



CITY OF SALEM PLANNING BOARD

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CITY CLERK
SALEM, MASS

Report to City Council

April 30, 2018

At its meeting on April 19, 2018 the Planning Board voted to recommend approval of amending the City of Salem Zoning Ordinance Section 8.4.9, Parking Requirements by deleting 4(a) in its entirety and replacing it with: "One and a half (1.5) parking spaces per dwelling unit."

The Planning Board voted, eight (8) in favor (Mr. Anderson, Mr. Veno, Mr. Koretz, Ms. Yale, Ms. Sides, Ms. Hamilton, Mr. Griset, Mr. Napolitano) and none opposed, to recommend the proposed zoning amendment as it was referred to the Planning Board from the City Council.

In making this recommendation, the Planning Board made note of the following:

- The parking requirement of 2.0 spaces per unit is the greatest parking requirement in any zoning district in Salem. Given that this area is accessible to transit and is within walking and biking distance to most amenities, the district is ideal for Transit Oriented Development. To encourage this, the City should lower the parking requirement from 2.0 spaces per unit to 1.5 spaces per unit.
- The NRCC district was established in 2004. The Planning Board now has the benefit of over a decade of actual development under the current regulations, and having data on the usage of parking for projects the Board has approved, the Board is now aware that the 2.0 parking space requirement is not necessary. Instead, this requirement is a burden to developers to try to fit more parking on the site when they could instead be adding other site amenities. The data collected from developments over this period indicate that the usage is below 1.5 spaces per dwelling unit.

The draft minutes of this item from the April 19, 2018 meeting are attached to this report for reference. If you have any questions regarding this matter, please feel free to contact Tom Daniel, AICP, Director of Planning & Community Development, at 978-619-5685.

Yours truly,

A handwritten signature in black ink, appearing to read "Ben J. Anderson", is located below the "Yours truly," text.

Ben J. Anderson, Chair

CC: Ilene Simmons, City Clerk

A. Deliberate and vote on recommendation to City Council on two (2) separate proposed Zoning Amendments listed below:

- 1. To amend the City's Zoning Ordinance Section 8.4.9. Parking Requirements by deleting 4(a) in its entirety and replacing it with: "One and a half (1.5) parking spaces per dwelling unit."**
- 2. To amend the City's Zoning Ordinance Section 3.2.5. Swimming Pools to correct Scrivener's errors from the 2009 recodification of the Salem Zoning Ordinance by inserting a new paragraph at the end of this section as follows: "2. Pools shall be surrounded on all sides by a permanent wall or fence at least four (4) feet high and located no further than twenty-five (25) feet from any side of the pool. Fences shall be constructed of pickets, stockade or chain-link type material. Rail fences shall not be permitted. The fence shall have only one (1) opening, three (3) feet maximum in width, with a locking and closing device so as to keep the gate shut at all times."**

1. Change parking requirements for NRCC district from two to 1.5 spaces per dwelling unit

DJ Napolitano feels that this change would pose a burden, but he was not a Planning Board member when the discussion regarding this issue occurred. Carole Hamilton notes that this is an amendment the Planning Board specifically pushed for because of difficulties with Site Plan Review (SPR) on buildings in that area. It is close to the train station and does not warrant that kind of space. It is the largest parking requirement of anywhere in the city, yet is right in the heart of the City.

Noah Koretz observes that data from the City on existing developments in that Zone indicate that they do not even see usage even at the level of 1.5 spaces per dwelling unit in their current use, so the Ordinance is forcing developers to build more parking when they could be adding other site amenities instead. Good planning practice is to push for Transit Oriented Development (TOD), yet more parking is required in the NRCC than in any other downtown parking site. The Board wants to avoid having seas of parking, and allow Applicants to avoid being required to seek variances from the Zoning Board of Appeals (ZBA). All sites that this Board is aware of are self contained, fully parked on the site, and not using public parking, which Noah Koretz feels is something they should be doing. He feels that lowering the requirement to 1.5 is still a compromise and that it could be lowered further. It would be better to have multi-purpose parking; for example, the T garage is almost empty at 5:30 or 6PM, so could be used for residential parking at night. He concedes that this is not a political reality but reducing the required spaces is a step in the right direction.

Matt Veno says that the approval of the NRCC district was something he voted on in City Council as a member years ago, and he remembers the process and its politics. Councilors were doing their best and considering what "might be needed" in a brand new zone. The Planning Board, now having the benefit of over a decade of actual development under these rules, and having data on the usage of parking in projects it has approved, is simply acknowledging that learning and is making well informed and judicious changes to the zoning to accommodate that knowledge. As previous ward councilor, he would not have supported less parking, however being on this Board gives a different perspective and he thinks 1.5 spaces per dwelling unit will work. Chair Anderson notes that this is a City, an urban environment; we must think far enough ahead to attract transit oriented

residents and businesses, so managing development must be considered. This is a progressive step, if a small one, forward.

Noah Koretz agrees, adding that Salem is a city in a regional housing crisis, and is out of space. Developments must be more dense in order for people to continue to be able to afford to live here as they get priced out of Boston. This affects our market.

Matt Veno opines that these are all zero sum game projects in that more parking means less green space and fewer amenities, so requirements must be considered along with other project goals. Chair is concerned that those opposed are not really considering the environment that they are in. They think they are in a rural environment but they are not, and this is a difficult change for some. Helen Sides notes that when improvements were made and downtown got busier, merchants on Front St. complained that when meters were installed, that they could no longer park in front of their own shops (as if that was desirable). This is no longer "just a quiet town." You cannot drive and park anywhere as there are businesses everywhere now.

Noah Koretz notes that the Board is in "repair mode," fixing an erroneous decision made when "cars were king." Every vibrant downtown has a "parking problem" because people want to be there. There are many ways that this Board controls development in this City, but using the overbuilding of parking as a way to control development is fundamentally harmful; there are better ways. Those engaging in political conversations make the argument that "buildings will get bigger if we have less parking," but the converse of that is to have small buildings dominated by parking otherwise. Chair Anderson cites Hartford CT, a sea of parking with small footprint buildings. Noah Koretz states that he sympathizes with concerns but advocates smart growth.

Noah Koretz opines that based on various comments, he is not convinced that this will pass, so in that case, the inclusion of an explanation from the Board to City Council is important. Matt Veno notes that the deliberation the Board just had is good, so the Council should be presented with these minutes.

Chair Anderson notes that the Board has voted to approve a proposal with less parking than what was required, but then the Applicant must go before the Zoning Board of Appeals. If the Ordinance is changed, they will need to go before the ZBA if they are seeking to include fewer than 1.5 spaces per dwelling unit, not fewer than 2 as they have in the past.

Noah Koretz feels that an explanation will help the City Council make a decision in favor of this change. Ashley Green will summarize the discussion and run it by Chair Anderson, then a letter from him will be sent to the Council highlighting important issues. A copy of these minutes will also be attached for reference.

A motion to recommend that the language be changed is made by Helen Sides, seconded by Matt Veno, and passes 8-0.