

Proposed Zoning Amendments

Special Town Meeting November 13, 2024

Planning Board Meeting - October 28, 2024
Anne Capra, Director of Planning and Conservation
acapra@southhadley.ma.gov
(413) 538-5030 x 6128

Article 9: Amendments 255-31 Flexible Development &
255 Attachment 1 Use Regulations Schedule

Article 10: NEW Bylaw -- 255-XX Common Drive

Article 11: NEW Bylaw -- 255-YY Common Open Space

Article 12: Amendments 255-47 Multifamily and Multiple Dwellings

Planning Board Report to Town Meeting:

<https://www.southhadley.org/1318/ProposedDraft-Bylaws>

What is the Flexible Development Bylaw?

Chapter 255-31

- Zoning tool – regulates the use of the land
- Creates a residential development with protected open space.
- Adopted in 2004 to replace a *Cluster Development Bylaw*
- Has only been used 3 times in 19 years:
 - Skinner Woods, Amherst Road
 - Mountainbrook Subdivision, Red Bridge Lane and Lyon Green
 - Dry Brook Village, Hadley Street – *withdrawn, never built*
- Bylaw has not been effective at protecting open space and creating new housing units

Comprehensive Amendments

- Revise Flexible Development Bylaw
 - Eliminate confusion with Subdivision Regulations and encourage use.
- Create uniformity throughout Zoning Bylaw on common open space requirements – NEW Common Open Space Bylaw
- Create NEW Common Driveway Bylaw and Regulations (design standards) – for non-subdivisions, i.e. multiple dwellings on a single parcel

255-31 Flexible Development

A. Purposes **No changes**

B. Applicability

- Change from Special Permit to Site Plan Review (Special Permit within the Water Supply Protection District)
- Definitive subdivision plan or common drive approval

C. Definitions

- “Usable Open Space” changed to “Common Open Space”; and, added “as well as land for conservation purposes” to definition.

D. Design Process

(f) Definitive plan – **DELETE and REPLACE:**

(f) Final steps in design process

- (i) If subdivision of land resulting in separate lots with new roadway (anticipated to be accepted by as a Town road) – require Definitive Subdivision Plan approval.
- (ii) If multiple dwellings on a single parcel (no subdivision of land) and drive is not intended to be accepted by the Town/remain private – require Common Drive approval.

E. Procedures

- Eliminate Special Permit, **Site Plan Review only**, unless within the Water Supply Protection District
- **DELETE (1) Concept Review**
- **DELETE (2) Subdivision plan**
- **ADD Definitive Plan or Common Drive Submission**
 - **Definitive Plan – For subdivision of land that will result in creation of new roadway.**
 - **Common Drive – NO subdivision of land**
 - **Needs to comply with NEW Common Drive Regulations**

F. Housing Types Permitted

F. (1) thru (9) - **DELETE and REPLACE**

ADD

F. Establishment of Flexible Development Tiers

(1) Tier 1: 30-50% open space

(2) Tier 2: >50% open space

G. Housing Types Permitted - **ADD**

Tier	Open Space (% total site)	Housing Types Permitted	Density Standards	
Tier 1	30-50%	Detached Single Family (new) Attached Single Family Two Family (Duplex)	<i>Existing Preset Method</i>	
			<u>Zoning District</u>	<u># units/acre</u>
			Agricultural	0.75 or 0.90(WSPD) 1.125 or 1.35*
			Residence A-1	1.20 1.8
			Residence A-2	2.00 3.0
			Residence B	3.25 4.8
Tier 2	>50%	Detached Single Family (new) Attached Single Family Two Family (Duplex) Three Family (Triplex)	Multiply # units/acre in existing Preset by 2	
			<u>Zoning District</u>	<u># units/acre</u>
			Agricultural	0.75 x2 = 1.50
				0.90(WSPD) x2 = 1.80
			Residence A-1	1.20 x2 = 2.4
			Residence A-2	2.00 x2 = 4.0
		Residence B	3.25 x2 = 6.5	

**If property within Water Supply Protection District and lacks public water and sewer, lower density figure applies.*

H. Dimensional Standards

1. Reduce minimum tract size from 5 acres to 3 acres.

J. Density Bonuses

1. Additional open space. DELETE and REPLACE

Small Dwelling Units

“Dwelling units (detached , attached or part of a multifamily building) < or equal to 800 SF of conditioned floor area shall count as 0.5 units.”

2. Affordable housing units. DELETE and REPLACE

“Dwelling units qualifying as affordable shall count as 0.25 units.”

5. Total dwelling unit count. The total dwelling unit count with density bonuses may round up to the nearest whole number.

Density Bonuses cap at 50% of base unit count

L. Common Open Space (previously K.)

DELETE and REPLACE

- (1) All Flexible Developments must include Common Open Space which conforms to the provisions of 255-96 of the Zoning Bylaw.

This is the proposed NEW Common Open Space Bylaw.

M. Ownership of Common Open Space (previously L.)

DELETE and REPLACE

- (1) The Common Open Space required under Section 255-31K shall be permanently restricted for use as open space and not permitted to be developed into additional residential buildings, commercial uses, or other improvements except as permitted in accordance with the provisions of Section 255-96.
- (2) Ownership of the required Common Open Space shall conform to the provisions of 255-96 of the Zoning Bylaw.

255-96 is the proposed NEW Common Open Space Bylaw.

255-47 Multifamily and Multiple Dwellings

B. Entrances

- ADD: Front entrances shall not open directly onto parking lots but rather sidewalks, streets or common open spaces.
- DELETE: “Rear entrances and entrances for services and delivery may be from parking areas.”

D. Required Open space.

- Delete

ADD G. Common Drive

- Required compliance with 255-95 Common Drive and associated Rules and Regulations (new bylaw)

NEW

255-95 Common Drive

- A. Applicable to multifamily developments and developments with more than 1 building for dwelling purposes on single parcel
- B. Planning Board to adopt Rules and Regulations for design, construction and maintenance of Common Drive.
- C. Common Drive plans to be approved by Planning Board.
- D. Common Drives are NOT:
 - 1. Existing public ways
 - 2. Subdivision roads
 - 3. Preexisting ways prior to adoption of Subdivision Control Law (c.1954)

NEW

255-95 Common Drive

E. Land fronting Common Drives not eligible for ANR.

F. Statement of adequate way.

G. Maintenance Plan to be recorded at Hampshire County Registry of Deeds.

H. Financial Performance Guarantee may be required.

I. Form of performance guarantee.

NEW

255-96 Common Open Space

Applies to all Zoning Bylaws that require open space set aside:

- Multifamily developments
 - Flexible Development
- A. Definition – “areas suitable for use as facilities and sites for play, tot lots, gardens, hiking/jogging trails or similar facilities, as well as land for conservation purposes.”
- A. (1-7) Characteristics and dimensions for common open space.

NEW

255-96 Common Open Space

A. (1-7) Characteristics and dimensions for common open space:

- 30% minimum required
- Contiguous open space preferred (within development)
- May be comprised of multiple parcels but no one parcel may be less than 25% of the common open space
- Uses – agriculture, nature education, recreation, conservation, historic preservation, parks or combination thereof
- Dwellings shall abut open space, and other access in the form of sidewalks or paths shall be provided
- Less than 5% of the open space may have accessory structures

NEW

255-96 Common Open Space

B. Ownership of Common Open Space

1. Conveyance:

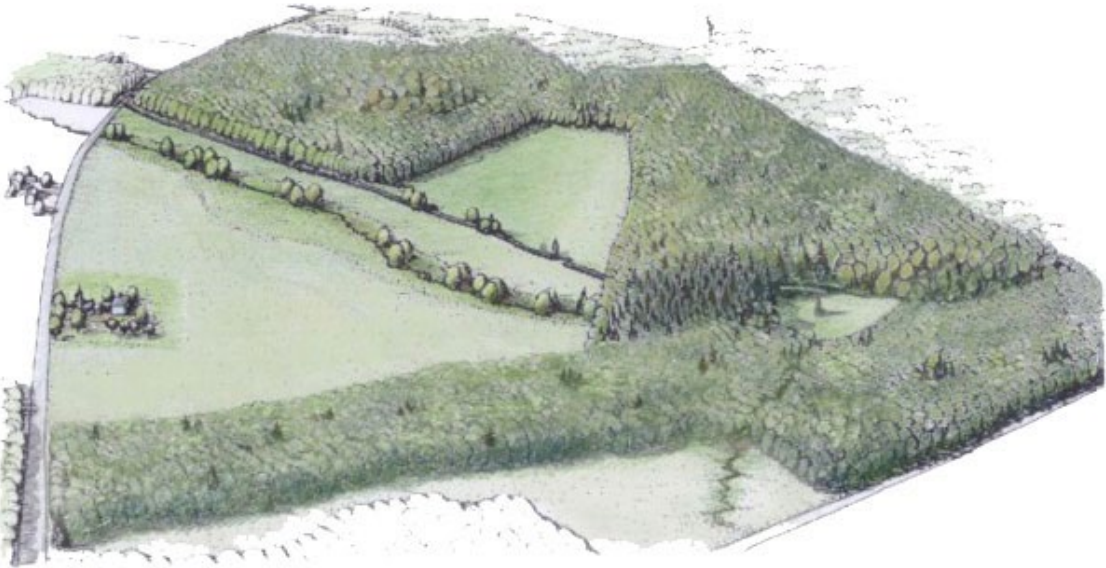
- Town of Conservation Commission
- Conservation Non-Profit
- Homeowners Trust or Corporation
- Private entity under a Conservation Restriction

2. Restriction:

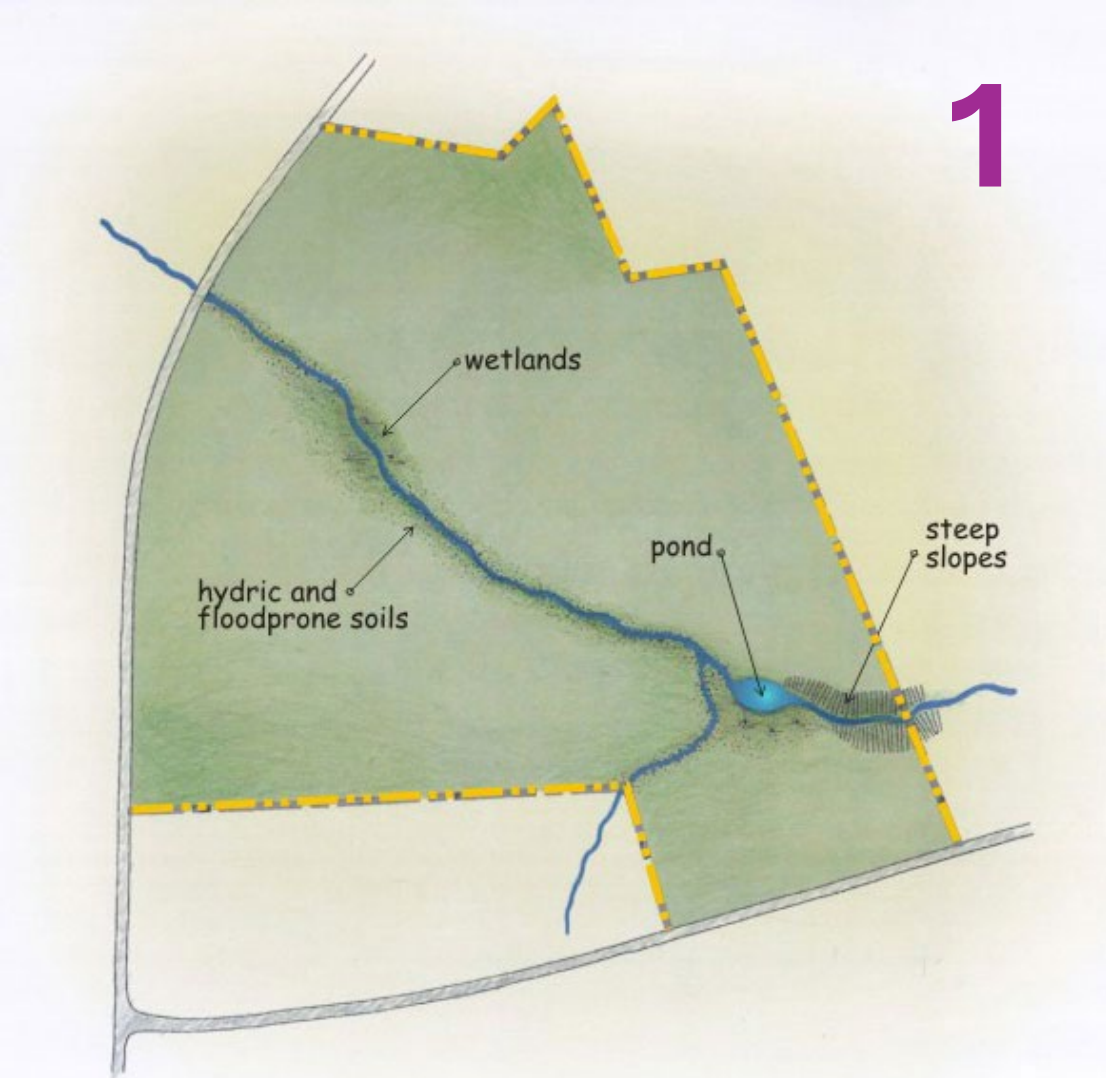
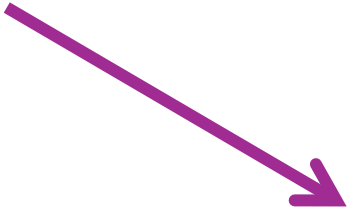
- Must be in perpetuity (forever)
- Preserved for uses stated above
- Maintained for stated uses
- Subdivision prohibited
- 10Must include “springing rights” for perpetual restriction.

Flexible Development & Density Scenarios

What is Flexible Development?



Site before development.



Identifying primary conservation areas.

Graphics: Arendt, Randall, 1996. *Conservation Design for Subdivisions*, Washington, D.C.

2



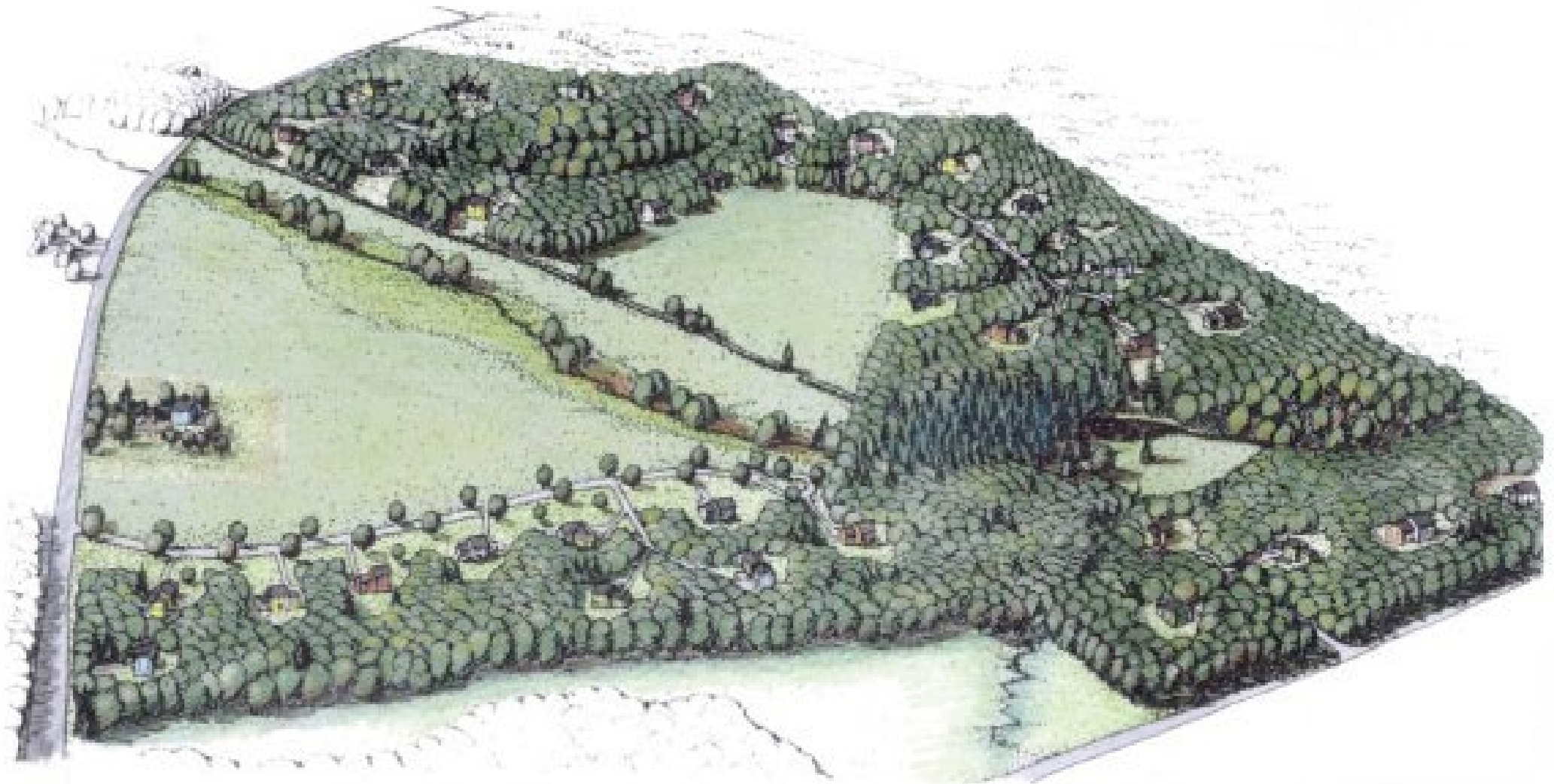
Identifying secondary conservation areas.

3



Identifying potential development areas.

Final Flexible Development Layout



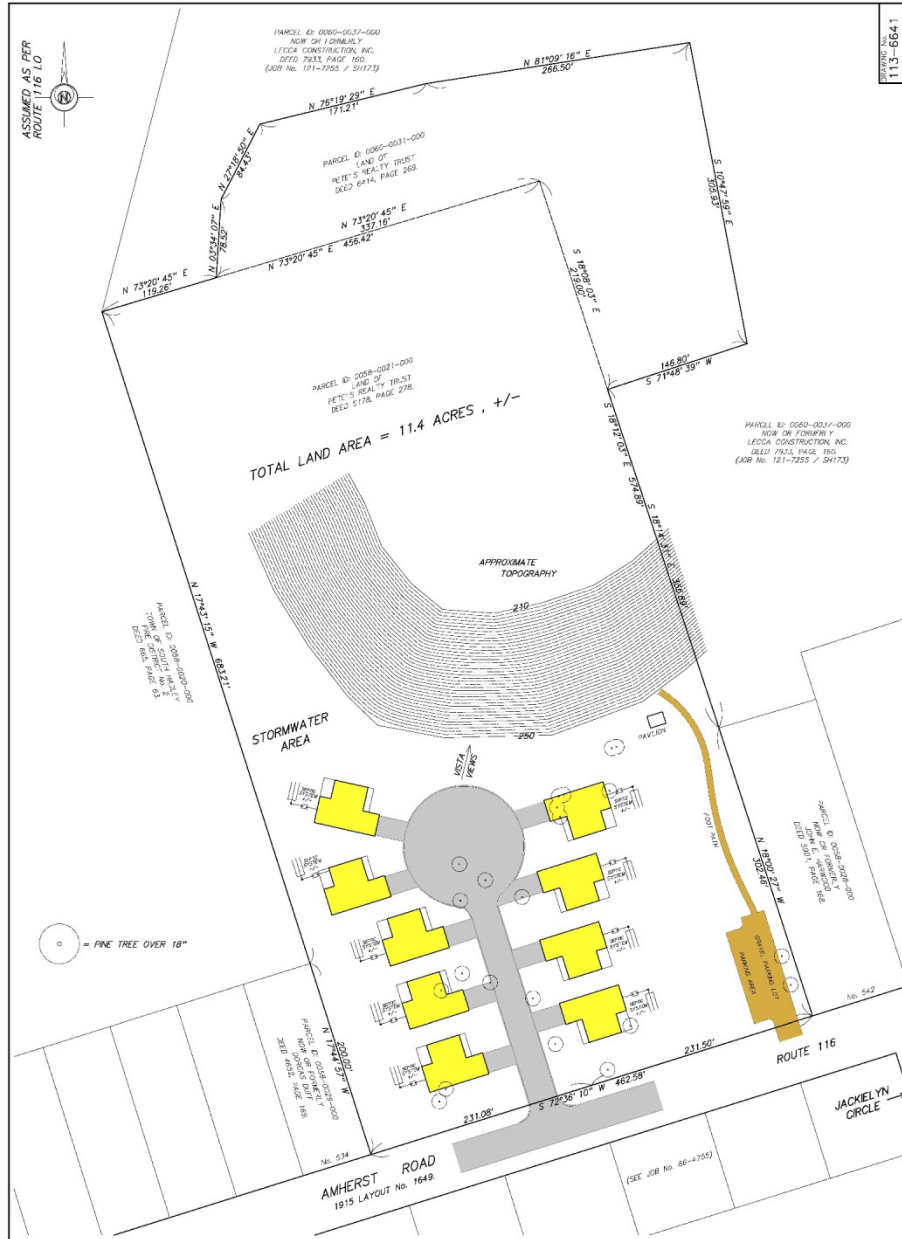
Site with conservation design.

Typical Subdivision Layout



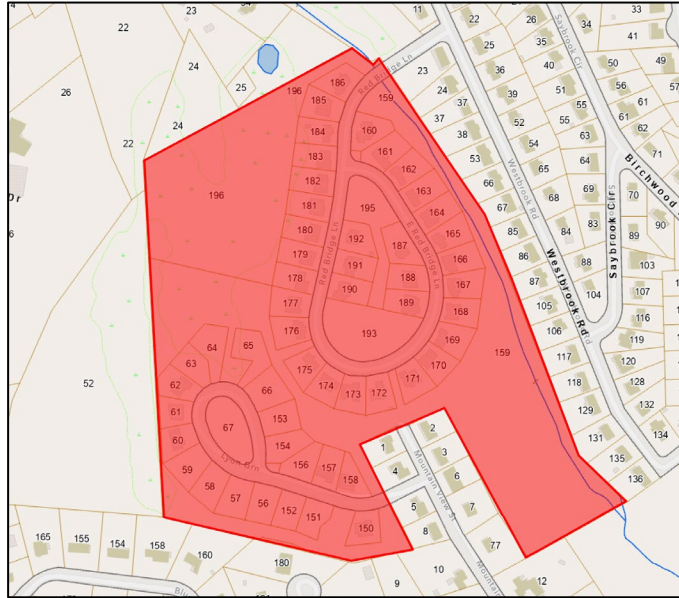
- 11.4 acres site
- 10 single-family home parcels
- Parcel size approx. 40,000 SF
- New private road; eligible for acceptance by Town as public way
- No protected open space
- Housing density = 1.14 units/acre

Flexible Development Layout



- 11.4 acres site
- 10 single-family homes on 1 parcel – “multiple dwellings on a single parcel”
- Common Drive; NOT eligible for acceptance by Town as public way
- Approx. 6.8 acres of protected open space = 60% of site protected open space
- Housing density = 2.17 units/acre (developed part of site)
- Not Subdivision – “Multiple dwellings on a single parcel” with Common Drive

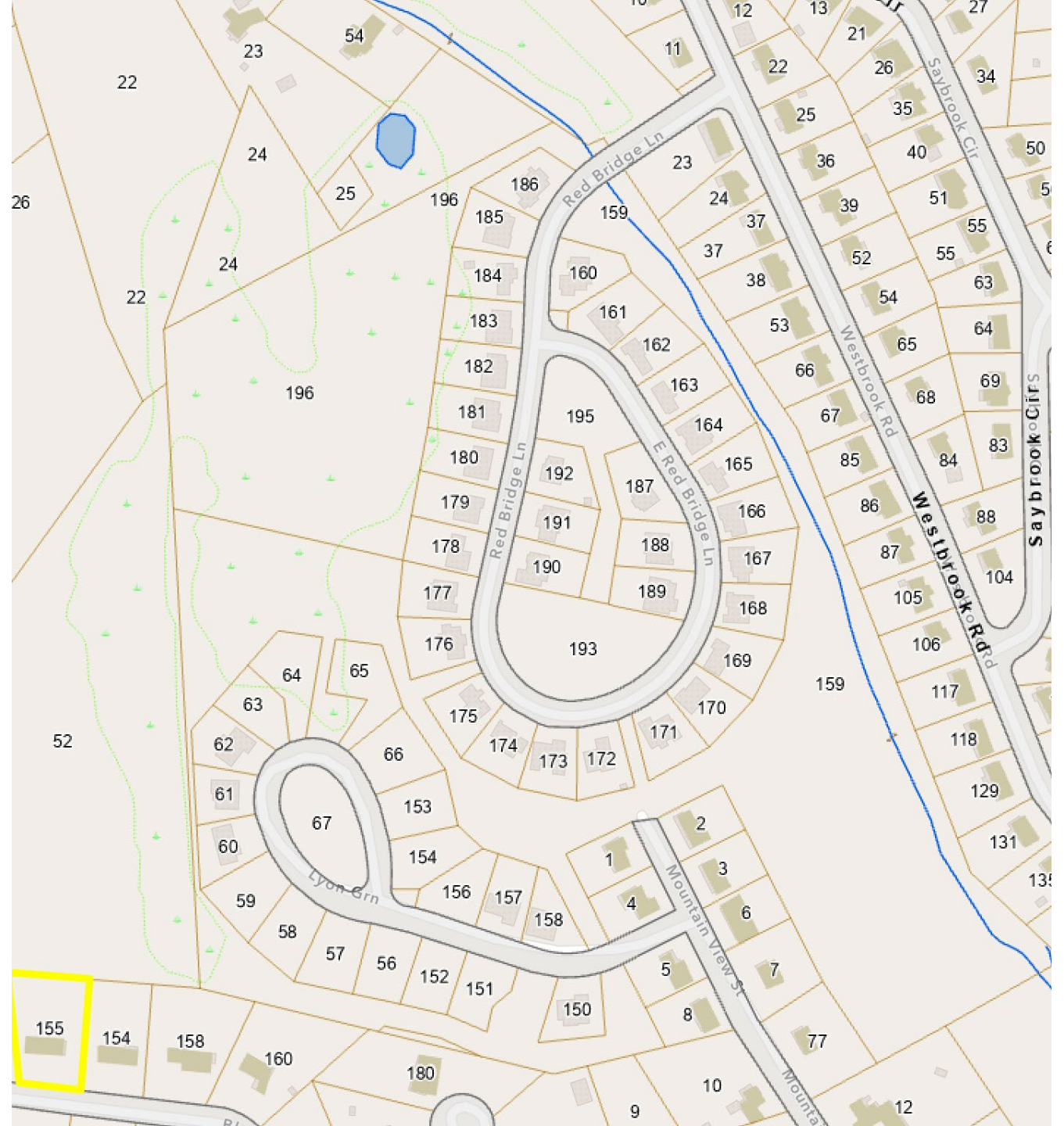
Mountainbrook Flexible Development



Red Bridge Lane
East Red Bridge Lane
Lyon Green

1.09 units/acre – whole site

2.3 units/acre – developed part of site



Flexible Development Bylaw Proposed Amendments

Example Site: 3-acre parcel in RA1 zoning district

Tier 1 Open Space = 30% (0.9 acres)

Housing Density = 1.8 units/acre

$1.8 \times 3 \text{ acres} = 5.4 \text{ dwelling units} = \text{rounds down to } 5 \text{ base units}$

Developed portion of site (2.1 acres) = buildout is 2.4 units/acre

Density bonus (up to 50% base unit count) = 2.5

Total Unit Count = $5 + 2.5 = 7.5$ which rounds up to 8 total units w/ density bonus

Total site Housing Density w/ bonus = 2.6 units/acre

Developed portion of site (2.1 acres) = buildout is 3.8 units/acre

Tier 2 Open Space = 50% (1.5 acres)

Housing Density = 2.4 units/acre

$2.4 \times 3 \text{ acres} = 7.2 \text{ dwelling units} = \text{rounds down to } 7 \text{ base units}$

Developed portion of site (1.5 acres) = buildout is 4.6 units/acre

Density bonus (up to 50% base unit count) = 3.5

Total Unit Count = $7 + 3.5 = 10.5$ which rounds up to 11 total units w/density bonus

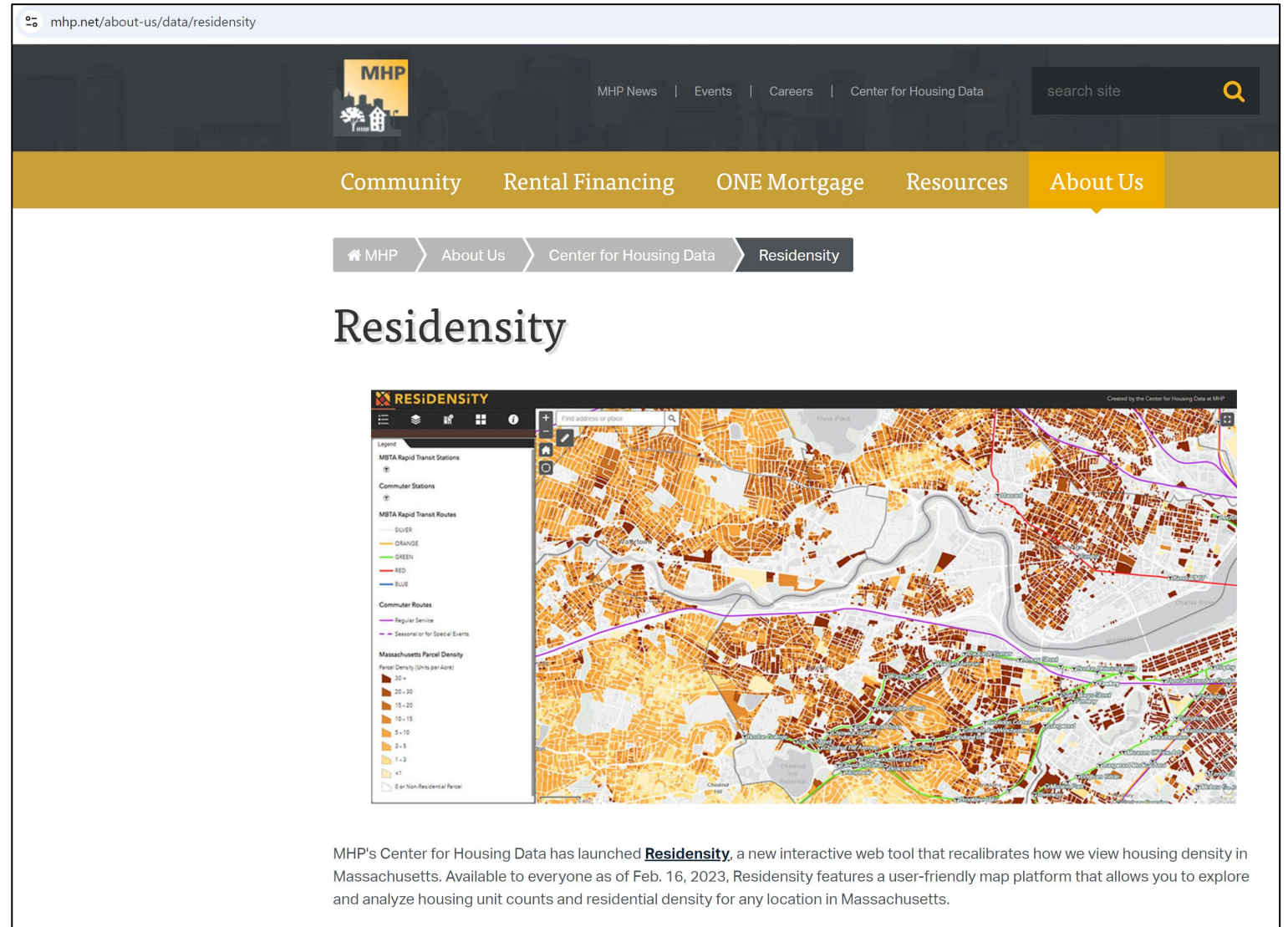
Total site Housing Density w/bonus = 3.6 units/acre

Developed portion of site (1.5 acres) = buildout is 7.3 units/acre

Mass Housing Partnership

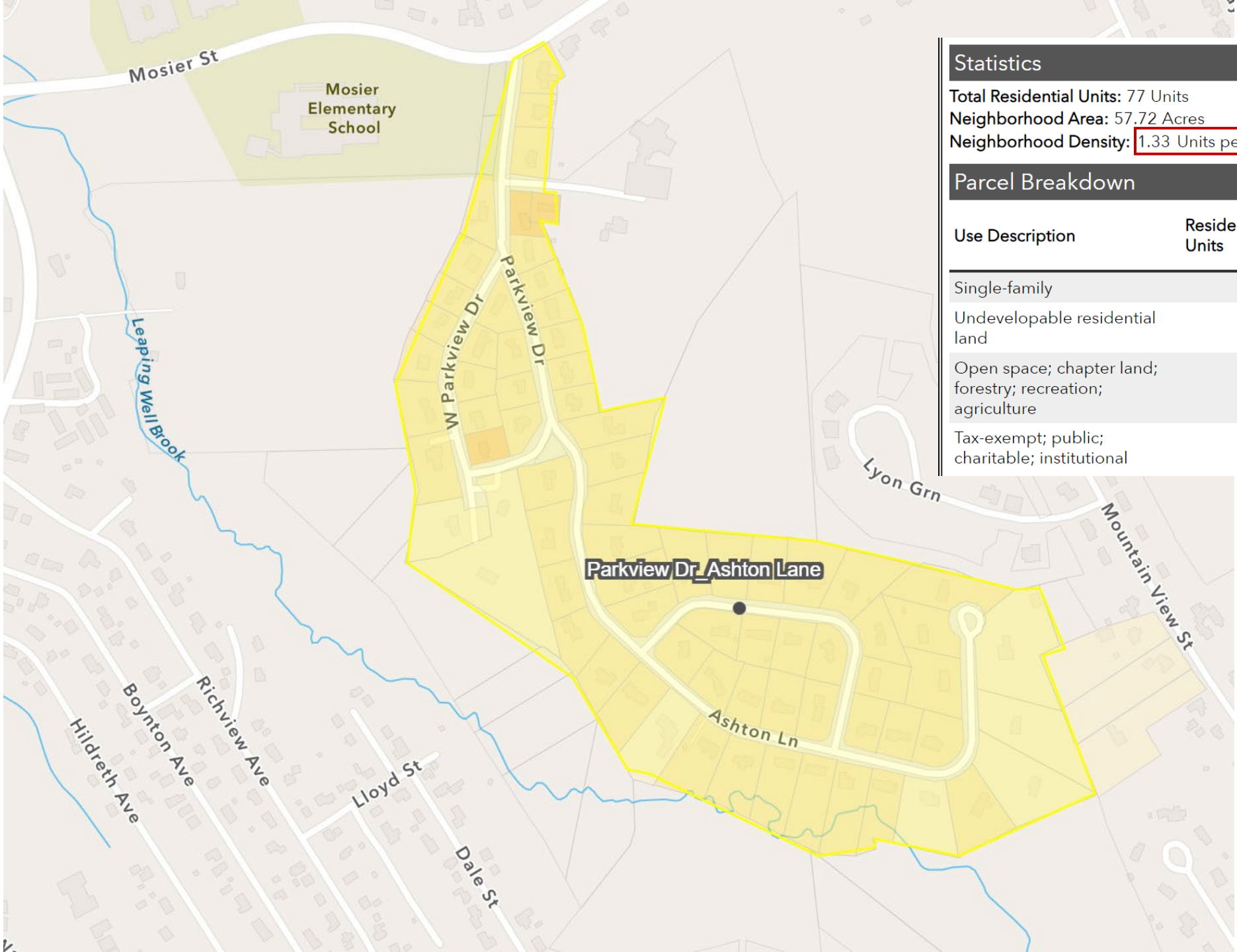
Density Examples

<https://residency.mhp.net/>



The screenshot displays the MHP website's 'Residency' page. At the top, the URL 'mhp.net/about-us/data/residency' is visible. The navigation bar includes links for 'Community', 'Rental Financing', 'ONE Mortgage', 'Resources', and 'About Us'. A search bar is located on the right. Below the navigation bar, a breadcrumb trail shows 'MHP > About Us > Center for Housing Data > Residency'. The main heading is 'Residency'. The central feature is an interactive map titled 'RESIDENCY' showing housing density in Massachusetts. The map uses a color scale from light yellow (low density) to dark brown (high density). A legend on the left side of the map provides details on various transit routes and density metrics. The legend includes: MBTA Rapid Transit Stations, Commuter Stations, MBTA Rapid Transit Routes (SILVER, ORANGE, GREEN, RED, BLUE), Commuter Routes (Regular Service, Seasonal or for Special Events), and Massachusetts Parcel Density (Units per Acre) with categories: 30+, 20-30, 15-20, 10-15, 5-10, 3-5, 1-3, and 0 or Non-Residential Parcel.

MHP's Center for Housing Data has launched **Residency**, a new interactive web tool that recalibrates how we view housing density in Massachusetts. Available to everyone as of Feb. 16, 2023, Residency features a user-friendly map platform that allows you to explore and analyze housing unit counts and residential density for any location in Massachusetts.



Statistics

Total Residential Units: 77 Units

Neighborhood Area: 57.72 Acres

Neighborhood Density: 1.33 Units per Acre

Parcel Breakdown

Use Description	Residential Units	Parcel Acres	Avg. Parcel Density
Single-family	77	54.28	1.42
Undevelopable residential land	0	35.83	0.00
Open space; chapter land; forestry; recreation; agriculture	0	22.62	0.00
Tax-exempt; public; charitable; institutional	0	48.90	0.00

Statistics

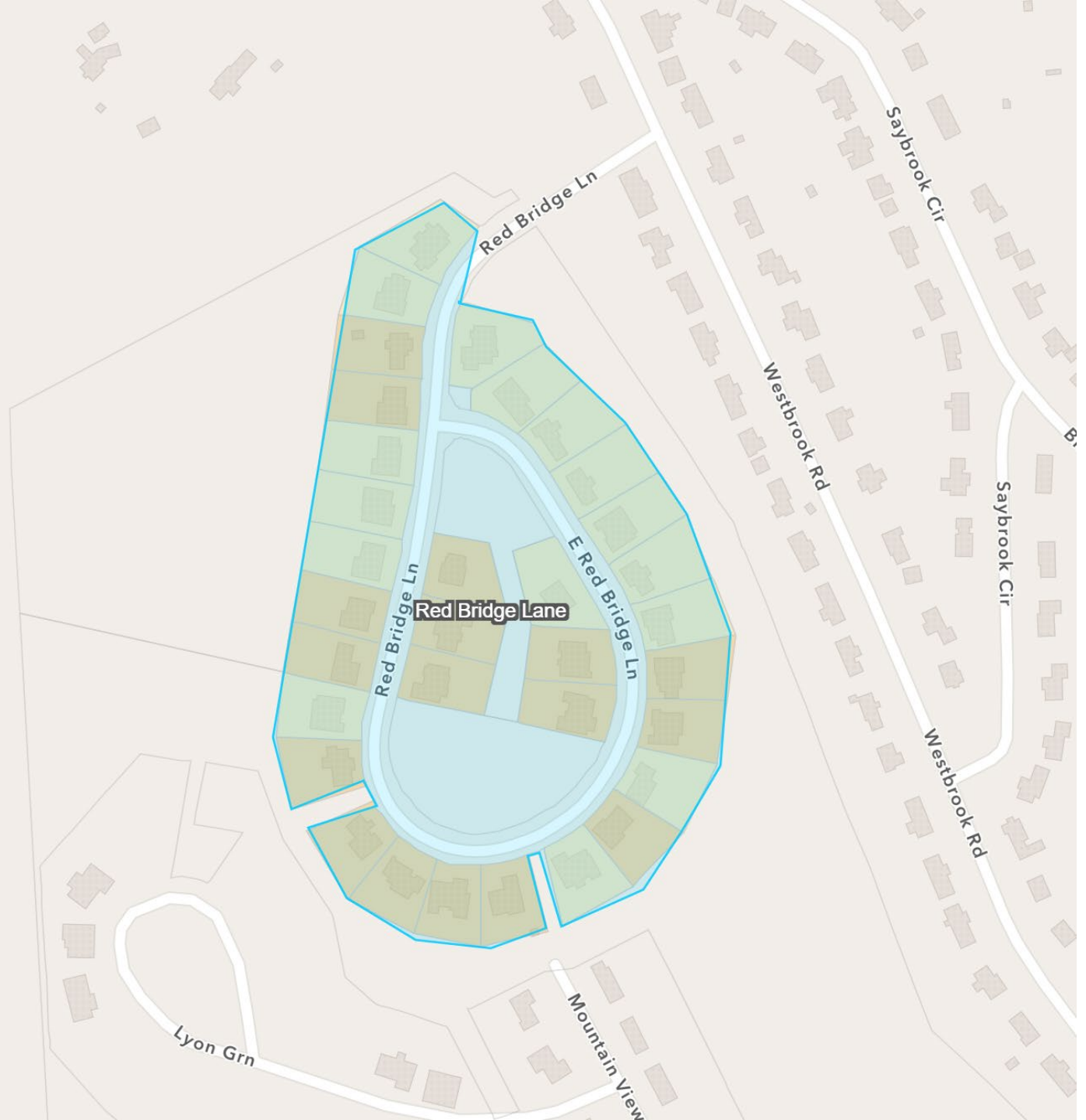
Total Residential Units: 33 Units

Neighborhood Area: 15.77 Acres

Neighborhood Density: 2.09 Units per Acre

Parcel Breakdown

Use Description	Residential Units	Parcel Acres	Avg. Parcel Density
Single-family	33	10.98	3.01
Undevelopable residential land	0	25.03	0.00



RA1

Statistics

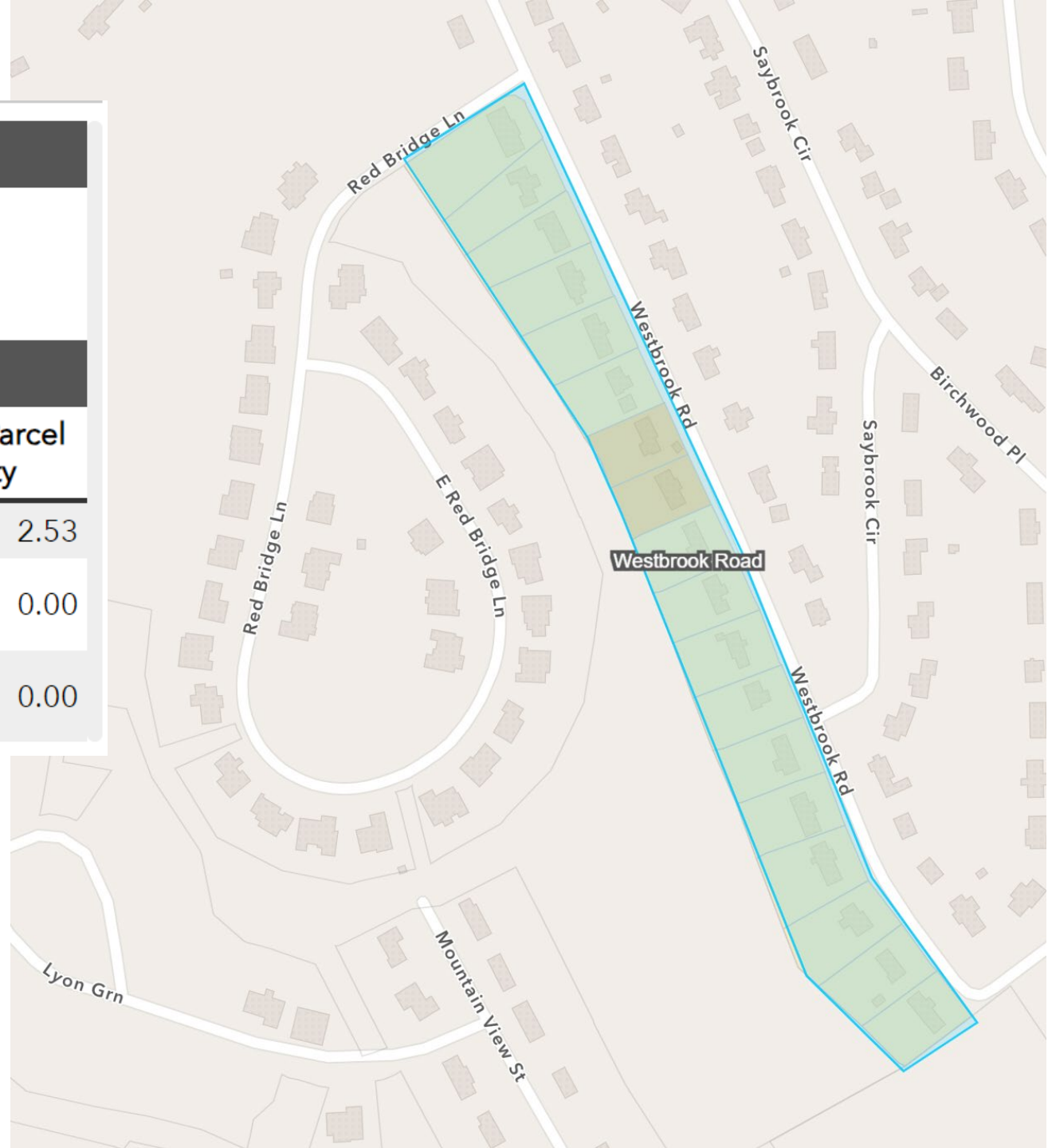
Total Residential Units: 18 Units

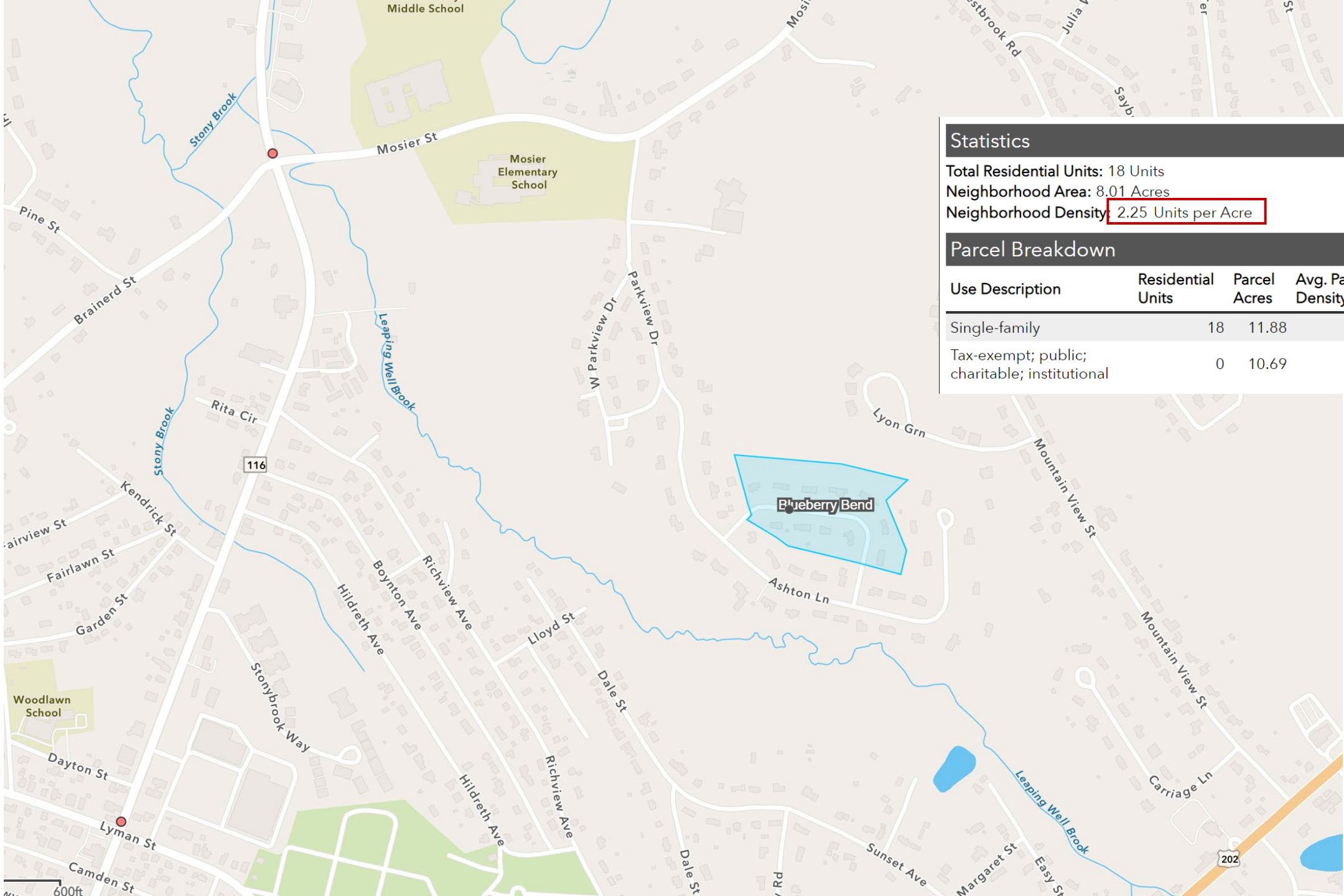
Neighborhood Area: 7.46 Acres

Neighborhood Density: 2.41 Units per Acre

Parcel Breakdown

Use Description	Residential Units	Parcel Acres	Avg. Parcel Density
Single-family	18	7.11	2.53
Undevelopable residential land	0	15.73	0.00
Potentially developable residential land	0	10.68	0.00





Statistics

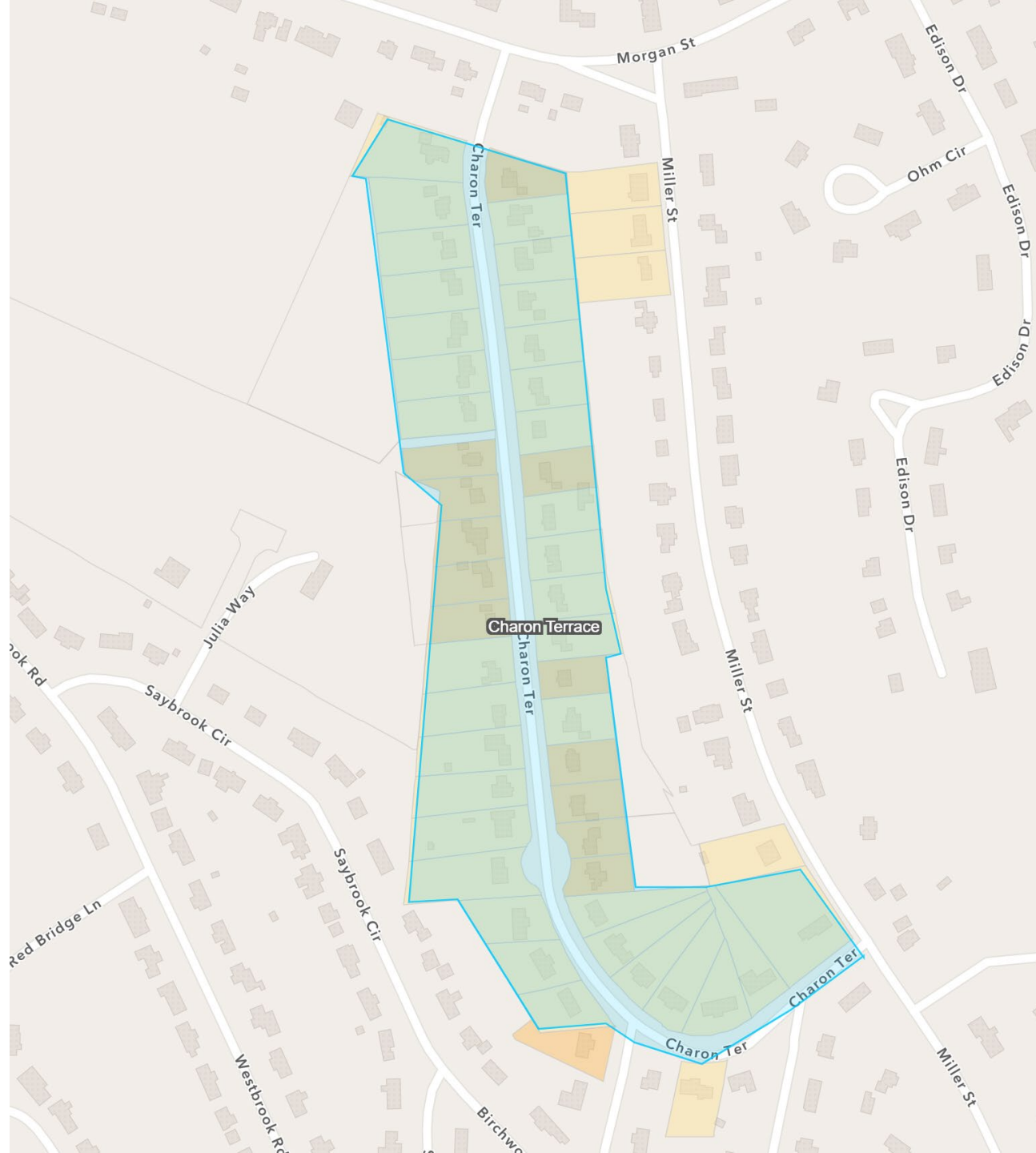
Total Residential Units: 18 Units

Neighborhood Area: 8.01 Acres

Neighborhood Density: 2.25 Units per Acre

Parcel Breakdown

Use Description	Residential Units	Parcel Acres	Avg. Parcel Density
Single-family	18	11.88	1.51
Tax-exempt; public; charitable; institutional	0	10.69	0.00



Statistics

Total Residential Units: 52 Units
 Neighborhood Area: 20.45 Acres
 Neighborhood Density: 2.54 Units per Acre

Parcel Breakdown

Use Description	Residential Units	Parcel Acres	Avg. Parcel Density
Single-family	52	20.20	2.57
Undevelopable residential land	0	3.78	0.00
Open space; chapter land; forestry; recreation; agriculture	0	11.39	0.00

RA1

Statistics

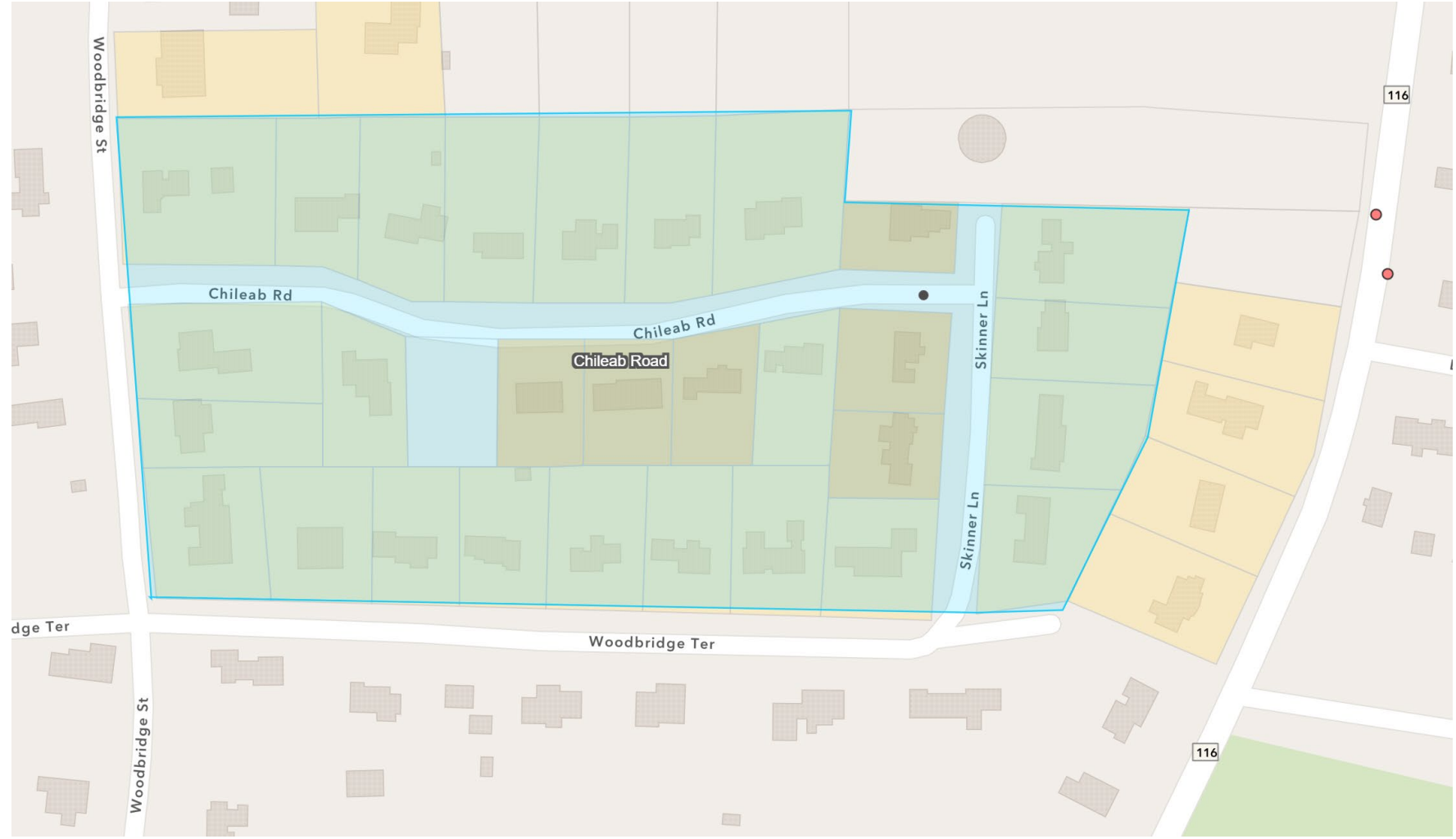
Total Residential Units: 35 Units

Neighborhood Area: 13.59 Acres

Neighborhood Density: 2.58 Units per Acre

Parcel Breakdown

Use Description	Residential Units	Parcel Acres	Avg. Parcel Density
Single-family	35	15.08	2.32
Undevelopable residential land	0	3.14	0.00
Tax-exempt; public; charitable; institutional; Industrial	0	1.42	0.00



RA1

Statistics

Total Residential Units: 52 Units

Neighborhood Area: 13.63 Acres

Neighborhood Density: 3.82 Units per Acre

Parcel Breakdown

Use Description	Residential Units	Parcel Acres	Avg. Parcel Density
Single-family	52	19.28	2.70
Open space; chapter land; forestry; recreation; agriculture	0	11.39	0.00



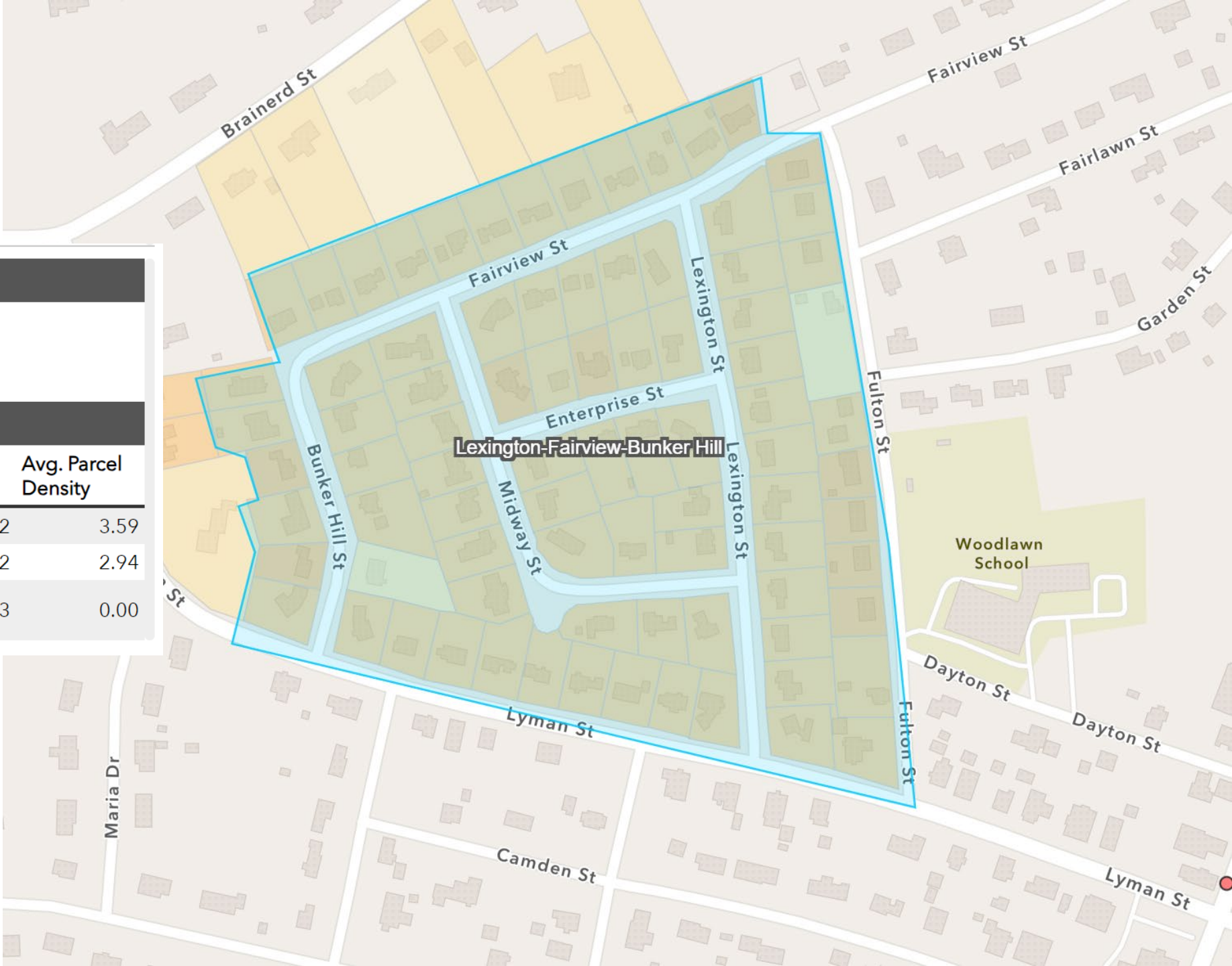
RA2

Statistics

Total Residential Units: 95 Units
Neighborhood Area: 25.04 Acres
Neighborhood Density: 3.79 Units per Acre

Parcel Breakdown

Use Description	Residential Units	Parcel Acres	Avg. Parcel Density
Single-family	92	25.62	3.59
Two-family	3	1.02	2.94
Accessory land with improvement	0	0.23	0.00



RA2 & RA1

Statistics

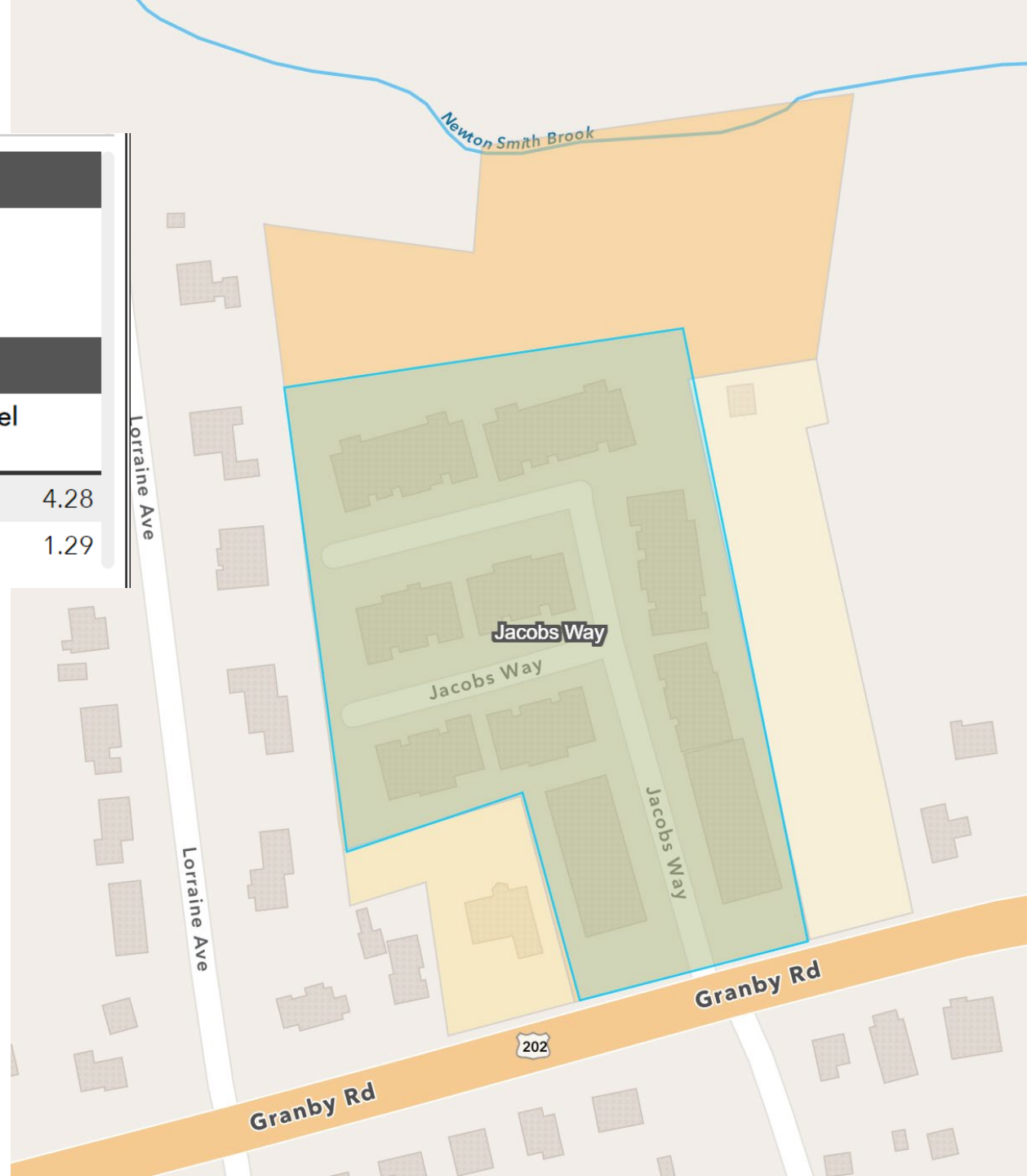
Total Residential Units: 27 Units

Neighborhood Area: 3.96 Acres

Neighborhood Density: 6.81 Units per Acre

Parcel Breakdown

Use Description	Residential Units	Parcel Acres	Avg. Parcel Density
Condominium	25	5.84	4.28
Single-family	2	1.55	1.29



Res B

Statistics

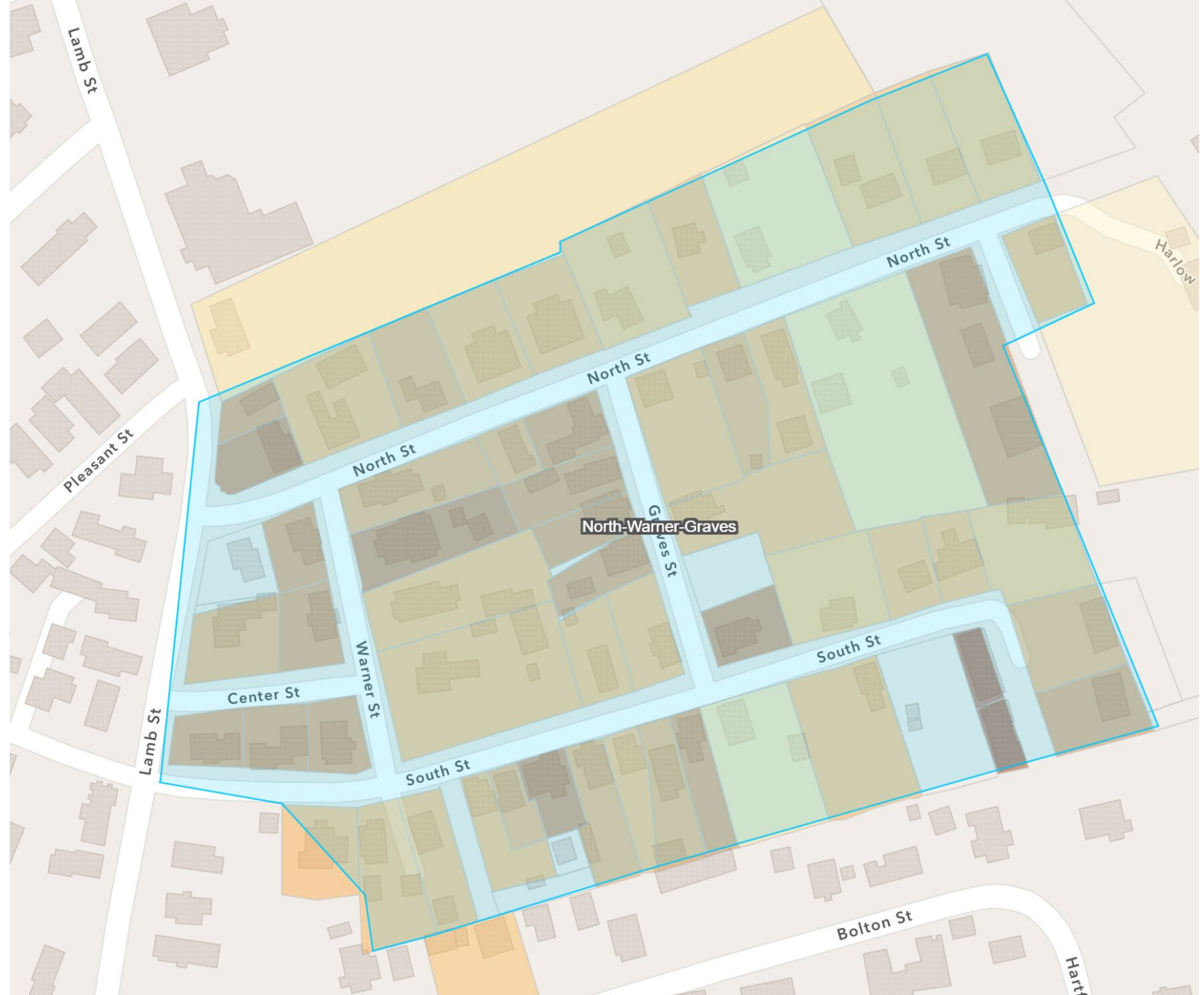
Total Residential Units: 115 Units

Neighborhood Area: 15.02 Acres

Neighborhood Density: 7.65 Units per Acre

Parcel Breakdown

Use Description	Residential Units	Parcel Acres	Avg. Parcel Density
Two-family	53	6.43	8.25
Single-family	27	6.83	3.95
Three-family	19	1.14	16.69
Multiple houses on parcel	9	0.51	17.80
Apartments with four to eight units	5	0.24	20.54
Condominium	2	0.21	9.68
Undevelopable residential land	0	0.33	0.00
Potentially developable residential land	0	0.43	0.00
Tax-exempt; public; charitable; institutional	0	0.13	0.00
Developable residential land	0	1.66	0.00



Res C



Statistics

Total Residential Units: 81 Units

Neighborhood Area: 3.99 Acres

Neighborhood Density: 20.31 Units per Acre

Parcel Breakdown

Use Description	Residential Units	Parcel Acres	Avg. Parcel Density
Condominium	80	5.70	14.03
Single-family	1	2.65	0.38



Statistics

Total Residential Units: 81 Units

Neighborhood Area: 5.71 Acres

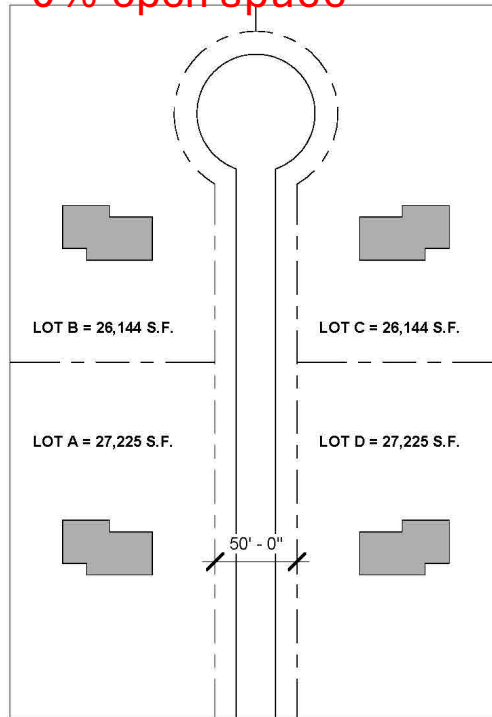
Neighborhood Density: 14.18 Units per Acre

Parcel Breakdown

Use Description	Residential Units	Parcel Acres	Avg. Parcel Density
Condominium	80	5.70	14.03
Single-family	1	2.65	0.38
Residential open space	0	0.76	0.00
Condominium; Residential open space	0	2.65	0.00

3 RESIDENTIAL BUILD-OUT SCENARIOS FOR A HYPOTHETICAL 3 ACRE PARCEL

1.3 units/acre
0% open space



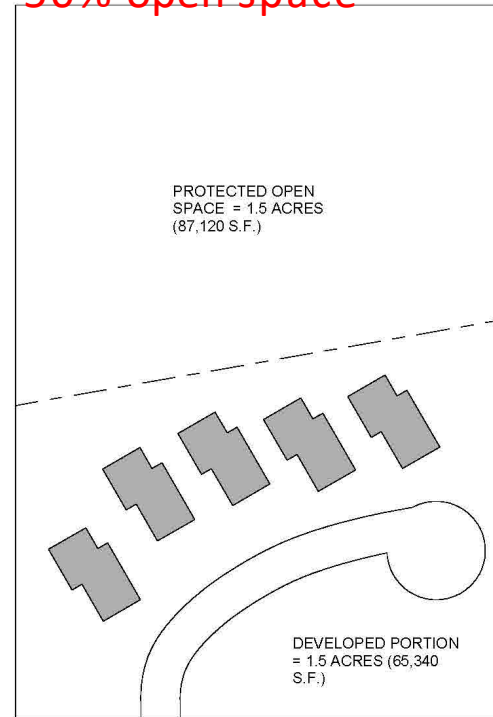
SCENARIO 1

TYPICAL SUBDIVISION

- LOT SIZE PER RA-1 ZONING MINIMUM (22,500 S.F.)*
- ALL 3 ACRES DEVELOPED
- 0% OPEN SPACE
- 1.3 UNITS/ACRE NEIGHBORHOOD DENSITY*

* IN THE AGRICULTURAL ZONING DISTRICT (MIN. LOT SIZE OF 30,00 S.F.) (3) LOTS OF 43,560 COULD BE CREATED WITH A RESULTANT NEIGHBORHOOD DENSITY OF 1.0 UNITS/ACRE

1.8 units/acre whole site
50% open space



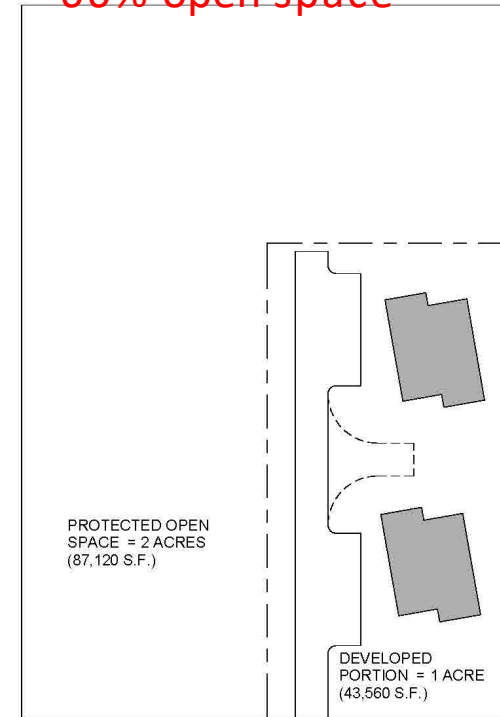
SCENARIO 2

FLEXIBLE DEVELOPMENT WITH DENSITY OF 1.8 UNITS /ACRE (CURRENT BYLAW MAX.)

- (5) 1,800 S.F. SINGLE FAMILY CONDOS w/ COMMON DRIVE*
- 1.5 ACRES DEVELOPED
- 50% OPEN SPACE
- 3.3 UNITS/ACRE NEIGHBORHOOD DENSITY (DEVELOPED PORTION)*

* IN THE AGRICULTURAL ZONING DISTRICT THE MAX BASE UNITS/ACRE WOULD BE 1.125 UNITS/ACRE (IN WSPD). THE RESULTANT NUMBER OF UNITS WOULD BE 3 WITH A NEIGHBORHOOD DENSITY OF 2 UNITS/ACRE.

4 units/acre whole site
66% open space



SCENARIO 3

FLEXIBLE DEVELOPMENT WITH THEORETICAL DENSITY OF 4 UNITS PER ACRE

- (2) 2-STORY 6-UNIT MULTIFAMILY APARTMENT BUILDINGS (12 UNITS)
- 1 ACRE DEVELOPED
- 66% OPEN SPACE
- 12 UNITS/ACRE NEIGHBORHOOD DENSITY (DEVELOPED PORTION)

**3 RESIDENTIAL BUILD-OUT
SCENARIOS FOR A HYPOTHETICAL
3 ACRE PARCEL - AXONOMETRIC
VIEWS**

12 units/acre developed part of site
66% open space

3.3 units/acre developed part of site
50% open space

1.3 units/acre
0% open space

