

**CITY OF SALEM
NOVEMBER 20, 2023
JOINT PUBLIC HEARING OF THE
CITY COUNCIL AND THE PLANNING BOARD**

The Salem City Council will hold a Joint Public Meeting with the Planning Board in-person and remotely in the City Council Chambers, City Hall, 93 Washington Street, 2nd floor, Salem, MA on Monday, November 20, 2023 at 6:30 P.M. in accordance with Chapter 2 of the Acts of 2023 and pursuant to Chapter 40A, Section 5, of the Massachusetts General Laws for the purpose of discussing a Zoning Ordinance Amendment relative to Inclusionary Housing. The public hearing is to provide interested parties with an opportunity to comment on this Zoning Amendment. The complete text of this zoning ordinance is available in the back-up documentation of this meeting notice, at the City Clerk's office, 93 Washington Street, Salem or the Planning Department, City Hall Annex, 98 Washington Street, Salem during normal working hours, by using this link www.salemma.gov/inclusionaryhousing.

Individual may attend this meeting in-person in the City Council Chambers, 93 Washington St., Salem, 2nd floor. Individuals may also participate remotely in the meeting via a remote participation platform called Zoom and/or through Salem Access Television. See below for remote access to Zoom and SATV.

• Enter this link into your web browser to join the meeting:

<https://us02web.zoom.us/j/81450404164?pwd=cG9lVlJwbG91b3FOSllkQjRNTUhaZz09>

Password: 010262

• Open the Zoom website: <https://zoom.us/join>. Enter meeting/webinar ID # 814 5040 4164 as directed on the webpage and click “Join.” Follow the on- screen instructions to join the meeting.

• Participants can dial a toll-free phone number at 888-475-4499 or 877-853-5257 (Toll Free) to join the meeting. When prompted, enter meeting/webinar ID # 814 5040 4164 and follow the instructions to join the meeting.

The public may also watch the meeting live on SATV on Channel 22.

The agenda for this meeting is posted on the website and listed below.

Very truly yours,

ATTEST:

ILENE SIMONS
CITY CLERK

“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 at (978-619-5630) as soon as possible and no less than 2 business days before the meeting, program, or event.”

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

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A Joint Public Hearing of the Salem City Council and the Planning Board was held remotely on Monday, November 20, 2023, at 6:30 P.M. for the purpose of discussing Inclusionary Housing Zoning Ordinance pursuant to Chapter 40A, Section 5, of the Massachusetts General Laws. The purpose of the public hearing is to provide interested parties with an opportunity to comment on the proposed Zoning Ordinance Amendment summarized on the next page. See back-up documentation for full text.

Notice of this hearing was posted on November 2, 2023, at 147 P.M. and advertised in the Salem News on November 6, 2023 and November 13, 2023.

Absent were:

Councillor Megan Stott presiding.

The following Planning Board Members were present:

Also, in attendance were:

APPEARING IN FAVOR:

APPEARING IN OPPOSITION:

Councillor Morsillo	Moved that the public hearing be closed by RCV	Yea	Nay	Abs
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Councillor Morsillo	Moved that the matter be referred to the Planning Board for their recommendation by RCV	Yea	Nay	Abs
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On the motion of Councillor	the meeting adjourned at	P.M. by RCV	Yeas	Nays	Abs
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SUMMARY OF INCLUSIONARY HOUSING ZONING ORDINANCE

1. Amend the Zoning Ordinance by adding Section 5.4 Inclusionary Housing and definitions related to 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 new dwelling units and requires applicants to contribute to the local stock of Affordable Housing Units. In projects of twenty (20) or fewer units, eight percent of those dwelling units are required to be affordable to households with incomes at or below sixty percent of the Area Median Income (AMI); in projects twenty-one (21) units and greater, ten percent of those dwelling units are required to be affordable to households with incomes at or below sixty percent of the AMI. When the requirement for Affordable Housing Units results in a fraction of a unit, the applicant shall have the choice to round up to the next whole number and provide an additional Affordable Housing Unit or convert the fraction of a unit to a cash payment to the Salem Affordable Housing Trust Fund Board (AHTF). 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 Executive Office of Housing and Livable Communities' Local Initiative Program regulations. For ownership units, if applicant agent is unable to find an eligible homebuyer within 180 days of marketing the unit at or below sixty percent of the AMI, in accordance with an Affirmative Fair Housing Marketing Plan, the applicant may sell the property to a household earning up to eighty percent of the AMI upon approval of the AHTF. Affordable Housing Units must be provided on-site and be comparable to market-rate units.

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. Reductions in the number of required parking spaces are allowable under the following conditions: if within a half mile of a commuter rail station, a development is permitted to reduce the number of parking spaces to one parking space per dwelling unit, and if outside of a half-mile of a commuter rail station, a reduction in the number of required parking spaces by Special Permit granted by the Planning Board, if Transportation Demand Management (TDM) practices are incorporated. In the event that an adaptive reuse project in the Central Business (B5) zoning district would not be feasible with the Affordable Housing 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

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median income if all criteria of Section 5.4.3(2) are met. Such adaptive reuse projects in the B5 zoning district are permitted to reduce the number of parking spaces to zero parking spaces per dwelling unit. This Amendment includes section 5.4.1 through 5.4.9.

This amendment shall take effect as provided by City Charter. For projects in the Central Business (B5) District, the amendment shall be applicable upon approval of an Economic Feasibility Analysis by the Executive Office of Housing and Livable Communities.