

CPDC schedules community meeting March 9 at the Senior Center to discuss proposed 40R Smart Growth Overlay district in downtown area

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READING - Town officials are hoping that residents interested in the future of the downtown area will keep a night in March clear on their calendars to attend a special information session.

On Monday March 9th, 2009 at 7:30 p.m. in the Great Room at the Reading Senior Center, the Community Planning and Development Commission (CPDC) will host a public meeting about the proposed downtown Smart Growth overlay district.

The Consultant, Housing Partners Inc, will join the CPDC to discuss the proposed Downtown 40R Smart Growth Overlay District. All boards, commissions, residents and property owners are encouraged to attend. Attendees will learn answers to the following questions:

Zoning:

- Does the proposed 40R overlay district include my property?
- What is an overlay district?
- What is a 40R Smart Growth District?
- Why is the Town considering a 40R in the downtown?

Q & A, property owner and public input on:

- Housing opportunities downtown
- Commercial re-development downtown
- Location of housing near existing transportation and services
- Parking
- Need for Downtown gathering places, outdoor dining

The town is continuing to receive feedback and hold discussions about a downtown 40R SmartGrowth District, but some residents may still be unfamiliar about what the terminology means, or what it can be used to accomplish.

The CPDC has held discussions on the downtown 40R smart growth district. At one session, plans were outlined about where the Town could potentially go and what shape the 40R district might take. David Pollack, representing Abacus Associates, felt the 40R would allow the Town to "set things up to attract private investment to build out your Town in your shape."

He also ran a slideshow showing some of the changes that could come from the implementation of a 40R in the downtown area. He highlighted the transformation of one-story buildings into multiple story buildings. Such buildings were prominent 80 years ago, though they have since fallen out of favor.

However, Pollack believed "people want to go back to villages," and he felt "this is an opportunity to rebuild multi-story buildings." He then continued by showing how the Town might look if a 40R were implemented: more public space, outdoor dining, and multi-story shops stretching down Main Street.

In advance of the presentation on March 9, for those unfamiliar with the concept of a Smart Growth District a primer on the subject is presented here, taken from a state website providing free information on the topic:

Chapter 40R of the Massachusetts General Laws encourages cities and towns to establish new overlay zoning districts to promote housing production and, more generally, smart growth development. Chapters 40R and 40S both provide financial incentives to communities to adopt these new zoning districts.

40R was created to encourage 'smart growth consistent' housing production in the Commonwealth. Under Chapter 40R communities that adopt special zoning districts allowing as-of-right higher density residential development are provided financial rewards.

Smart growth zoning districts can be in one of three locations:

Areas near transit stations, including rapid transit, commuter rail, and bus and ferry terminals;

Areas of concentrated development, including town and city centers, other existing commercial districts in cities and towns, and existing rural village districts; or

Areas that by virtue of their infrastructure, transportation access, existing underutilized facilities, and/or location make highly suitable places for residential or mixed use smart growth zoning districts.

Districts must be overlay and not base zoning. Typically districts cannot exceed 15% of local land area, though the Department of Housing and Community Development (DHCD) can be petitioned to approve up to 25%. While all residential and mixed use development must be as-of-right in a smart growth zoning district, communities can use design review to regulate the physical character of the development as long as requirements are not unduly burdensome. Twenty percent of the housing in the district must be affordable to those earning 80% or less of the median income and be deed restricted for at least 30 years. The district must provide a minimum allowable density of eight units per acre for single-family homes, 12 units per acre for two and three family buildings, and/or 20 units per acre for multi-family dwellings. Smart growth zoning districts must provide a range of housing opportunities for a diverse population including households with children.

In order to address the circumstances of smaller and more rural municipalities any community with a population of less than 10,000 people may request a reduction from the minimum allowable density requirements. The community will need to show that compliance with the density requirements would create a hardship and that any proposed reduced density would be consistent with the smart growth goals of Chapter 40R. The community must also demonstrate that development at the required densities would either be highly inconsistent with the existing physical environment of the community,

would create significant risks to water pollution due to poor soils, or cannot be feasibly served by a piped water system.

Before adopting a smart growth zoning district, communities must apply to DHCD for district approval. The Department must determine if the proposed location is an eligible site and must also approve the proposed zoning regulations and design standards. Once an application has been approved by the Department, a community then adopts the zoning regulations for the overlay district. Communities that adopt smart growth zoning districts receive an approval letter from the Department. The community is then eligible for incentive and bonus payments.

A primary purpose of Chapters 40R and 40S is to provide a financial incentive to communities to build smart growth consistent housing. Four types of incentives are offered.

1) Zoning Incentive Payments: Upon approval of a district a municipality receives a zoning incentive payment. The amount of the incentive payment is based on the potential number of new housing units (The maximum number of units possible under the 40R overlay zone minus the total number of units permissible under the previous zoning.) that can be constructed in the district. The incentive payment is disbursed to the community after the issuance of the approval letter by the Department.

Payments range from:

\$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; to

\$600,000 for 501 or more units of housing.

A community will also receive a bonus payment of \$3,000 for each unit of new housing unit built in the district which is payable once the building permit has been issued for the housing unit.

Communities are reimbursed for any net cost of educating students living in new housing in a smart growth district. The reimbursement is equal to the cost of educating students living in new housing in a smart growth district minus the percentage of new revenues from the district that would be otherwise be devoted to educational costs and any increase in state educational aid resulting from students living in new housing in the district.

When awarding discretionary funds, DHCD and the Executive Offices of Environmental Affairs, Transportation, and Administration and Finance must give preference to municipalities with an approved smart growth zoning district.