

MEMORANDUM

TO: Honorable Mayor and Members of the City Council
FROM: John Ricci, Planning Board Chairman
DATE: February 19, 2008
SUBJ: Update on Revision of City Land Use Regulations

John Ricci
2-19-08

As the new City Council begins its term, we would like to provide an update on the status of the Planning Board's work on the revision of the City's land use regulations. As you know, the overall goal of this work is to put in place regulations that will improve the quality of development in the City, insure environmental sustainability and address the aesthetic character of development through additional design review regulation.

The Board's initial intent was to complete the comprehensive revision of the Zoning Ordinance and then move on to revise the Site Review and Subdivision Regulations and, finally, develop new Design Review Regulations. However, it became clear early on that the most efficient and effective approach was to work concurrently on revisions to the Zoning Ordinance and Site Review Regulations. During this effort, the Board focused on two items of particular concern: 1) development of a new workforce housing section of the Zoning Ordinance – the Residential Density Incentive PUD (adopted); and 2) in an effort to stay one step ahead of the redevelopment of the Northern Tier, development of Central Business A District regulations regarding minimum open space requirements, floor area ratio requirements, and upper-story step-backs (adopted).

For your reference, I've outlined below the work that has been completed to date on the revision of the City's land use regulations as well as the schedule going forward.

Substantial Revision of Site Plan Review Regulations

The City's existing site review regulations, which shape the site design and layout of non-residential development as well as residential development with more than four housing units, have been enhanced significantly. To date, the following work has been carried out:

- Dozens of meetings have been held between Taintor & Associates and the Planning Director and his staff, the Deputy City Manager, the City Attorney and representatives of the City's Technical Advisory Committee (TAC), which serves in an advisory capacity to the Planning Board regarding technical site review issues such as traffic, sewer, water, and public safety.
- The Planning Board has held three work sessions with City staff and Taintor & Associates and reviewed and commented on two complete drafts of the proposed Site Review Regulations. City staff have reviewed roughly half a dozen drafts of these regulations.

As revised, the Site Review Regulations include detailed standards with regard to:

- Vehicle Circulation Standards, which address traffic calming and connections, drive-through facilities and mass transit infrastructure with the goals of improving public safety and encouraging non-vehicular modes of travel.
- Parking Standards, which address parking requirements for the physically disabled and parking space design and layout with the goals of meeting the needs of all residents fairly and efficiently and reducing impervious surfaces.

- Pedestrian and Bicycle Circulation Standards, which address pedestrian/bicycle pathways, facilities and amenities with the goal of enhancing pedestrian/bicycle routes of travel.
- Landscaping and Screening Standards, which address in detail the amount, type, location and maintenance needs of plantings with the goal of insuring aesthetically pleasing development, conserving water, minimizing negative environmental impacts, incorporating Low Impact Development (LID) design practices such as rain gardens and bioretention areas, and encouraging innovative landscaping such as green roofs and site layout /landscaping that reduces energy use.
- Water Resource Standards, which appropriately manage stormwater, minimize the amount of impervious surfaces, insure Best Management Practices, protect surface water quality and wellhead areas and incorporate Low Impact Development (LID) practices.

Comprehensive Revision of the Zoning Ordinance

Over the course of the last year, the Planning Board has had numerous work sessions, meetings and public hearings on various portions of the Zoning Ordinance revision project, including:

- Taintor & Associates developed a Zoning Ordinance Audit Report, which outlined preliminary findings and recommendations for consideration by the Planning Board and served as a key document in developing revisions to the Zoning Ordinance.
- The Planning Board held two work sessions to discuss the findings and the recommendations outlined in the Zoning Audit.
- Numerous City staff meetings were held between Rick Taintor and the Planning Director and his staff, Deputy City Manager, and City Attorney to review the Zoning Audit and discuss needed zoning revisions.
- Planning staff and Rick Taintor held a number of meetings with the Conservation Commission regarding Article VI of the Zoning Ordinance (Inland Wetlands Protection) to identify Conservation Commission-recommended revisions.
- City staff and Rick Taintor met with the Historic District Commission regarding Article X (Historic District) of the Zoning Ordinance to identify revisions the HDC wishes to incorporate.
- The Planning Board and staff held a joint meeting with the Committee on Sustainable Practices to identify opportunities to incorporate sustainable practices in the City's zoning and land use regulations. Rick Taintor and City staff have also met with the Committee regarding this subject.
- City staff & Taintor and Associates have met with the West End Association as well as the Citywide Neighborhood Association to help identify their zoning issues.
- The Planning Board held a number of work sessions and meetings with the Conservation Commission and City staff in order to reach consensus between the boards with regard to seeking state-designation of prime wetlands to allow an additional level of local review for key wetlands.
- The Planning Board, City staff and Rick Taintor conducted numerous work sessions and meetings with The Housing Partnership to develop the Residential Density Incentive Planned Unit Development Ordinance, with the goal of facilitating the creation of affordable housing (adopted).
- The Planning Board held work sessions regarding development of new Central Business A District open space requirements, floor area ratio requirements, and upper-story step-backs (adopted).

Schedule for Completion of Revisions to Land Use Regulations

The Board and staff anticipate the following completion schedule:

- February 21 Planning Board work session with Atlantic Heights re: Conservation Overlay District
- February 28 Planning Board work session on 2nd draft of Site Review Regulations
- April-June Planning Board and staff work sessions on Zoning Ordinance
- Sept-Dec Planning Board public hearings on draft Zoning Ordinance
Planning Board public hearings on draft Site Review Regulations
Revisions to Zoning Map
Development of new Design Review Regulations
Minor Revisions to Subdivision Regulations
- Jan 2009 Planning Board adoption of revised Site Review and Subdivision Regulations
Planning Board recommends revised Zoning Ordinance and new Design Review Regulations to City Council

I would like to commend my fellow Planning Board members with regard to the Board's progress on revising the City's land use regulations. The pace of development within this community has meant that the Board's regular meeting agendas -- where site review, subdivision and conditional use (wetlands) approvals are sought -- have been both lengthy and complex. In addition, the Board has received many referrals from the Council, which have ranged from relatively simple items to very complex issues such as the Borthwick Village rezoning request as well as the referrals on formula business regulations and the Non-Residential PUD ordinance. Since January 2007, the Board has held twelve work sessions on Council referrals, as well as two special meetings on HarborCorp and two joint meetings with the Conservation Commission. In January and February alone, the Board will meet seven times.

We appreciate the Council's ongoing support and look forward to continuing to work with you, the City's other land use boards and the community to complete the revision of our land use regulations. The Planning Board and City staff will continue to make every effort to insure a transparent process and opportunities for public review and input. All meetings and work sessions are televised and the Board's intent is to hold numerous public hearings to obtain additional input from the community.

cc: Planning Board Members
John P. Bohenko, City Manager
Cindy Hayden, Deputy City Manager
David Holden, Planning Director
Rick Taintor, Taintor & Associates