

**CITY OF NEWBURYPORT**



**NOTICE OF JOINT PUBLIC HEARING & INFORMATIONAL MEETING  
PLANNING BOARD  
CITY COUNCIL PLANNING & DEVELOPMENT COMMITTEE  
OFFICE OF THE MAYOR  
AND  
OFFICE OF PLANNING & DEVELOPMENT**

Notice is hereby given pursuant to Massachusetts General Laws Chapter 40R and 760 CMR (Code of Massachusetts Regulations) 59 (Department of Housing and Community Development – Smart Growth Zoning Overlay District), and Chapter 40A, Section 5 (The Zoning Act) and the Newburyport Zoning Ordinance, Section XXII-B (Adoption and Amendment), that the Newburyport Planning Board, City Council Planning & Development Committee, Office of the Mayor and Office of Planning & Development will hold a Joint Public Hearing and Informational Meeting on Wednesday, March 4, 2015 at 7:00 p.m. in the City Hall Auditorium at City Hall, 60 Pleasant Street, Newburyport, MA 01950.

The purpose of this Public Hearing & Informational Meeting is to present, and hear testimony and comment from interested persons relative to, proposed amendments and additions to the Zoning Ordinance for the City of Newburyport, said amendments being submitted to the City Council for consideration on January 12<sup>th</sup> and 26<sup>th</sup>, 2015. After the Public Hearing the Planning Board and Planning & Development Committee will, as required by law, vote its recommendations on each proposal and report them back to the full City Council.

There are two (2) proposed ordinance amendments. A summary is provided below. Copies of the text of such ordinances and maps thereof are available for review by interested parties in the Offices of the City Clerk and Office of Planning & Development (City Hall, 60 Pleasant Street, Newburyport, MA 01950) during regular business hours. Questions regarding these ordinances may be directed to the Director of Planning & Development, Andrew R. Port, at (978) 465-4400.

Summary of Proposed Zoning Ordinances:

- 1: Amend the Zoning Map referenced in the Newburyport Zoning Ordinance pursuant to Section III-D "Changes to Zoning Map" such that a portion of the R3 Zone between Route 1 and State Street (including Highland Cemetery and properties North of Highland Cemetery up to Pond Street) is changed to an R2 Zone, said area to include all such parcels of land so depicted on a map entitled "Back Bay Area Zoning Map Change," prepared by the Office of Planning & Development and dated January 9, 2015.
- 2: Amend the Zoning Ordinance and the Zoning Map, to establish a new zoning overlay District entitled "Smart Growth District" (SGD) which is to be located: (a) southwest of Route 1 west of Preble Road and Henry Graf Jr. Road; (b) surrounding the Route 1 Traffic Circle south of the Newburyport District Court House; and (c) both north and south of Parker Street on the easterly side of State Street, said area to include all such parcels of land so depicted on a map entitled "40R Smart Growth District," prepared by the Office of Planning & Development and dated January 20, 2015. This zoning amendment would establish a so-called "Smart Growth District" under the provisions of Massachusetts

General Laws Chapter 40R and 760 CMR (Code of Massachusetts Regulations) 59 (Department of Housing and Community Development – Smart Growth Zoning Overlay District) allowing the development of multi-family residential and mixed-use development (along with parking and associated site amenities) subject to Plan Approval by the Newburyport Planning Board acting as the “Plan Approval Authority” (PAA). Developments undertaken within the proposed “Smart Growth District” would be subject to special site and building design standards, parking and dimensional controls and affordability requirements for no less than 25% of all projects including more than 10 units. The proposed “Smart Growth District” zoning overlay is consistent with priorities established in the City of Newburyport Master Plan and Strategic Land Use Plan, as well as policies issued by the Commonwealth of Massachusetts, by concentrating new sustainable development within the City adjacent to the Newburyport MBTA Commuter Rail Station.

NEWBURYPORT PLANNING BOARD

Jim McCarthy, Chairman

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# City of Newburyport



## **Joint Public Hearing & Informational Meeting**

**Planning Board and City Council Planning & Development Committee**

*Wednesday, March 4, 2015 – 7:00 pm*

*Newburyport City Hall – Auditorium*

### **1) Welcome & Introductions**

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**Donna D. Holaday, Mayor**  
City of Newburyport

**Andrew R. Port, Director of Planning & Development**  
City of Newburyport

### **2) Call to Order & Legal Notice**

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**James McCarthy, Chair**  
Newburyport Planning Board

**Edward C. Cameron, Chair (Councilor at Large)**  
City Council Planning & Development Committee

### **3) Overview of 40R Legislation and “Smart Growth” Districts in Massachusetts**

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**William E. Reyelt, Principal Planner, Smart Growth Programs**

**Elaine Wijnja, Principal Land Use Planner**

Massachusetts Department of Housing & Community Development (DHCD)

### **4) Overview of Newburyport’s Proposed 40R “Smart Growth” District**

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**Andrew R. Port, Director of Planning & Development**  
City of Newburyport

### **5) Board Discussion, Questions & Comments**

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**Planning Board**

**City Council Planning & Development Committee**

### **6) Public Comment**

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### **7) Adjournment**

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# Newburyport 40R Smart Growth District



## Joint Public Hearing & Informational Meeting

City of Newburyport

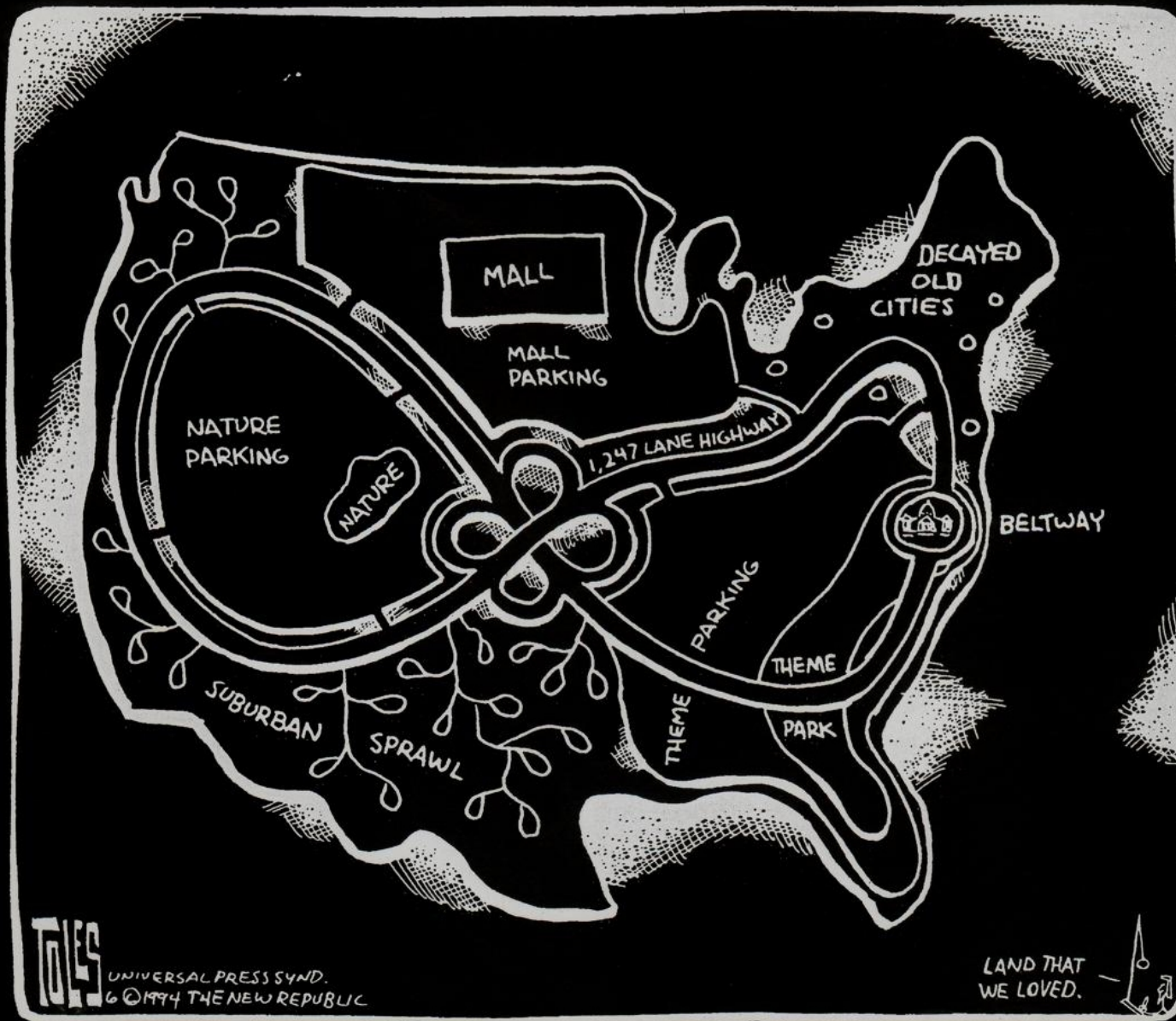
Planning Board

City Council Planning & Development Committee

Office of Planning & Development

**Donna D. Holaday, Mayor**

# "Sprawl" is A National Problem



# The Solution: “Smart Growth” or “Sustainable Development”

**Sprawl:** Irresponsible low density development patterns that are auto-dependent, destroy green space, overextend infrastructure, increase traffic and air pollution, unnecessarily segregate land uses, reduce transportation and housing choices, and threaten a community’s cohesiveness and sense of place.

**VS.**

**Smart Growth:** Development patterns that meet the needs of the present without compromising the ability of future generations to meet their own needs. Smart Growth development calls for a return to more historic development patterns, focusing growth in existing city centers, near transit and existing infrastructure. By focusing growth in areas equipped to support it, the region helps preserve both environmental and financial resources that would be lost to sprawling, low-density development. Public health and housing choices are also improved.



# Traditional Urban Form





# Compact Urban Form



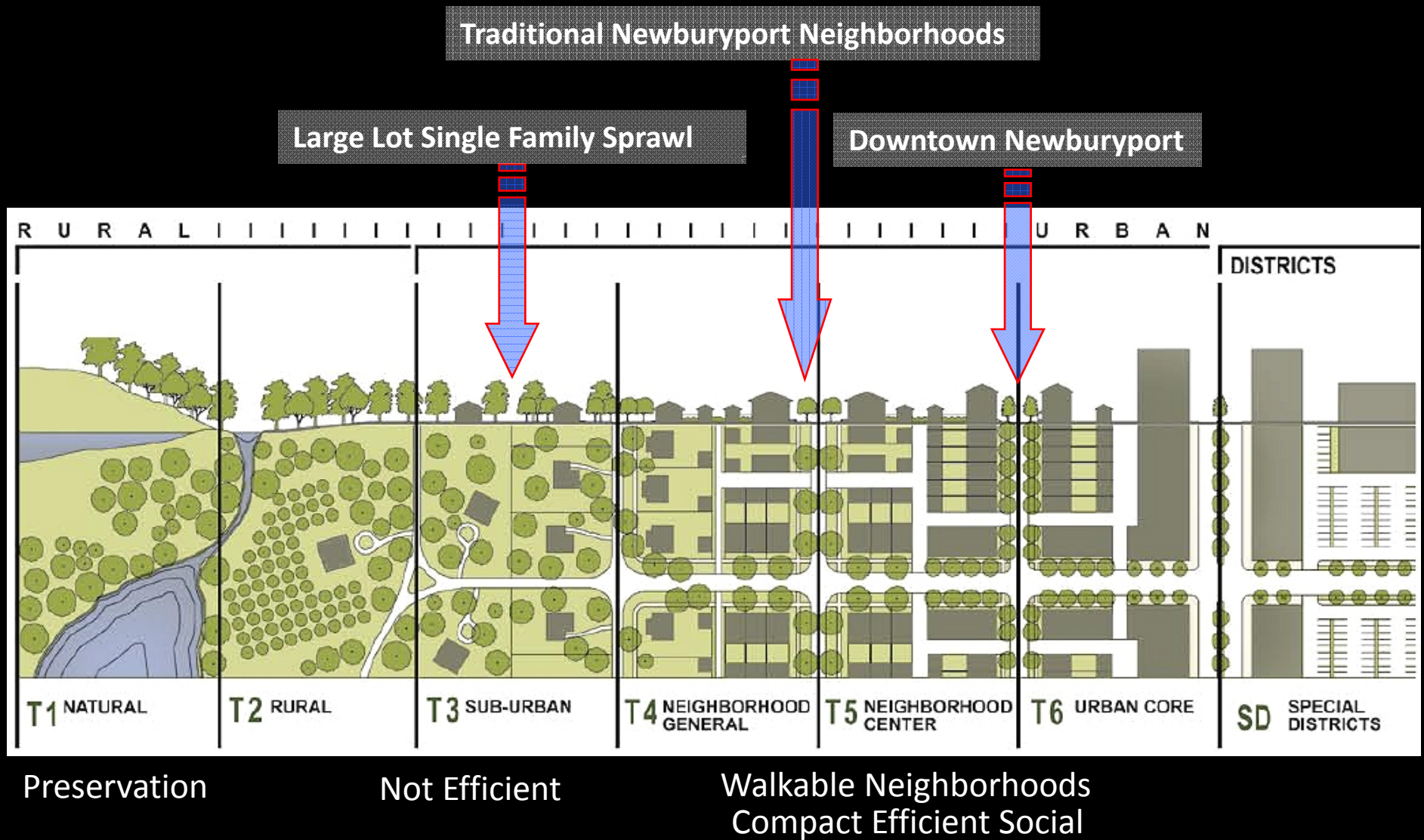
Traditional Newburyport / Historical Development Patterns



# Conventional Sprawl



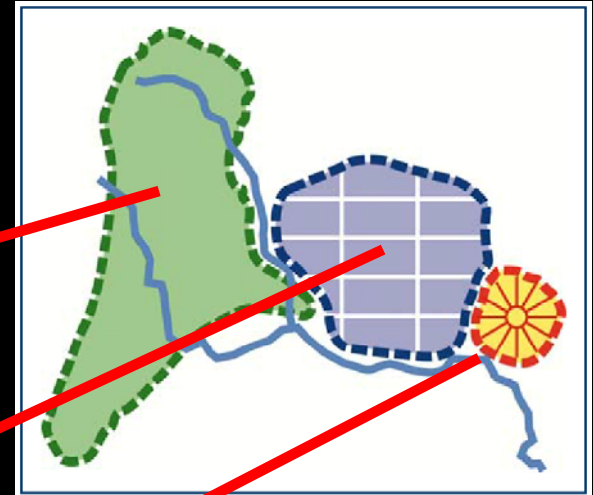
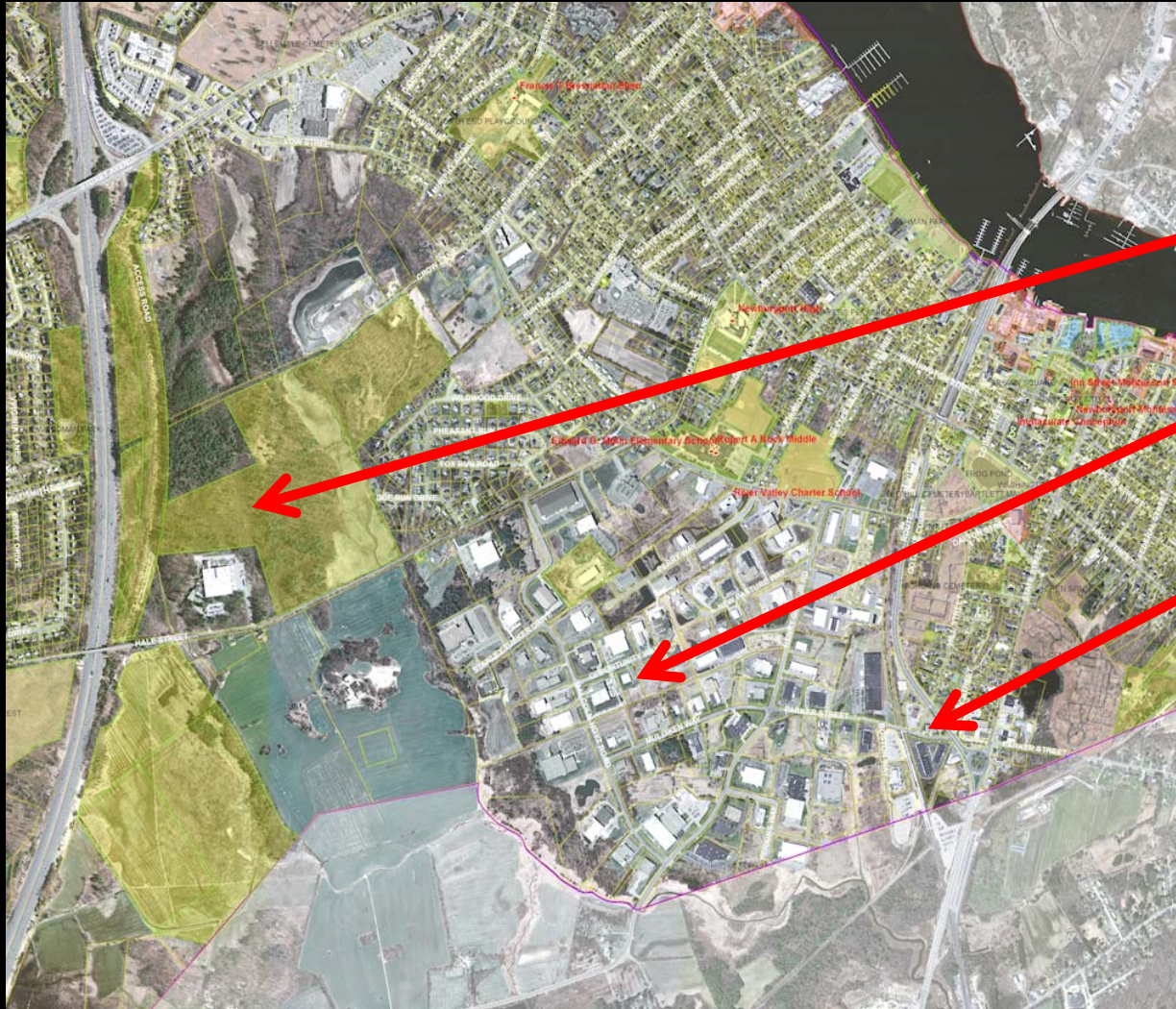
# The “Transect” of Urban Form





# 2004 Strategic Land Use Plan

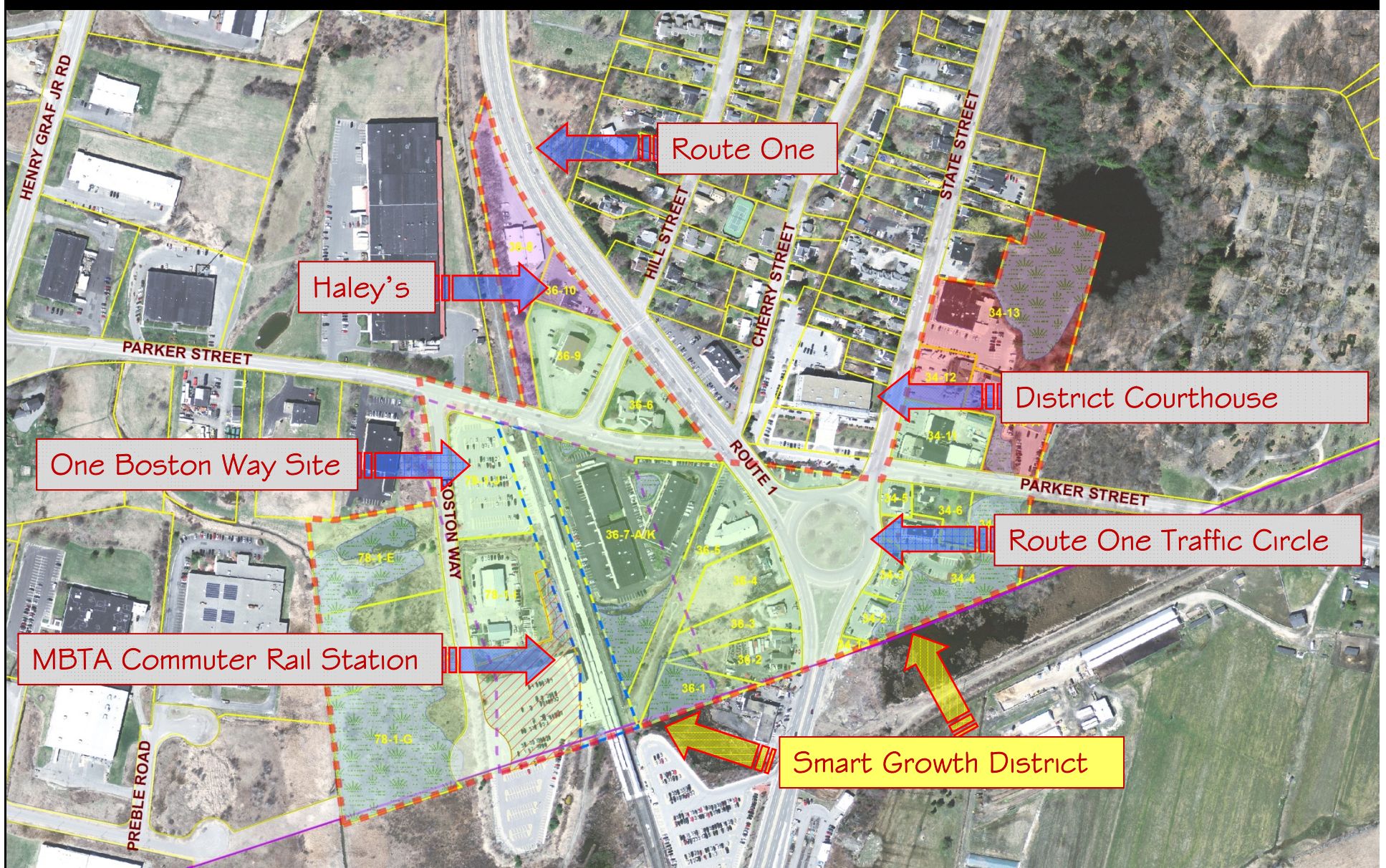
“A Strategy for Conservation & Development”



1. Greenway
2. Business Park
3. Transit-Oriented Development



# Map of Proposed Smart Growth District





# Existing Uses & Development Patterns



Developed, fully built-out site coverage, underutilized, automobile dependent, and visually uninviting.  
Uncharacteristic of Newburyport.



# Conceptual Rendering of One Boston Way





# Smart Growth District - Purposes

1. Concentrate new development as infill and redevelopment at the Newburyport Commuter Rail Station
2. Encourage Sustainable Mixed Use Development
3. Increase the Range of Housing Choices
4. Beautify and Enliven the Area
5. Establish High Quality Development Standards (*Site & Building Design*)
6. Ensure Fair & Predictable Permitting (*as-of-right with Design Review*)
7. Allow for 40R Incentive Payments from the Commonwealth

# Smart Growth Districts – Financial Incentives

- Financial Incentives from State Trust Fund:
  - Incentive Payment for Adoption (*potential new housing units*)
    - \$10,000 for up to 20 units
    - \$75,000 for 21-100 units
    - \$200,000 for 101-200 units
    - \$350,000 for 201-500 units
    - **\$600,000** for 501 or more units ←←←
  - Bonus Payment for Each Unit Built / Building Permit Issued
    - **\$3,000** per unit
  - 40S Education Payments:
    - the additional (net) cost of educating new school-age children within the new 40R District

# Newburyport 40R Smart Growth District

- Zoning Ordinance – New Section XXIX (29)
- Primarily Residential (*first floor retail/commercial allowance*)
- Density/Uses similar to Downtown Newburyport
- Architectural Design & materials consistent with Newburyport
- Pedestrian, bicycle and transit-oriented design with connectivity
- Building & Site Design Standards (*high quality urban design*)
- As-of-right uses subject to Planning Board design review/approval
- 25% of all units in projects over 10-units must be affordable
  - State: 20% of units
  - Affordable: 80% AMI, 30-yr deed-restriction
  - 10% of these must be 3-bedroom units
- Increase production of a range of housing choices:
  - Apartments/rental housing (*Affordable Housing Plan*)
- Increase Subsidized Housing Inventory (SHI) – 100% of rental units
  - Current SHI: 7.6 %



# Newburyport 40R Smart Growth District

- District: 49.17 acres
  - Developable Land: 26.67 acres (no wetlands, roadways, public land)
  - Underlying Zoning: Industrial & Business
  - Subdistricts:
    - A: 20(min) – 30(max) units per acre / 3 stories max
    - B: 20(min) – 40(max) units per acre / 4 stories max\*
    - C: 20(min) – 30(max) units per acre / 3 stories max
- \*5 stories within 250' of MBTA Station South of Parker Street*
- Design Standards:
    - **Architecture:** *Massing, scale, orientation, articulation, windows & doors, balconies, fenestration, materials, texture*
    - **Site Design:** *Sidewalks, bicycle & pedestrian connections, vehicular circulation, site amenities, landscaping, fencing & screening, public & semi-public spaces, exterior lighting, utilities & service areas, drainage & stormwater management, signage*
    - **Energy Efficiency:** *Encouraged through standards & guidelines, LEED, LID, Energy Star, Solar, etc.*

# Special Considerations

1. Anticipated Full/Maximum Buildout: 500-550 dwelling units  
*(over several decades of incremental redevelopment)*
2. Anticipated Water Flow/Demand: Excess Capacity *(under review)*
3. Anticipated Sewer Flow/Demand: Excess Capacity *(under review)*
4. Anticipated Impact on Traffic Flow/Circulation: *(traffic analysis)*
5. Anticipated Impact on Schools:
  - Budget *(addressed through 40S payments)*
  - Space allocation *(under review)*
6. Anticipated 40R & 40S Payments:
  - \$600K Incentive Payment *(adoption, one time)*
  - \$3K Per Unit Built *(one time)*
  - 40S/School Age Children *(calculations under review)*
7. Expected Property Tax Revenues
8. Renderings/Photo Simulations: Area/Site Specific

# Adoption Process

- Draft Smart Growth Zoning District
- Public Meeting – Information & Public Comment
- Application submission to DHCD with draft Ordinance/Map
- “Letter of Eligibility” issued with or without required changes
- Public Hearing on Proposed Smart Growth District (*cont. May 6*)
- City Council Adoption
- “Letter of Approval” issued by DHCD including
  - number of Incentive Units (*above existing/baseline zoning*)
  - amount of the Zoning Incentive Payment

## **For More Information**

**Andrew R. Port, AICP**  
**Director of Planning & Development**

**Office of Planning & Development**  
**City of Newburyport**  
**60 Pleasant Street**  
**Newburyport, MA 01950**

**Phone (978) 465-4400**

**Fax # (978) 465-4452**

**Email [aport@cityofnewburyport.com](mailto:aport@cityofnewburyport.com)**

**Web [www.cityofnewburyport.com](http://www.cityofnewburyport.com)**  
*("Proposed Zoning Amendments")*