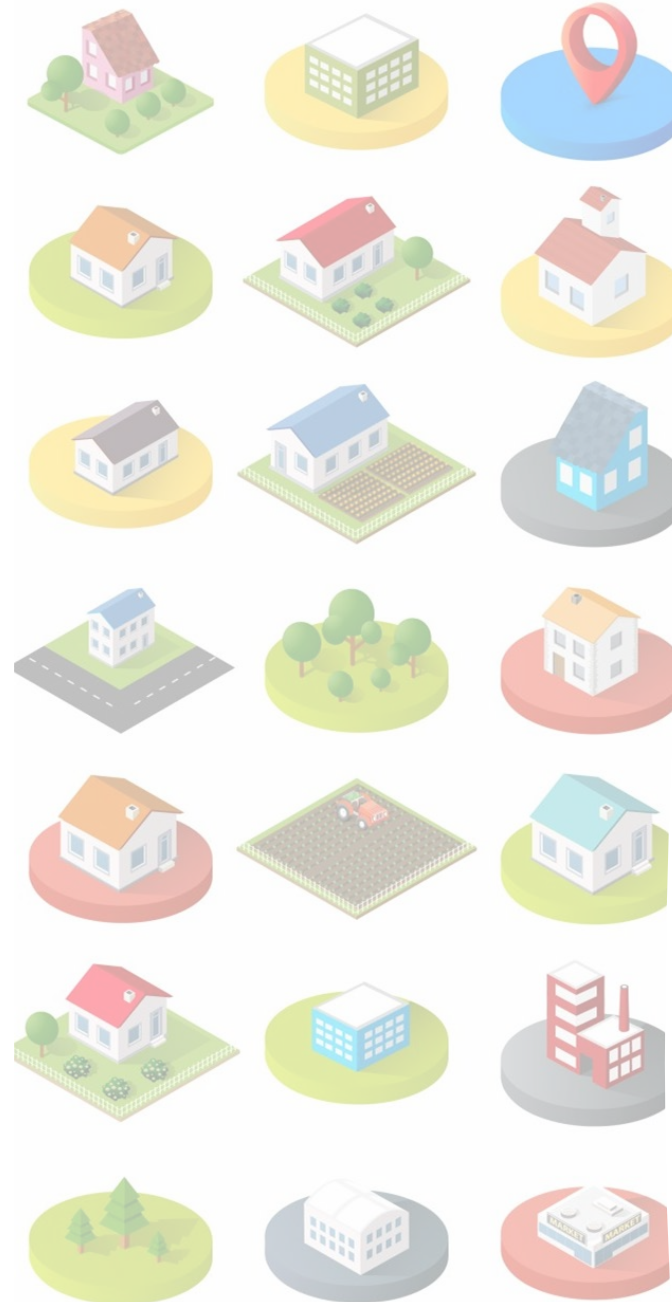


Proposed Uses in SGO-2:

The following uses are in addition to the uses in the umbrella district.

1. Residential Projects. A Residential Project may include:

- Age-Restricted Senior Housing
- Supportive Housing

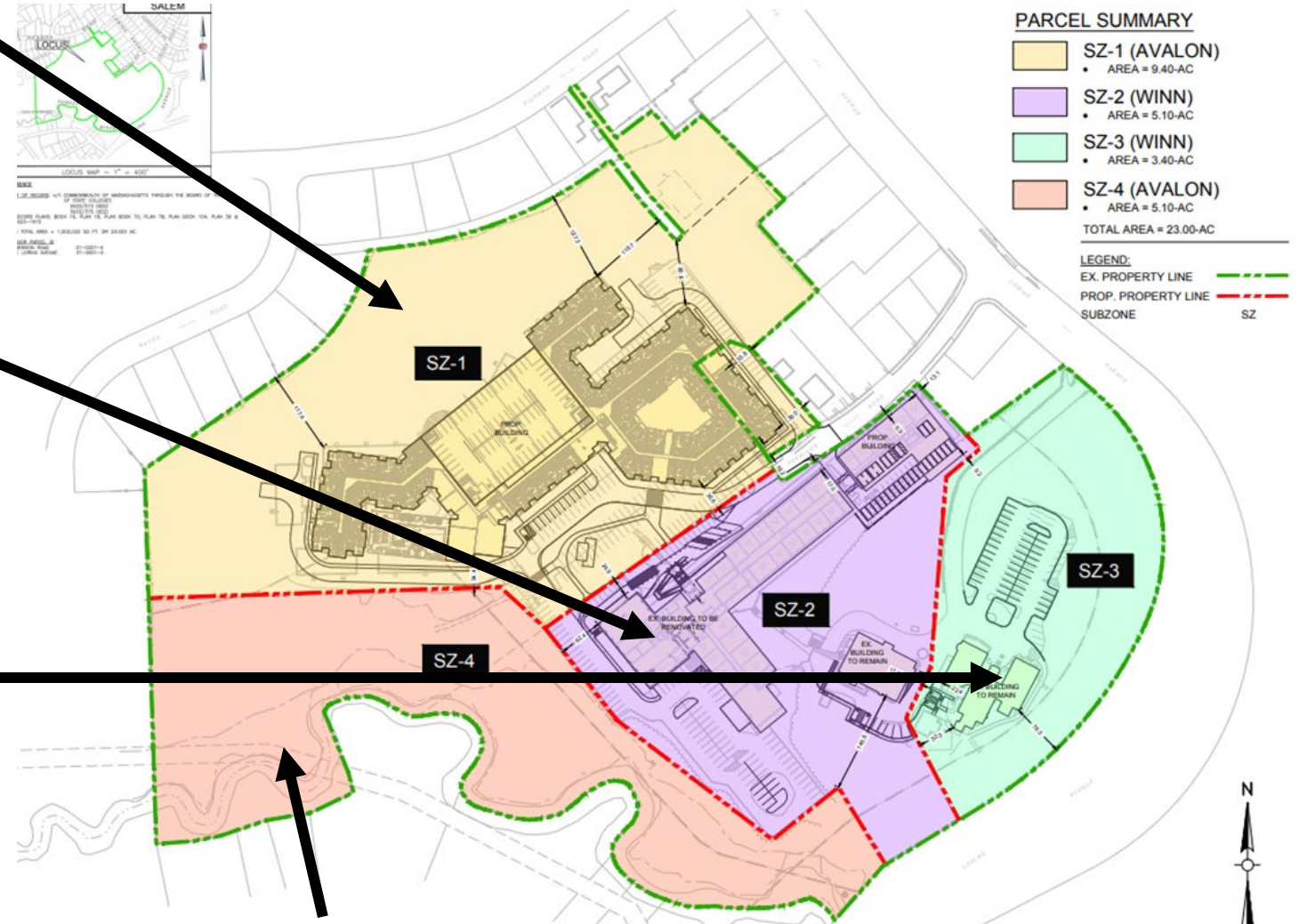


Dimensional Standards

Subzone 1 (SZ-1)	
Minimum lot area per dwelling unit (sq. feet)	1,200
Maximum height of buildings (feet)	70
Maximum lot coverage by all buildings (percent)	75%
Minimum open space (percent)	25%
Minimum width of front yard (feet)	15
Minimum width of side yard (feet)	15
Minimum depth of rear yard (feet)	30

Subzone 2 (SZ-2)	
Minimum lot area per dwelling unit (sq. feet)	1,500
Maximum height of buildings (feet)	50
Maximum lot coverage by all buildings (percent)	75%
Minimum open space (percent)	25%
Minimum width of front yard (feet)	--
Minimum width of side yard (feet)	5
Minimum depth of rear yard (feet)	5

Subzone 3 (SZ-3)	
Minimum lot area per dwelling unit (sq. feet)	4,500
Maximum height of buildings (feet)	70
Maximum lot coverage by all buildings (percent)	75%
Minimum open space (percent)	25%
Minimum width of front yard (feet)	30
Minimum width of side yard (feet)	5
Minimum depth of rear yard (feet)	30



Subzone 4 contains conservation and wetlands area and shall be designated as a non-buildable lot for the purposes of residential and mixed-use development.

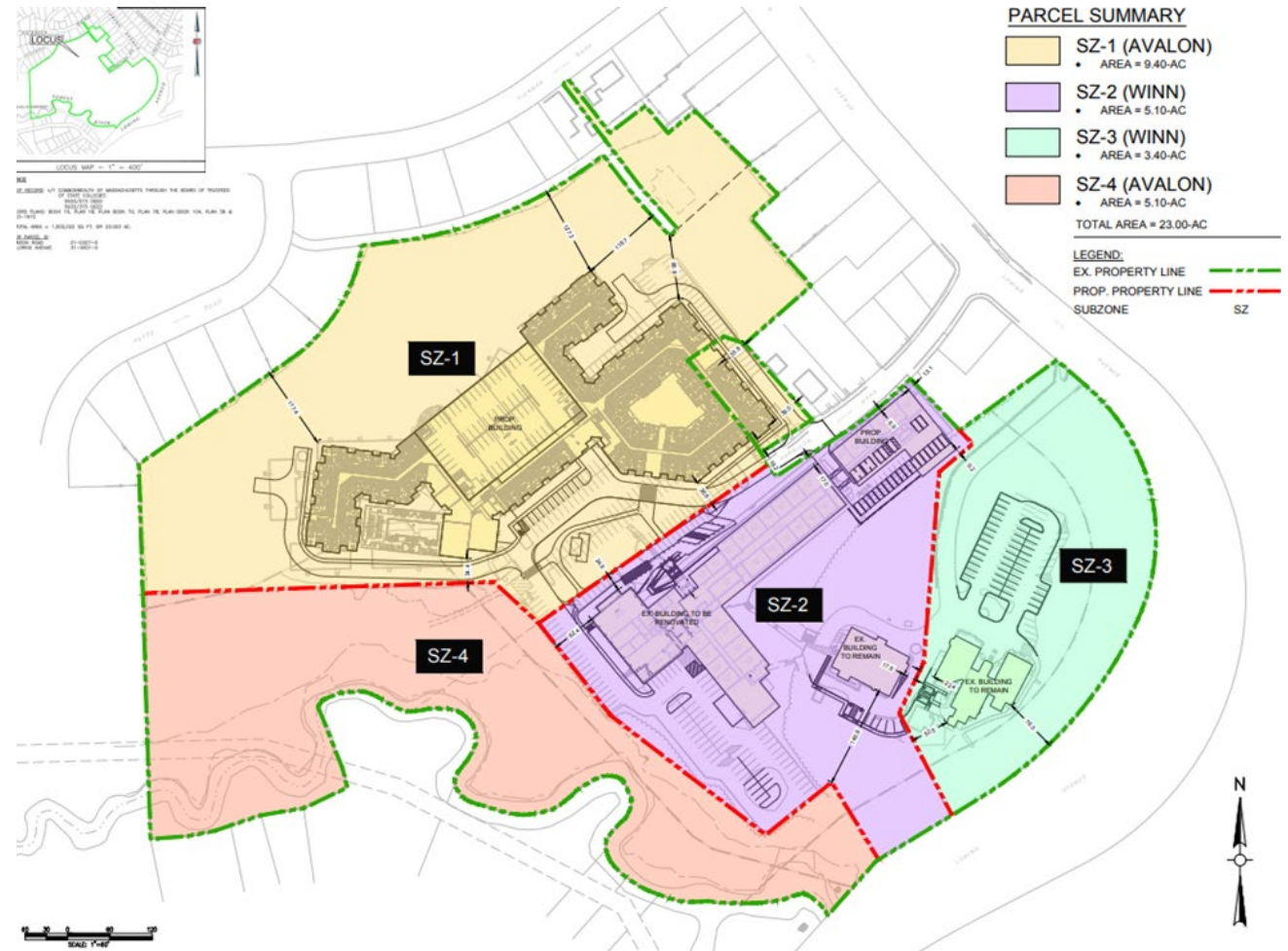
Affordability

Subzone 1

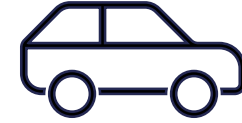
- 10% of units affordable at 60% AMI and
- 10% of units affordable at 80% AMI

Subzone 2 & Subzone 3

- 40% of combined units at or below 60% AMI



Proposed Parking Requirements



UMBRELLA PARKING REQUIREMENTS

Use	Parking Minimum
Multifamily Residential	1 space per unit
Business Office	1 space per employee
Professional Office	One (1) space for each professional person, plus one (1) space for each two (2) other employees, plus two (2) additional spaces for each professional person in the case of medical or dental clinics
Retail	One (1) space for each one hundred fifty (150) square feet of gross floor area of the retail area, excluding storage area
Multifamily Housing Business Office and Ancillary Uses	1 space per employee



SGO-2 PARKING REQUIREMENTS

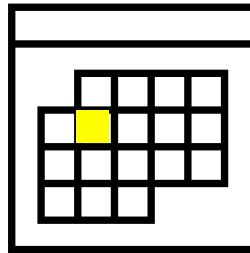
Use	Parking Minimum
Age Restricted Housing	.5 spaces per unit
Supportive Housing	.5 spaces per unit

*When 1/2 space per unit results in a fraction, round up. For example:
31 units X .5 = 15.5 = 16 parking spaces*

Design Standards

- **Guidelines** = Advisory and/or subjective
- **Standards** = Obligatory and measurable

Standards will be created and incorporated in the ordinance to reflect the community preferences.



A public meeting on the design standards will be held in December. Details will be posted on www.salemma.gov/calendar when it is scheduled.

Design Standards Continued

(Attachment 4-3)

Section 1: New Construction

- Site Layout & Building Orientation
- Building Massing
- Building Facades

Section 2: Adaptive Reuse *The subdistrict includes five buildings that will be applicable to Section 2: the former Loring Villa, Saint Chretienne Convent Chapel, Convent Saint Chretienne, Chretienne Academy Parochial School, and Saint Christian Academy High School (now Harrington Building).*

- Architectural Elements
 - Accessibility
 - Site Design
-

What benefits will the City see?

- **The Housing Roadmap identifies a need to increase our supply of housing units, particularly affordable units.**
 - The smart growth district will create a permitting path for new homes with a greater mix of affordability than the inclusionary housing ordinance would yield.
- **Estimated new growth from the development:**
 - A gain of over \$1 million in new tax revenue.
- **Estimated payments from the State:**
 - Zoning Incentive payment: \$350,000 from the State after zoning is approved by City Council.
 - Bonus Unit payments - \$3,000 for each additional dwelling unit that receives a Building Permit (approximately \$1,300,000 at build out).

Public Comment

- We will now take public comment on the preliminary application to EOHLC. The focus of the preliminary application is the proposed Smart Growth Overlay zoning, which has two components:
 - The umbrella ordinance;
 - Smart Growth Overlay Subdistrict-2.
- All comments received, tonight and by writing, will be included in the preliminary application to the EOHLC.
- Procedure:
 - If you wish, you may state your name and address at the top of your comments.
 - Please direct your comments to the City and not to other attendees.
 - This is an opportunity for the City to collect comment; it is not a Q&A. If you have questions about the zoning ordinance, please contact eeimert@saalem.com. If you have questions about the project, please contact info@forestriverresidences.com.
 - There are comment cards in the room to collect written public comment should you prefer to offer comment in that manner. If used, please leave them with staff before exiting the building.
 - You can also email comments to Elena Eimert at eeimert@saalem.com **until 4pm on Tuesday, December 3, 2024.**

Thank you for coming.

- Please direct all additional written comments to Elena Eimert at eeimert@salem.com. Comments will be collected **until 4pm on Tuesday, December 3, 2024.**
- Please consult ImagineSalem.org for periodic updates about this zoning proposal.
- Please consult www.forestriverresidences.com for periodic updates about the project.
- Please direct all questions about the project to the project team – contact info@forestriverresidences.com.
- As you depart, please be sure to take all belongings with you.