

**CITY OF SALEM
NOTICE
JOINT PUBLIC HEARING
OF THE CITY COUNCIL AND PLANNING BOARD
Monday, March 30, 2020 AT 7:00 P.M.
City Council Chambers, City Hall, 93 Washington St., 2nd floor**

A joint public hearing will be held pursuant to MGL C. 40A, Sec. 5 to provide interested parties an opportunity to comment on three Zoning Ordinance Amendments summarized below:

1. Amend Section 3.1 Table of Principal and Accessory Use Regulations by deleting the "Accessory Living Area" Accessory Use in its entirety and inserting an "Accessory Dwelling Unit" Accessory Use in the RC, R1, R2, and R3 zoning districts.
2. Amend text relative to accessory dwelling units by:
 - a. Deleting the definition of "Accessory Living Area" in its entirety and inserting the definition of "Accessory Dwelling Unit" as described below.
 - b. Deleting and replacing paragraph numbers 4 and 5 in Sec. 3.2.4 Accessory Buildings and Structures. New text provides that unattached accessory dwelling units shall comply with all setbacks of the principal structure and accessory structures shall not exceed 1.5 stories or 18 feet in height.
 - c. Amending Sec. 3.2.8 Accessory Dwelling Areas by deleting existing text that requires accessory units to be used solely by a family member or caregiver and requires a special permit. The proposed ordinance amendment shall add to the supply of rental housing for smaller households, encourage efficient use of the city's housing supply while preserving the character of neighborhoods, preserve family bonds, allow the owner of an existing or proposed detached dwelling to construct one additional dwelling unit that is incidental and subordinate to the principal dwelling, and increase the supply and diversity of rental units to the housing stock in response to demographic changes. The ordinance allows for an accessory dwelling unit within the same property as a principal dwelling by right provided certain requirements are met, requires the property owner to reside on site, and removes the tenant restrictions of only a family member or caregiver. The Building Inspector shall administer and enforce the provisions of this section unless a special permit is required, then the Zoning Board of Appeals will be the Special Permit Granting Authority. When a waiver is required, a Building Permit shall not be issued until a Special Permit has been granted and duly recorded. The ordinance provides procedures, application process, requirements for accessory dwelling units, Special Permits, and termination of use.

3. Amend the Zoning Ordinance by adding Section 5.4 Inclusionary Housing and a definitions of Inclusionary Housing. The purpose is to expand the City's housing stock, especially Affordable Housing Units; leverage market-rate housing production towards the production of Affordable Housing Units; provide for housing choices for all households; increase the production of Affordable Housing Units to meet employment needs; and establish standards and guidelines. The proposed ordinance applies to subdivisions or developments creating six or more dwelling units and requires applicants to contribute to the local stock of Affordable Housing units, so that ten percent of the dwelling units are affordable to households with incomes at or below sixty percent of the Area Median Income and affordability restrictions are in force in perpetuity or maximum period allowed by law. The purchase prices or rents shall adhere to limits determined by the U.S. Department of Housing and Urban Development applicable to the City of Salem, and shall comply with the DHCD Local Initiative Program regulations. Developments subject to Section 5.4 Inclusionary Housing, with the exception of those obtaining a Special Permit pursuant to Section 5.4.3.2, may incorporate the following: A by right density bonus allowing an increase of 25% of the total number of units that would normally be permitted in the applicable zoning district, an increase of one story provided it does not exceed maximum height and/or a reduction in setback requirements by a Special Permit granted by the Planning Board, and a reduction in the number of required parking spaces by Special Permit granted by the Planning Board. In the event that an adaptive reuse project in the B5 zoning district would not be feasible with the Affordable unit requirements, these requirements may be met by a Special Permit from the Planning Board that would allow tiered affordability levels of the required Affordable units up to eighty percent of the area median income if all criteria of Section 5.4.3(2) are met. This Amendment includes section 5.4.1 through 5.4.9

The complete text of the amendments are available for inspection at the City Clerk's office, 93 Washington Street, Salem or the Planning Dept., City Hall Annex, 98 Washington Street, Salem.

ATTEST:

ILENE SIMONS
CITY CLERK

BEN ANDERSON
PLANNING BOARD CHAIRMAN

Know Your Rights Under the Open Meeting Law, M.G.L. c. 30 ss. 18-25, and City Ordinance Sections 2-2028 through 2-2033.

Persons requiring auxiliary aids and services for effective communication such as sign language interpreter, an assistive listening device, or print material in digital format or a reasonable modification in programs, services, policies, or activities, may contact the City of Salem ADA Coordinator as soon as possible and no less than 2 business days before the meeting, program, or event.

Adv: 3/16/20 & 3/23/20