

**CITY OF SALEM
JOINT PUBLIC HEARING
OF THE CITY COUNCIL AND PLANNING BOARD
Monday, March 30, 2020 AT 7:00 P.M.**

MEETING NOTICE AND AGENDA

IMPORTANT ANNOUNCEMENT

The Salem City Council will hold a Joint Public Meeting with the Planning Board on Monday, March 30, 2020 at 7:00 P.M. purpose of discussing three (3) Zoning Ordinance Amendments via remote participation in accordance with Chapter 40A of the Massachusetts General Laws and Governor Baker's Emergency Order dated March 12, 2020.

Pursuant to Governor Baker's March 12, 2020 Order Suspending Certain Provisions of the Open Meeting Law, G.L. c. 30A, §18, and the Governor's March 15, 2020 Order imposing strict limitation on the number of people that may gather in one place, this Joint Public Hearing of the Salem City Council and the Planning Board will be conducted via remote participation to the greatest extent possible. No in-person attendance of members of the public will be permitted, but every effort will be made to ensure that the public can adequately access the proceedings in real time, via technological means. In the event that we are unable to do so despite best efforts we will post on the City of Salem's website an audio or video recording, transcript, or other comprehensive record of proceedings as soon as possible after the meeting.

Individuals may participate remotely in the meeting via a remote participation platform called Zoom.

Members of the public and/or parties with a right and/or requirement to attend this meeting may access the remote participation meeting through any one of the following ways:

- Enter this link into your web browser to join the meeting: <https://zoom.us/j/447831204>
- Enter this link into your web browser to open the Zoom website: <https://zoom.us/join>. Enter meeting/webinar ID # 447 831 204 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 # 447 831 204 as and follow the instructions to join the meeting.

The Agenda for this meeting is posted on the website and listed below. SATV will still be airing this meeting live. (the three zoning ordinances will be posted in their entirety as a separate document)

Thank you for your patience and understanding as we navigate this challenging situation for our community and the world.

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."**

MEETING NOTICE AND AGENDA

CITY OF SALEM JOINT PUBLIC HEARING OF THE CITY COUNCIL AND PLANNING BOARD Monday, March 30, 2020 AT 7:00 P.M.

The City Council will hold a joint public hearing with the Planning Board in the City Council Chambers, City Hall, 93 Washington Street, 2nd floor, Salem, MA, on **Monday, March 30th, 2020 at 7:00 P.M.** 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 three (3) separate Zoning Amendments summarized below:

1. An Ordinance Amending Zoning Section 3.1 Table of Principal and Accessory Use Regulations of the City of Salem Zoning Ordinance to delete 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. An Ordinance amending the Salem Zoning Ordinance relative to accessory dwelling units in the following three ways:
 - a. Amending Zoning Ordinance Section 10 Definitions by deleting the definition of “Accessory Living Area” in its entirety and inserting the definition of “Accessory Dwelling Unit” in its place.
 - b. Amending Zoning Ordinance Section 3.2.4 Accessory Buildings and Structures by deleting paragraphs numbered 4 and 5 in their entirety and replacing them.
 - c. Amending Zoning Ordinance Section 3.2.8 Accessory Dwelling Areas by deleting the existing text in its entirety and replacing it with a new ordinance. The existing text requires accessory units to be used solely by a family member or caregiver and requires a special permit. The purpose of the proposed new ordinance is to add to the supply of rental housing to meet the needs of smaller households, to encourage efficient use of the city’s housing supply while preserving the character of city neighborhoods, to preserve family bonds, to 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 to increase the supply and diversity of rental units to the housing stock in response to demographic changes such as smaller households and older households. 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. An Ordinance amending the Salem Zoning Ordinance by adding a new Section 5.4 Inclusionary Housing and amending Section 10 Definitions by adding definitions related to the Inclusionary Housing ordinance. The purpose of the proposed new ordinance is to expand the City of Salem’s housing stock, especially its Affordable Housing Units; to leverage market-rate housing production towards the production of Affordable Housing Units; to provide for housing choices for households of all incomes, ages, and sizes; to

increase the production of Affordable Housing Units to meet employment needs; and to establish standards and guidelines in order to implement the foregoing. The proposed ordinance applies to subdivisions or developments creating six (6) or more dwelling units and requires applicants to contribute to the local stock of Affordable Housing units, so that ten (10) percent of the dwelling units are affordable to households with incomes at or below sixty (60) percent of the Area Median Income (AMI) and that these affordability restrictions are in force in perpetuity or for the 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 (HUD) 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 80 percent of the area median income if all criteria of Section 5.4.3(2) are met. This Ordinance Amendment includes section 5.4.1 through 5.4.9 outlining respectively, Purpose and Intent, Applicability, Mandatory Provision of Affordable Units, Density and Parking, Provisions Applicable to Affordable Housing Units, Resident Selection and Marketing Plan for Affordable Units, Preservation of Affordability, Conflict with Other Sections, and Severability.

The complete text of the three (3) proposed amendments to the Zoning Ordinance are on file and available for inspection by calling or emailing the City Clerk's Office, 93 Washington Street, Salem, MA at 978-619-5610 or isimons@salem.com or the Department of Planning & Community Development, 2nd floor, City Hall Annex, 98 Washington Street, Salem, MA. 978-619-5685 or mwells@salem.com.

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."

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